

for the relief of estate of Benjamin B. Coffey—to the Committee on War Claims.

Also, papers to accompany bill for relief of John W. Smart—to the Committee on War Claims.

By Mr. SLAYDEN: Petition of the Woman's Literary Club of Mason, Tex., in favor of constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. SMITH of Kentucky: Papers to accompany bill H. R. 1785, granting a pension to Samuel T. Wallace—to the Committee on Invalid Pensions.

By Mr. SMITH of New York: Petitions of A. L. F. Dergo and others, of Gardiner, N. Y., and Charles Frink and others, of Gallopville, N. Y., favoring passage of bill H. R. 9302—to the Committee on Ways and Means.

By Mr. SULZER: Petition of Frederick Becker, George Smith, and Aug. Bruhns, of New York City, in favor of clause in post-office appropriation bill relative to contract labor—to the Committee on the Post-Office and Post-Roads.

By Mr. THOMAS of North Carolina: Papers to accompany bill for relief of W. T. Dixon—to the Committee on War Claims.

SENATE.

WEDNESDAY, April 27, 1904.

The PRESIDENT pro tempore called the Senate to order at 12 o'clock m., and directed the Secretary to read the Journal of yesterday's proceedings.

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

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

Mr. CULLOM. I have agreed to yield to the Senator from New Hampshire [Mr. GALLINGER] to submit some conference reports.

The PRESIDENT pro tempore. There is a conference report, to be submitted by the Senator from West Virginia [Mr. SCOTT], already on the table.

Mr. PLATT of Connecticut. May I inquire whether, this being an opening session of the day, the rules with regard to morning business are to be observed?

The PRESIDENT pro tempore. Yes; but a conference report may be submitted at any time except during the reading of the Journal.

Mr. PLATT of Connecticut. I have some morning business that I am very anxious to dispose of.

The PRESIDENT pro tempore. The Chair will call for morning business presently, after the conference reports have been disposed of.

HOME FOR DISABLED VOLUNTEER SOLDIERS.

Mr. SCOTT submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the joint resolution (H. J. Res. 136) for the appointment of Board of Managers of the National Home for Disabled Volunteer Soldiers, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In line 11 of the bill insert the following: "John M. Holly, to succeed John L. Mitchell, his term of service expiring April 21, 1904;" and the Senate agree to the same.

N. B. SCOTT,

J. B. FORAKER,

Managers on the part of the Senate.

J. A. T. HULL,

GEORGE W. PRINCE,

JAMES L. SLAYDEN,

Managers on the part of the House.

The report was agreed to.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. Mr. President, I desire to give notice that on the second day of the next session, being the Tuesday after the first Monday in December, I shall ask the Senate to take up the bill for the protection of the President and keep it before the Senate until it is disposed of. I had proposed to bring the bill before the Senate some time during the last few weeks, but I have been prevented by illness.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed

to the amendments of the Senate to the bill (H. R. 14093) to incorporate the Carnegie Institute of Washington.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bills:

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1905, and for prior years, and for other purposes.

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

A bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahuiki, Territory of Hawaii; and

A bill (H. R. 13633) to regulate the disposal of public lands released and excluded from public forest reservations, and for other purposes.

The message also returned to the Senate, in compliance with its request, the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

EUCLID PLACE AND ERIE STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2134, "An act to connect Euclid place with Erie street," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,

S. R. MALLORY,

Managers on the part of the Senate.

J. W. BABCOCK,

S. W. SMITH,

ADOLPH MEYER,

Managers on the part of the House.

Mr. GALLINGER. Mr. President, before the conference report is agreed to, I desire to occupy a moment by a statement.

This is one of five bills that the Senate has passed in reference to street extensions. The Senate inserted the provision that one-half of the expense should be paid from the revenues of the District of Columbia and one-half from money in the Treasury of the United States. The Senate did that for the reason that they believed the organic act required that to be done. I wish to read simply one provision from the so-called organic act:

To the extent to which Congress shall approve of said estimates (submitted by the Commissioners through and with the approval of the Secretary of the Treasury) Congress shall appropriate the amount of 50 per cent thereof, and the remaining 50 per cent of such approved estimates shall be levied and assessed upon the taxable property and privileges in said District other than the property of the United States.

Now, Mr. President, the Senate Committee on the District of Columbia has been unable to see why the Government should not pay one-half the expense of street extensions, as well as the building of sewers and other improvements, that are made in this District. The House refused to agree to that amendment and insisted upon a provision that has heretofore been inserted in street-extension bills during the past few years, that the entire expense should be paid from the revenues of the District of Columbia. These are small bills, the expenditure is inconsequential, and reluctantly the Senate committee has yielded to the House so far as that contention is concerned.

Mr. McCOMAS. Will the Senator from New Hampshire allow me a moment before he takes his seat?

Mr. GALLINGER. Certainly.

Mr. McCOMAS. I heard the Senator read the organic act in respect to the obligation to divide the expense, which is very clear; and nine times out of ten it has been followed by Congress. The Senator protests against the House proposition to extend these individual streets and have them paid for by the abutters and by the District. Certainly in the capital in the extensions of thoroughfares the wisdom of the organic act of 1878 has been vindicated by time and by the development of the city. I trust the Senator means to say that he will not allow, in so far as he can in his committee, this exception in any way to be taken as a yielding of the proposition he has just stated.

Mr. GALLINGER. I will say to the Senator that so far as I know the Committee on the District of Columbia remain firm in the opinion that their contention is sound.

Mr. McCOMAS. And to sustain the proposition I want to say with deference if they had declined to make the present exception in that way, they might have more clearly emphasized the position of the Senate committee.

Mr. GALLINGER. And yet had the committee insisted upon that, it would have resulted in defeating two or three extensions that will cost a very trifling sum of money that is demanded at the present time by the best interests of the public.

Mr. McCOMAS. I have no doubt of the weight of the consideration which controlled in this case. But I trust the committee will adhere to the proposition that in the capital city the Government shall bear one-half of the work of the thoroughfares and the District the other half, and that placing the whole burden on the District and the abutters will end at some time. It is not just, it is not wise, and will not develop the 7 square miles of this territory as they should be developed.

Mr. STEWART. The opening of the necessary streets to carry out the plan of Washington is a very important question. It involves a great many million dollars' worth of property to be condemned and paid for by the District. It is impossible, under this arrangement, to make such payments as rapidly as the demands of the Government and the people in the growth of the city require. It is unfortunate that any subdivisions were allowed that did not conform to the plan of the city. I protested against it at the time when it was being planned. The principle to be followed has been violated by the Commissioners. The Commissioners have been guilty from time immemorial of allowing subdivisions to be made in conflict with the general system. To open the streets as they should be opened will involve this city in great expense.

The report was agreed to.

KALORAMA AVENUE.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 127, "An act authorizing the joining of Kalorama avenue," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,

Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,

Managers on the part of the House.

The report was agreed to.

EXTENSION OF ALBEMARLE STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 3869, "An act for the extension of Albemarle street," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,

Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,

Managers on the part of the House.

The report was agreed to.

HIGHWAYS CONNECTING ZOOLOGICAL PARK.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2710, "An act for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,

Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,

Managers on the part of the House.

The report was agreed to.

WIDENING OF V STREET.

Mr. GALLINGER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill S. 2621, "An act for the widening of V street NW.," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same.

J. H. GALLINGER,
S. R. MALLORY,

Managers on the part of the Senate.

J. W. BABCOCK,
S. W. SMITH,
ADOLPH MEYER,

Managers on the part of the House.

Mr. COCKRELL. What was the amendment of the House?

Mr. GALLINGER. The amendment of the House was stricken out and the Senate provision that one-half of the expenses should be paid from the revenues of the District of Columbia and one-half from the money in the Treasury.

Mr. COCKRELL. Paying it all from the revenues of the District of Columbia.

Mr. GORMAN. The Senate, of course, agrees to the report, but I only want to say that it is a very radical departure from the organic act. I believe that it would be wise to permit this matter to go over until the next session, where it can be thoroughly considered. It is a great hardship upon the property holders within the city proper, and certainly is a violation of the organic act.

Mr. GALLINGER. I will say to the Senator from Maryland that while I fully agree with him on the general proposition, yet it is a fact, which I did not know until very recently, that since the repeal of the highway act, so called, which took place several years ago, all bills passed for the opening of streets have contained the provision that the District of Columbia should pay the entire expense. I think it is all wrong. These five bills, however, carry a trifling appropriation; they are extremely inconsequential matters, and I really feel that we have acted wisely in permitting them to become laws in the form the House insisted upon. At the next session we will take the matter up very seriously concerning other bills that will involve greater amounts.

This matter was submitted to the House, I will say to the Senator, a few days ago, and by a unanimous-consent vote apparently they insisted that the bills should be in this form. I wish it were not so, but we have to face the condition of things as it exists.

Mr. GORMAN. I am aware that the House has insisted and the Senate has agreed in the past in quite a number of cases to this new rule. In fact, we have four bills or more here now only multiplying the exceptions and rather fixing the rule, which I think is very unjust. I do not believe that any further opening of these streets should be made until this matter is adjusted. In the first place, as I said, under the organic act, I think the Government is bound for one-half the cost of all these improvements.

Mr. COCKRELL. I should like to ask the Senator from Maryland what he means by the organic act?

Mr. GORMAN. I mean the act creating the present form of government—the act of 1878, or whatever it was, which provided for the system of government in the District of Columbia and the general control of affairs here.

Mr. COCKRELL. That is not a constitution or anything of that kind. It is a law at the will and pleasure of Congress to do just as they please with reference to the matter.

Mr. GALLINGER. It is frequently alluded to as the organic act.

Mr. GORMAN. I use the familiar expression when I call it the organic act. I think in all fairness the matter should have more thorough consideration. The fact is that the whole country is interested in the proper development of this District and laying it off in streets and squares.

At the same time there are great individual interests, as we all know, particularly in the suburbs of the city; there are syndicates and individuals who desire to have their property developed, and if we are to abandon the old rule of the Government participating in the expenditure and yet have the ownership of the streets, some more proper and equitable arrangement should be made for the expense, not saddling it upon property holders within the old limits.

While the Senator says there are only a few cases now, and they are insignificant in amount, I want to give notice that so far as I am concerned it will not bind me, and it can not be quoted hereafter that because of these three or four bills it is a proper and

fair rule, for I do not believe it is. I think the faith of the Government is pledged otherwise.

Mr. DUBOIS. As a member of the committee of which the senior Senator from New Hampshire is chairman, I concur in his statement that the Senate committee is opposed to this departure, but I do not like the reason assigned by him as to why we should make the change. I belong to another committee of this body where they have made a radical change, in my judgment, in regard to the disposition of Indian lands because the House insists upon it. If the Senate is willing to change the custom in regard to the opening up of streets, if it is willing to saddle the burden upon the District and relieve the Government from it, well and good, but if we are not, I think we should say so and have the contest fought out thoroughly with the House. I think that should be so in regard to all other legislation. If the Senate is standing for a principle it ought not to yield because some local end is to be gained temporarily by yielding. At the same time, while we are constantly yielding we are insisting that we are against the principle which the House is contending for.

It seems to me that the members of this body ought to be much more careful in saddling burdens upon the District than upon their own States. We are the guardians of the people of the District. We are the sole judges as to what disposition shall be made of things affecting them and of the amount of money they are to pay. In our respective States the people can vote against taxation. Here we tax the people of the District, and they have no voice in it except through us. While I would not interfere with the chairman of our committee, I think a halt ought to be called, not only in regard to this departure, but in regard to others, where the Senate is sacrificing a principle for a temporary and local gain or convenience.

Mr. MALLORY. I wish to call the attention of the Senator from Idaho to the fact that this is not a change in the policy of Congress that is suddenly made. It is an attitude which the House has occupied for some years past, and practically they are standing in a consistent attitude so far as the past few years are concerned. The Committee on the District of Columbia of the Senate realize the fact that the House has committed itself in the past few days almost unanimously in opposition to the view which the Senate has adopted. There is no question that, unless we yield, these bills will fail.

Our position is antagonistic to the position which the House has occupied for several years past, at least. I am inclined to think that we sacrifice no principle at all in permitting these bills to go through now. Hereafter, when the attitude of the House is thoroughly understood by the Senate, if it is the will of the Senate that we should antagonize the position of the House and hold that attitude and thereby prevent the opening of streets in the District of Columbia, then we can do so. But this is very suddenly sprung. We can not maintain that the attitude which the House holds now as compared to the attitude which it held in the past is consistent. I can not see any real reason why these bills should not be allowed to pass now.

Mr. DUBOIS. I will say to the Senator from Florida that what I am attempting to do is to emphasize my own position. I do not agree with the position which the House has taken. I think the more we yield to them the weaker becomes our own position, if I am correct in assuming that the Senate does not agree with the position which the House has taken.

Mr. GALLINGER. Just a word, Mr. President. The Senator from Florida [Mr. MALLORY] is absolutely correct in his statement that this is not a new thing. Since the repeal of the highway act, which I think was about seven years ago, every bill which has passed Congress for the opening of streets has been upon the same basis as contemplated in these conference reports. At the same time, I have been opposed to that doctrine, and I am still opposed to it. If it is hereafter thought desirable to make an issue with the House, we can make it. I will say that there are several bills now before the committee, which have been laid aside for the purpose of further and more careful consideration by the committee, involving this same principle.

It is proper I should say that in opening streets in the District in many cases the entire cost has been assessed upon the owners of abutting property. But these are very inconsequential things, and it is very important that these conference reports should be acted upon.

I think the Senator from Idaho [Mr. DUBOIS] will have no difficulty in finding the chairman of the committee in full accord with his views, and the issue can be made in the future at a time when there will be involved a greater expenditure than is involved in these little bills.

I trust that the conference report may be agreed to.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

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 26th instant approved and signed the act (S. 4375) to amend section 24 of the act approved December 21, 1898, entitled "An act to amend the laws relating to American seamen, for the protection of such seamen, and to promote commerce."

The message also announced that the President of the United States had on this day approved and signed the act (S. 2385) providing for holding regular terms of the circuit and district courts of the United States at Great Falls, Mont.

EXEMPTION OF PRIVATE PROPERTY AT SEA.

Mr. CULLOM. Mr. President, the joint resolution now before the Senate was passed by the House of Representatives on April 8, 1904, and referred to the Committee on Foreign Relations of the Senate on April 9, 1904, from which committee it was favorably reported on April 13. It provides:

That it is the sense of the Congress of the United States that it is desirable, in the interest of uniformity of action by the maritime states of the world in time of war, that the President endeavor to bring about an understanding among the principal maritime powers, with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents.

This resolution contains a principle—the exemption of private property at sea—that has been a settled policy of this Government for more than a hundred years.

As early as 1785, before the adoption of the Constitution of the United States, we find that this principle was enunciated in a commercial treaty with Prussia.

Under the Administration of President Madison, in 1823, an effort was made by the United States to induce Great Britain, France, and Russia to adopt the policy of the exemption of all private property at sea without result.

Such an effort was again made under the Administration of President Buchanan.

The declaration of the powers of 1856, known as the "declaration of Paris," was an important step in this direction, abolishing privateering and making a neutral flag cover enemy's goods, except contraband of war; in other words, "free ships make free goods." The United States was not a party to this declaration.

In 1870 Mr. Fish attempted to bring about an understanding among the nations as to the exemption of private property at sea.

In 1871 we entered into a treaty with Italy containing a recognition of the exemption of private property at sea. Article 12 of that treaty provided:

That, in the unfortunate event of war between them, the private property of their respective subjects and citizens, with the exception of contraband of war, shall be exempt from capture or seizure on the high seas or elsewhere by the armed vessels or by the military forces of either party. * * *

This principle was recognized in the war of 1866 between Austria and Prussia.

But with very few exceptions the rule of the capture of private property at sea has been universally followed by almost all of the nations.

Private property on land has long since been exempt from seizure during war, and the same rule should apply to private property at sea.

Great Britain has been the one leading nation that has heretofore declined to subscribe to this doctrine, but Hall, one of the recent recognized authorities on international law, an Englishman, has written quite recently on this subject, and concludes that the time has come when Great Britain must abandon her position favoring the capture of private property at sea; that it is in the interest of Great Britain to do so, because even with her almost unlimited naval forces she is now unable to protect her world-wide commerce in case of war.

President McKinley, in his message to Congress in 1898, said on this subject:

The experiences of the last year bring forcibly home to us a sense of the burdens and the waste of war. We desire, in common with most civilized nations, to reduce to the lowest possible point the damage sustained in time of war by peaceable trade and commerce. It is true we may suffer in such cases less than other communities, but all nations are damaged more or less by the state of uneasiness and apprehension into which an outbreak of hostilities throws the entire commercial world. It should be our object to minimize so far as practicable this inevitable loss and disturbance. This purpose can probably best be accomplished by an international agreement to regard all private property at sea as exempt from capture or destruction by the forces of belligerent powers. The United States has for many years advocated this humane and beneficent principle, and is now in position to recommend it to other powers without the imputation of selfish motives. I therefore suggest for your consideration that the Executive be authorized to correspond with the governments of the principal maritime powers with a view of incorporating into the permanent law of civilized nations the principle of the exemption of all private property at sea not contraband of war from capture or destruction by belligerent powers.

President Roosevelt, in his message of December 7, 1903, re-noved President McKinley's recommendation, and added:

I advocate this as a matter of humanity and morals. It is anachronistic when private property is respected on land that it should not be respected at

sea. Moreover, it should be borne in mind that shipping interests represent, internationally speaking, a much more generalized species of private property than is the case with ordinary property on land—that is, property found at sea is much less apt than is the case with property found on land really to belong to any one nation. Under the modern system of corporate ownership the flag of a vessel often differs from the flag which would mark the nationality of the real ownership and money control of the vessel, and the cargo may belong to individuals of yet a different nationality. Much American capital is now invested in foreign ships; and among foreign nations it often happens that the capital of one is largely invested in the shipping of another. Furthermore, as a practical matter it may be mentioned that while commerce destroying may cause serious loss and great annoyance it can never be more than a subsidiary factor in bringing to terms a resolute foe. This is now well recognized by all of our naval experts. The fighting ship, not the commerce destroyer, is the vessel whose feats add renown to a nation's history and establish her place among the great powers of the world.

Mr. President, this seems to be an opportune time for the recognition by the nations of the principle of the exemption of private property at sea, for which the United States has so long contended.

Mr. President, that is all I desire to say at this time upon the joint resolution which has been laid before the Senate.

DIPLOMATIC QUESTIONS DISPOSED OF SINCE 1897.

It is my purpose now to review briefly the diplomatic or international questions disposed of since 1897 and to give a brief account of what has been accomplished through the conduct of our foreign relations for the past seven years.

Under the McKinley-Roosevelt Administrations more important diplomatic questions have been brought to a successful conclusion than under any two previous Administrations in the history of the United States.

HAWAIIAN ISLANDS.

The acquisition of the Hawaiian Islands was the first important achievement in the conduct of our foreign relations after William McKinley became President on the 4th of March, 1897.

For three-quarters of a century American statesmen had discussed and attempted to bring about the annexation of the islands to the United States, but without result. Daniel Webster, when Secretary of State, in 1853 said that it is obvious from the circumstances connected with their position that the interests of the United States require that no other power should colonize or possess the Sandwich Islands or exercise over their government an influence which would lead to a partial or exclusive control in matters of navigation or trade.

The Hawaiian Islands were finally annexed by joint resolution of Congress approved by President McKinley July 7, 1898. They were organized as a Territory of the United States and are now enjoying the prosperity incident to our country generally.

The geographical position of the islands, situated as they are in the Pacific, between our own western coast and the countries of the Far East, the splendid harbor and coaling station on the island of Hawaii, our increasing interests and commerce with the Orient, make the islands of the greatest importance to the United States.

Half a century ago that great statesman, William H. Seward, said that—

The Pacific Ocean, its shores, its islands, and the vast region beyond will become the chief theater of events in the world's hereafter.

As we look back on the events which have transpired in the Far East in the past few years in the struggle among the great nations for supremacy in the Orient and on what is taking place there to-day, Secretary Seward's words seem to be almost prophetic.

It seems to be destined that the United States will one day become the predominating power in the Pacific.

The acquisition of the Hawaiian Islands was the first step which gave to the United States a foothold in the Pacific and was the beginning of our great expansion under the McKinley Administration.

The first grave international question confronting President McKinley after the passage of the Dingley tariff act, which so successfully restored prosperity to the United States, was our threatened relations with Spain.

Conditions in Cuba since 1823 had caused the United States great concern. Revolution succeeded revolution, and it seemed inevitable that Spain, owing to her own misgovernment, would lose control of Cuba.

The last revolution commenced in 1895, and if prompt measures had been taken it might have been settled by the Cleveland Administration and the war with Spain averted. But this, like many other great international questions, remained to be settled under the succeeding Republican Administration.

Realizing the seriousness of the war, President McKinley used every effort at his command to avert it, but the inhuman warfare waged by Spain on the island, her treatment of the Cubans, finally culminating in the destruction of the battle ship *Maine*, so aroused the people of the United States that nothing but the absolute independence of the island of Cuba would avail. This could only be accomplished by war, and accordingly after thirty-three years of continued peace we were again at war, this time, however, not

to save our own Union or for any selfish purpose, but to free an oppressed people.

No need for me to review the brief history of that war. It continued but a little over three months and resulted in a complete victory for the United States.

The peace protocol was signed at Washington August 12, 1898, and the final treaty of peace with Spain was concluded at Paris December 10, 1898, and, after considerable opposition, was ratified by the Senate February 6, 1899.

By that treaty Spain relinquished her claim of sovereignty over Cuba and ceded to the United States Porto Rico and other islands under Spanish sovereignty in the West Indies and the Island of Guam in the Ladrones.

By the treaty also Spain ceded to the United States the Philippine Archipelago, for which we agreed to pay \$20,000,000 in gold.

By the treaty of peace, therefore, the United States became responsible for the future of Cuba and acquired the island of Porto Rico and the Philippines.

Our acquisition of Porto Rico and the Philippines, while important to the United States, has given to the people of those islands a better government, more liberty, greater prosperity than they ever enjoyed in their previous history.

PORTO RICO.

To Porto Rico we have given practically the same government as we have to our own Territories. The governor of the island is appointed by the President, but by law we have provided that Porto Rico shall have a local legislature elected by her own people authorized to pass laws for the local government of the island. We have provided Porto Rico an admirable judiciary, composed principally of native Porto Ricans.

We have given to Porto Rico the benefit of free trade with the United States, which has in no small measure contributed to her prosperous condition.

The Porto Ricans are a quiet, orderly people, apparently perfectly satisfied to remain under our flag, and they have given to the United States no embarrassment.

THE PHILIPPINES.

More than four years have passed since the flag of the United States was raised over the Philippine Islands.

When we assumed control of the islands, under the treaty of peace with Spain, the natives were in a state of revolution against the authority of the Spanish Government. That revolution continued for a time against the sovereignty of the United States, notwithstanding the Filipino people were assured that—

We come not as invaders and conquerors, but as friends, to protect the natives in their homes, in their employment, and in their personal and religious rights.

But at last peace has been restored, a comparatively small army of some 15,000 soldiers remaining to secure order. We have provided the Philippines with a complete civil government and as large a measure of local self-government as they are capable of exercising.

President Roosevelt well summed up the Philippine situation in his message at the beginning of the second session of the Fifty-seventh Congress, wherein he said that—

Civil government has now been introduced. Not only does each Filipino enjoy such rights to life, liberty, and the pursuit of happiness as he has never before known during the recorded history of the islands, but the people, taken as a whole, now enjoy a measure of self-government greater than that granted to any other oriental by any foreign power and greater than that enjoyed by any other oriental enjoyed under their own government, save the Japanese alone. * * *

No policy ever entered into by the American people has vindicated itself in a more signal manner than the policy of holding the Philippines.

While the acquisition and government of the Philippine Islands have caused the United States much trouble and expense, still our possession of those islands is advantageous in many respects. From a business standpoint the trade and commerce of the Philippines is not unimportant. Their imports for the year 1902 amounted to \$41,105,034 and their exports were \$27,157,087. As a result of returning prosperity under American rule the exports of the Philippine Islands have increased nearly \$12,000,000 during the year 1903. With prosperity and development, under American rule, it is difficult to estimate what the total trade of the Philippines will be in the years to come. The resources of the islands are boundless, and it is not unsafe to say that the total value of the trade, exports and imports, will eventually amount to several hundred millions annually.

From the standpoint of trade, of securing foreign markets for our own products, the acquisition of the Philippines will prove a profitable investment for the United States.

But this is not all. Their geographical position near China and Japan will prove an advantage to the United States in securing control of those rich markets. It has been said that Manila in no far distant day will become the great commercial center of the Orient.

In addition to all this, as Hawaii was the first step toward our becoming the predominating power in the Pacific, so the acquisition of the Philippines is another important advance in that direction.

CUBA.

In order that no selfish motive might be imputed to the United States in entering upon the war with Spain, five days before the passage of the resolution declaring war against Spain a resolution was passed by Congress stating that—

The United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over the island of Cuba, except for the pacification thereof and asserts its determination, when that is accomplished, to leave the government and control of the island to its people.

We have kept this pledge to the very letter. It has been well said that—

There is no other instance in modern history where such a declaration of self-negation was first made and then completely fulfilled.

This bright record of disinterested and national faith will grow sweeter and sweeter in the memory of those who pride themselves as the sons of a great, free, and honorable nation.

We retained control of Cuba for a time until she was in a condition to establish her own government; we assisted her in establishing a republican government; we only asked that she should pledge us not to enter into any compact with a foreign power which would tend to impair the independence of Cuba or permit a foreign power to obtain lodgment in or control over any portion of the island; not to assume or contract any public debt to repay which the ordinary revenues of the island would be inadequate, and giving the United States the right to intervene for the maintenance of her independence.

These pledges which we exacted of Cuba are substantially the important provisions of the so-called "Platt amendment." They are in the interest of Cuba more perhaps than they are in the interest of the United States. With these exceptions, Cuba is as independent of the United States as she is of the rest of the world.

Cuba has adopted the provisions of the so-called "Platt amendment" as a part of her fundamental law, and a treaty has been concluded and recently ratified by the Senate embodying these pledges in the form of an international compact.

We not only engaged in war to free Cuba from Spanish misrule, necessitating the expenditure of millions of money and the sacrifice of the lives of hundreds of American soldiers, but the Government of the United States, after establishing Cuba as an independent republic, under the constant urging of President Roosevelt, provided for reciprocal commercial relations with that island in order to give to Cuba material prosperity and to bring the island into closer commercial relations with the United States.

This reciprocity treaty has been ratified by the Senate and carried into effect by Congress, and provides in brief that Cuban products shall be admitted into our ports at a reduction of 20 per cent below the Dingley tariff act, in return for which Cuba grants concessions on American products varying from 20 to 40 per cent, which will enable the United States to secure a large part of the Cuban market.

To enable the United States to maintain the independence of Cuba and to protect her people, as well as for the defense of our own country, Cuba has leased to the United States two splendid coaling stations, Guantanamo and Bahia Honda.

These stations are not only of value for the defense of our own country, but they are very important from a strategic standpoint in the defense of an isthmian canal, when it shall be constructed.

RESULTS OF THE WAR WITH SPAIN.

The termination of the war with Spain freed Cuba and gave to the United States Porto Rico and the Philippines. But there were more important results. That short, though momentous, conflict, small though it was in comparison with our own civil war, had almost as important an effect upon the subsequent history and policy of the United States.

Our war with Spain brought the nation to a self-consciousness as no other event in our history has done. That conflict aroused us to a realization of the fact that more than a century of remarkable internal industrial development had rendered us an important factor in the world's system.

Under the Administrations of McKinley and Roosevelt the United States has obtained a position among the nations of the world which it never occupied in any former period of our national life. Eight years ago we were not considered or consulted in the policies or politics of the world. To-day we are regarded by the other nations as one of the great leading nations of the world and are consulted as a factor in the settlement of the policies and the disposition of the important questions arising among the nations.

Mr. President, the simple fact that this nation is a factor and is so recognized by other nations is of no very great consequence, except as it may influence other nations in their conduct toward us, and this nation may exert its power among other nations for

the uplifting of mankind. The world is slowly moving toward the recognition of the doctrine that governments are made by and for the people and not the people for the government.

In securing the freedom of Cuba a question which had been before succeeding Administrations since 1823 was finally and for all time disposed of.

ALASKAN BOUNDARY.

The long-pending controversy between the United States and Great Britain over the boundary between Alaska and Canada is another very important diplomatic question which has been settled under this Administration.

The treaty of 1868 between the United States and Russia, by which we acquired Alaska, in describing the boundary of Alaska adopted the description contained in the treaty of 1825 between Great Britain and Russia. Years ago, however, it was demonstrated that the boundary described in the treaty of 1825 was incorrect as a geographical fact.

While the country remained unsettled the definite boundary was not so material, but since the first Cleveland Administration the Alaskan boundary has been an important subject of dispute. The feeling over the boundary among our people in Alaska, Washington, and our extreme northwestern States, as well as among the people of Canada, had become very bitter.

A provisional boundary was agreed upon in 1878 and in 1899 for revenue purposes, but this was only a temporary arrangement and unsatisfactory.

By executive agreement in 1899 a joint high commission was created by the Governments of the United States and Great Britain for the purpose of disposing of all unsettled questions between the United States and Canada, embracing twelve subjects, among which was the Alaskan boundary controversy. The joint high commission made considerable progress in adjusting these questions, but failing to reach an agreement as to the Alaskan boundary the commission adjourned without disposing of any of the subjects in controversy.

In view of our long and undisputed occupation of the territory in question, President Roosevelt declined to allow the reference of the Alaskan boundary controversy to a regular arbitration at The Hague court, but instead he proposed the creation of a judicial tribunal, composed of an equal number of members from each country, feeling confident that our claim would be successfully established by such a body. Against much opposition and many predictions of failure, on January 24, 1903, a treaty between the United States and Great Britain was signed providing for such a tribunal.

The treaty was ratified and the members of the tribunal appointed. Assembling on September 3, 1903, and being presided over by the lord chief justice of England, it reached a conclusion on October 20, resulting in a complete victory for the United States and sustaining every material contention of our Government.

Thus was confirmed the wisdom of President Roosevelt's action, peacefully settling this irritating controversy, which was believed by some would eventually cause war between the United States and Great Britain and which certainly stood as an obstacle to the maintenance of peaceful relations with Canada.

The settlement of the Alaskan boundary controversy and the restoration of good relations with our northern neighbor has proved one of the most notable diplomatic triumphs of our Government.

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

Mr. CULLOM. Certainly.

Mr. MORGAN. Are not citizens of the United States claiming that they have been very badly damaged by that treaty, and are they not now making claims for reclamation against the United States for having their property, which they built there under the flag, excluded from our boundaries?

Mr. CULLOM. In answer to the Senator from Alabama, Mr. President, I will say that I know of but one claim, which is that of a corporation of some kind which had an establishment on an island that was given up by the United States to Canada. That claim has been before the Committee on Foreign Relations, as the Senator is aware, and an allowance has been recommended by that committee for payment to those people of what was regarded as proper compensation for the damage sustained by them.

Mr. MORGAN. Will the Senator state what was the amount of the claim?

Mr. CULLOM. The claim as presented amounted to over \$200,000.

Mr. MORGAN. How much was the allowance?

Mr. CULLOM. The allowance was something over \$80,000.

Mr. MORGAN. Was that passed by the Senate?

Mr. CULLOM. I am not sure. The bill has been in the hands of the junior Senator from Massachusetts [Mr. LODGE]. It may have been passed, but I am not aware whether or not it has been.

INTERNATIONAL ARBITRATION.

No previous Administration and no country have done more toward the settlement by peaceful methods, rather than by war, of the differences which arise among nations than have the Administrations of Presidents McKinley and Roosevelt.

The Hague international conference for peace was an important step in the direction of international arbitration.

When the Czar of Russia issued his invitation to the nations in 1898 to unite in a conference to consider the subject of disarming and the promotion of peace, President McKinley was one of the first to give response, and he sent to the conference at The Hague a commission of our most able diplomats and expert military men.

That conference adopted conventions with respect to the customs of war on land, the adaption to maritime warfare of the principles of the Geneva convention of 1864, and other declarations of less importance.

The result of the conference was in a measure disappointing, but it accomplished one important work. When the delegates assembled, it became apparent that the divergence of views made difficult any agreement on most subjects, but, through the earnest efforts of the American delegates, an agreement was reached on the subject of arbitration, and a convention was signed creating a permanent court of arbitration at The Hague, which was one of the valuable achievements of that historic gathering.

While we all recognize that there are some political questions which it may not be proper to submit to The Hague Tribunal, still the conclusion of that convention is a great step in advance for the promotion of peace, as it was a recognition by the leading nations of the earth that arbitration is the best method of settling their disputes.

The second international conference of American states, representing the various republics of North, Central, and South America, adopted a convention, submitting to arbitration at The Hague all claims for pecuniary loss or damage which may be presented by their respective citizens and which can not be amicably adjusted through diplomatic channels when they are of sufficient importance to justify arbitration. That conference also unanimously agreed to a protocol giving the adhesion of the North, Central, and South American republics to The Hague conventions.

It is gratifying to us as Americans to know that our Government was the first to show to the world its faith in the efficiency and utility of The Hague Tribunal. During the Administration of President McKinley the claim of the Roman Catholic Church of the Upper California, known as "the Pious Fund claim against Mexico," accruing since 1869, was submitted for decision to the Permanent Court of Arbitration at The Hague. The decision of the court rendered in 1902 awarded to the claimants the sum of \$1,420,682, and provided for the payment by Mexico perpetually of an annuity of \$43,000.

This decision was a satisfactory solution of the controversy over the so-called "Pious Fund of the Californias."

Again, during the last year President Roosevelt, who had been invited to settle the controversy between three of the powerful nations of Europe and the feeble American Republic of Venezuela, declined the trust so flattering to his reputation for integrity and impartiality and referred them to the court at The Hague as an appropriate place to settle their differences. The outcome of that submission has not proved satisfactory to many of us, but the settlement there made was better than a continued resource to war-like measures. The principle announced in the award does not meet with our approval, but another case of similar character may lead to a different decision, and one adverse ruling should not destroy our confidence in the judicial method as the best means of adjusting our international controversies.

It is not the least among the deeds which distinguish the Administrations of McKinley and Roosevelt that they have always striven for peace in their relations with other rulers and sought to promote good will among the nations.

PANAMA CANAL.

The diplomatic complications which had for years stood in the way of an interoceanic canal connecting the two great oceans have been finally disposed of during the last two Republican Administrations, and the practical work of constructing the canal is about to commence under the Administration of President Roosevelt.

A canal across the Isthmus connecting the Atlantic with the Pacific Ocean, in the interest of the commerce of the world, has been the dream of the ages. For almost three-quarters of a century an interoceanic canal has been a policy of every party and almost of every Administration.

In 1850 the Clayton-Bulwer treaty was entered into between the United States and Great Britain. That treaty contemplated that the canal should be constructed by private capital under the joint protectorate of the two Governments; its effect was to pre-

vent the United States itself from constructing the canal and having exclusive jurisdiction over it. A few years after the conclusion of the Clayton-Bulwer treaty it was found that that treaty stood almost as an effectual barrier against the construction of any canal across the Isthmus, and hence it was that almost every Administration, both Republican and Democratic, sought, but in vain, to secure its peaceful abrogation.

It remained for the McKinley-Roosevelt Administrations, through the diplomacy of Secretary Hay, to successfully negotiate the Hay-Pauncefote treaty with Great Britain, by which the Clayton-Bulwer treaty was finally superseded and the United States given authority to build a canal and assume the responsibility of safeguarding and regulating its neutral use by all the nations of the world on terms of equality.

The way was thus opened for the negotiation of a treaty with one of the two Governments which had sovereignty over the two available canal routes, Colombia or Nicaragua. Congress expressed its preference for the Panama route. A treaty with Colombia was ratified, and rejected by Colombia. The State of Panama seceded and regained her independence, and is now a complete and independent Republic. A new treaty was negotiated with Panama, much superior to the one which Colombia had rejected, which gives to the United States every concession which we desire or could ask for the construction of a canal. The property of the Panama Canal Company has been purchased. That purchase has been finally consummated, the necessary money appropriated, a commission for the actual construction of the canal appointed, and is now in Panama making the preliminary investigation.

Mr. MORGAN. May I ask the Senator by what act the money has been appropriated?

Mr. CULLOM. By the so-called "Spooner Act."

Unless something unforeseen occurs, within a few years the canal will be constructed and in operation.

Mr. President, the discussion in this Senate of the Colombian treaty and afterwards of the Panama treaty, together with all the facts in relation to the Panama revolution, its success and recognition by our Government, are so recent and fresh in our minds that I shall not discuss it further than to say that the President in dealing with Colombia has pursued an honest, straightforward, and open course, as he does in all things.

This is only another illustration of the success of the Roosevelt Administration in bringing to a triumphant termination a question which other Presidents had failed to settle.

Thus under the short three years of President Roosevelt's Administration more progress has been made toward the construction of an interoceanic canal than in three-quarters of a century of our previous history.

TRIUMPH OF OUR EASTERN DIPLOMACY.

During the past few years the situation in the Far East, and especially in China, has been a delicate and most critical one. The acquisition of Hawaii and the Philippines gives to the United States great interest in the important events transpiring in the Orient.

The United States has stood for the open door in China, and as a result of the diplomacy and influence of Secretary Hay freedom of commerce has been secured and the division of China among the powers has been prevented.

The McKinley and Roosevelt Administrations have continued the beneficent policy which in earlier years has guided our Government toward China. While we have felt it necessary to protect our country from the large labor immigration which threatened it, our action in this respect has been with the consent of China through treaty agreements and the passage of additional laws in harmony with existing treaties.

In our relations with that great Empire we have pursued a disinterested policy of disavowal of territorial aggrandizement and a disposition to respect the rights of that Government and confine our interests to the peaceful development of trade. We have not hesitated on all proper occasions to assert our influence to preserve its independence and prevent its dismemberment.

For centuries China had been a hermit nation, successfully resisting foreign influence and invasion, but gradually on one pretext or another she was compelled to open her ports, and Great Britain, Russia, and Germany had gained special advantages and exceptional privileges in portions of China, and under the guise of spheres of interest were exercising considerable control over an important part of that Empire. It seemed probable that not only would these nations absorb the trade of China, but that the Empire itself would be dismembered and divided among the powers.

To prevent this and to secure for the United States, if possible, a part of the valuable market of China, Secretary Hay advanced the so-called "open-door policy" and successfully carried it out.

In September, 1899, Secretary Hay addressed communications to the Governments of Great Britain, Russia, Germany, Italy, and

Japan, suggesting that as he understood it to be the settled policy and purpose of those countries not to use any privileges which may be granted them in China as a means of excluding any commercial rival and that freedom of trade for them in that ancient Empire means freedom of trade for all the world alike he considered that the maintenance of this policy is alike urgently demanded by the commercial communities of these several nations and that it is the only one which will improve existing conditions and extend their further operations. He further suggested that it was the desire of this Government that the interests of its citizens should not be prejudiced through exclusive treatment by any of the controlling powers within their respective spheres of interest in China and that it hopes to retain there an open market for all the world's commerce, remove dangerous sources of international irritation, promote administrative reform, etc. He accordingly suggested a declaration by each of them in regard to the treatment of foreign trade and commerce in their spheres of interest.

Without inconsiderable delay the Governments of Great Britain, Russia, Germany, Italy, and Japan replied to Secretary Hay's circular note, giving cordial and full assurance of the principles suggested by our Government.

Thus was successfully begun the since famous open-door policy of the United States in China.

But this great triumph in the interest of freedom of commerce of the world in China was followed by the famous boxer outbreak in 1900.

For some years prior to 1900 the antiforeign sentiment had been growing in China. The people of China, or a portion of them, had become so thoroughly and unreasonably incensed against foreigners that the Chinese Government seemed unable or unwilling to check the open outbreaks, which were of frequent occurrence and which finally culminated in the very serious boxer troubles. The German minister was murdered in the streets of Peking, the legations were attacked and were in a state of siege—entirely cut off from outside communications—for nearly a month.

The boxer outbreak and the siege of the legations of Peking were made the occasion of a joint international expedition for the relief of the diplomatic representatives and other foreigners whose lives were imperiled. These occurrences took place at a time when Congress was not in session and the eminence of the danger did not admit of delay. The dispatch of a division of the American Army, composed of all arms of the service, and fully equipped for a campaign was one of the most extreme acts of Executive authority in the history of the United States. But when our diplomatic representatives and scores of American citizens were besieged and threatened by an infuriated mob President McKinley did not hesitate to assume the responsibility and act with promptness. Duty and patriotism called for the immediate transfer to China of a portion of the army then in the Philippines. The hearty approval which the people of the United States gave to this prompt and courageous proceeding attested the correctness of the President's action.

In the midst of the intense excitement throughout the world, when the downfall of the Empire of China seemed almost certain, Secretary Hay, with the foresight which so distinguishes his official acts, issued a circular note on July 3, 1900, to all the powers having interest in China, stating the position of the United States, that it would be our policy to find a solution which would bring permanent safety and peace to China, preserve its territorial and administrative entity, protect all rights guaranteed by treaty and international law, and safeguard for the world the principle of equal and impartial trade with all parts of the Chinese Empire. This note clearly stated the fixed policy of the United States, and during that exciting period gave notice to the world that the United States would not permit the dismemberment of China.

This had not been the policy of some of the European nations, yet it was so much in harmony with the principles of international justice that it met with the approval of the world.

After relieving the legations and the suppression of the Boxer troubles by the allied powers, there followed a long negotiation between the allied powers and China; and an enormous and exorbitant demand was made by the allies as an indemnity, which China would probably never be able to pay. The representatives of the United States in this negotiation constantly intervened to reduce the demands of the great powers of Europe and cut down to a reasonable limit the enormous indemnity they were seeking to exact. Finally, on December 7, 1901, the final protocol was signed, imposing very heavy and humiliating burdens on China; and it has been the province of the United States to do what it properly could to alleviate these burdens.

Since the signing of the final protocol we have negotiated with China the most liberal commercial treaty which China has with any other foreign government.

Mr. MORGAN. Before the Senator passes from that view of the subject I wish to ask him whether or not that protocol or any

other protocol signed by the Secretary of State or approved by the President has ever been laid before the Senate or before Congress for its ratification?

Mr. CULLOM. The treaty between the United States and China has been laid before the Senate and ratified.

Mr. MORGAN. I speak of the protocol.

Mr. CULLOM. I am not aware that the protocol has been submitted to the Senate.

Mr. MORGAN. Does the Senator consider that that is obligatory upon the United States, it never having been ratified by the Senate or in any wise ratified by Congress?

Mr. CULLOM. Mr. President, I should rather think it is obligatory; but still I think it ought, perhaps, to be ratified.

Mr. MORGAN. I agree with the Senator, Mr. President, that it is binding now; but I will not refer to other acts of the diplomatic department of the Government of the United States equally as binding that we have set aside as being not obligatory upon us.

Mr. CULLOM. Mr. President, it is not my purpose to discuss anything that is outside of the subject I am discussing, or any question which might be asked relative to it.

Mr. MORGAN. Very well.

Mr. CULLOM. That treaty, Mr. President, recently ratified by the Senate, has strengthened the open-door policy, removed the troublesome and uncertain system of internal taxation known as "likin," given increased privileges to our diplomatic and consular officers and to our citizens in China, and has opened as places of international trade and residence the cities of Mukden and Antung, which are just now in the possession of the Russian army. These cities are important trade centers and of considerable strategic value commercially in the province of Manchuria, in which province exclusive rights and privileges were given to Russia against the vigorous protests of the United States.

This treaty marks an important step in the modernizing of China and in the opening of that country to foreign commerce and trade.

From a commercial standpoint, the Chinese market is one of the most valuable in the world. That great country has 400,000,000 inhabitants, nearly one-fourth of the entire world, and its imports amount to more than \$200,000,000 per annum. The United States has comparatively but a small part of this great market, although we have recently largely increased our trade with China.

Secretary Hay has very recently gained another diplomatic triumph in the interest of China. It had been apparent for some time that war between Russia and Japan was inevitable, and it was realized that that war might seriously impair the integrity of China and the benefits of the open-door policy.

Secretary Hay, on February 10, 1904, addressed to the Governments of Russia, Japan, and China, and to other powers interested in China, a note of the following tenor:

It is the earnest desire of the Government of the United States that in the military operations which have begun between Russia and Japan, the neutrality of China, and in all practicable ways her administrative entity, shall be protected by both parties, and that the area of hostilities shall be localized and limited as much as possible, so that undue excitement and disturbance of the Chinese people may be prevented and the least possible loss to the commerce and peaceful intercourse of the world may be occasioned.

This measure was recognized as so wise and was so generally commended by the nations of the world that not only has it been accepted by the neutral nations, but it has been accepted by Russia and Japan themselves.

These measures of our Government respecting China are of the greatest significance and importance, because they not only tend to the peace of the world, but to preserve the extensive territory and enormous population of that Empire to the free and untrammelled trade and commerce to all countries.

Too much credit can not be given to the Administration of President Roosevelt for the splendid manner in which this delicate and complicated Chinese and Eastern question has been managed by the admirable statesmanship and diplomacy of his great Secretary of State.

The open-door policy of Secretary Hay has succeeded; an opportunity has been given to secure enlarging markets for the products of our growing industries; the territorial integrity and the complete sovereignty of the Government of China have been assured, but the Eastern problem has not yet been finally settled.

There is still serious trouble in the Far East. Russia and Japan are now in the midst of a great struggle, both on land and sea. What the result of that struggle will be no one now can foretell. Whichever nation is finally victorious, it will probably change the map of the East, and whatever its results, it will have an important bearing on the future, certainly of China and Japan, and possibly of Russia.

But it is not for me to discuss at this time the cause of that war, or to give an opinion as to whether Japan was justified in going to war with Russia.

We are at peace with both Russia and Japan. Our relations to both nations in the years gone by have been of the most amicable

and friendly character. We have never in our history had serious trouble with either nation, and there is no reason, either in the cause of that war or the character of the participants, why the United States should assume any other than a strictly neutral position.

Immediately after the outbreak of the war, on February 11, 1904, President Roosevelt issued his proclamation, declaring that war unhappily exists between Japan on the one side and Russia on the other, that the United States are on terms of friendship and amity with both the contending powers and the persons inhabiting their several dominions, and that the United States assumes a neutral position, and proclaiming the strictest rules of neutrality for the government of our nation and its people in the important conflict.

TREATIES.

An unusually large number of very important treaties have been concluded and proclaimed under the Administrations of Presidents McKinley and Roosevelt.

Under the Administration of President Roosevelt alone more than thirty treaties and international agreements have been concluded.

The most important of such treaties are the ones I have specially referred to—the Hay-Pauncefote treaty (superseding the Clayton-Bulwer treaty), the treaty with Great Britain for the settlement of the Alaskan boundary, the treaty with Panama for the construction of an interoceanic canal, the commercial treaty with China, the commercial treaty with Cuba, and the treaties negotiated at The Hague conference.

But there have been other important treaties. There have been concluded and proclaimed extradition treaties with Peru, Switzerland, Belgium, Chile, Denmark, Servia, Brazil, Guatemala, Orange Free State, Argentine Republic, Great Britain, Bolivia, and an extradition and supplementary extradition treaty with Mexico.

The supplementary extradition treaty with Mexico is specially important as providing for the extradition of bribe givers and bribe takers, a precedent thereby being established for the crime of bribery being made an extraditable offense.

President Roosevelt well said in his last annual message that there can be no crime more serious than bribery; that other offenses violate one law, while corruption strikes at the foundation of all law.

An important treaty, establishing friendly relations with Spain and containing provisions general in treaties of friendship, has been ratified and proclaimed.

Water-boundary conventions have been concluded with Mexico; property conventions with Great Britain and Guatemala; a convention with Spain for the cession to the United States of certain outlying islands in the Philippines; a trade-mark convention with Guatemala; a consular convention with Greece; a commercial convention with Ethiopia; a treaty with Mexico for the arbitration of the Pious Fund, and a number of other less important conventions and diplomatic arrangements, which I can not stop to enumerate, have in the past few years been concluded and proclaimed.

SAMOA.

An important treaty with Great Britain and Germany has been concluded, by which Great Britain retired from Samoa and Germany and Great Britain renounced in favor of the United States all claim to the island of Tutuila and its outlying islets, Germany retaining the other islands in the Samoan group.

This was the final settlement of the vexatious Samoan question, which had been handed down from previous Administrations. Internal disturbances in Samoa had long ago made it necessary for the nations to intervene in order to protect the interests of their own citizens in Samoa. Germany, Great Britain, and the United States, having the largest interests, had exercised a tripartite scheme of supervision over the Samoan Islands. This tripartite government proved to be a failure and was a constant source of annoyance to the United States. The only alternative remaining was for the United States to withdraw from the islands in order to save ourselves from greater embarrassment. This we did by the treaty I have referred to, retaining only the island on which is situated the valuable harbor of Pago Pago, which is said to be the best anchorage in the Pacific and which had been leased to the United States twenty years previously by the then King of the Samoan Islands.

This was a satisfactory settlement of the Samoan question to the United States, and it disposed of a situation which might eventually have led to the most serious complications with Germany.

RECIPROCITY.

Under the third section of the Dingley tariff act, the President is given authority to make limited reciprocity arrangements with countries producing argols, spirits, champagne, wines, and painting and statuary, reducing by proclamation the duties on such

articles coming to the United States in return for reciprocal concessions on our products by other countries.

Under authority of that section of the Dingley Act, the President has concluded and proclaimed reciprocity arrangements with France, Germany, Portugal, and Italy. These reciprocity arrangements now in force have in every instance materially increased our commerce with those countries, have enabled the President to prevent serious discriminations against some of our important products, and have not in the least interfered with or injured any American industry.

CONSULAR SERVICE.

Before closing I may be permitted to say a few words in commendation of our diplomatic and consular service.

Under the Administrations of Presidents McKinley and Roosevelt able men have been accredited as ambassadors and ministers to the different countries of the world, and who have been of material assistance to the Administration in conducting the foreign intercourse of the United States.

The consular service of the United States is constantly increasing in efficiency. Presidents McKinley and Roosevelt have appointed a corps of consuls to represent our commercial interests abroad who have displayed unusual ability in the discharge of the varied and important duties that consuls of the United States have to perform. In China and Central and South America the consular officers have been called upon to perform delicate and trying duties of a diplomatic character, and have discharged those duties with rare tact and ability.

I am informed by the Department of State that in detecting and preventing attempts to defraud the customs (which is a part of the duties of our consuls) one consular officer alone has increased the receipts from customs nearly \$1,000,000 a year since 1898, a total of \$6,000,000 in six years. There are 330 consular officers who are carrying on the same kind of work. They are for the most part equally energetic and efficient, and it is estimated that fully \$10,000,000 have been saved to the revenues of the United States by the active, intelligent, and persistent efforts of our consuls abroad. It has been said that this branch of our service alone has saved about ten times its total cost to the Government.

Our consuls form a series of intelligent observers throughout the world, and their reports are often of the highest value, not only to the Government itself, in times of war, but to the manufactures of the United States by largely increasing the sale of their products abroad.

Notwithstanding the fact that there has been considerable agitation for the passage of a bill reorganizing the service, I believe that even under the present system the consular service of the United States is the equal, if not the superior, of that of any nation in the world.

CONCLUSION.

Mr. President, under the beneficent administration of Republican Presidents the Union became consolidated into one nation, and in the recent crisis through which our own nation and the nations of the world have been passing, the party of Lincoln and Grant and Blaine and McKinley and Roosevelt is still faithful to duty and manifests the wisdom and statesmanship necessary to meet every emergency and wisely dispose of all questions with an eye single to the welfare of the people, the stability of the Union and the good of mankind.

The Republican party has not been unmindful of the teachings of its great leaders on the essential principles of its organization.

The nation is no longer a house divided against itself; it has followed the teachings of the Father of his Country in being mindful of our relations with foreign countries, in adopting the policy of extending our commercial relations with as little political connection as possible.

That great and wise patriot warned the people of the United States, in his Farewell Address, against "interweaving our destiny with that of any part of Europe, of entangling our peace and prosperity in the toils of European ambition, rivalry, interests, honor, or caprice." We are exhorted to "steer clear of permanent alliances with any portion of the foreign world."

Mr. President, in the conduct of our foreign relations we have followed the advice of the first President in his Farewell Address.

The policy of this nation now is and ought to be absolute neutrality between the nations of the world, whether at peace or at war, honest and straightforward in our intercourse with all.

The struggle now going on between Russia and Japan is a calamity which the nations greatly regret, and all the nations would rejoice if that war would cease, and I am sure this Government would gladly do anything possible, by the consent of the contending powers, to effect a settlement on fair terms to each.

Mr. President, I have no authority to speak for the Republican party or for the Republican Administration—I speak only for myself—but I believe I voice the judgment of both the people and our Administration when I say they are for peace with all the

nations and are not in favor of a policy of aggression in order to secure expansion of territory in any direction.

The policy of Washington is the policy of the Republican party. In this campaign year, on the one hundred and twenty-third year of our constitutional history, it is well to look seriously about us, and in the confidence of the people do our whole duty by the nation intrusted for the time being to our care.

Mr. President, a word about our President and Secretary of State. In guiding and caring for the interests of the country the nation is in safe and able hands; never in our history has the nation been more fortunate. Our President is always on the alert, never permitting any advantage to be gained over the United States, but always just to other nations and interests. With Theodore Roosevelt as President and John Hay as Secretary of State the people may rest in the assurance that our international rights will be cared for, the honor of the nation well guarded, and, so far as our interests may be affected by our foreign policy, they will be wisely conserved.

Mr. MORGAN obtained the floor.

The PRESIDENT pro tempore. Will the Senator from Alabama pardon the Chair for a moment?

Mr. MORGAN. Certainly.

LIGHT-HOUSE AT CAPE HATTERAS, NORTH CAROLINA.

The PRESIDENT pro tempore. The Chair lays before the Senate the bill (S. 2319) to provide for the construction of a light-house and fog signal at Diamond Shoals, on the coast of North Carolina, at Cape Hatteras, returned by the House of Representatives in compliance with the request of the Senate. If there be no objection, the bill will be indefinitely postponed. The Chair hears none.

HOUSE BILL REFERRED.

The bill (H. R. 15123) for the extension of School street southward to Kenesaw avenue, and for other purposes, was read twice by its title on motion of Mr. CLAPP, and referred to the Committee on the District of Columbia.

WILLIAM W. WHEELER.

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

POST-OFFICE BUILDING AT PORTLAND, OREG.

The PRESIDENT pro tempore. On yesterday, in the order to print the papers relating to the leasing and fitting up of a temporary post-office building at Portland, Oreg., the Chair did not order the printing of the illustrations accompanying the communication. If there be no objection, he will do so now. The Chair hears none.

ORDER OF BUSINESS.

Mr. KEAN. I rise to morning business. From the Committee to Audit and Control the Contingent Expenses of the Senate I wish to report favorably four resolutions authorizing the employment of messengers by four different committees of the Senate which have no messengers at the present time.

Mr. MORGAN. Mr. President, what is the order of business?

The PRESIDENT pro tempore. Morning business.

Mr. MORGAN. What part of it?

The PRESIDENT pro tempore. The Chair is going to recognize the Senator from Colorado [Mr. TELLER] as soon as the regular morning business is disposed of.

Mr. MORGAN. What part of the morning business is in order, if the Chair will allow me?

The PRESIDENT pro tempore. Petitions and memorials.

PETITIONS AND MEMORIALS.

Mr. MALLORY presented a memorial of the Building and Trades Council, American Federation of Labor, of Jacksonville, Fla., relative to a settlement of the labor troubles in the State of Colorado; which was referred to the Committee on the Judiciary.

Mr. PERKINS presented a petition of the Chamber of Commerce of Los Angeles, Cal., praying that the management of forest reserves and all forests upon Government land be vested in the Bureau of Forestry, Department of Agriculture; which was referred to the Committee on Public Lands.

He also presented petitions of the Band of Hope of Eureka; of the congregation of the Methodist Episcopal Church of Ferndale; of Independence Lodge, Independent Order of Good Templars, of Blue Lake; of the congregation of the Methodist Episcopal Church of Blue Lake; of the congregation of the First Congregational Church of Humboldt County, and of the congregation of the Congregational Church of Hydesville, all in the State of California, praying for the enactment of legislation to regulate the interstate transportation of intoxicating liquors; which were referred to the Committee on the Judiciary.

Mr. NELSON presented a petition of the Northwestern Lum-

bermen's Association, praying for the enactment of legislation to prevent unjust discrimination of traffic rates between different sections and localities; which was referred to the Committee on Interstate Commerce.

Mr. FOSTER of Washington presented a petition of Labor Union No. 131, United Brotherhood of Carpenters and Joiners, of Seattle, Wash., praying for the enactment of legislation to develop the American merchant marine; which was referred to the Committee on Commerce.

He also presented a memorial of sundry citizens of Tacoma, Wash., relative to a settlement of the labor troubles in the State of Colorado; which was referred to the Committee on the Judiciary.

He also presented a petition of Mount Pleasant Grange, Patrons of Husbandry, of Mount Pleasant, Wash., praying for the enactment of legislation to provide for increased appropriations for State agricultural experiment stations; which was referred to the Committee on Agriculture and Forestry.

Mr. PLATT of New York presented a petition of Shirt and Laundry Workers' Local Union, American Federation of Labor, of Buffalo, N. Y., praying for the passage of the so-called "eight-hour bill;" which was referred to the Committee on Education and Labor.

He also presented a petition of the Woman's Relief Corps of New York City, praying for the enactment of legislation to increase the pensions of army nurses; which was referred to the Committee on Pensions.

He also presented a petition of the Woman's Relief Corps of Mexico, N. Y., praying for the enactment of a service-pension law; which was referred to the Committee on Pensions.

He also presented petitions of sundry citizens of the State of New York, praying for the enactment of legislation to purchase a national forest reserve in the White Mountains of New Hampshire; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Chatham, N. Y., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of the New Century Art Club, of Jamestown, N. Y., and a petition of the Rochester Art Club, of Rochester, N. Y., 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. FULTON presented a memorial of sundry citizens of Portland, Oreg., relative to a settlement of the labor troubles in Colorado; which was referred to the Committee on the Judiciary.

Mr. SPOONER presented petitions of West Side Monday Club, of Beloit; of Ruth N. Angell, of Sun Prairie, and of sundry citizens of La Valle, all in the State of Wisconsin, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

Mr. PENROSE presented a petition of the congregation of the First Baptist Church of Forest City, Pa., 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 a petition of De Soto Council, No. 315, Knights of Columbus, of Philadelphia, Pa., praying that an appropriation of \$50,000 be made for the erection of a statue of Commodore John Barry at Washington, D. C.; which was ordered to lie on the table.

He also presented a petition of the congregation of the Westminster Presbyterian Church of Wilkesbarre, Pa., and a petition of the Woman's Association of Philadelphia, Pa., praying for the enactment of legislation providing for the closing on Sunday of the Lewis and Clark Centennial Exposition; which were ordered to lie on the table.

He also presented a petition of the Pittsburg and Allegheny Indian Association of the State of Pennsylvania, praying for the enactment of legislation granting lands in severalty to the landless Indians of northern California; which was referred to the Committee on Public Lands.

He also presented a petition of Rear-Admiral Henry F. Pickens, of Erie, Pa., praying that an appropriation of \$10,000 be made to erect a memorial at that city to perpetuate the memory of Capt. Charles Vernon Gridley and First Lieut. John P. V. Gridley; which was referred to the Committee on Naval Affairs.

He also presented a petition of the Southern District Convention, Order of United American Mechanics, of Harrisburg, Pa., and of sundry citizens of Philadelphia, Pa., praying for an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of Utah; which was referred to the Committee on Privileges and Elections.

He also presented the petition of William Platt Pepper, of Philadelphia, Pa., praying an investigation of the charges made and filed against Hon. REED SMOOT, a Senator from the State of

Utah; which was referred to the Committee on Privileges and Elections.

He also presented a paper to accompany the bill (S. 5588) to grant jurisdiction and authority to the Court of Claims in the case of Milton S. Johnson; which was referred to the Committee on Claims.

He also presented a memorial of the Irish-American Club of Wilkesbarre, Pa., remonstrating against the ratification of a treaty of arbitration between the United States and Great Britain; which was referred to the Committee on Foreign Relations.

He also presented a petition of the District of Columbia Society, Sons of the American Revolution, of Washington, D. C., praying for the enactment of legislation providing for the printing of a work published by the Government of the Republic of France, containing valuable historical information of the soldiers of France who assisted in establishing American independence; which was referred to the Committee on Printing.

Mr. FRYE presented a petition of the Live Stock Exchange of Chicago, Ill., praying for the enactment of legislation to enlarge the powers of the Interstate Commerce Commission; which was referred to the Committee on Interstate Commerce.

He also presented a petition of the Tuesday Club of Oakland, Me., and a petition of the Berwick Woman's Club, of South Berwick, Me., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

REPUBLIC OF CUBA.

Mr. PLATT of Connecticut. I have a communication addressed to me by Col. Clarence R. Edwards, United States Army, Chief of the Bureau of Insular Affairs, of the War Department, transmitting a compilation prepared in that bureau setting forth in detail the documentary history of the inauguration of the Cuban Republic, and also a brief but comprehensive review of the administration of the government of intervention in Cuba under military occupation. It is sent to me with the request that it be printed as a document. I move that the communication and accompanying paper be printed as a document.

The motion was agreed to.

TRANSPORTATION OF INTOXICATING LIQUORS.

Mr. GALLINGER. I present a statement prepared by Edwin C. Dinwiddie, legislative superintendent of the American Anti-Saloon League, in support of the Hepburn-Dolliver bill, relating to the interstate transportation of intoxicating liquors. I move that the statement be printed as a document.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. GALLINGER, from the Committee on the District of Columbia, to whom was referred the bill (S. 3043) to amend an act relating to the sale of gas in the District of Columbia, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. CLARK of Wyoming, from the Committee on Indian Affairs, to whom was referred the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect, reported it with amendments, and submitted a report thereon.

Mr. DILLINGHAM, from the Committee on the District of Columbia, to whom was referred the bill (S. 4848) to amend section 552 of the Code of Laws for the District of Columbia, relating to incorporation, reported it without amendment, and submitted a report thereon.

EMPLOYMENT OF MESSENGERS.

Mr. KEAN. From the Committee to Audit and Control the Contingent Expenses of the Senate, I report the resolution submitted by the Senator from Kansas [Mr. LONG] on the 23d instant. I will state that this and the three following resolutions are to provide for messengers to committees which now have no messengers. I ask unanimous consent for its present consideration.

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

Resolved, That the Committee on the University of the United States be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of \$1,440 per annum, until otherwise provided by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. BALL on the 22d instant, reported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Ventilation and Acoustics be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of \$1,440 per annum, until otherwise provided by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution, submitted by Mr. ALLEE on the 20th instant, re-

ported it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Indian Depredations be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate, at the rate of \$1,440 per annum, until otherwise provided for by law.

Mr. KEAN, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the following resolution submitted by Mr. SMOOT on the 26th instant, submitted it without amendment; and it was considered by unanimous consent, and agreed to:

Resolved, That the Select Committee on Standards, Weights, and Measures be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of \$1,440 per annum, until otherwise provided for.

OKLAHOMA SCHOOL BONDS.

Mr. KEAN. From the Committee on Territories, to whom was referred the bill (H. R. 11123) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes, I report it favorably, and ask unanimous consent for its present consideration.

The Secretary read the bill; and there being no objection, the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. MALLORY. I wish to inquire whether this is a House bill?

Mr. KEAN. It is a House bill.

Mr. MALLORY. Reported by what committee?

Mr. KEAN. The Committee on Territories. I will state that the only change is that the present law provides that the Territory shall not issue bonds bearing interest at a higher rate than 4 per cent, and at that rate they are unable to sell the bonds.

Mr. MALLORY. Has the Territorial legislature asked for the passage of the bill?

Mr. KEAN. I do not know about that, but the Delegate has.

Mr. MALLORY. This is a bill, then, originating in Congress and is not the ratification of an act which has passed the Territorial legislature?

Mr. KEAN. I do not understand that it is. It merely authorizes the school districts, when they comply with the existing law, to borrow money at a greater rate of interest than 4 per cent. That is all there is in the bill.

Mr. MALLORY. At a greater rate than 4 per cent?

Mr. KEAN. At a greater rate than 4 per cent.

Mr. BATE. But not to exceed 6 per cent.

Mr. KEAN. And not to exceed 6 per cent. That is all there is in the bill.

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

ANNA R. WIDMAYER AND EDGAR H. BATES.

Mr. DILLINGHAM, from the Committee on the District of Columbia, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 2303) entitled "A bill for the relief of Anna R. Widmayer and Edgar H. Bates," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims in pursuance of the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883. And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

E. G. RATHBONE.

Mr. PLATT of Connecticut. I wish to make a report from the Committee on Cuban Relations. There was referred to it the petition of E. G. Rathbone, asking that his conduct as an official in Cuba might be investigated by the committee, as also the circumstances of his trial there. In considering it the committee find two preliminary questions—questions of law: First, whether this Congress has any jurisdiction of the subject, and, second, if it has, whether any relief can be afforded in case the allegations of the petition should be found to be true. The committee have therefore instructed me to ask that it be discharged from the further consideration of the subject, and that the petition, with all the exhibits which have been filed with the committee, may be referred to the Committee on the Judiciary.

Mr. HOAR. I do not wish to interpose an objection nor to ask at this time for an explanation or debate; but I desire to say that in letting this reference go I do not want to have the Judiciary Committee precluded by what may be claimed to be a judgment of the Senate as to whether they are the proper tribunal to investigate this matter. I therefore, with that caveat, will allow the matter to pass.

Mr. TELLER. Mr. President, I wish to say a word in reply to what the Senator from Massachusetts has said. I believe it was the consensus of opinion on the part of the members of the committee which considered this matter yesterday that the committee could not take it up, and we knew of no way of granting the relief if we did. It was suggested, and I think with great propriety, that it should go to the Judiciary Committee, not so much, per-

haps, to take up this case as to see whether some law could not be provided for such cases if they should arise in the future. I think that was the real purpose of the committee in reporting in favor of sending the matter to the Judiciary Committee.

Mr. HOAR. I do not understand the Senator to claim that it is a matter which had better be discussed at great length now?

Mr. TELLER. Oh, no.

Mr. HOAR. So I say, let the reference be made; but if the Judiciary Committee find that it is not a matter about which the committee can do anything, I do not want to have them precluded by an order of the Senate.

Mr. TELLER. I understand this order is like any other. The committee will take up the subject and consider whether they will do anything with it. They will not do anything of course at this session.

The PRESIDENT pro tempore. The Senator from Connecticut, from the Committee on Cuban Relations, asks that the committee be discharged from the further consideration of the petition to which he has referred, and that the petition and the accompanying papers be referred to the Committee on the Judiciary. It will be so ordered, in the absence of objection.

JULIA A. HENDERSON.

Mr. McCUMBER. I am directed by the Committee on Pensions, to whom was referred the bill (H. R. 10077) granting a pension to Julia A. Henderson, to report it without amendment; and I ask unanimous consent for its immediate consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Interior to place on the pension roll the name of Julia A. Henderson, widow of George W. Doty, late captain, United States Navy, and pay her a pension at the rate of \$30 per month.

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

DISEASES OF CATTLE.

Mr. PLATT of New York. I am directed by the Committee on Printing, to whom was referred the joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle, to report it without amendment, and I ask unanimous consent for its present consideration.

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

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

VENEZUELAN ARBITRATIONS.

Mr. PLATT of New York. I am instructed by the Committee on Printing to report a resolution, and I ask unanimous consent for its present consideration.

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

Resolved, That there be printed for the use of the Department of State 250 copies of the report of the recent Venezuelan arbitrations, prepared by Jackson H. Ralston, umpire of the Italian-Venezuelan Mixed Claims Commission, for the Department of State.

PROTECTION OF FOREST RESERVES AND NATIONAL PARKS.

Mr. DEPEW. From the Committee on Forest Reservations and the Protection of Game, I report back without amendment the bill (H. R. 7296) for the protection of the public forest reserves and national parks of the United States; and I ask for its present consideration.

The Secretary read the bill.

Mr. TELLER. That presents a very important constitutional question as to the jurisdiction over some of the reserves in this country, and the bill ought not to be taken up at this time. I do not know from what committee it comes.

Mr. DEPEW. From the Committee on Forest Reservations and the Protection of Game.

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

Mr. TELLER. I wish simply to say that I have no objection to giving for this purpose all the power the Constitution will authorize us to give, but on some of the reservations this is to be done absolutely without the assent of the State, and the criminal jurisdiction is entirely under the State.

Mr. DEPEW. I will say in just a word that the bill passed the House unanimously, and it is a bill which came from the Department of the Interior, I understand.

Mr. TELLER. It does not add any weight to it that it came from the Department of the Interior.

GEORGE G. LOVETT.

Mr. BLACKBURN. I am directed by the Committee on Military Affairs, to whom was referred the bill (S. 3440) to revoke sentence and establish the military record of Capt. George G. Lovett, Company K, One hundred and eighty-seventh Regiment

Pennsylvania Volunteers, war of the rebellion of 1861 to 1865, to report it favorably without amendment.

Mr. PENROSE. I ask for the present consideration of the bill just reported.

The Secretary read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized, directed, and instructed to place on the roll as captain of Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers, war of the rebellion, the name of George G. Lovett, from March 3, 1865, until August 3, 1865, or the discharge of said Company K, and that the said George G. Lovett, captain of Company K, shall have the same pay and allowance and emoluments as if he had been in active command, and that any military trial, court-martial, or other causes that may have debarred the said Capt. George G. Lovett from service in the interval from March 3, 1865, until the discharge and muster out of his company and regiment on August 3, 1865, be, and the same is hereby, declared null and void, and that the said Capt. George G. Lovett is hereby restored to his former status as captain of Company K, One hundred and eighty-seventh Regiment Pennsylvania Volunteers.

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.

Mr. COCKRELL. There is always one clause that is put in such bills, "that no pay, bounty, or other emoluments shall accrue by virtue of this act."

Mr. BLACKBURN. It is the pay clause to which the Senator alludes.

Mr. COCKRELL. Yes.

Mr. BLACKBURN. Let that go out. The Senator from Pennsylvania does not object.

Mr. COCKRELL. That is the universal rule.

Mr. BLACKBURN. We want to conform to the rule.

The PRESIDENT pro tempore. The Senator from Kentucky proposes to strike out the clause which will be read.

The SECRETARY. It is proposed to strike out, beginning in line 9, the following:

And that the said George G. Lovett, captain of Company K, shall have the same pay, allowance, and emoluments as if he had been in active command.

The amendment was agreed to.

Mr. COCKRELL. Then I move to add at the end the following proviso:

Provided, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

That makes it correspond with all the other bills of this kind.

Mr. BLACKBURN. There is no objection to that.

The amendment was agreed to.

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

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

REFERENCE OF CLAIMS TO THE COURT OF CLAIMS.

Mr. WARREN, from the Committee on Claims, to whom were referred the following bills:

A bill (S. 49) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Mo.;

A bill (S. 115) for the relief of the trustees of the Methodist Episcopal Church of Winfield, W. Va.;

A bill (S. 116) for the relief of the trustees of the Methodist Episcopal Church South, of Winfield, W. Va.;

A bill (S. 117) for the relief of the trustees of the Methodist Episcopal Church South, of Guyandotte, W. Va.;

A bill (S. 226) for the relief of the trustees of the Cumberland Presbyterian Church (colored) of Huntsville, Ala.;

A bill (S. 230) for the relief of the trustees of the Methodist Episcopal Church of Newhaven, Ky.;

A bill (S. 231) for the relief of the trustees of the Christian Church of Nicholasville, Ky.;

A bill (S. 633) for the relief of the trustees of the Cedar Run Baptist Church, of Culpeper County, Va.;

A bill (S. 634) for the relief of the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va.;

A bill (S. 635) for the relief of the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va.;

A bill (S. 637) for the relief of the trustees of the Christian Church of Fredericksburg, Va.;

A bill (S. 640) for the relief of the trustees of the Opequon Presbyterian Church, of Kernstown, Va.;

A bill (S. 641) for the relief of the trustees of the Grove Presbyterian Church, of Morrisville, Va.;

A bill (S. 642) for the relief of the trustees of the Oak Grove Methodist Episcopal Church, of Norfolk County, Va.;

A bill (S. 643) for the relief of the trustees of Fletcher Chapel, in King George County, Va.;

A bill (S. 644) for the relief of the trustees of the Colored Methodist Episcopal Church of Winchester, Va.;

A bill (S. 645) for the relief of the trustees of the Presbyterian Church of Highland County, Va.;

A bill (S. 646) for the relief of the First Baptist Church of Alexandria, Va.;

A bill (S. 647) for the relief of the wardens and vestrymen of Old Merchant's Hope Episcopal Church, of Prince George County, Va.;

A bill (S. 648) for the relief of the trustees of the Methodist Episcopal Church South, of Fredericksburg, Va.;

A bill (S. 649) for the relief of the trustees of the Methodist Episcopal Church South, of Morrisville, Va.;

A bill (S. 650) for the relief of the trustees of Mount Holly Baptist Church, of Fauquier County, Va.;

A bill (S. 651) for the relief of the trustees of New Salem Baptist Church, of Culpeper County, Va.;

A bill (S. 738) for the relief of the trustees of the First Baptist Church of Jefferson City, Mo.;

A bill (S. 756) for the relief of the trustees of the Baptist Church of Gauley Bridge, W. Va.;

A bill (S. 757) for the relief of the trustees of St. Mark's Protestant Episcopal Church, of St. Albans, W. Va.;

A bill (S. 758) for the relief of the trustees of the Baptist Church of Charlestown, W. Va.;

A bill (S. 806) for the relief of Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn.;

A bill (S. 863) for the relief of the trustees of the United Brethren Church of Boonsboro, Md.;

A bill (S. 864) for the relief of La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md.;

A bill (S. 865) for the relief of the trustees of the German Reformed Church of Middletown, Md.;

A bill (S. 866) for the relief of the trustees of the Methodist Episcopal Church of Frederick County, Md.;

A bill (S. 867) for the relief of the trustees of the Methodist Episcopal Church of Boonsboro, Md.;

A bill (S. 868) for the relief of the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md.;

A bill (S. 913) for the relief of the trustees of the African Methodist Episcopal Church, of Marietta, Ga.;

A bill (S. 1384) for the relief of the University of the State of Missouri;

A bill (S. 1466) for the relief of the trustees of the Emory Methodist Episcopal Church South and of the Methodist Episcopal Church, Washington district, Baltimore conference;

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

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

A bill (S. 1552) for the relief of the trustees of the Baptist Church of Redbanks, Miss.;

A bill (S. 1610) for the relief of the trustees of the Baptist Church of Crab Orchard, Ky.;

A bill (S. 1611) for the relief of the trustees of the Colored Baptist Church of Lebanon, Ky.;

A bill (S. 1632) for the relief of the Catholic Church of Brownsville, Tex.;

A bill (S. 1637) for the relief of the trustees of the Baptist Church of Columbia, Ky.;

A bill (S. 1668) for the relief of the trustees of the Baptist Church, of Jefferson County, W. Va.;

A bill (S. 1669) for the relief of the trustees of the Methodist Protestant Church of Middleway, W. Va.;

A bill (S. 1670) for the relief of the trustees of the Methodist Episcopal Church of Summit Point, W. Va.;

A bill (S. 1672) for the relief of the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va.;

A bill (S. 1673) for the relief of the trustees of St. John's Catholic Church, of Summerville, W. Va.;

A bill (S. 1674) for the relief of the trustees of the Methodist Episcopal Church of Mill Creek, W. Va.;

A bill (S. 1677) for the relief of the trustees of the Methodist Episcopal Church of Charlestown, W. Va.;

A bill (S. 1709) for the relief of the trustees of the Methodist Episcopal Church South, of Fox Hill, Va.;

A bill (S. 2025) for the relief of the trustees of the Methodist Episcopal Church South, of Harrisonville, Mo.;

A bill (S. 2413) for the relief of the vestry and wardens of St. James Church, of Wilmington, N. C.;

A bill (S. 2522) for the relief of the trustees of the Free Church of Burlington, W. Va.;

A bill (S. 2583) to compensate A. Van De Vyver, bishop of the diocese of Richmond, Va., for the demolition, removal, and rebuilding of the Roman Catholic Church on the Government reservation at Old Point, Va.;

A bill (S. 2639) for the relief of the New Hope Madison Church;

A bill (S. 2640) for the relief of the Presbyterian Church of Batesville, Miss.;

A bill (S. 2759) for the relief of Mount Oliver Protestant Methodist Church, of Alexandria County, Va.;

A bill (S. 2760) for the relief of the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va.;

A bill (S. 2761) for the relief of the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va.;

A bill (S. 2762) for the relief of the vestry of St. Paul's Episcopal Church, of Culpeper County, Va.;

A bill (S. 2763) for the relief of the trustees of Berea Baptist Church, of Stafford County, Va.;

A bill (S. 2764) for the relief of Andrews Chapel, of Stafford County, Va.;

A bill (S. 2765) for the relief of the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va.;

A bill (S. 2766) for the relief of the trustees of Black Lick Church, in Fairfax County, Va.;

A bill (S. 2767) for the relief of the Culpeper Baptist Church, at Culpeper, Va.;

A bill (S. 2768) for the relief of the trustees of Calvary Protestant Episcopal Church;

A bill (S. 2769) for the relief of the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va.;

A bill (S. 2770) for the relief of the vestry of St. Mark's Episcopal Church, Fairfax County, Va.;

A bill (S. 2771) for the relief of the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va.;

A bill (S. 2772) for the relief of the trustees of Hartwood Presbyterian Church, of Stafford County, Va.;

A bill (S. 2773) for the relief of the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va.;

A bill (S. 2774) for the relief of the trustees of Union Church, of Falmouth, Stafford County, Va.;

A bill (S. 2775) for the relief of the trustees of Broad Run Baptist Church;

A bill (S. 2776) for the relief of the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va.;

A bill (S. 2777) for the relief of the vestry of the Episcopal Church of Remington, Fauquier County, Va.;

A bill (S. 2778) for the relief of the trustees of the Methodist Episcopal Church South, of Marshall, Va.;

A bill (S. 2779) for the relief of the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va.;

A bill (S. 2780) for the relief of the Presbyterian Church at Warrenton, Va.;

A bill (S. 2781) for the relief of the vestry of Lambs Creek Protestant Episcopal Church;

A bill (S. 2782) for the relief of the trustees of Round Hill Church, of King George County, Va.;

A bill (S. 2783) for the relief of Pohick Church, in Fairfax County, Va.;

A bill (S. 2784) for the relief of the vestry of St. Paul's Episcopal Church, of Alexandria, Va.;

A bill (S. 3005) for the relief of the trustees of the Presbyterian Church of Beverly, W. Va.;

A bill (S. 3006) for the relief of the trustees of the Presbyterian Church of Hardy County, W. Va.;

A bill (S. 3056) for the relief of the Presbyterian Church of Strasburg, Shenandoah County, Va.;

A bill (S. 3057) for the relief of the St. Thomas Episcopal Church, of Middletown, Frederick County, Va.;

A bill (S. 3058) for the relief of the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va.;

A bill (S. 3059) for the relief of the Methodist Episcopal Church of Middletown, Frederick County, Va.;

A bill (S. 3200) for the relief of the trustees of Trinity Episcopal Church, of Martinsburg, W. Va.;

A bill (S. 3214) for the relief of the Germantown Baptist Church, of Shelby County, Tenn.;

A bill (S. 3215) for the relief of the trustees of the Baptist Church of Jefferson City, Tenn.;

A bill (S. 3241) for the relief of the Primitive Baptist Church (colored), of Huntsville, Ala.;

A bill (S. 3402) for the relief of Oak Grove Methodist Church, at Reams Station, in Dinwiddie County, Va.;

A bill (S. 3450) for the relief of the First Presbyterian Church of Knoxville, Tenn.;

A bill (S. 3472) for the relief of the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va.;

A bill (S. 3581) for the relief of the trustees of the Methodist Church of Prospect, Tenn.;

A bill (S. 3585) for the relief of the trustees of the Presbyterian Church at Strawberry Plains, Tenn.;

A bill (S. 3586) for the relief of the trustees of Mill Creek Baptist Church, of Davidson County, Tenn.;

A bill (S. 3587) for the relief of Hiram Lodge, No. 7, Free and Accepted Masons, of Franklin, Tenn.;

A bill (S. 3590) for the relief of the trustees of the Cumberland Presbyterian Church, of Clarksville, Tenn.;

A bill (S. 3591) for the relief of the trustees of the Cumberland Presbyterian Church, of Charleston, Tenn.;

A bill (S. 3592) for the relief of the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn.;

A bill (S. 3643) for the relief of the trustees of the Baptist Church of Pine Bluff, Ark.;

A bill (S. 3708) for the relief of the St. James Episcopal Church, Marietta, Ga.;

A bill (S. 3745) for the relief of the Presbyterian Church of Lovettsville, Va.;

A bill (S. 3746) for the relief of Salem Baptist Church, of Clarke County, Va.;

A bill (S. 3748) for the relief of the Mount Zion Church of United Brethren, of Frederick County, Va.;

A bill (S. 3940) for the relief of the trustees of the Old School Presbyterian Church, of Helena, Ark.;

A bill (S. 4012) for the relief of the trustees of the Missionary Baptist Church, at Gravelly Springs, Ala.;

A bill (S. 4013) for the relief of the trustees of the Methodist Episcopal Church South, of Warrenton, Va.;

A bill (S. 4355) for the relief of the Methodist Church of Kossuth, Miss.;

A bill (S. 4411) for the relief of the trustees of the Presbyterian Church of Smyrna, Tenn.;

A bill (S. 4422) for the relief of the Methodist Episcopal Church South, of Clarksburg, W. Va.;

A bill (S. 4642) for the relief of the trustees of the Christian Church of Pleasant Hill, Cass County, Mo.;

A bill (S. 4700) for the relief of the trustees of the Missionary Baptist Church, of Waterloo, Ala.;

A bill (S. 4707) for the relief of the Baptist Church at Williamsburg, Va.;

A bill (S. 4724) for the relief of Wilkey Lodge, No. 27, Independent Order of Odd Fellows, of Charlestown, W. Va.;

A bill (S. 4763) for the relief of the trustees of the Big Bethel African Methodist Episcopal Church, of Atlanta, Ga.;

A bill (S. 4830) for the relief of the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run, Fauquier County, Va.;

A bill (S. 4870) for the relief of the trustees of the Christian Church of Danville, Ky.;

A bill (S. 4871) for the relief of the trustees of the Baptist Church at Somerset, Ky.;

A bill (S. 4994) for the relief of the trustees of the Methodist Episcopal Church South, of Springfield, Mo.;

A bill (S. 5017) for the relief of the Methodist Episcopal Church South, of Cleveland, Tenn.;

A bill (S. 5020) for the relief of Humboldt Female College, of Gibson County, Tenn.;

A bill (S. 5021) for the relief of the Cumberland Presbyterian Church of Tullahoma, Tenn.;

A bill (S. 5286) for the relief of the Methodist Episcopal Church South, of Bryantsville, Ky.;

A bill (S. 5301) for the relief of the Christian Church of Corinth, Miss.;

A bill (S. 5347) for the relief of the trustees of Smiths Grove Methodist Episcopal Church (formerly Poplar Spring Methodist Episcopal Church), of Dinwiddie County, Va.;

A bill (S. 5360) to compensate the Presbyterian Church at Lumber Bridge, N. C., for the church edifice destroyed by the Army in 1865;

A bill (S. 5389) for the relief of the trustees of the Wytheville Presbyterian Church, Wytheville, Va.; and

A bill (S. 5631) for the relief of the Presbyterian Church and Masonic Hall, of Platte City, Mo.—

Reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the claims of the trustees of the Methodist Episcopal Church South of Warrenton, Mo. (S. 49); the trustees of the Methodist Episcopal Church of Winfield, W. Va. (S. 115); the trustees of the Methodist Episcopal Church South of Winfield, W. Va. (S. 116); the trustees of the Methodist Episcopal Church South of Guyandotte, W. Va. (S. 117); the trustees of the Cumberland Presbyterian Church (colored) of Huntsville, Ala. (S. 226); the trustees of the Methodist Episcopal Church of Newhaven, Ky. (S. 230); the trustees of the Christian Church of Nicholasville, Ky. (S. 231); the trustees of the Cedar Run Baptist Church, of Culpeper County, Va. (S. 633); the trustees of Ebenezer Methodist Episcopal Church, of Culpeper County, Va. (S. 634); the trustees of Washington Street Methodist Episcopal Church South, of Alexandria, Va. (S. 635); the trustees of the Christian Church of Fredericksburg, Va. (S. 637); the trustees of the Opequon Presbyterian Church, of Kernstown, Va. (S. 640); the trustees of the Grove Presbyterian Church, of Morrisville, Va. (S. 641); the trustees of the Oak Grove Methodist Episcopal Church, of Norfolk County, Va. (S. 642); the trustees of Fletcher Chapel, in King George County, Va. (S. 643); the trustees of the Colored Methodist Episcopal Church, of Winchester, Va. (S. 644); the trustees of the Presbyterian Church of Highland County, Va. (S. 645); the First Baptist Church of Alexandria, Va. (S. 646); the wardens and vestrymen of Old Merchants Hope Episcopal Church, of Prince George County, Va. (S. 647); the trustees of the Methodist Episcopal Church South of Fredericksburg, Va. (S. 648); the trustees of the Methodist Episcopal Church South of Morrisville, Va. (S. 649); the trustees of Mount Holly Baptist Church, of Fauquier County, Va. (S. 650); the trustees of New Salem Baptist Church, of Culpeper County, Va. (S. 651); the trustees of the First Baptist Church of Jefferson City, Mo. (S. 738); the trustees of the Baptist Church of Gauley Bridge, W. Va. (S. 756); the trustees of St. Mark's Protestant Episcopal Church, of St. Albans, W. Va. (S. 757);

the trustees of the Baptist Church of Charlestown, W. Va. (S. 758); Howard Lodge, No. 13, Independent Order of Odd Fellows, of Gallatin, Tenn. (S. 806); the trustees of the United Brethren Church of Boonsboro, Md. (S. 863); La Grange Lodge, No. 36, Independent Order of Odd Fellows, of Boonsboro, Md. (S. 864); the trustees of the German Reformed Church of Middletown, Md. (S. 865); the trustees of the Methodist Episcopal Church of Frederick County, Md. (S. 866); the trustees of the Methodist Episcopal Church of Boonsboro, Md. (S. 867); the trustees of the Methodist Episcopal Church of Oldtown, Allegany County, Md. (S. 868); the trustees of the African Methodist Episcopal Church, of Marietta, Ga. (S. 913); the University of the State of Missouri (S. 1334); the trustees of the Emory Methodist Episcopal Church South, and of the Methodist Episcopal Church, Washington district, Baltimore Conference (S. 1466); the trustees of the Methodist Episcopal Church of Springfield, Mo. (S. 1534); the trustees of the Cumberland Presbyterian Church, of Syracuse, Mo. (S. 1555); the trustees of the Baptist Church of Red Banks, Miss. (S. 1552); the trustees of the Baptist Church of Crab Orchard, Ky. (S. 1610); the trustees of the Colored Baptist Church, of Lebanon, Ky. (S. 1611); the Catholic Church of Brownsville, Tex. (S. 1632); the trustees of the Baptist Church of Columbia, Ky. (S. 1637); Elk Branch Presbyterian Church, of Jefferson County, W. Va. (S. 1668); the trustees of the Methodist Protestant Church of Middleway, W. Va. (S. 1669); the trustees of the Methodist Episcopal Church of Summit Point, W. Va. (S. 1670); the trustees of St. John's Protestant Episcopal Church, of Harpers Ferry, W. Va. (S. 1672); the trustees of St. John's Catholic Church, of Summerville, W. Va. (S. 1673); the trustees of the Methodist Episcopal Church of Mill Creek, W. Va. (S. 1674); the trustees of the Methodist Church of Charlestown, W. Va. (S. 1677); the trustees of the Methodist Episcopal Church South of Fox Hill, Va. (S. 1709); the trustees of the Methodist Episcopal Church South of Harrisonville, Mo. (S. 2025); the vestry and wardens of St. James Church, of Wilmington, N. C. (S. 2413); the trustees of the Free Church of Burlington, W. Va. (S. 2522); A. Van De Vyver, bishop of the diocese of Richmond, Va., for the demolition, removal, and rebuilding of the Roman Catholic Church on the Government reservation at Old Point, Va. (S. 2583); the New Hope Madison Church (S. 2639); the Presbyterian Church of Batesville, Miss. (S. 2640); Mount Olivet Protestant Methodist Church, of Alexandria County, Va. (S. 2759); the trustees of Chestnut Fork Old School Baptist Church, of Culpeper County, Va. (S. 2760); the vestry of St. Stephen's Protestant Episcopal Church, of Culpeper, Va. (S. 2761); the vestry of St. Paul's Episcopal Church, of Culpeper County, Va. (S. 2762); the trustees of Berea Baptist Church, of Stafford County, Va. (S. 2763); Andrews Chapel, of Stafford County, Va. (S. 2764); the trustees of Methodist Episcopal Church South, at Sudley, Prince William County, Va. (S. 2765); the trustees of Black Lick Church, in Fairfax County, Va. (S. 2766); the Culpeper Baptist Church, at Culpeper, Va. (S. 2767); the trustees of Calvary Protestant Episcopal Church (S. 2768); the trustees of the Methodist Episcopal Church South, of the town of Culpeper, Va. (S. 2769); the vestry of St. Mark's Episcopal Church, of Fairfax County, Va. (S. 2770); the vestry of Aquia Protestant Episcopal Church, of Stafford County, Va. (S. 2771); the trustees of Hartwood Presbyterian Church, of Stafford County, Va. (S. 2772); the trustees of the Waterford Baptist Church, Waterford, Loudoun County, Va. (S. 2773); the trustees of Union Church, of Falmouth, Stafford County, Va. (S. 2774); the trustees of Broad Run Baptist Church (S. 2775); the trustees of Mount Horeb Methodist Episcopal Church South, of Fauquier County, Va. (S. 2776); the vestry of the Episcopal Church of Remington, Fauquier County, Va. (S. 2777); the trustees of the Methodist Episcopal Church South, of Marshall, Va. (S. 2778); the trustees of Zoar Baptist Church, of Bristersburg, Fauquier County, Va. (S. 2779); the Presbyterian Church at Warrenton, Va. (S. 2780); the vestry of Lambs Creek Protestant Episcopal Church (S. 2781); the trustees of Round Hill Church, of King George County, Va. (S. 2782); Pohick Church, in Fairfax County, Va. (S. 2783); the vestry of St. Paul's Episcopal Church, of Alexandria, Va. (S. 2784); the trustees of the Presbyterian Church of Beverly, W. Va. (S. 3005); the trustees of the Presbyterian Church of Hardy County, W. Va. (S. 3006); the Presbyterian Church of Strasburg, Shenandoah County, Va. (S. 3056); the St. Thomas Episcopal Church, of Middletown, Frederick County, Va. (S. 3057); the Mount Zion Methodist Episcopal Church, of Middletown, Frederick County, Va. (S. 3058); the Methodist Episcopal Church of Middletown, Frederick County, Va. (S. 3059); the trustees of Trinity Episcopal Church, of Martinsburg, W. Va. (S. 3200); the Germantown Baptist Church, of Shelby County, Tenn. (S. 3214); the trustees of the Baptist Church of Jefferson City, Tenn. (S. 3215); the Primitive Baptist Church, colored, of Huntsville, Ala. (S. 3241); Oak Grove Methodist Church, at Reams Station, in Dinwiddie County, Va. (S. 3402); the First Presbyterian Church, of Knoxville, Tenn. (S. 3450); the Muhlenberg Evangelical Lutheran Church, of Harrisonburg, Rockingham County, Va. (S. 3472); the trustees of the Methodist Church of Prospect, Tenn. (S. 3581); the trustees of the Presbyterian Church at Strawberry Plains, Tenn. (S. 3585); the trustees of Mill Creek Baptist Church, of Davidson County, Tenn. (S. 3586); Hiram Lodge, No. 7, Free and Accepted Masons, of Franklin, Tenn. (S. 3587); the trustees of the Cumberland Presbyterian Church of Clarksville, Tenn. (S. 3590); the trustees of the Cumberland Presbyterian Church of Charleston, Tenn. (S. 3591); the trustees of the Methodist Episcopal Church South, of Chattanooga, Tenn. (S. 3592); the trustees of the Baptist Church of Pine Bluff, Ark. (S. 3643); the St. James Episcopal Church, Marietta, Ga. (S. 3708); the Presbyterian Church of Lovettsville, Va. (S. 3745); Salem Baptist Church, of Clarke County, Va. (S. 3746); the Mount Zion Church of United Brethren, of Frederick County, Va. (S. 3748); the trustees of the Old School Presbyterian Church, of Helena, Ark. (S. 3940); the trustees of the Missionary Baptist Church of Gravelly Springs, Ala. (S. 4012); the trustees of the Methodist Episcopal Church South, of Warrenton, Va. (S. 4013); the Methodist Episcopal Church of Kossuth, Miss. (S. 4355); the trustees of the Presbyterian Church of Smyrna, Tenn. (S. 4411); the Methodist Episcopal Church South, of Clarksburg, W. Va. (S. 4422); the trustees of the Christian Church of Pleasant Hill, Cass County, Mo. (S. 4642); the trustees of the Missionary Baptist Church of Waterloo, Ala. (S. 4700); the Baptist Church at Williamsburg, Va. (S. 4707); Wilkey Lodge, No. 27, Independent Order of Odd Fellows, of Charles Town, W. Va. (S. 4724); the trustees of the Big Bethel African Methodist Episcopal Church, of Atlanta, Ga. (S. 4763); the vestry and wardens of St. Stephen's Protestant Episcopal Church, of Cedar Run Parish, Fauquier County, Va. (S. 4830); the trustees of the Christian Church of Danville, Ky. (S. 4870); the trustees of the Baptist Church at Somerset, Ky. (S. 4871); the trustees of the Methodist Episcopal Church South, of Springfield, Mo. (S. 4994); the Methodist Episcopal Church South, of Cleveland, Tenn. (S. 5017); Humboldt Female College, of Gibson County, Tenn. (S. 5020); the Cumberland Presbyterian Church, of Tullahoma, Tenn. (S. 5021); the Methodist Episcopal Church South, of Bryantsville, Ky. (S. 5286); the Christian Church of Corinth, Miss. (S. 5301); the trustees of Smith's Grove Methodist Episcopal Church (formerly Poplar Spring Methodist Episcopal Church), of Dinwiddie County, Va. (S. 5347); the Presbyterian Church at Lumber Bridge, N. C., for the church edifice destroyed by the Army in 1865 (S. 5360); the trustees of the Wytheville Presbyterian Church, Wytheville, Va. (S. 5389); the Presbyterian Church and Masonic Hall of Platte City, Mo. (S. 5631), now pending in the Senate, together with all the accompanying papers, be, and the same are hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887, and generally known as the "Tucker Act." And the said court shall proceed with the same in accordance with the provisions of such act, and report to the Senate in accordance therewith.

REGULATION OF IMMIGRATION.

Mr. LODGE. From the Committee on Immigration, in behalf of the chairman, I report a joint resolution amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, and I ask for its present consideration.

The joint resolution (S. R. 73) amending an act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, was read the first time by its title, and the second time at length, as follows:

Resolved, etc., That the words "Secretary of the Treasury," wherever used in the act entitled "An act to regulate the immigration of aliens into the United States," approved March 3, 1903, or in amendments thereto, or in prior acts in relation to alien immigration, be stricken out and the words "Secretary of Commerce and Labor" inserted in lieu thereof.

The PRESIDING OFFICER (Mr. KEAN in the chair). Is there objection to the consideration of the joint resolution?

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

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

HENRY PHILIPPS SEED AND IMPLEMENT COMPANY.

Mr. HANSBROUGH. I am authorized by the Committee on Agriculture and Forestry, to whom was referred the bill (S. 5544) to authorize payment to the Henry Philipps Seed and Implement Company for seed furnished to and accepted by the Department of Agriculture during the fiscal year 1902, to report it favorably without amendment.

Mr. FORAKER. That is a very short bill of only six or eight lines, and I ask for its present consideration.

The Secretary read the bill.

Mr. NELSON. I desire to ask a question about the bill.

The PRESIDING OFFICER. Is there objection to its present consideration?

Mr. NELSON. Before I make an objection I wish to know whether it relates to a case that is now pending in the courts.

Mr. FORAKER. No; not at all.

Mr. NELSON. It is not a case that is in court.

Mr. FORAKER. No.

Mr. NELSON. There is a suit pending in reference to some seeds procured by the Agricultural Department.

Mr. FORAKER. This has nothing to do with anything of that kind, so far as I know.

Mr. NELSON. Is there a letter recommending it?

Mr. FORAKER. There is a letter from the Secretary of Agriculture recommending that this amount be paid.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to pay to the Henry Philipps Seed and Implement Company, of Toledo, Ohio, for seeds furnished to the Department of Agriculture during the fiscal year 1902, accepted by the Department, and distributed by order of the Secretary of Agriculture, \$3,633.11.

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

BILLS INTRODUCED.

Mr. FRYE introduced a bill (S. 5662) granting an increase of pension to John C. Stevens; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. BATE (by request) introduced a bill (S. 5663) to amend sections 4924 and 4927 of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also (by request) introduced a bill (S. 5664) to amend sections 4924, 4925, 4926, and 4927 of the Revised Statutes of the United States, relating to patents; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 5665) to enable Samuel H. Jenkins, formerly of New York, N. Y., and now of Chattanooga, Tenn., to make application to the Commissioner of Patents for the extension of letters patent; which was read twice by its title, and referred to the Committee on Patents.

He also introduced a bill (S. 5666) for the relief of the trustees of Union University, of Murfreesboro, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 5667) for the relief of the trustees of Union University, of Murfreesboro, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. PETTUS introduced a bill (S. 5668) for the relief of the creditors of the Deposit Savings Association, of Mobile, Ala.; which was read twice by its title, and referred to the Committee on Claims.

Mr. McCUMBER introduced a bill (S. 5669) granting an increase of pension to Alexander Hay; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 5670) granting an increase of pension to James William Stickley; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 5671) granting a pension to Eliza H. Britton;

A bill (S. 5672) granting an increase of pension to Samuel Shadman (with an accompanying paper);

A bill (H. R. 5673) granting a pension to Ira D. Coover (with an accompanying paper); and

A bill (S. 5674) granting an increase of pension to Lemuel McMichael.

Mr. PLATT of Connecticut introduced a bill (S. 5675) granting an increase of pension to Joseph J. Quinn; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. SPOONER introduced a bill (S. 5676) for the relief of Indian Traders Marion Wescott, F. F. Green, and J. A. Leige, assignee of Joseph F. Gauthier, a Menominee Indian trader, with the Menominee Indians of Wisconsin; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. CULLOM introduced a bill (S. 5677) authorizing the construction of a dam across Rock River at Lyndon, Ill.; which was read twice by its title, and referred to the Committee on Commerce.

Mr. CLARK of Wyoming (for Mr. CLAPP) introduced a bill (S. 5678) granting a pension to Margaret McKee Pentland; which was read twice by its title, and referred to the Committee on Pensions.

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

A bill (S. 5679) for the relief of Edward Byrne;

A bill (S. 5680) for the relief of John A. Wanless;

A bill (S. 5681) for the relief of William H. W. Krebs, late first lieutenant, Seventeenth Infantry, United States Army;

A bill (S. 5682) for the relief of John W. Lewis; and

A bill (S. 5683) for the relief of Harlow L. Street.

Mr. DICK introduced a bill (S. 5684) for the relief of John F. Lewis; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PENROSE introduced a joint resolution (S. R. 74) amending an act entitled "An act granting permission to officers and enlisted men of the Army and Navy of the United States to wear the badges adopted by certain military societies," approved September 25, 1890; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PERKINS. I introduce a joint resolution, which I ask may be printed in the RECORD.

The joint resolution (S. R. 75) to modify the act of March 3, 1903, providing for a new naval hospital, was read the first time by its title, and the second time at length, as follows:

Whereas the provision in the naval appropriation bill approved March 3, 1903, which appropriated \$125,000 toward the erection of a new naval hospital is construed by the Secretary of the Navy to locate the same on the old Observatory grounds, on which account, and for many reasons deemed important, the Washington Board of Trade, the committee on parks and reservations, the Washington Business Men's Association, and the executive council of the National University committee have earnestly, by resolution, protested, as have many leading citizens through the press and by letter against the location of said hospital on said grounds; and

Whereas it is now impossible to give to such claims and appeals the attention they should have: Therefore,

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Navy is hereby authorized and required to delay the erection of said hospital until the subject of location shall have been further considered and determined by Congress.

Mr. PERKINS. I move the reference of the joint resolution, with the accompanying petition, to the Committee on Public Buildings and Grounds.

The motion was agreed to.

Mr. PLATT of Connecticut introduced a joint resolution (S. R. 76) providing for the reprinting of public documents Nos. 249, 250, and 251, of June 5 and 30, 1834, and March 3, 1835, and a census of pensioners for Revolutionary or military services; which was read twice by its title.

Mr. PLATT of Connecticut. The joint resolution is supported by a petition of the National Society of the Daughters of the American Revolution for the printing of these documents. I move that the joint resolution and accompanying petition be referred to the Committee on Printing.

The motion was agreed to.

AMENDMENTS TO OMNIBUS CLAIMS BILL.

Mr. NEWLANDS submitted an amendment, intended to be proposed by him to the bill (H. R. 9543) for the allowance of cer-

tain claims for stores and supplies, reported by the Court of Claims under the provisions of the act approved March 3, 1883, and commonly known as the "Bowman Act;" which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Claims.

Mr. LODGE submitted an amendment intended to be proposed by him to the bill (H. R. 9548) for the allowance of certain claims for stores and supplies by the Court of Claims under the provisions of the act of Congress approved March 3, 1883, and commonly known as the "Bowman Act;" which was referred to the Committee on Claims.

JOHN R. WORMAN—WITHDRAWAL OF PAPERS.

On motion of Mr. PENROSE, it was

Ordered, That leave be granted to withdraw from the files of the Senate the papers in the case of John R. Worman, accompanying Senate bill 6917, Fifty-seventh Congress, second session, and Senate bill 5488, Fifty-eighth Congress, second session.

JANE A. WARD—WITHDRAWAL OF PAPERS.

On motion of Mr. SPOONER, it was

Ordered, That leave be granted Jane A. Ward to withdraw from the files of the Senate the papers in her case, filed during the Fifty-seventh Congress, there having been no adverse report thereon.

EMPLOYMENT OF MESSENGER.

Mr. FULTON submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Committee on Canadian Relations be, and it is hereby, authorized to employ a messenger to be paid from the contingent fund of the Senate at the rate of \$1,440 per annum until otherwise provided by law.

ORDER OF BUSINESS.

Mr. McCUMBER. Mr. President, I wish to ask unanimous consent that at 4 o'clock this afternoon the Senate shall proceed to the consideration of unobjected pension bills on the Calendar. I will state that it will not take more than half an hour, in my opinion, to complete them all. A great many Senators desire to have these bills considered, and it would take more time to call them up severally. In order to get them through so they can be engrossed and enrolled we shall have to pass them rather early in the day, provided we are to adjourn to-morrow.

Mr. TELLER. I suggest to the Senator from North Dakota to withhold that request for a little while. I desire to make a few remarks to the Senate.

Mr. McCUMBER. I shall make the request subject to the remarks of the Senator from Colorado.

Mr. TELLER. But the Senator from Mississippi [Mr. McLaurin] expects to follow me.

Mr. LODGE. Before the request is put, I should like to get some idea about the distribution of time after the Senator from Colorado and the Senator from Mississippi have concluded. I have a measure in charge which I feel bound to bring before the Senate—a public measure relating to the Philippines, making some very important amendments. I should like to ask the Senator from Iowa, the chairman of the Committee on Appropriations, what the prospects are in regard to final adjournment, so that we may have some knowledge as to the time before us.

Mr. ALLISON. As respects the appropriation bills, I should think that an adjournment could be taken to-morrow without disturbing the situation in regard to that particular feature of our business. I do not know how many other measures there may be pending. I understand that the important bill—

Mr. LODGE. Mr. President, can we have order? It is impossible to hear what the Senator from Iowa is saying, and I want to hear him.

Mr. ALLISON. I understand that there are at least one or two important conference reports that must be disposed of before we can adjourn. One, especially, is the canal-zone bill, which, I understand, has not yet been agreed to in conference. I learn that it is absolutely essential that that bill shall be passed in some form at the present session. I do not know when the conferees will be able to agree. There may be some other bills of importance that ought to be passed.

Mr. TELLER. Will the Senator allow me to interrupt him?

Mr. ALLISON. Certainly.

Mr. TELLER. I wish to say that so far as my remarks go I will, of course, give way to conference reports or anything of that character.

Mr. ALLISON. So I understand.

Mr. TELLER. I do not want to interfere with the regular business of the Senate.

Mr. ALLISON. I understand.

These important matters of course must be arranged or known about before any agreement can be made as to the hour of adjournment or the day. I feel quite sure that if the Senator from

North Dakota will refrain from asking a time specially for pension bills there will be an opportunity later to-day.

Mr. LODGE. Before the Senator from Iowa takes his seat, I understand what it comes to is this, that there ought to be some Panama legislation. Of course he does not undertake to define what it is, but he thinks there ought to be some Panama legislation before we adjourn.

Mr. ALLISON. So I understand.

Mr. GALLINGER. Mr. President, it will be recalled that I have exhibited the most remarkable patience, having given notice almost a week ago that I would move an executive session. Now, Mr. President—

Mr. MORGAN. The morning business has not been concluded yet.

The PRESIDING OFFICER. The morning business is not yet closed. This debate is proceeding by unanimous consent.

Mr. GALLINGER. The matter has been discussed. I will take but a moment, and then the morning business can proceed.

I had a distinct understanding this morning with three Senators who desire to speak that after they conclude I will move an executive session; and I want now to say that if I can get the floor for that purpose after the Senator from Colorado and the Senator from Mississippi have concluded I will move an executive session, and I do not wish to make any agreement that would necessitate coming out of executive session to consider any bill.

Mr. McCUMBER. Mr. President—

Mr. ALLISON. I call for the regular order, whatever it is.

The PRESIDING OFFICER. The regular order is the presentation of concurrent or other resolutions. Is there further morning business?

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Idaho rise for morning business?

Mr. HEYBURN. I do.

Mr. McCUMBER. Mr. President, I rise to a point of order. To my request there has been no formal objection yet made. I am not going to urge the matter, but—

The PRESIDING OFFICER. The Chair understood the Senator from Colorado in effect to object.

Mr. McCUMBER. He has not objected; and if he does object I want to have him do it.

Mr. TELLER. I will object for the present. I think the Senator ought to wait.

Mr. McCUMBER. That is all. I simply wanted to know that the Senator objects.

PAYETTE-BOISE IRRIGATION PROJECT.

Mr. HEYBURN. I submit an order, and ask for its present consideration.

The order was read, as follows:

Ordered, That 1,000 additional copies of Senate Document No. 247 be printed for the use of the Senate document room.

Mr. HEYBURN. I will state that this request comes from the Reclamation Bureau, and that the copies are for the use of the Senate Document Room.

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

THE NEW PANAMA CANAL COMPANY.

Mr. MORGAN submitted the following resolution, which was read:

Resolved, That the Attorney-General is hereby directed to inform the Senate, at his earliest convenience, of the present state of the negotiation or agreement between the New Panama Canal Company and the Government of the United States, together with a copy of any agreement or agreements that have been made or proposed by said parties or either of them, touching the sale of the property of the said canal company, since March 11, 1903; and that he also transmit to the Senate copies of all papers relating thereto that are or have been in his possession and under his control, so as to inform the Senate fully as to the entire transaction.

2. Whether there is any agreement or understanding with the New Panama Canal Company or with any person acting for it, that an accounting will be made of the work done upon the canal by said canal company, from the date of the report of the Isthmian Canal Company, estimating the value of its property and holdings at \$40,000,000, or from any later date, and whether the United States is placed under any obligations to pay the sum ascertained upon such accounting.

3. Whether any and what agreement has been made with the New Panama Canal Company to the effect that there is exempt from the property purchased or to be purchased from said company, the treasury assets of said company, including deposits of money, outstanding credits, and investments in bonds; and any such assets, money, or investments in bonds or other property belonging to the Panama Railroad Company; and the value of the property so excluded from the contract of purchase.

Mr. KITTREDGE. Mr. President—

The PRESIDING OFFICER. What is the request of the Senator from Alabama?

Mr. MORGAN. I have no request to make, Mr. President. The resolution goes over under the rule.

Mr. KITTREDGE. Very well; let it go.

The PRESIDING OFFICER. The resolution will go over and be printed.

EMPLOYMENT OF MESSENGER.

Mr. BURROWS submitted the following resolution; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Select Committee on the Examination and Disposition of Documents be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of \$1,440 per annum, until otherwise provided for.

EXPORTATIONS TO PHILIPPINE ISLANDS.

Mr. BURROWS. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax, to report it favorably without amendment. I ask unanimous consent for its present consideration.

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

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

COLVILLE INDIAN RESERVATION.

Mr. STEWART. Mr. President—

The PRESIDING OFFICER. Is there further morning business?

Mr. STEWART. Mr. President—

The PRESIDING OFFICER. Does the Senator rise to morning business?

Mr. STEWART. No; but I will state for what purpose I rise, if I can have the opportunity for a moment.

There is a bill on the table, which has passed the House of Representatives, to permit the construction of a smelter on the Colville Indian Reservation. The subject has been considered by the Committee on Indian Affairs, and a like bill reported. I ask that the bill from the House of Representatives may be laid before the Senate, and passed. I am sure nobody will object to it.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes; which was read the second time by its title, and by unanimous consent the Senate, as in Committee of the Whole, proceeded to its consideration.

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

ORDER OF BUSINESS.

The PRESIDING OFFICER. Morning business is closed. The Senator from Colorado [Mr. TELLER] is entitled to the floor.

Mr. FOSTER of Washington. Mr. President—

Mr. MARTIN. Will the Senator from Colorado yield to me for a moment that I may ask for the consideration of a bill? It will only occupy a very few minutes.

Mr. TELLER. I do not know whether the request I am about to make will be objected to, but under the circumstances it seems to me, as it is now a quarter before 2 o'clock, that it would be well to allow Senators who have little uncontested cases to dispose of to secure their consideration before 2 o'clock, at which time I propose to take the floor. I have so many requests from Senators who wish to have bills considered that if I yield to them I should not be able to get through by 2 o'clock.

Mr. McCREARY. I have one of those little uncontested cases, Mr. President, which I should like to have considered.

The PRESIDING OFFICER. The Chair has recognized the Senator from Colorado [Mr. TELLER].

Mr. TELLER. I ask that unobjected cases on the Calendar may be considered until 2 o'clock, and at that time I shall resume the floor.

The PRESIDENT pro tempore. Then the Chair will recognize the Senator from Washington [Mr. FOSTER].

Mr. BAILEY. Do I understand that unanimous consent has been given to the request preferred by the Senator from Colorado [Mr. TELLER]?

The PRESIDING OFFICER. The Chair did not understand that any unanimous consent had been asked for.

Mr. BAILEY. Yes; the Senator from Colorado did ask for unanimous consent.

Mr. TELLER. I did make that request.

The PRESIDING OFFICER. Unanimous consent, then, is asked by the Senator from Colorado that the Senate proceed until 2 o'clock with the consideration of unobjected bills on the Calendar. Is that the request?

Mr. TELLER. Yes; and I give notice that at that time I shall desire to resume the floor.

The PRESIDING OFFICER. Is there objection to the request?

Mr. ALLISON. I shall not object to the request, but I shall object to any prolonged use of the time except for the purpose already indicated.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Colorado, and it is agreed to.

PUYALLUP ALLOTTED LANDS.

Mr. FOSTER of Washington. I ask unanimous consent for the present consideration of the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

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

That the act of Congress approved March 3, 1893 (27 Stat., p. 633), authorizing the sale of the Puyallup allotted lands, with restriction upon alienation "for a period of ten years from the date of the passage" thereof, shall be taken and construed as having expressed the consent of the United States to the removal of restriction upon alienation by said Puyallup Indians to their allotted lands from and after the expiration of said period shall be given effect of having been made without any restrictions upon the power of the allottee to alienate his land.

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.

The title was amended so as to read: "A bill confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands."

SMITH R. MERSHON.

Mr. McCREARY. I ask unanimous consent for the consideration at this time of the bill (S. 4504) for the relief of Smith R. Mershon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with an amendment, in line 6, after the words "sum of," to strike out "three hundred and eight dollars" and insert "one hundred and ninety-two dollars and fifty cents;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Smith R. Mershon the sum of \$192.50, for services rendered as custodian of a distillery warehouse in Lincoln County, Ky., seized by a United States revenue officer and held for seventy-seven days by said Smith R. Mershon under the orders of the said United States revenue officer.

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.

E. H. MURRELL.

Mr. MARTIN. I ask unanimous consent for the present consideration of the bill (S. 1936) for the relief of E. H. Murrell.

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

Mr. MARTIN. Mr. President, there is an amendment reported from the Committee on Claims, which I will send to the desk. It seems to have been omitted in the printing of the bill, but it will be found in the report of the committee.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. In line 5, after the name "Murrell," it is proposed to strike out:

the sum of \$11,900, said amount having been collected by the Treasury agents of the United States from property in New Orleans, La., belonging to him and by them turned over to the Freedman's Bureau.

And to insert:

the sum of \$7,046.20, said sum to be received by the said E. H. Murrell in full satisfaction of all claims against the United States for the occupancy of his property in the city of New Orleans, La., or for collection of rents for the same, during the military occupancy of the city of New Orleans by the Federal forces during the war of 1861 to 1865, up to October 23, 1865.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward H. Murrell, the sum of \$7,046.20, said sum to be received by the said E. H. Murrell in full satisfaction of all claims against the United States for the occupancy of his property in the city of New Orleans, La., or for collection of rents for the same, during the military occupancy of the city of New Orleans by the Federal forces during the war of 1861 to 1865, up to October 23, 1865.

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.

EUGENE PATENAUDE.

Mr. PROCTOR. I ask unanimous consent for the present consideration of the bill (S. 4573) for the relief of Eugene Patenaude.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Claims with amendments, in line 7, after

the words "on the," to strike out "3d day of November" and insert "23d day of September;" and, at the end of the bill, to insert:

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$500 for the payment of this claim.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Eugene Patenaude, of Colchester, Chittenden County, Vt., the sum of \$500, in full for injuries sustained by him by reason of his being shot and severely wounded on the 23d day of September, 1901, at said Colchester, by a stray bullet fired by an unknown member of Eleventh Regiment United States Cavalry while at target practice.

That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, \$500 for the payment of this claim.

The amendments were agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

PETER B. PHILLIPS.

Mr. LONG. I ask unanimous consent for the present consideration of the bill (H. R. 6049) granting an increase of pension to Peter B. Phillips.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Peter B. Phillips, late of Company G, Thirteenth 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.

INFORMATION AND DISPLAY BUREAU AT ELLIS ISLAND.

Mr. OVERMAN. I ask unanimous consent for the present consideration of the bill (S. 4118) authorizing the Commissioner-General of Immigration, under the direction of the Secretary of Commerce and Labor, to establish, in connection with the immigrant station at Ellis Island, an information and display bureau, for the purpose of aiding in the distribution of immigrants, and for other purposes. The bill has been reported unanimously by the Committee on Immigration and has been recommended by the Department.

The PRESIDING OFFICER. The bill will be read for information subject to objection.

The Secretary read the bill.

Mr. ALDRICH. From what committee does that bill come?

The PRESIDING OFFICER. From the Committee on Immigration.

Mr. ALDRICH. It strikes me, from the reading of it, that it is a pretty important bill, and I think it had better not be considered now.

The PRESIDING OFFICER. Objection being made, the bill goes over.

OSCAR M. PARSONS.

Mr. SCOTT. I ask unanimous consent for the present consideration of the bill (H. R. 940) granting a pension to Oscar M. Parsons.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension roll the name of Oscar M. Parsons, helpless and dependent son of Thomas Parsons, late of Company B, Twelfth 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.

Mr. ANKENY. I ask unanimous consent for the present consideration of the joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. GALLINGER. I call for the regular order, Mr. President.

The PRESIDING OFFICER. The regular order being demanded, the Senator from Colorado [Mr. TELLER] is recognized.

DEVELOPMENT OF AMERICAN MERCHANT MARINE.

Mr. FRYE. Will the Senator from Colorado yield to me for a few moments?

Mr. TELLER. I yield to the Senator from Maine if the bill he desires to call up does not lead to any discussion.

Mr. FRYE. I do not imagine that it will. I ask the Chair to lay before the Senate the bill providing for a commission to investigate and recommend legislation for the development of the American merchant marine.

The PRESIDING OFFICER laid before the Senate the bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes; which was read twice by its title.

Mr. BAILEY. I will say to the Senator from Maine that that bill will provoke a controversy. It is, in my judgment, intended to collect data upon which to predicate a ship-subsidy measure, and I feel that it should be resisted.

Mr. FRYE. If the bill is not passed now, of course it is useless, because it provides for a report at the next session of Congress.

Mr. BAILEY. I hope it will never pass, because the only result of its passage, if it results in anything, will be a ship-subsidy bill.

Mr. FRYE. That is not my opinion. My opinion is that it will result in a recommendation for discriminating duties.

Mr. BAILEY. Mr. President, I testify my great confidence in the Senator from Maine by accepting that assurance, and so far as I am concerned I will not object to the bill.

Mr. FRYE. I simply say that it is my judgment that it will result in a recommendation for discriminating duties.

Mr. BAILEY. The Senator from Maine will control the appointment of at least a part of those who are to make the investigation.

Mr. FRYE. The Senator from Maine will appoint as one of that commission the Senator from Massachusetts [Mr. LODGE], who has already introduced a bill for discriminating duties and has announced himself as in favor of such duties; and there will be two Democrats on the commission.

Mr. BAILEY. Reserving, of course, any expression about discriminating duties, I will say that they are incomparably better than a ship subsidy, and if this bill offers a way to escape a subsidy I am willing for it to pass.

Mr. FRYE. I beg the Senator to let the bill pass anyhow.

Mr. BAILEY. Very well.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

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

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

MILITARY ACADEMY APPROPRIATION BILL.

Mr. ALLISON. Regular order, Mr. President.

Mr. HANSBROUGH. Mr. President—

Mr. TELLER. I understand the Senator—

Mr. WARREN. Will the Senator from Colorado yield to me for a few moments to present a report?

Mr. TELLER. Is it a conference report?

Mr. WARREN. Yes; and I desire to say that I have been standing in my place for some time endeavoring to attract the attention of the Presiding Officer of the Senate, but I have been unable to succeed. I regret that the business of the Senate is in such a condition at this moment that I am unable to secure recognition except through the courtesy of the Senator who has the floor.

The PRESIDING OFFICER. The conference report will be received.

Mr. WARREN. I present the report of the committee of conference on the Military Academy appropriation bill.

The PRESIDING OFFICER. The report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 7, 15, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 8, 9, 10, 11, 12, 14, 16, 17, 19, 20, 21, 24, 25, and 26, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "forty-five" and insert in lieu thereof the word "forty-seven;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Of the matter inserted by said amendment strike out the word "six" and insert in lieu thereof the word "one;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: Strike out all of the matter inserted by said amendment and insert in lieu thereof the following: "fifty-three thousand and ninety-six;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amend-

ment as follows: In line 4 of said amendment, after the word "available," insert "immediately and;" in line 8 of said amendment, after the word "available," insert "except for purchase of lands and water rights;" and after the word "dollars," in line 12, insert "including the one hundred thousand dollars appropriated by act of June 28, 1902;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: Beginning in line 4 of said amendment strike out the following: "construction of such buildings as are most immediately necessary," and insert in lieu thereof the following: "necessary construction of cadet barracks and such buildings as shall be needed to replace buildings removed in such construction of cadet barracks;" and the Senate agree to the same.

F. E. WARREN,
R. A. ALGER,
JO. C. S. BLACKBURN,
Managers on the part of the Senate.
R. WAYNE PARKER,
F. W. MONDELL,
WM. SULZER,
Managers on the part of the House.

The report was agreed to.

LOUISIANA PURCHASE EXPOSITION.

Mr. ALDRICH. I ask unanimous consent at this time to submit a report.

The PRESIDING OFFICER. The report will be received.

Mr. ALDRICH. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States, by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri," to report it favorably without amendment.

Mr. COCKRELL. I desire to state to the Senator from Colorado [Mr. TELLER] who has the floor that the bill just reported is in regard to the exhibits at the Louisiana Purchase Exposition, in which all the foreign ministers here are very much interested. It will only take a moment to pass it.

Mr. TELLER. Is it a Senate or a House bill?

Mr. COCKRELL. It is a House bill.

Mr. TELLER. Under those circumstances, it being a House bill, I feel that I ought to yield, if its consideration does not require much time.

Mr. COCKRELL. It will only take a moment. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes that section 10 of the act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri," be so amended as to read:

SEC. 10. That all articles which shall be imported from foreign countries for the sole purpose of exhibition at said exposition, upon which there shall be a tariff or custom duty, shall be admitted free of payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exposition to sell, for delivery at the close thereof, any goods or property imported for and actually on exhibition in the exposition building or on the grounds, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury shall prescribe: *Provided*, That all such articles, when sold or withdrawn for consumption in the United States, shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure, the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption, and all penalties prescribed by law shall be applied and enforced against the person who may be guilty of any illegal sale or withdrawal.

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

REPEAL OF DESERT-LAND ACT, ETC.

Mr. HANSBROUGH. Mr. President—

Mr. GALLINGER. Regular order, Mr. President.

The PRESIDING OFFICER. The Senator from Colorado [Mr. TELLER] has the floor.

Mr. HANSBROUGH. I ask the Senator if he will not kindly yield to me to have a House bill taken up? It has been amended by the Senate Committee on the District of Columbia, and unanimously reported.

Mr. TELLER. I am going to yield for the bill of the Senator from North Dakota, but I hope no Senator will ask me to yield, not on my account, but because the Senator from Mississippi [Mr. McLAURIN] is to follow me, and I do not think I have a right to delay him.

The PRESIDING OFFICER. The Chair had recognized the Senator from Washington [Mr. ANKENY] when the regular order was demanded. He has a short bill which he desires to have passed.

Mr. GALLINGER. I ask for the regular order, Mr. President. Mr. HANSBROUGH. Do I understand the Senator from Colorado [Mr. TELLER] to object?

Mr. TELLER. I understand the Senator from New Hampshire [Mr. GALLINGER] has objected.

Mr. HANSBROUGH. Is it an objection to the consideration of the bill?

Mr. GALLINGER. I call for the regular order.

The PRESIDING OFFICER. The regular order is demanded. The Senator from Colorado will proceed.

Mr. TELLER. Mr. President, I realize that in the closing hours of a session, no matter how important the subject may be and how well it may be presented, it is very difficult to get any consideration for it, and I know that I can not present this subject so as to attract the attention of the membership of this body generally. It is not a political speech that I am going to make. I am going to speak on a subject that interests the people of the section of country in which I live more than any question that has been before Congress during this session, and that is public lands.

During this session we have been regaled by some remarkable speeches. We have had conditions in the States where the Government owns lands described in a way that has never existed. Statements have been made here, credited to the public press and public officials, of a very damaging character with reference to the present land laws. Criticisms have been made of land laws existing twenty or twenty-five years ago and long since either repealed or modified and their character very much changed, and they have been cited as objections to the existing law. Among others, there has been cited a statement I made in a report about twenty years ago as Secretary of the Interior in reference to the commutation of homesteads. The conditions then existing justified that statement. It was made upon a law not now in existence and which has not been in existence for the last fourteen or fifteen years.

The distinguished Senator from Montana [Mr. GIBSON], in a very carefully prepared speech, which I intended to refer to in detail if I could have got the floor ten days ago when the Senate had time to consider these things, which ought to be considered, quoted not only from the report I made, but from the report of various other Secretaries of the Interior and Commissioners of the General Land Office. I think practically all of them were upon the old law of the commutation of homesteads and preemptions existing prior to 1885.

Mr. President, it was my fortune to spend three years in administration of the land laws. In the first place, I want to say that I have had more than forty-three years of acquaintance with the actual operations of these several acts, and I have seen a great part of the western section of the country occupied by settlers under those laws. When I came again into the Senate from the Interior Department I became a member of the Committee on Public Lands. Realizing that there was some necessity for a change in the land laws, I, with some other members of the committee, went to work to make them. We commenced to make the changes in 1886, and continued in 1887, 1888, and 1889, and in 1891 there was practically a revision of the entire system.

It has ever been the policy of this Government to get the public lands into the hands of the people. It never was supposed until recently that the Government of the United States was to remain a great landholder and would reserve from occupation by the public a vast area of land under the pretense that it was valuable as a forest reserve or for any other purpose. So far as there has been within the last ten years a disposition to set apart land either for parks or for forest reserves or for any other purpose save that of settlement it is a departure from the policy adopted by this Government when it passed its first land law in 1796. Nay, more, it is an abandonment of the policy which the Congress of the Confederation adopted in reference to the Northwest Territory.

I had expected, if time would permit, to take up the statutes and show what the policy of the Government had been. First it was to sell the public lands. I am prepared to present to the Senate the statutes, but in the concluding hours of the Senate I do not feel justified in doing so. Consequently I will omit much of what I should like to say and might properly have said in reply to statements made not only on this floor, but in the other branch of the Congress: and, as a rule at least, they have been made by men who had the least knowledge or acquaintance with the subject on which they were speaking.

The first policy of the Government was, as I say, to sell the public lands, to give them to the settler for a consideration. First it was \$2 an acre, and finally a dollar and a quarter an acre, and this policy went on by special acts very largely until 1841, when the preemption law was passed. In 1841 and 1842 the legislation

assumed a phase that it maintained, with the exception of the homestead law, up to 1891. A preemption settlement could be made by going upon the land and putting upon it evidence of an intent to occupy it. Then the settler could go on and cultivate it and pay for it at a dollar and a quarter an acre within a given time, any time after six months' occupation.

Mr. President, I wish to say that the States of Illinois, Iowa, Wisconsin, Michigan, and Indiana were practically settled under that law. On June 7, 1862, the Congress of the United States enacted the most beneficial law concerning public lands that it has ever enacted, either before or since. It was not perfect, but it was a declaration made by the Government of the United States, in an hour when it needed money more than it ever needed it at any hour in its history or ever will, that the public lands belonged to the people of the United States, that the Government of the United States was but the trustee, and that the people should take those lands, and all that they were required to do was to live on them for a period of five years.

Realizing that it would not be possible always for a man to live upon the land that length of time without great inconvenience, Congress provided in that law for a commutation of the homestead without any limitation as to the time. This remained the law until 1891 (except that some modifications had been made of that law at different times, of which I have not time now to speak), when the law was amended by providing that the settler could not commute, as he had before that time, except after a residence of fourteen months.

The Senators who composed the Committee on Public Lands at that time were Senators who had lived in the western section of the country and who knew something about the operations of the former law, and they knew that in a great many cases there would arise a necessity for the homesteader to commute. I will not have time to go into details, but those conditions have been recognized again and again by statute and by rules adopted in the Interior Department, where this law was being administered. We have provided by statute that the homestead settler might extend his time or that he might take it in less time. Those Senators, I think myself, were as well qualified to pass upon the question as any newspaper editor that I know of.

Mr. HANSBROUGH. Will the Senator from Colorado yield to me for a moment?

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

Mr. HANSBROUGH. Let me call the attention of the Senator to the fact that about nine-tenths of the material that finds its way into the newspapers in favor of the repeal of these land laws emanates from the bureau established in this city for the purpose of promulgating that kind of material, and that it is published largely in eastern newspapers or in newspapers in States that are not public-land States, where the editors can not know anything about the practical workings of the law.

Mr. TELLER. I will say to the Senator that I have in mind and will address myself to that feature of the matter in a very few moments. I wanted to say that the Committee on Public Lands, having had experience, knew that if any settler went upon a piece of land and lived upon it for fourteen months, there was no question but that he intended to make it his home. There could be no presumption that he had gone there for anything else than to make it his home. And the whole policy of the Government up to that time had been to make it easy for the settler to go and make a home on the public lands, and not difficult.

Within the last five years there have appeared in the public journals various attacks on the existing laws. We have been told that they have been used to enable capitalists to secure large areas of the public lands, and that as administered they were not beneficial to the public at large.

These attacks appeared in every section of the country. As the Senator from North Dakota says, they were more numerous and more virulent in that section of the country where there were no public lands, and where there never had been any public lands. They were somewhat virulent even in the section where the public-land laws had been in operation and where they increased their operation from the fact that the lands had been appropriated and were in the hands of private parties.

It was obvious to any thinking person that there was somewhere an agency or an influence at work directing these different attacks. They were practically the same, whether they appeared in a New York journal or in a southern journal or in a New England journal. All of them abounded in the declaration that the people who were filing on homesteads were committing perjury and fraud against the Government. Recently—and I am going to omit much that I had intended to say on this subject and come to that point at once—there has appeared an unusual attack.

We are told all at once that the Government of the United States has now provided a system by which homes can be made upon the public lands by virtue of what is called the "reclamation act," and, therefore, in order that the public may have the benefit

of the reclamation act the other land laws should be repealed; and that there is no other way by which the public can have the benefit of the reclamation act than by the repeal of all the land laws. And why? Because it was said that under the desert-land act—and I do not know but that some of them said the same with reference to the timber act; of course that did not apply to desert lands, but I have noticed that the majority of the people who have been discussing this question scarcely know the difference between desert land and timber land—that under the desert-land act the land was appropriated in such a way that the beneficent action of Congress in passing the reclamation act would not have the full force and effect, and the people would not get the benefit of it. So they demanded that there should be no more land entered, either under the desert act or the preemption act or the homestead act, except the settler should live for five years straight on that land, and in many cases the demand was also that the homestead laws should be wiped out.

I have on my table a periodical published in the State of California. It is called "The Maxwell Talisman." This paper has provided, I may say, the bulk, the great majority of the newspaper articles that have appeared in the last five years, or ever since it was established, which I think was four or five years ago. It is vicious in its attack upon Members of this body. It has been virulent in its attack upon the settler, and if one should read the paper for a length of time and believe it he would conclude that the western settler was of all men the vilest and the meanest, committing perjury when it would be just as easy for him to acquire what he wants without it.

I do not like to speak of individuals, but Mr. Maxwell has been so active in this matter that I feel it is necessary, in order that there may be a fair understanding of the conditions by the Senate and the country, to say that Mr. Maxwell has devoted himself professedly to the question of securing the repeal of these land laws. I have no doubt he gave some attention to the passage of the reclamation act, and I understand now that he insists that he is entitled to most of the credit for that legislation. The reclamation bill in some shape has been before the Senate for many years, and I confess I never heard of Mr. Maxwell's relation to it until after the bill was passed, and I do not, therefore, believe he was a factor of any consequence in the passage of the act.

Mr. DUBOIS. I desire to say that the junior Senator from Wyoming [Mr. WARREN] or I had the honor of presiding at, I think, every meeting of the committee which framed the reclamation act, and so far as I am concerned I never knew of any contribution that Mr. Maxwell made to help us in the framing of that act. I did not know, so far as I was concerned, that he was interested in the passage of the reclamation act. I see the Senator from Wyoming here. I imagine that his experience was the same as my own.

Mr. WARREN. The statement as made by the Senator from Idaho is correct.

Mr. HANSBROUGH. I think the Senate perhaps will agree that I had some small part in the drafting and handling of the irrigation act as it passed the Senate.

I want to state, in line with what the Senator from Colorado has said, that I met Mr. Maxwell but twice prior to the passage of the irrigation act, and that I did not know that he was under pay to secure the passage of the act until about a year ago, or a little less than a year ago, when I read in a speech which was made by a gentleman residing in the West that the land-grant railroad companies were paying Mr. Maxwell an annual salary, a very large salary, to secure the passage of irrigation legislation, and that they were continuing to pay that salary after the irrigation act passed. I did not know that Mr. Maxwell had any connection with the movement for irrigation until after the law was put on the statute books.

Mr. TELLER. I do not know what the railroad people paid Mr. Maxwell as a salary, and I never heard, during the whole controversy as to whether the nation should take hold of this question or not, that any railroad company or any railroad officer or any of the stockholders of a railroad was on the side of the Government in favor of that kind of legislation.

I knew that those railroad companies, or some of them at least, were great land proprietors. I had knowledge that the Government of the United States had in a few years, commencing about 1864, and continuing perhaps for ten years, donated to the railroads an area greater than that of the entire thirteen colonies. Something more than 200,000,000 acres of public lands were donated to those corporations by the Government. I have always said and always believed that if the Government had donated to the railroads, instead of the lands themselves, \$5 an acre for all the lands it gave them, and had reserved the land for the people, the country would have been richer and greater, and the people would have had advantages which they have not had by this donation of the land to the railroad companies.

Mr. Maxwell appeared before the House recently and testified

that there were six railroad companies that had paid \$6,000 a year for the last five years, I think, and one railroad company—not quite so large I suppose, or not quite so much interested in this matter—had paid \$3,000 a year, and that there were others—who they were he did not state—who had contributed in addition to that sum, so that the aggregate contribution had been about \$50,000 a year.

Mr. WARREN. May I interrupt the Senator from Colorado?

Mr. TELLER. I yield to the Senator from Wyoming.

Mr. WARREN. I think it is but just to the railroads, and the Senator, I think, will agree with me, to say that we can hardly believe that when making these contributions of funds the contributors expected that the money would be used in the very extreme and abusive manner in which some of it is being used. As an instance of that I should like to have read at the desk a paragraph from a newspaper, which was contributed, I understand, by a person who is employed by this fund.

Mr. TELLER. By Mr. Maxwell?

Mr. WARREN. By Mr. Maxwell's fund, which he testified to. The Secretary read as follows:

That land frauds have been carried on for years in Wyoming and are even now a daily occurrence is an open secret, known as well by the mass of the people as by the Land Office and other officials having detailed knowledge of the operations of the big cattle companies and others who have taken advantage of the intricacies of the existing laws to acquire large tracts of land fraudulently in this State.

Mr. WARREN. If the Senator will permit me, the article read is from Public Opinion, which we all know contains extracts from other papers; and this particular one was taken from the Denver Times. Upon inquiry I am informed that both the transmission of this material to the Denver Times and the fact that it is clipped from the Denver Times and published in Public Opinion are through agencies and instrumentalities, the cost of which is paid from this fund alluded to by the Senator.

Now, I feel sure that those who have contributed to that fund will not state that the public officials of Wyoming are corrupt, and that the public officials in Washington who review the cases are corrupt, and that frauds in Wyoming land offices are of daily occurrence, when as a matter of fact a fraudulent entry in that State is a very rare occurrence; and I challenge anybody and everybody to produce any evidence to the contrary. That matter has been fully investigated in the Interior Department in Washington, and in the speech which I had the privilege of making not long since I quoted from that report, giving the percentage of fraud, which was remarkable only because it was so very, very small. So I think the fund, while being used in a manner which I think is scandalous, is nevertheless being perverted from the purpose of those who contribute it, although I do not commend the parties who are contributing that fund.

Mr. TELLER. Mr. Maxwell stated before the committee that the purpose of this fund was to secure the enactment of what we call the "reclamation act," but, as stated by the Senator from North Dakota, he admitted that those contributions were still being made, notwithstanding the reclamation bill has long since become a law.

Mr. President, perhaps two months ago, when this question of the repeal of the land laws was up, I made the statement on the floor that the people back of this enterprise, this syndicate of publishers, the people who had been declaring against the present laws and charging fraud upon everybody connected with the matter, including the officials as well as settlers, were backed by those who own land and had it to sell.

I had at that time some information on this subject of an entirely personal and secret character, and I knew I was not mistaken. Subsequently Mr. Maxwell went before the House committee, and, realizing that the fact was before the committee and members of the committee had been acquainted with the fact that he was receiving large contributions, he admitted that he had received for so many years, I think, about \$50,000 a year and was still receiving these contributions.

Mr. HANSBROUGH. Will the Senator yield to me?

Mr. TELLER. Certainly.

Mr. HANSBROUGH. I suggest to the Senator that Mr. Maxwell's statement on that line be publicly read at the desk. It is a very brief statement.

Mr. TELLER. If the Senator has it, I should like to have it read. I have it not here.

Mr. HANSBROUGH. It is the exact language used by Mr. Maxwell.

Mr. TELLER. Then I will ask to have it read.

The PRESIDING OFFICER (Mr. BALL in the chair). The Secretary will read as requested.

The Secretary read as follows:

Mr. HITCHCOCK. I want to perfect some information I asked for. When you gave the names of the railroads that have contributed to these funds you did not state the amounts they contributed.

Mr. MAXWELL. Six thousand dollars for each of the transcontinental lines and the Burlington, and \$3,000 for the Rock Island.

Mr. HITCHCOCK. That makes how much altogether?

Mr. MAXWELL. Thirty-nine thousand dollars.

Mr. HITCHCOCK. Now, for what purpose was that money used?

Mr. MAXWELL. It has been used for the expenses of the National Irrigation Association, and there has only been a part which has been available by that association for the circulation of its literature and the maintenance of our press bureau and the educational campaign which we have been carrying on for the last five years.

Mr. HITCHCOCK. That is an annual contribution?

Mr. MAXWELL. Yes, sir.

Mr. HITCHCOCK. Has been going on for five years?

Mr. MAXWELL. Yes, sir.

Mr. HITCHCOCK. And still continues?

Mr. MAXWELL. And still continues.

Mr. HITCHCOCK. Six thousand dollars each for the transcontinental lines, and six of them?

Mr. MAXWELL. I include the Burlington.

Mr. FRENCH. What one pays less than \$6,000?

Mr. MAXWELL. The Rock Island.

Mr. FRENCH. That pays \$3,000?

Mr. MAXWELL. The funds of the association are drawn also from many different directions; this fund is only a part.

Mr. MARSHALL. What part?

Mr. MAXWELL. I think the fund exceeds \$50,000 altogether.

Mr. MARSHALL. Annually?

Mr. MAXWELL. Yes, sir.

Mr. HITCHCOCK. Referring to this \$50,000 fund, who controls the disposition of that; do you?

Mr. MAXWELL. We do.

Mr. TELLER. Mr. President, I can give Mr. Maxwell credit for claiming that this fund was not for the purpose of repealing these laws. Still he has been the most active agent in that interest. I will venture to say that 75 per cent of the attacks on the present system that have been in the public press have first appeared in his paper, published at Los Angeles. They can practically all of them, so far as I have been able to follow them up, be traced to that origin.

Now, I am not a railroad man, nor am I one of those who believe that railroad companies may not do meritorious acts as well as other people; but I want to ask the Senators now if they believe that these railroad companies, some of them owning large areas of public lands under the donation of which I have spoken, have been contributing year after year, before the passage of the reclamation law and after, for the express purpose of securing to the people an opportunity to make homes under that law?

There is no one who believes that to be the case. There is no one who supposes that the board of directors of a railroad company will vote money out of their treasury for a charity, and do it year after year, and face their stockholders. They are not charitable organizations. They have no right to do it under the law, and if they answer to their stockholders for a misappropriation of funds, they will answer by saying, "We believe that it will benefit us." How, Mr. President? By creating a market for their lands when there is no other place for settlers to go except upon the land owned either by the State itself, which it has received from the General Government or by these different railroads.

Mr. FULTON. Will the Senator from Colorado permit me—

Mr. TELLER. I certainly will.

Mr. FULTON. I call the Senator's attention to another feature of this repeal that will operate very greatly to the advantage of the land-grant railroads. If they shall succeed in securing the repeal of the timber and stone act, then there will be but two methods by which they can acquire timber land. One will be by the homestead law, and of course the Senator knows how difficult it is for one to go upon a tract of land that is heavily timbered and live up to and absolutely conform to the requirements of the homestead act. Consequently these land-grant railroads whose lands have been incorporated into forest reserves will have the exchange scrip or, as we call it for want of a better term, the forest-reserve scrip, which can be used in taking up timber lands. They have something like 2,000,000 acres of that scrip, I understand, which at once will become very valuable if the right of private entry of timber lands is done away with. That, consequently, will net them a vast sum of money, because people will have to purchase it in order to enter the timber lands.

Mr. TELLER. The Senator from Oregon is correct about that. It is too patent to go into an argument about, that the railroad companies were trying to bring about a condition of affairs that would enhance the value of their lands. I repeat, if they were not doing that, then they were violating the law and robbing their stockholders, and no defense could be made by them to their stockholders except that they were enhancing the value of their land by this donation.

We heard from the Senator from Montana [Mr. GIBSON] about a condition that he said existed in that State that I myself had not believed existed in any part of the United States. I believe the Senator received his incentive and his information largely from Mr. Maxwell and men of his class.

I wish to say a word or two before I pass from this point as to the interest of Mr. Maxwell and his associates, no matter who they are, in this subject of reclamation. We have now in the Treasury of the United States about \$16,000,000, comprising the receipts of the Land Office for several years.

Mr. HANSBROUGH. About \$18,000,000 now.

Mr. TELLER. It is about \$18,000,000. And now it is proposed by these devotees of reclamation, these enthusiasts on the subject, to repeal, first, the timber law and, second, the commutation act and the desert-land act, and then there is no cash coming into the Treasury of the United States from the sale of public lands. We are then left with this magnificent enterprise of reclamation, which, if it is carried out as it ought to be, will take not only the eighteen or twenty million dollars, but very much more than that; and we are left with that and that alone to carry out the purpose of the law.

It can not be that men of Mr. Maxwell's intelligence or the men who back him believe that if the timber act and the stone act are repealed, and if the desert-land act and the commutation act are repealed, a sufficient sum of money will come into the Treasury of the United States from public lands to be worthy of attention on the part of the Government or the people who are depending on the Government to make reclamation of the desert.

Every act they have performed and every step they have taken has been an intelligent step toward depriving the people of every opportunity to take public lands and compel the people either to go without land or to apply to them. Referring to the State of Montana, I call attention to the fact that more than 17,000,000 acres of land in that State belonged, and most of it to-day belongs, to a great railroad corporation.

While the owners of the stock in the Great Northern Railroad Company may not have any interest directly in the grant, they have an interest in all of the land owned by the Northern Pacific, and they thus have an interest in that 17,000,000 acres. The Great Northern was not a land-grant railroad, but the Northern Pacific was. To-day the Great Northern controls the Northern Pacific. It controls also the Burlington. The reason why the Burlington is a contributor to the fund is because the Federal Government has already deeded away its lands under a grant which was made years ago. The great moving power has been the Great Northern road. The Great Northern road has an interest in this land such as no other corporation has.

The Santa Fe road has extensive interests, with a great public-land interest acquired both directly and indirectly from the old Atlantic and Pacific. I have not had time to go over the facts carefully, because I find there is much difficulty in the Land Office in arriving at a correct statement. I have not been able to ascertain just how much land these different railroad companies own; but I know that until recently the railroad companies owned 3,000,000 acres of land in the State of Colorado, and last year, if I am not mistaken, they sold more than 100,000 acres of land to the people of that State.

Mr. STEWART rose.

Mr. TELLER. Does the Senator desire to interrupt me?

Mr. STEWART. I would not interrupt the Senator, but I want to give him a parallel.

Mr. TELLER. All right.

Mr. STEWART. In 1868 I became satisfied that the lands were being taken by speculators and not by entrymen under the preemption law. I made a speech against it and talked against it as such an abuse as no man ever heard of. That was discussed all over the country; the papers published it; it came out in the magazines. I thought that was sufficient. I got a small appropriation through, creating some more clerks for the Land Office. Mr. Wilson was the Commissioner then. I went down and asked him, in the first place, if he would do it if I got the money with which to employ additional clerks. That was done. They made a synopsis of all the laws referred to in the speech I made in the Senate. I wanted to get at the particulars as to what had been disposed of under the preemption act. A table was prepared, and it will show that over half of the land that was sold under the preemption act went to speculators in this way.

There were surveys made through the Mississippi Valley, and the surveys were spread out rapidly with the advance of settlement. They had a law by which, after the surveys had been made a certain length of time, the land should be offered at public sale, and after it had been offered at public sale it should be subject to private entry. So there would be a million acres of land surveyed before the settlers got there; it would be offered at public sale, there would be no bidders, and it would be bought up by townships and some by county after county. In Iowa an immense part of the State was bought up in this way by speculators and sold within a year or two at \$10 an acre.

I had a table of the whole business prepared, and when that table was published members of Congress got extra copies of it and sent it all over the country. That information showed how

speculators were making money, and that settlers instead of getting the land at \$1.25 an acre under the preemption law were paying \$10 and \$12 an acre for it, and sometimes as high as \$15 for a large portion of the land. As soon as that was published the law authorizing it to be sold at public auction at a certain time after the surveys were made was repealed.

But the general interest of the press in this question reminds me of the general interest taken in preserving that law whereby men became very rich. I could name some of them now. Great fortunes were made by having the surveys extended ahead of the settlement. That system spread all over the Mississippi Valley. When by this manipulation they had it made subject to private entry, they would buy it and settlers would come in and have to pay large prices. A little over half of the land up to that date had been manipulated in that way. After the passage of the preemption law in 1841, over half of the land that had been disposed of under that law up to 1870, up to the time I published that table, had been sold and bought up at private entry and then sold at enormous prices to settlers.

But nothing stopped this howl except the publication of the facts. There was one great firm in Cleveland where they issued a paper for that purpose. This is a very similar kind of howl, and there must be something behind it. The facts brought out here remind me of what was behind that other howl. There was at that time a patriotic howl of this character. When we have land laws in conflict with what has been the experience in speculations in the West and there is a howl against them it is well enough to examine the source, and I am glad that we are developing the patriotism of these publications.

Mr. TELLER. I cited the case of Mr. Maxwell to show that in my judgment the railroads are not moved by an interest in the public, but by their own interests in the property that they want to sell. The Senator from Nevada alludes to the fact that public lands had been offered and then were subject to private entry after they had been offered. After they had been offered any person who could pay a dollar and a quarter an acre could walk in and buy. If he had enough money, he could buy a quarter section, or a township, if he saw fit. That continued to be the law until 1891. In 1891 the act to which I have referred, and which I took part in preparing, was repealed except as to the State of Missouri.

Mr. STEWART. That is true. The law continued in force after the publication of this table, after the exposé. No President would stop it at once.

Mr. TELLER. No; the surveys in advance were stopped in that way.

Mr. STEWART. Yes; as quickly as that was done.

Mr. TELLER. There were thousands and tens of thousands of acres accumulated in that way by the wealthy people of the country, which was against the public interest, but that has not been the condition for many, many years.

Mr. STEWART. No.

Mr. TELLER. I can refer to some very large holdings in Illinois, and I can show that they were purchased under that private-entry law fifty or sixty years ago.

Now, we did not repeal that law as to Missouri for the reason that the senior Senator from Missouri [Mr. COCKRELL] came before the committee and said, "The land in Missouri is open to private entry and has been open to private entry for many years, and occasionally a piece is sold. There has been no abuse of it; there has been no aggregation of large amounts of land." And we omitted Missouri because the condition was different there perhaps from any other section. I asked the Senator the other day whether the failure to repeal the private-entry law had been injurious to the people of that State, and he informed me that it had not.

Mr. COCKRELL. It has been beneficial, instead of injurious.

Mr. STEWART. It was a poor part of the State.

Mr. TELLER. Since 1891 it has not been possible for anybody to make a private entry in that way; but in 1885, in the State of Colorado, there were about 40,000 or 50,000 acres taken in one neighborhood, and a dollar and a quarter was paid for it. It has been lying there open to private entry or to preemption, because it was open to preemption, and it was also open to homestead. It had been surveyed at least twenty years and nobody had cared to take it. Finally some cattlemen went in there and took it all up, as they had a right to do; and no blame could be attached to them or anybody as long as the law existed. One of those concerns has the biggest holding I know of in the State of Colorado, and it is only 16,400 acres. When anybody tells me that the State of Colorado has suffered by these laws, I deny it.

I went to Colorado when not one foot of it had ever been surveyed. Whether it was a Mexican grant or whether it was a public land, it was still unsurveyed.

I have seen it surveyed, and I have seen it entered. I want to contradict the statement made here on this floor that a large per-

centage of it has been illegally and improperly entered. There was some controversy some years ago in southern Colorado. A controversy arose out of the fact that the people had taken coal lands as agricultural lands. The Government had returned it as agricultural land, and the people had a right to take it, and did take it. One case went to the Supreme Court of the United States, where it was alleged that there had been some fraudulent transaction in two quarter sections, and the Supreme Court sustained the title of these holders, saying that the Government had not shown any bad faith nor any corrupt proceeding on their part in the matter. The cry of fraudulent entries will always be made, and it has been made from time to time.

Now, Mr. President, I want to call the attention of the Senate to the fact that if a man takes a homestead, or under the preemption law he takes a preemption claim, or under the desert law takes a desert-land claim, and does not comply with the law the law provides a way by which any man who wants that land can file on it and then come to the Land Office and assert that the law has not been complied with. So every interest in the neighborhood is alive to see that the land is properly entered, and if the land is valuable surely somebody will question the right of a man who is securing it without compliance with the full provisions of the law.

I wish to say a word or two about the homestead law. In 1877, when I was somewhat younger than I am now, but a member of the Senate, a bill came from the House providing for the first desert-land act except one. There had been an act passed some years before applying to two or three counties of California, and then came the act of 1877. At that time there was no necessity in Colorado for a desert-land act. Very little land had been taken.

The opportunity to go upon the public land was open to everybody, and the streams that were used for irrigation could be tapped with very little expense. As I said then, I repeat now. I have known many a farmer to go out upon the prairie and take his homestead and his preemption as he desired, or both, as he could take ultimately, and take his time, and make his own ditch and put the water upon his land with practically no outlay of money whatever. I saw land well watered for 25 cents an acre in those days. I have seen as many acres of that State as any man in it or out of it, and to-day I know of no quarter section that you could put water on for \$25 or \$30 an acre.

It is said the homestead settler must go upon the land and live there five years. Mr. President, that is an inhibition; that is a prohibition of the right of the settler to go upon the public land. To-day he can not do it unless he combines with others to make homes. Fifty settlers or a hundred settlers combining, in no part of the country I am acquainted with, can make a ditch without help from outside.

It was said the other day in the House of Representatives that there was no land left that settlers would desire to go upon. Mr. President, within 50 miles of the capital of Colorado there is land that, if water were put on it, would be worth \$50 or \$75 an acre. It will cost every dollar of that amount to put water on it.

Settlers in that section of the State going upon the land when they did not expect to cultivate so much have since cultivated over 40 acres, and have got water for that purpose. They have within the last ten years put in all their own earnings. Nothing has been done by the money of capitalists, but the farmers themselves have increased their water facilities by an expenditure of more than \$2,000,000.

So far as I am concerned, I should infinitely prefer seeing the reclamation law to-day repealed to seeing the settlers of my State compelled to rely upon the Government alone for the water to be used on their farms. We have bored through the Continental Divide; we are taking the water that ran originally to the Pacific Ocean, and turning it into the Gulf of Mexico. That can not be done, Mr. President, except by combinations of capital and combinations of men.

Mr. CLARK of Wyoming. Will the Senator from Colorado permit me to interrupt him just at this point?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. TELLER. I do.

Mr. CLARK of Wyoming. I should like to ask the Senator, from his experience and from his knowledge of the situation, whether he believes it possible for a settler to go onto the present unoccupied public domain and make it productive for much less, if any less, money than he would require either in money or in labor to purchase a farm in the agricultural States, so speaking?

Mr. TELLER. In reply to that question, Mr. President, I will say that there are portions of Colorado to-day where you can buy a farm with water on it more cheaply than you can take for nothing 160 acres and put water on it.

In 1882 there was a settlement made in western Colorado upon what is called the Grand River, which runs west and through the Colorado River into the Gulf of California. A large number of

settlers went into that valley, which is one of the most fertile valleys on the continent. They went there with the promise that a great eastern corporation would put in a ditch during the summer. They could not raise the slightest thing, except prairie grass, and even that was scarce during that season. You could not have a garden; you could not have even good pasture, unless your cattle went on the mountains. Two or three hundred settlers built their cabins and waited for the company to bring in the water.

There was a provision of law which authorized the Secretary of the Interior under such circumstances to extend the time of settlers for living on their homesteads. Being then Secretary of the Interior, I extended the time of those settlers. What else was there to do? Would it have been just to adhere to the letter of the law, requiring that these men should live upon their homesteads? There was nothing there for them to do. A man could not earn a dollar, because nobody wanted his labor. He had nothing to sell. A year afterwards the ditch company put the water in, and there is nowhere in the world a better specimen of the benefits of the application of water to desert land than in that valley. For miles up and down that river, on both sides of it, is a community as intelligent as any community you can find in New England, in New York, in Pennsylvania, or in any other State. They have there public schools equal to those of any State in the Union. They have orchards and vineyards and fields of grain and everything that goes to make a community great and good.

I had promised that I would not extend my remarks so as to interfere with the Senator from Mississippi [Mr. McLAURIN] or with the Senator from New Hampshire [Mr. GALLINGER], but I have before me data which, I suppose, if I should put in form and discuss would take me a couple of hours longer. I have information here that would show that the statement made on this floor and elsewhere, that the country is being, in the language of the street, "gobbled up" by the cattle owners and others is untrue. With rare exceptions, in this country the farms are growing smaller with every decade. They are smaller than they were twenty or thirty years ago, and they continue to grow smaller as land grows more valuable and products become easier to market and the opportunity for intensive farming increases.

Mr. STEWART. I hope the Senator from Colorado will insert in his remarks all of the material to which he refers.

Mr. TELLER. There is an exception as to this increase in the number of farms, but as a rule they have very largely increased. When they speak about farms, they take the number of farmers and then divide the number of acres to get the aggregate. There is a very large increase in Montana, and there is a slight increase in Colorado. The increase in Colorado comes from the fact that in Colorado a great number of acres of land have been patented in recent years to the old Mexican grant claimants. The increase of acreage in the State of Montana comes from the fact that the railroad, with 17,000,000 acres, has been selling its lands to the people of Montana.

I will venture to say that an examination of the condition of farm lands of the West—I mean now in the land States, as we call them—will show that their condition, so far as a large acreage is concerned, is perhaps less than it has been in the past; that the farms are smaller and not larger, whatever may be said to the contrary.

There is another instance of remarkable increase, and that is in the State of Nevada. The farms there have increased very greatly in area in the last ten years.

Mr. CLARK of Wyoming. The Senator refers to individual farms?

Mr. TELLER. Yes; I am speaking of individual farms. Mr. President, I do not pretend to know how that has happened in Nevada. That is one of the States with which I am not familiar.

Mr. HANSBROUGH. Mr. President—

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

Mr. TELLER. Certainly.

Mr. HANSBROUGH. I want to state that I had occasion the other day to look up the figures with respect to the number of desert-land entries in Nevada and the number of commuted homestead entries in Nevada, and I was surprised, in view of the fact that my friend the junior Senator from Nevada [Mr. NEWLANDS] wants these land laws repealed so very badly, to find that since 1881 only seventy men have taken desert-land entries in that State and only ten men have taken commuted homestead entries in that State.

Mr. WARREN. In the entire State?

Mr. HANSBROUGH. In the entire State of Nevada. Those are a good many people for Nevada, but those are the facts.

Mr. NEWLANDS. Mr. President—

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

Mr. NEWLANDS. I hope the Senator from Colorado will kindly yield to me.

Mr. TELLER. I will yield for a question, but not for the Senator to make a speech.

Mr. NEWLANDS. I think it will be necessary for me to take the floor for ten or fifteen minutes, in view of the statement just made by the Senator from North Dakota [Mr. HANSBROUGH].

Mr. TELLER. Then I shall decline to yield to the Senator, because I believe I can hold the floor quite as profitably in this interest as the Senator can for the next ten or fifteen minutes.

Mr. NEWLANDS. Very well. In asking the Senator to yield I wished simply to give him warning as to the amount of time I desire to occupy, so that he might cut me off if he chose to do so.

Mr. TELLER. I have an idea that I know something about this public-land question.

Mr. President, the Senator from North Dakota [Mr. HANSBROUGH] presented some figures to the Senate, which appeared in the RECORD some days since, to which I wish to call attention, and it will only take a moment to do so. That Senator presented a statement showing the acreage and the various classes of public lands specified as disposed of between July 1, 1881, and June 30, 1902, inclusive—twenty-two years. In that time there were proved up for final homestead after five years residence 77,487,849 acres and of commuted homesteads 19,000,000 acres. After hearing the Senator from Montana [Mr. GIBSON], I thought I would inquire at the General Land Office as to how much desert land had been taken in that State since 1877.

By the way, I think I ought to have stated that in 1891 we reduced the area of desert land one-half and made very rigid laws as to the proof of water having been put on. From 1877 down to 1902 1,284,000 acres of land were taken in the State of Montana and under the desert-land act. If you were to listen to the Senator from Montana, you would suppose a million a year had been taken—one-seventeenth of what the railroad company owns. Divide it for the twenty-seven years and it is inconsequential.

What is true of Montana is true of Colorado, and what is true of Colorado is true of many other sections. If you get at the naked facts, you will find what I am going to assert here before I conclude. I am going to assert it, and if anybody wants an investigation into the matter it will be easy to get provision for it through this body. I assert that the movement for the repeal of these land acts is incited and supported in the interest of the men who now own land and not in the interest of the men who want to own land.

The Senator from Oregon [Mr. FULTON] says there are \$2,000,000 of scrip out. There is more than \$5,000,000 of scrip out. I must say a word about that scrip.

Mr. FULTON. I only referred to the amount of "forest-reserve scrip," so called. I think I said \$2,000,000. I am inclined to believe that I underestimated it. There are millions of other scrip that would be benefited in the same way.

Mr. TELLER. By some process, which escaped my attention, there was a provision put into some of the appropriation acts, as I recollect, that if a settler lived inside of a forest reserve he might exchange that land for land outside. No; it was not confined to the settler, but applied to the owner of land as well. If my attention had been called to it I should have tried to confine the provision to the settlers.

What was the result of that, Mr. President? Great forest reserves were made over the land owned by railroad companies. Thereupon the railroad companies exchanged the land inside of forest reserves for scrip, which they could locate somewhere else, and they took the scrip and went on the finest white-pine lands there was left on the continent in the State of Idaho. They filed that scrip which they had received for land that could not be sold for more than a dollar or a dollar and a quarter an acre, and for it they received land worth from four to six dollars an acre. Two hundred thousand acres of that land were offered for sale in this city within the last month by an agent of the railroad company.

Mr. HEYBURN. Mr. President—

The PRESIDING OFFICER. Will the Senator from Colorado yield to the Senator from Idaho?

Mr. TELLER. I yield to the Senator from Idaho.

Mr. HEYBURN. When the Mount Rainier Reservation was created no effort was made to determine what portion of it, if any, was mineral land, but the railroad company exercised the right of exchange without regard to whether or not the land within the Mount Rainier Reservation was mineral land and belonged to the railroad company.

Mr. CLARK of Wyoming and others. They scripped it all.

Mr. TELLER. Then I suppose they did scrip mineral lands to which they were not entitled as well as other land. Repeal the homestead law, repeal the desert-land law, and you will make it impossible for a man to get land anywhere unless he owns scrip. He may wait, you say, for the Government to build the irrigating canals. Mr. President, in my judgment there will not be an acre of land irrigated under the reclamation law in the

next ten years. These enterprises which the Government has inaugurated are great big enterprises.

Mr. NEWLANDS. Mr. President, will the Senator permit an interruption there?

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

Mr. TELLER. I will yield for a question, but I will not yield for a speech from the Senator from Nevada.

Mr. NEWLANDS. Will the Senator permit a statement?

Mr. TELLER. I will if it is a brief statement.

Mr. NEWLANDS. The Senator states that under the reclamation act there will be no land opened up for settlement within the next ten years.

Mr. TELLER. I did not say that. I said "in my judgment."

Mr. NEWLANDS. That was the Senator's judgment. I have to say that there is an irrigation project now in process of completion in Nevada, and some 50,000 acres of that land, out of a total of 400,000 acres, will be opened up to entry within a few months.

Mr. DUBOIS. Will the Senator from Colorado allow me to say a word just there?

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Idaho?

Mr. TELLER. I yield.

Mr. DUBOIS. I want to illustrate the very pertinent idea suggested by the Senator from Colorado [Mr. TELLER], which is all the more pertinent since the remarks of the Senator from Nevada [Mr. NEWLANDS]. If, as the Senator from Colorado says, the commutation clause of the homestead law is repealed, the desert-land law is repealed, and the timber and stone act is repealed, there will be no more money flowing into the reclamation fund, because there will be no land law except the plain homestead law. There are now about \$18,000,000 in the reclamation fund derived from the proceeds of the sales of public lands.

Mr. CLARK of Wyoming. Under those laws.

Mr. DUBOIS. Yes; and that is the only way by which money can be secured to be put in this fund, and there will be practically none received under the homestead law.

Of this \$18,000,000 in the fund at the present time—I take that amount for illustration—\$2,700,000 of it has been set aside to reclaim the Minidoka project, in Idaho. That money can not be used for any other purpose except for that one project. Other amounts have been set aside taking up almost all of the \$18,000,000. It will take several years at least to complete the Minidoka project. After that project is completed settlers will take the lands thus made available and pay back to the Government the cost of reclaiming the land, and they will pay it back in installments covering ten years. So that the statement which the Senator from Colorado made is almost literally true, that you render ineffective and inoperative the great reclamation act if you destroy and wipe out these land laws.

Mr. NEWLANDS. Mr. President—

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

Mr. TELLER. I am not going to yield to the Senator to make a speech. I am going to quit, and he can make a speech if he can get the floor.

Mr. NEWLANDS. Will the Senator yield so that I can make a statement as long as that of the Senator from Idaho?

Mr. TELLER. Go ahead.

Mr. NEWLANDS. I wish to say, Mr. President, that before the repeal of the commutation clause of the homestead act, or the repeal of the desert-land act, or the modification of these laws can be accomplished, there will be at least \$30,000,000 in this fund. That \$30,000,000 constitutes a revolving fund, for almost as rapidly as the money is spent it is returned by the sale of lands which are reclaimed.

I insist upon it that even if we only have \$30,000,000 in that fund by this process of revolving it will eventually reclaim all the lands that are possible of reclamation in the arid region. I regard it as of much more importance—

Mr. TELLER. I can not yield further.

Mr. NEWLANDS. Just one second, in order that I may complete the sentence.

I regard it as much more important to save this great domain for actual settlers and home builders than to increase a fund, which, by the time this modification in the way of reform takes place, will reach \$30,000,000, and which will, by this process of revolving, accomplish the entire work.

Mr. TELLER. Mr. President, if the Senator from Nevada and those who think with him had their way, all those laws would have been repealed before to-day. They have pending here a bill for their repeal, and that is what they intended to do when this Congress met. When we were howled at from every side, and all the newspapers of the land, following this man Maxwell's Talisman, published his statements all over the country, it was

expected to startle Senators and compel those living in sections of the country knowing nothing about the subject to repeal those laws instantly. There would not have been a dollar left, in my judgment, if the men who are back of this scheme had been successful. That is what they intended to do—to prevent any money going into that reclamation fund.

Mr. WARREN. Mr. President—

The PRESIDING OFFICER. Does the Senator from Colorado yield to the Senator from Wyoming?

Mr. TELLER. Yes.

Mr. WARREN. I desire to say right there that a similar bill to repeal these identical laws was introduced, pushed, and reported to this body in the last session of Congress.

Mr. TELLER. Mr. Maxwell went before the committee and made the statement—whether the Senator from Nevada was present or not I do not know—that the friends of this repeal had considered this question even before the reclamation act passed and thought it was better to not make the effort for repeal then, but to wait.

Mr. President, when any man comes here and says that this proposed appeal is in the interest of the public, in my judgment he makes a great mistake. I know that in my State, where there has been no stealing of the public land, there is no sentiment for the repeal of these laws, which have been modified from what they were years ago, and in my judgment even the wisdom of the Senator from Nevada can not make them any safer and better than they are now. At all events, Mr. President, I prefer to leave them as they are rather than to trust Mr. Maxwell and his syndicate of railroads, even though they may be backed by Senators.

Mr. NEWLANDS. If the Senator will permit me, I was not on the committee before which Mr. Maxwell appeared. I will state to the Senator from Colorado that while I believe that these statements regarding fraud in the land laws are exaggerated, I also believe that frauds have existed and that frauds are now being accomplished not so much against the letter as the spirit of the law, and it is my desire to see the existing laws so modified as to make fraud impossible and to prevent the waste of the public domain.

My view from the start has been a very moderate one, and that is that we have not been as provident in the administration of our great estate, the public domain, as we ought to have been; that no laws are perfect; that the present laws are not perfect; that they require modification in the interest of honest administration and home building. That is my position. I have no sympathy whatever with the attacks made upon Senators in this body who differ with me. I am controlled in my opinion by no man or set of men; but I am for land reform.

Mr. TELLER. The Senator talks about land reform. He assumes that there are defects in these laws which I assert are not there. He insists that under those laws large areas of land have gone into private hands, which I deny.

I have heard it stated that in the State of Colorado there were large areas controlled by individual owners. There were; but they came from the railroad grants. The large areas in Montana also came from the railroad grants. I have the proof right here that they are not the result of the operation of the desert-land act, but I am not going to stop to read it. I will, however, ask permission to put it in the RECORD.

The PRESIDING OFFICER. The Chair hears no objection.

Mr. TELLER. I will also ask permission to put into the RECORD the statistics with respect to Colorado, and also statistics showing the areas of farms. The statistics are taken from the census reports, so that there will be no question about them.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Colorado.

[See Appendix.]

Mr. TELLER. Mr. President, I will conclude by saying that it has been possible to aggregate large tracts of land in private holdings, first, because of the railroad grants, amounting to 200,000,000 acres, an area, as I said before, equal to that of the thirteen original colonies. More than a hundred million acres of this land has already been patented to the railroad companies, and more is to be patented. Second, in the great amount of land donated under laws to the States.

I have a statement as to the holdings in Colorado, to which I wish briefly to call attention. It shows that with the 3,000,000 acres of railroad land, with the 1,342,000 acres in Mexican grants, with the million under the Carey Act, with the 500,000 for internal improvements, and with the 3,000,000, almost the 4,000,000, acres of school land that has been for sale by the State, there is a large area, about 10,000,000 acres of land, in Colorado that can pass into the hands of private holders otherwise than through the operation of the land laws, and it does so pass into their hands; and while these people who are howling about the land laws may declare that land passes into these holdings by virtue of those laws, the fact is, those laws can not be so manipulated and have not

been for the last twelve or fourteen years as to bring about such a result.

Mr. President, I am going to quit. I regret that I could not have had time to show by the statistics the absurdity of the statements made, particularly in the speech of the Senator from Montana [Mr. GIBSON], and in published statements made and read in the House of Representatives within the last week.

APPENDIX.

LAND GRANTED TO RAILROAD COMPANIES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 2, 1904.

Hon. H. M. TELLER, United States Senate, City.

SIR: In further response to your letter of the 25th ultimo, I have to advise you that the area of lands granted by Congress to States, Territories, and corporations to aid in the construction of railroads is estimated at 197,000,000 acres, of which a quantity estimated at 35,000,000 acres has been forfeited by subsequent legislation, leaving the estimated area of unforfeited railroad grants 162,000,000 acres. Up to and including June 30, 1903, there had been patented, on account of railroad grants, 103,736,451.58 acres, of which 2,296,871.93 acres are in the State of Colorado, in which State the estimated area of railroad grants is 3,000,000 acres.

I have further to say that the actual amount granted railroads can not be definitely stated until all grants have been adjusted.

The further inquiries contained in your letter will form the subjects of future communications.

Very respectfully,

W. A. RICHARDS, Commissioner.

LAND AREAS IN MONTANA AND OTHER STATES.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 4, 1904.

Hon. HENRY M. TELLER, United States Senate.

SIR: In reply to your verbal request of this date, relative to the area of public lands disposed of in the several States and Territories, and separately in the State of Montana, under the desert-land acts of March 3, 1877, and March 3, 1891, I have to advise you that up to and including March 3, 1891, the original entries embraced 6,852,699.02, and the final entries, 1,660,793.66 acres.

From March 4, 1891, to June 30, 1903, inclusive, the area of original desert entries amounted to 5,639,194.06 acres, and of the final entries to 1,539,119.04 acres.

The area of original desert entries in the State of Montana from March 3, 1877, to March 3, 1891, inclusive, amounted to 1,056,815.40 acres, and the area of final entries to 357,645.87 acres. The area of original desert entries from March 4, 1891, to June 30, 1903, inclusive, amounted to 2,037,386.88 acres, and the area of final entries to 704,142.03 acres.

Very respectfully,

W. A. RICHARDS,
Commissioner.

The facts are more clearly brought out in the following tabulated statement:

	Entries in States and Territories.		Entries in Montana.	
	Original.	Final.	Original.	Final.
March 3, 1877, to March 3, 1891.....	6,852,699.02	1,660,793.66	1,056,815.40	357,645.87
March 4, 1891, to June 30, 1903.....	5,639,194.06	1,539,119.04	2,037,386.88	704,142.03
Total.....	12,491,893.08	3,499,912.70	3,144,202.28	1,031,787.90

PATENTED LAND IN COLORADO.

DEPARTMENT OF THE INTERIOR,
GENERAL LAND OFFICE,
Washington, D. C., April 6, 1904.

Hon. H. M. TELLER, United States Senate.

MY DEAR SENATOR: In further reply to your letter of the 25th ultimo, requesting information as to the quantity of land patented, etc., in Colorado since its organization as a Territory, to and including June 30, 1903, I have to state, as to your first inquiry, that as no record has been kept as to area of lands patented, either as a whole or by States or Territories, it is impossible to furnish you with even an approximate statement of the lands patented in Colorado, and to comply with your request would require the services of a large force of clerks for an indefinite period. The following statement is, however, submitted: Total area of Colorado, 83,343,160 acres; area of lands donated to the State, Spanish and Mexican private grants, grants to railroad companies and unappropriated lands to July 1, 1904, 47,730,847 acres; area disposed of by entries made under the various land laws to June 30, 1903, 18,617,313 acres.

To the sixth inquiry:

Donations of land to Colorado.

	Acres.
School lands (secs. 16 and 36 or indemnity therefor), estimated.....	3,715,555
Academies and seminaries.....	46,080
Agricultural colleges.....	90,000
Public buildings.....	32,000
Penitentiaries.....	32,000
Internal improvements.....	500,000
Salt Springs and contiguous lands.....	46,080
Desert lands (title to vest after proof of reclamation).....	1,000,000
Total.....	5,461,715

To the seventh inquiry:

Private land grants in Colorado.

Baca Float No. 4.....	99,488
Nolan.....	48,778
Vigil and St. Vrain (Las Animas).....	79,249
Beaubien and Miranda (Maxwell land grant), approximately.....	265,000
Sangre de Cristo, approximately.....	750,000
Tierra Amarilla, approximately.....	100,000
Total.....	1,342,515

Replies to inquiries Nos. 2, 3, 4, 5, and part of 7 were made by letters of March 31 and April 2, 1904.
Very respectfully,

W. A. RICHARDS, Commissioner.

Disposal of land in State of Colorado.

Fiscal year.	Original entries of land under the homestead laws.	Commuted homesteads. ^a
	<i>Acres.</i>	<i>Acres.</i>
1864	45,224.80	
1865	24,197.99	
1866	31,265.14	
1867	18,315.86	
1868	6,754.70	
1869	6,609.49	
1870	68,988.59	
1871	93,301.39	
1872	46,579.39	
1873	65,641.07	
1874	83,796.82	
1875	67,955.35	
1876	63,351.05	
1877	38,046.52	
1878	84,994.30	
1879	65,362.42	
1880	98,092.26	
1881	115,550.99	
1882	136,408.88	12,205.96
1883	210,800.43	14,518.24
1884	198,394.92	21,170.68
1885	176,214.39	18,060.58
1886	281,801.14	16,242.93
1887	801,574.79	31,480.19
1888	1,007,554.08	106,245.75
1889	526,377.04	242,732.16
1890	350,907.91	153,000.78
1891	289,015.86	50,040.17
1892	348,554.36	25,898.17
1893	416,772.19	23,356.32
1894	234,580.42	12,842.85
1895	251,150.90	15,446.37
1896	170,533.61	6,507.86
1897	172,628.76	4,026.72
1898	192,812.13	6,348.55
1899	234,665.50	6,309.60
1900	312,784.53	9,381.89
1901	380,068.36	21,551.71
1902	504,903.90	22,623.39
1903	542,245.83	24,807.76
Total	8,765,406.06	844,796.63

^aSec. 2301, Rev. Stat.; sec. 2, act of June 15, 1880.

Statement, by fiscal years, of the area of public lands in Colorado disposed of under acts specified below.

Fiscal year.	Timber and stone. ^a	Original timber culture. ^b	Final timber culture.	Timber-culture entries commuted to cash under act Mar. 3, 1891.	Desert-land act. ^c	
	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Acres.</i>	<i>Original.</i>	<i>Final.</i>
1874		2,272.24				
1875		3,453.82				
1876		6,514.22				
1877		3,023.33				
1878		15,474.73				
1879		15,962.03				
1880		29,269.83				
1881		26,473.31				
1882		47,496.05	160.00			
1883		58,685.02				
1884		137,993.07	160.00			
1885		204,983.61	240.00			
1886		719,947.05	480.00			
1887		1,437,636.59	559.00			
1888		970,281.39	760.00			
1889		336,545.68	1,113.72			
1890		206,337.07	3,080.00			
1891		96,932.90	4,700.32	5,759.92	5,216.99	
1892		6,147.52	5,818.73	33,802.45	24,840.00	7,990.71
1893	5,845.38	3,694.18	8,748.44	37,620.67	22,726.10	2,629.75
1894	6,256.96	1,504.45	55,317.47	7,537.93	15,171.91	1,351.59
1895	2,280.00	80.00	71,093.94	5,265.69	10,254.47	2,782.78
1896	3,712.54	119.71	61,289.22	1,061.60	13,503.66	6,593.72
1897	2,987.54		58,931.34	1,175.00	8,031.38	7,097.15
1898	3,419.63		51,438.24	795.20	10,352.97	11,309.98
1899	2,867.95		58,160.88	440.00	14,149.52	9,288.07
1900	14,855.25		44,404.83	80.00	24,222.34	10,860.49
1901	21,223.32		57,287.06		30,562.17	7,551.06
1902	31,656.61		41,681.89	155.80	61,475.54	8,375.11
1903	39,091.18		32,456.28	160.00	72,074.44	8,582.13
Total	134,796.36	4,330,647.80	557,430.86	94,454.26	312,621.49	34,885.54

^aActs of June 3, 1878, and August 4, 1892.

^bActs of March 13, 1874, and June 14, 1878.

^cActs of March 3, 1877, and March 3, 1891, section 2.

Number of acres entered in Colorado from 1893 to 1902, inclusive.

Year.	Pre-emp-tions. ^a	Original. ^a	Homesteads. ^b		Timber culture. ^c		
			Com-muted.	Final.	Original.	Com-muted.	Final.
1893	41,430.58	416,772.19	23,356.32	237,807.65	3,684.18	37,620.67	8,748.44
1894	10,679.36	234,580.42	12,722.85	222,774.26	1,504.45	7,537.93	55,317.47
1895	2,640.54	251,150.90	15,446.37	174,033.91	80.00	5,265.69	71,093.94
1896	3,229.30	170,533.61	6,507.86	143,640.01	119.71	1,061.60	61,289.22
1897	742.01	172,628.76	4,026.72	101,633.18		1,175.00	58,931.34
1898	160.44	192,812.13	6,348.55	110,887.37		795.20	51,438.24
1899	592.99	234,665.50	6,309.60	138,361.55		440.00	53,160.88
1900		312,784.53	9,381.89	155,267.83		80.00	44,404.83
1901	160.00	380,068.36	21,551.71	133,267.35			57,287.06
1902	480.00	504,903.90	22,623.39	139,149.54		155.80	41,681.89
Total	60,185.22	2,891,530.26	123,275.26	1,556,872.65	5,388.34	54,731.89	508,401.87

Year.	Desert land. ^a		Timber and stone. ^c	Mineral lands. ^c	Aggregate, all classes.
	Original.	Final.			
1893	22,726.10	2,629.75	5,845.38	10,836.33	890,803.79
1894	15,171.91	1,354.59	6,256.96	8,461.39	427,061.60
1895	10,294.47	2,782.78	2,280.00	5,209.29	482,919.70
1896	13,503.66	6,593.72	3,712.54	12,157.39	311,592.09
1897	8,031.38	7,097.15	2,987.54	12,223.63	326,836.57
1898	10,352.97	11,309.98	3,419.63	17,682.20	327,779.19
1899	14,149.52	9,288.07	2,867.95	10,616.81	409,068.22
1900	24,222.34	10,860.49	14,855.25	15,591.10	781,680.49
1901	30,562.17	7,551.06	21,223.32	18,066.79	655,435.77
1902	61,475.54	8,375.11	31,656.61	21,000.33	1,041,141.83
Total	210,490.06	68,442.70	95,105.18	132,385.28	5,654,298.75

^aAct of June 2, 1892. ^bAct of May 20, 1892. ^cAct of June 14, 1878.

^dAct of March 3, 1877. ^eAct of June 3, 1878.

Area and number of farms.^a

Census.	Number of farms in United States.	Total acreage of farms.	Average acreage of farms.
1850	1,449,073	293,560,614	203.0
1860	2,044,077	407,212,538	199.0
1870	2,659,985	407,735,041	153.0
1880	4,008,907	536,081,895	133.7
1890	4,564,641	623,218,619	136.5
1900	5,737,372	838,591,774	146.2

^aDoes not include Alaska and Hawaii.

Number, total acreage, and average acreage of farms in certain States and Territories, 1850 to 1900, in ten-year periods.

State or Territory.	Cen-sus.	Number of farms.	Total acre-age.	Average acres per farm.
Alabama	1850	41,964	12,137,681	289
	1860	55,123	19,104,545	346
	1870	67,882	14,961,178	222
	1880	135,864	18,855,364	138.8
	1890	157,772	19,853,000	125.8
Arizona	1900	223,220	20,685,427	92.7
	1850			
	1860	172	21,807	127
	1870	767	135,573	176.8
	1880	1,426	1,297,033	909.6
Arkansas	1900	5,809	1,935,327	333.2
	1850	17,758	2,598,214	146
	1860	39,004	9,573,706	245
	1870	49,424	7,597,296	154
	1880	94,433	12,061,547	127.7
California	1890	124,700	14,891,356	119.4
	1900	178,694	16,636,719	93.1
	1850	872	3,893,985	4,466
	1860	18,716	8,730,094	466
	1870	23,724	11,427,105	482
Colorado	1880	35,934	16,593,742	461.8
	1890	52,894	21,427,293	405
	1900	72,542	28,828,951	397.4
	1850			
	1860	1,738	330,346	184
Florida	1880	4,506	1,165,373	258.6
	1890	16,389	4,598,941	280.6
	1900	24,700	9,474,588	383.6
	1850	4,304	1,595,289	371
	1860	6,568	2,620,228	444
Georgia	1870	10,241	2,373,541	232
	1880	23,438	3,297,324	140.7
	1890	34,228	3,674,486	107.4
	1900	40,814	4,363,891	108.9
	1850	51,759	22,821,279	441
Idaho	1860	62,003	26,650,490	430
	1870	69,956	23,647,941	338
	1880	138,626	26,043,282	187.9
	1890	171,071	25,200,435	147.3
	1900	224,691	26,392,057	117.5
Iowa	1850			
	1860	414	77,139	186
	1870	1,385	327,798	173.9
	1880	6,603	1,302,256	197.2
	1890	17,471	3,204,903	183.4
	1850	14,805	2,736,064	185
	1860	61,163	10,089,907	165
	1870	116,292	15,541,793	134

Number, total acreage, and average acreage of farms, etc.—Continued.					Number, total acreage, and average acreage of farms, etc.—Continued.				
State or Territory.	Cen- sus.	Number of farms.	Total acre- age.	Average acres per farm.	State or Territory.	Cen- sus.	Number of farms.	Total acre- age.	Average acres per farm.
Iowa.....	1880	185,351	24,732,700	133.5	Nebraska.....	1890	113,608	21,593,344	190.1
	1890	201,903	30,491,541	151		1900	121,525	29,911,779	246.1
	1900	228,662	34,574,337	151.2	Nevada.....	1850			
Kansas.....	1850					1860	91	53,118	617
	1860	10,400	1,778,400	171		1870	1,066	208,510	201
	1870	38,202	5,656,379	148		1880	1,404	530,862	378.1
	1880	138,561	21,417,493	154.6		1890	1,277	1,061,416	1,301
	1890	166,617	30,214,456	181.3		1900	2,184	2,565,647	1,174.7
	1900	173,068	41,662,970	240.7	New Mexico.....	1850	3,750	290,571	77
Indian Territory.....	1850					1860	5,086	1,414,009	278
	1860					1870	4,480	833,549	186
	1870					1880	5,053	631,131	124.9
	1880					1890	4,453	787,882	176.7
	1890					1900	12,311	5,130,878	416.8
	1900	45,505	7,269,081	159.7	Dakota Territory.....	1850			
Louisiana.....	1850	13,422	4,980,043	372		1860	123	26,448	215
	1860	17,328	9,236,576	536		1870	1,720	302,376	176
	1870	28,481	7,024,817	247		1880	17,435	3,900,656	218
	1880	48,292	8,273,506	171.3	North Dakota.....	1890	27,611	7,660,333	277.4
	1890	69,294	9,544,219	137.7		1900	45,332	15,542,640	343.9
	1900	115,969	11,059,127	95.4	South Dakota.....	1890	50,158	11,366,400	227.2
Michigan.....	1850	34,089	4,383,800	129		1900	52,622	19,070,616	363.4
	1860	62,422	7,060,834	113	Oklahoma.....	1890	8,826	1,606,423	182
	1870	98,785	10,019,142	101		1900	62,495	15,719,238	251.5
	1880	154,200	13,807,240	89.7	Oregon.....	1850	1,164	432,808	372
	1890	172,344	14,785,636	85.8		1860	5,806	2,060,539	355
	1900	203,261	17,581,698	86.4		1870	7,587	2,389,252	215
Minnesota.....	1850	157	28,881	184		1880	16,217	4,214,712	259.9
	1860	18,181	2,711,968	149		1890	25,530	6,909,888	270.7
	1870	48,500	6,483,828	139		1900	35,837	10,071,328	281
	1880	92,386	13,408,019	145.1	Utah.....	1850	928	48,849	51
	1890	116,851	18,663,645	159.7		1860	3,635	89,911	25
	1900	154,659	26,248,498	169.7		1870	4,908	148,361	30
Mississippi.....	1850	33,960	10,490,419	309		1880	9,452	655,524	69.4
	1860	42,849	15,839,654	370		1890	10,517	1,323,705	125.9
	1870	68,623	13,121,113	193		1900	19,367	4,116,651	212.4
	1880	101,772	15,855,432	155.8	Washington.....	1850			
	1890	144,318	17,572,547	121.8		1860	1,380	396,156	275
	1900	220,803	18,240,736	82.6		1870	3,127	649,139	208
Missouri.....	1850	54,458	9,732,670	179		1880	6,529	1,409,421	215.9
	1860	62,702	19,984,810	215		1890	18,056	4,179,190	231.4
	1870	148,328	21,707,230	146		1900	33,202	8,499,297	256
	1880	215,575	27,879,278	129.3	Wisconsin.....	1850	20,177	2,976,058	148
	1890	238,043	30,780,290	129.3		1860	69,270	7,893,587	114
	1900	284,886	33,997,373	119.3		1870	102,904	11,715,321	114
Montana.....	1850					1880	134,322	15,353,118	114.3
	1860					1890	146,409	16,787,968	114.7
	1870	851	139,537	164		1900	169,795	19,862,727	117
	1880	1,519	405,683	267.1	Wyoming.....	1850			
	1890	5,003	1,664,197	330.6		1860			
	1900	13,370	11,844,454	885.9		1870	175	4,341	25
Nebraska.....	1850					1880	457	124,433	272.3
	1860	2,789	631,214	226		1890	3,125	1,830,432	585.7
	1870	12,301	2,073,781	169		1900	6,005	8,124,536	1,333
	1880	63,387	9,944,826	156.9					

LANDS DISPOSED OF UNDER VARIOUS LAWS.

Statement showing the acreage of public lands of the various classes specified below disposed of between July 1, 1881, and June 30, 1902, inclusive, in the several States and Territories.

State or Territory.	Timber and stone lands.	Final desert entries.	Commuted homesteads under section 2301, Revised Statutes.	Final home- steads.	State selec- tions ap- proved for educational and public purposes.	Railroad grants patented.	Wagon-road grants patented.	Swamp lands approved.
	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.	Acres.
Alabama.....			211,963.00	3,424,593.55	136,958.29	107,140.63		17,722.96
Alaska.....				1,960.45				
Arizona.....	300.00	221,906.29	72,187.39	236,469.31	36,890.14	1,593,429.67		
Arkansas.....	29,908.92		123,695.29	4,015,708.18		204,717.06		62,036.43
California.....	1,351,412.04	262,417.66	829,732.69	3,851,690.60	532,808.94	4,574,494.48		410,618.00
Colorado.....	134,796.36	84,385.54	831,296.21	2,630,844.46	963,557.33	2,539,113.82		
Dakota Territory.....			3,279,172.08	4,447,599.70				
Florida.....	247.51		196,507.89	1,873,128.95	121,592.09	496,393.71		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.....			100.00	831.01				3,732.62
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	7,222,154.72	31,455.89	3,503,002.72		
Louisiana.....	34,635.57		164,828.23	1,769,611.15	127,403.32	1,086,989.47		633,932.85
Michigan.....	50,440.40		211,145.12	911,963.72		30,699.35		10,027.65
Minnesota.....	557,358.73		722,732.13	4,062,212.99	272,073.02	2,455,300.50		2,070,517.39
Mississippi.....			127,691.62	1,923,730.14	100,791.23	136,643.78		270,267.73
Missouri.....			28,408.11	2,160,424.37	12,348.00	4,228.64		44,344.35
Montana.....	171,976.83	1,284,431.26	883,120.77	1,573,776.74	961,621.16	6,611,022.73		
Nebraska.....			2,292,663.46	7,009,201.02	96,868.65	3,538,049.49		
Nevada.....	1,381.11	22,525.28	1,823.02	38,938.24	2,020,797.43	1,704,077.57		
New Mexico.....		175,251.55	109,831.01	956,136.18	831,104.31	409,819.69		
North Dakota.....	2,556.86	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	456,928.35	2,964,710.89	1,179,139.96	340,506.55
South Dakota.....	8,213.16	400.00	396,450.63	3,533,931.91	810,449.73			
Utah.....	240.00	258,394.47	42,528.79	904,869.16	1,032,913.21	2,036,217.38		
Washington.....	1,265,041.55	33,642.21	777,618.99	3,737,278.51	767,243.73	7,970,101.93		
Wisconsin.....	51,433.27		204,180.60	1,406,143.60		904,777.61		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.....	6,169,044.17	3,633,307.76	16,882,488.57	73,910,849.76	12,008,833.52	58,040,909.34	1,179,139.96	12,667,359.79
	1,765,000.00	265,000.00	2,195,000.00	3,577,000.00	644,000.00	5,760,000.00	57,000.00	2,910,000.00
Total.....	7,935,044.17	3,938,307.76	19,077,488.57	77,487,849.76	12,652,833.52	63,800,909.34	1,236,139.96	15,567,359.79

WHAT IS MEANT BY AN ACRE-FOOT.

DENVER, COLO., July 14, 1903.

Hon. H. M. TELLER, Denver, Colo.

DEAR SIR: The "acre-foot" is a term used by engineers to indicate the amount of water that would cover each acre 1 foot deep. It would therefore amount to 43,560 cubic feet; hence, 10 acre-feet would cover 10 acres 1 foot in depth, or 1 acre 10 feet deep. The term was used because cubic foot was not applicable for such a purpose.

In taking a considerable tract of land a depth of 1½ feet in addition to the rainfall is sufficient at the same time for individual use or for him to have at least 2 cubic feet in depth available. He may lose some of this, but it may go by his neighbors and other ditches, so that even if the individual is wasteful, it does not necessarily mean that the community is extravagant.

Trusting that this will answer your question, but, if not, I shall be glad to go into it in fuller detail, I remain,

Respectfully, yours,

L. G. CARPENTER, State Engineer.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the following bill and joint resolution:

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers.

ENROLLED BILLS SIGNED.

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

A bill (S. 3165) providing for second and additional homestead entries, and for other purposes;

A bill (S. 3182) to pay certain Choctaw (Indian) warrants held by James M. Shackelford;

A bill (S. 4955) to provide for the appointment of an additional assistant appraiser at the port of Boston;

A bill (S. 5169) making Lewes, Del., a subport of entry;

A bill (H. R. 7264) to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras;

A bill (H. R. 12899) constituting Coal City, Grundy County, Ill., a port of delivery; and

A joint resolution (S. R. 67) providing for the printing of Senate Document No. 240, relating to the beet-sugar industry of the United States.

KLAW & ERLANGER.

Mr. McLAURIN obtained the floor.

Mr. PLATT of New York. Mr. President—

The PRESIDING OFFICER (Mr. KEAN in the chair). Does the Senator from Mississippi yield to the Senator from New York?

Mr. McLAURIN. If it is only for a report, I will yield.

Mr. PLATT of New York. It will not take five minutes.

Mr. McLAURIN. I can not yield for anything except to make a report.

Mr. PLATT of New York. I wish to report a bill and have it passed.

Mr. McLAURIN. I can not yield for that purpose. The Senator from New Hampshire [Mr. GALLINGER] desires to move an executive session, and it is somewhat by his courtesy that I have the floor.

Mr. GALLINGER. If it is agreeable to the Senator from Mississippi, I will join with him in allowing this report to be made and the bill to be considered.

Mr. McLAURIN. I yield for that purpose.

Mr. PLATT of New York. I thank the Senators very much. I am directed by the Committee on Finance, to whom was referred the bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger, to report it without amendment, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of the Treasury, upon the production of satisfactory evidence to him of the destruction by fire of certain theatrical scenery, property, and apparel imported under the provisions of paragraph 645 of the tariff act of July 24, 1897, to cancel a certain bond executed by the firm of Klaw & Erlanger.

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

JUNEAU (ALASKA) PORT OF ENTRY.

Mr. FRYE (Mr. KEAN in the chair). Will the Senator from Mississippi, who is a very courteous gentleman, yield to me for one minute?

Mr. McLAURIN. If the Senator from New Hampshire has no objection, I will do so.

Mr. FRYE. I am directed by the Committee on Commerce, to whom was referred the bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska, to report it favorably without amendment.

The Treasury Department is very anxious to have the bill passed, and I ask unanimous consent for its present consideration.

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

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

Mr. FRYE. I am obliged to the Senator from Mississippi.

Mr. McLAURIN. The Senator from Maine is welcome.

PENSION POLICY, TRUSTS, ETC.

Mr. McLAURIN. Mr. President, in the present rattled condition of the Republican party the public prints announce that a consultation of the leaders with the head of the party has resulted in an edict that hereafter the tactics of those who would defend the Administration must be to assail the Democratic party rather than to rely upon the rectitude and legality of the conduct of the Republican Administration. This is an implied and almost express admission that the Republican position is indefensible.

When attention is directed to the unauthorized executive legislation contained in the pension order of March 28, 1904, arbitrarily fixing the age of 62 as the period when disability to perform manual labor invariably suddenly fixes itself upon a man, and when it is shown that the fixing of this or any other age limit for pensions is exclusively a prerogative of Congress, the Republicans impliedly admit it by retorting that Mr. Cleveland's Administration did a like thing when it fixed the age limit at 75.

Indeed, the indefensibility of this Administration has manifested itself throughout in the effort to draw attention from its delinquencies and even violations of law and usurpations by attempting to show some parallel case in the instance of some Democrat. They have become so accustomed to it that I imagine when they are called for trial in the final judgment for admittance to the courts of glory or consignment to the lower regions, and are presented with a long list of their sins, they will undertake to justify themselves by saying that there are Democrats equally sinful.

If the Republican Administration is as it ought to be, if it is such that it can permit the light to be thrown in on it and let all the people in the country view its workings, it has no need of comparing itself with a Democratic Administration, unless it holds that a Democratic Administration is such an exemplar of purity, capability, and efficiency that anything which approaches it must necessarily pass muster.

In discussing the pension order made by the Commissioner, I do not impugn the integrity of the Commissioner; I do not impute to him corrupt motives. The trouble I think grows out of the fact that the Administration has been permitted to do so many things unwarranted by law, and has arrogated to itself so much unconstitutional and unlawful authority that it has reached the opinion that it is not bounded by any constitutional or legislative restraints.

The order of the Commissioner is not a rule or a regulation, but an order making a law, or rather changing a law, or, to be more accurate, abrogating a law. The law enacted by Congress says:

SEC. 2. That all persons who served ninety days or more in the military or naval service of the United States during the late war of the rebellion and who have been honorably discharged therefrom, and who are now or who may hereafter be suffering from any mental or physical disability or disabilities of a permanent character, not the result of their own vicious habits, which so incapacitates them from the performance of manual labor as to render them unable to earn a support, shall upon making due proof of the fact, according to such rules and regulations as the Secretary of the Interior may provide, be placed upon the list of invalid pensioners of the United States, and be entitled to receive a pension not exceeding \$12 per month and not less than \$6 per month, proportioned to the degree of inability to earn a support; and in determining such inability each and every infirmity shall be duly considered, and the aggregate of the disabilities shown be rated, and such pension shall commence from the date of the filing of the application in the Bureau of Pensions, after the passage of this act, upon proof that the disability or disabilities then existed, and shall continue during the existence of the same.

This clearly, to every unbiased mind, puts every case on its individual merits and leaves it to him who is appointed to try the case to determine when due proof of the fact of disability is made in each particular case, so that it must stand alone on its own merits. But the Commissioner's order says that when applicants reach the age of 62 they are not required to make any proof; but that the burden of proof shall shift to the Government to show that they are not disabled, notwithstanding the law requires them to show that they are disabled.

The Government itself is granting the gratuity, and it is idle

to suppose that the Government would constitute itself a defendant to rebut a prima facie case against its gratuity.

It never was supposed by Congress that, in authorizing the Secretary of the Interior, who is a ministerial officer of the executive department, to make rules and regulations for the taking of proof, it was conferring upon him legislative power. Indeed, it is beyond the constitutional power of Congress to delegate to the Secretary of the Interior the power to make laws.

Congress can establish courts with judicial functions, and it can confer ministerial authority upon the Secretary of the Interior, but it can not authorize either the courts or the executive and ministerial officers to make laws.

Manifestly the rules and regulations mentioned in the law as being within the authority of the Secretary of the Interior to make had reference to mode and form, and time and circumstance, and not to substance.

The case of *Hamilton v. Dillin* (21 Wallace), cited by the Senator from Wisconsin, sustains this position.

In 1861 Congress authorized the President to declare certain States to be in insurrection and to prohibit commercial intercourse between them and the other States of the Union, but authorized him to license such persons as he chose to trade with the people of the insurrectionary States in such articles and for such time as he should name under the rules and regulations to be made by the Secretary of the Treasury.

He licensed the plaintiff in that case to trade in the prohibited territory in cotton on condition that he would obey the rule and regulation made by the Secretary of the Interior to pay 4 cents a pound upon all the cotton bought and sold by him. The plaintiff accepted the conditions, paid the amount required for the license, and afterwards sued for its recovery from the surveyor of the port at Nashville. The Supreme Court, on page 89, said:

These public acts of the executive department must be construed as one system. The license of the President to hold commercial intercourse can not be separated, in determining this controversy, from the Treasury regulations which were adopted for the government of that intercourse.

On page 91, the court said:

The Government chose to impose this condition. It supposed it had a right to do so. No one was bound to accept it. No one was compelled to engage in the trade. Not the least compulsion was exercised. The plaintiffs endeavor to put the case as if they were obliged to pay this exaction to save their property. This is not a true view of it.

On page 92 the court says:

It is conceded that in many cases the power to make rules and regulations on a particular subject is a limited power, having respect to mode and form and time and circumstance, and not to substance. But it must also be conceded that in other cases the power is much more extensive and substantial.

This shows that the rule is as first stated, and the other cases make the exception. The court illustrates the exception by referring to the several powers granted in the Constitution, and then says, on page 93:

The extensive effect given to these clauses is undoubtedly largely due to the character of the instrument and that of the donee of the powers, to wit, the Legislature of the United States, to whom the grant of a power means the grant of a branch of sovereignty. It shows, however, that the rule of construction depends, at least in some sort, upon the nature of the subject-matter.

It is one thing for the people in convention assembled to apportion the power of government among three separate departments, conferring upon each a branch of sovereignty, and another thing to authorize the imposing of a condition upon the granting of a license, and still another thing to authorize a ministerial officer to make rules and regulations for the taking of testimony to prove a certain fact.

Indisputably it was the intention of Congress that the disability mentioned in the act should be proved like other facts are proved—by evidence; and it will not be denied by a good lawyer that the known laws of evidence were to be applied, that the laws of evidence as they existed at the time of the passage of the act were to control.

Evidence is said to include all the means by which any issue or fact the truth of which is submitted to investigation is proved or disproved. Proof is the effect of the evidence.

In arriving at proof resort is sometimes had to presumptions. There are presumptions of law and presumptions of fact. Presumptions of law are divided into conclusive and disputable, but as Republican Senators admit that the presumption sought to be established by the Executive order is not a presumption of law, I do not deem it necessary to discuss presumptions of law. These presumptions—that is, of law—are presumptions that are fixed by law and that are either conclusive or disputable. The trial court charges them to the jury.

Greenleaf on Evidence, section 44, speaking of presumptions of fact, says:

They are in truth but mere arguments, in which the major premise is not a rule of law; they belong to any and every subject-matter, and are to be judged by the common and received tests of the truth of propositions and the validity of arguments. They depend upon their own natural force and

efficacy in generating belief or conviction in the mind, as derived from those connections, which are shown by experience, irrespective of any legal relations. They differ from presumptions of law in this essential respect, that while those are reduced to fixed rules, and constitute a branch of the particular system of jurisprudence to which they belong, these merely natural presumptions are derived wholly and directly from the circumstances of the particular case, by means of the common experience of mankind, without the aid or control of any rules of law whatever.

It is thus seen that presumptions of fact are not rules laid down by a superior to an inferior, but they are deductions drawn by the trier of the issue of fact in each individual case.

Congress thought the exclusive prerogative of prescribing presumptions pertained to it, and, therefore, in March, 1896, enacted that the continued and unexplained absence of an enlisted man or officer from his home and family for a period of seven years, during which period no intelligence of his existence had been received, should create the presumption that he was dead.

What was the necessity of this if the Secretary of the Interior could make such a law of presumption? Congress enacted that the loss of the sight of both eyes, or the loss of both hands, or the loss of both feet constituted total and permanent helplessness, for which a pension was granted, and in the same section provided that if any other injury resulted in total and permanent helplessness, the ex-soldier should be pensioned.

This shows that it was understood by Congress that if any particular physical defect is to be held as constituting total helplessness or disability, it must be prescribed by Congress; otherwise the trier of the question of disability or total and permanent helplessness must hear all the evidence applicable to that particular case and decide for himself whether the helplessness or disability exists.

Mr. MALLORY. Will the Senator from Mississippi permit me to suggest to him also that in the act of March 3, 1885, Congress provided:

That all applicants for pensions shall be presumed to have had no disability at the time of enlistment; but such presumption may be rebutted.

Mr. McLAURIN. Just so. I am indebted to the Senator.

If the Commissioner were himself hearing the case and the mere fact of the age of 62 were in that particular case sufficient to satisfy his mind that the applicant is disabled, from his finding there would be no appeal; but if he has submitted the question to some one else to try it, that other ought to be permitted to consider every fact and circumstance bearing upon the question, untrammelled by any arbitrary rules of decision laid down by the Commissioner or the Secretary of the Interior.

Chancellors are authorized by legislative enactment to make rules to govern trials in the courts over which they preside, but they are not thereby authorized to change the law, nor to make rules affecting the force and legal effect of the evidence. The act of Congress proceeds upon the presumption or assumption that every applicant is able to earn a support, else there would be no sense in requiring him to prove disability to do so. He must establish his disability by the proof in his individual case if the law is to govern. If the Executive order is to govern, it repeals the law, and he need not establish his disability.

The idlest yet is the pretense that the Commissioner has ascertained, by his handling of pension applications, that 62 years is the age when disability invariably suddenly obtains. If the Commissioner were examining all men of the age of 62, while he would not have legal right to make a law on the subject, he could assert with some degree of assurance that he finds that at 62 years of age men are invariably disabled.

But no men appear before him for examination except those who claim to be disabled. He can only ascertain of those claiming disability the proportion of the disabled to those who do not prove disability. The able-bodied do not appear before him for examination. Therefore he can not better than other men have the means of knowing the proportion of disabled to the able-bodied men at the age of 62 years.

I am going to digress here far enough to read an article in Public Policy, edited by one who claims to have been a private soldier in the Third Michigan Infantry and a second lieutenant in the Twenty-first Michigan Infantry from 1861 to 1865.

I do not adopt this as a part of my speech, but I read it for the purpose of showing to the Senate and to the country the view that is taken of this pension order by one, at least, of the ex-Union soldiers who fought in the war between the States. Here is what he said. It is headed "The largest bribe ever paid for votes:"

We shall undoubtedly be severely criticised for calling the recent service-pension order a bribe for votes. We are willing to submit to the criticism if our characterization of this order can be serviceable in securing the repudiation of the order by those having the power to do so. From all that has been said upon this subject we present four articles in this issue:

1. "Billions for pensions."
2. "The service-pension order."
3. "Rescind the pension order."
4. "The President and pensions."

We have always felt the manner in which pensions have been authorized

and paid to the Union soldiers of the civil war to be robbery—robbery of the people who are taxed for the purpose of the payment; robbery of the soldiers in whose behalf the payment is solicited and authorized. This robbery is the only stain on the honor of those who fought in 1861-1865 that a government of the people, by the people, for the people might not perish.

The payment to them and their beneficiaries forty years after the conflict of nearly \$140,000,000 annually, and the payment to them since 1896 of the enormous amount of \$2,900,158,000, as shown by the table given in the article, "Billions for pensions," robs every soldier of all prestige for his loyalty and patriotism and reduces him to the level of a despised Hessian, bought by money to fight as ordered. The disgrace is deeper dyed than even this. The payment of this money not only teaches that loyalty and patriotism have their price and are things to be paid for; it also teaches that the political action of American citizens has its price and can be openly bought for cash openly paid.

No intelligent person can suppose for a moment that pension laws would have been enacted and pension payments made, as has been done, had there been no vote-winning consideration to influence such actions. Nor can there be any reasonable doubt that its supposed power to win votes was the determining cause that led to the issuing of the recent service-pension order, committing the Government to the payment of some \$7,000,000 annually for many years as a bribe for the votes it may win. Our prayer is that the American people and the loyal soldiers of 1861-1865 will resent this latest insult to their honor in ways that will forever render its repetition impossible.

If pension payments were designed solely to compensate those who suffer from disabilities caused by army service, they would be based upon such disability and not blindly given to all soldiers, regardless of their present earning capacity or their need of financial assistance. Proof of the need of pension should include proof of existing incapacity to earn a comfortable living or to obtain such a living from property owned, as well as proof of service rendered. Were pension payments based on such considerations they would be a genuine expression of the gratitude of the people, and could in no way place upon the recipient the stigma of receiving a price for his loyalty or patriotism.

Pension payments so made would not exceed an aggregate of \$40,000,000 annually. They would not be a burden upon the resources of the people, nor would they lower the honor of American citizenship.

We appeal to our comrades of 1861-1865 to repudiate this last bribe for their votes with insistent energy and demand that this disgraceful order be repealed by Executive action or by a more drastic method—an act of Congress.

To prevent any criticism of our views on this subject, based on the supposition that we are not of those who may be benefited by this order, we state that our service record can be found as that of a private soldier in the Third Michigan Infantry, and a second lieutenant, Twenty-first Michigan Infantry, 1861-1865.

But I have said more than I intended to say on this branch of the subject. It is not because I object to the granting of pensions in meritorious applications, but it is because I object to the exercise of legislative power by an executive or judicial officer that I criticize this legislative order.

Congress is the representative of the people. Its power and authority is the power and authority of the people, and they, the people, have a right to demand of those who discharge its functions that they shall neither surrender its power nor lower its dignity. Through Congress alone can the people be heard. The heads of governments are always reaching out for more power and more authority, and the Congress upon whom is devolved the duty of resisting such encroachment by the head of this Government would be unworthy of the people and unworthy of itself were it to surrender any of its legal functions or dignity.

Without a Congress to make laws for and limit the powers of the Executive, we would have as unlimited a monarchy as that of Russia under whatever title the head of the Government might be denominated. The Constitution has seen proper to establish this branch of the Government and to define its powers, its authority, and its duties, and no man is worthy of a seat in it who is willing to surrender to either of the other departments of Government any of the powers or authority confided to it, or to neglect the duties imposed upon this body.

While I am on the subject of this pension order, I will take this occasion to say that my greatest objection to the entire pension system is its inequality. The Senator from Wisconsin [Mr. SPOONER], who rose above politics, yet could see nothing that redounds to the advantage of the Democratic party nor anything of the usurpations of the Republican party, however boldly they stood out before his face, said in his speech a few days ago that the pension laws were enacted by a generous and just Congress. I do not question the generosity of Congress; I deny the justice of Congress in pension legislation.

Equality of treatment by the laws is justice, yet when pensions are being distributed between Union soldiers and officers, the private soldier receives less than one-half as much as the officer under the same circumstances and in the same condition of case. It is not equality, and therefore not justice. There can be no reason for it. It will not do to say that the officer rendered more service to the country, and, therefore, is entitled to more pension, because the pension is not predicated upon service.

To prove this it is only necessary to refer to the fact that there is no service-pension law, and if there were such a law, then there could still be no reason for such inequality. The Government is not paying the pensioners for service rendered. The salary paid to the officers and soldiers during the war was the payment they received for their services, understood to be such by the Government and themselves when they enlisted or were commissioned in the service.

But the pension is a testimonial of the gratitude of the country to those who fought its battles. Will any man contend that the

Government owes a greater debt of gratitude to its officers in the Army than to its private soldiers? I would hear him speak. The private soldier carried his knapsack, his rifle, his blanket on the march, and when night came he stood guard while the officer slept comfortably in his tent, whether the elements were propitious, the earth frozen with cold, flooded with rain, or making music to the falling of sleep.

With benumbed hands he held his gun, while he walked on feet aching from cold, in wet clothing frozen until they crackled, for hours on sentry duty, and when the "imminent deadly breach" came he stood in the very front of danger, and for this he received \$13 per month, while the salaries of officers reached into the hundreds. Can it be possible that there is a less debt of gratitude to him than to such officers?

As I have said, it can not be put upon the ground that the services of the officers redounded to greater advantage to the country, for this is not a payment for services but a tribute of the gratitude of the Government. But if there are any to make such claim, I refer them to the case of the poor widow who threw into the treasury her two mites, making a farthing, while others threw in large sums of money, yet the Saviour said that she gave more than they all, because while they contributed of their abundance she of her want cast in all of her living.

If the Secretary of the Interior or the Commissioner of Pensions had a right to change the pension laws, as is assumed in the order under discussion, I call upon him to change it so that the private soldier and the officer shall receive the same amount of pension in the same condition of case, taking all the money that is appropriated for pensions and distributing it equally between the pensioners, both officers and men, and to that extent raising the pension of the private soldier to an amount equal to what the officer shall receive.

There is another thing that is unjust. It is unjust to require men to make certain proof in order to entitle them to pension, and then pass private acts giving pensions, and that in larger amounts, to others who have not conformed and who can not conform to such requirements. The pension laws ought to be equal and uniform. There ought not to be such a thing as a private pension. All men under like circumstances and like condition ought to be benefited alike, and there ought to be no private pension giving to one when others equally as meritorious are denied.

While the Commissioner of Pensions or the Secretary of the Interior is making pension laws, I invite his attention to the correction of this flagrant injustice. Of course I know he has no constitutional or legal power or authority to do this, but he has just as much authority to do this as he has to make an order fixing the age of 62 as that at which all men invariably suddenly become disabled. But Congress has the power to correct this injustice, and it ought to do so.

While Republican Senators have been quick to charge that Democrats have been influenced by partisan considerations in what we have said, no such charge can lie at their door, for they have said so; yet we must be pardoned for hesitating to believe that they entirely understand themselves when they disclaim any partisan motives.

Disrobed of partisan considerations, surely the speech of the Senator from Wisconsin would have been on a different key. In eulogy of the present Administration he defends the President against any assault that could be made upon him for prosecuting the merger trust case. He selects to defend where nobody had accused. He fancies a charge against the President and answers it. He says that this trust was discovered by some western governors, I believe. But whoever discovered it, the Attorney-General found it out and pursued the trust, which goes to the credit of the President of the United States as that much duty performed.

What about the beef trust raising the price of beef to the poor to starvation heights, and the steel trust, and the sugar trust, and the oil trust? The Senator from Iowa [Mr. DOLLIVER] says there are 318 trusts. What has he done with the other 317? They are surely not hidden; for if the Senator from Iowa could find them, why could not the President find them?

But, says the Senator from Wisconsin, the President appointed an arbitration board at the request of the coal barons and coal strikers to arbitrate their difference, and this is a great feat of American statesmanship. But has it done anything to destroy the coal trust—to prevent the recurrence of conditions which existed when there was fear all over the land that there would be millions of people frozen to death for want of fuel, and when a carload of coal couldn't run through the country because it would be seized by freezing people, rich and poor alike, in protection of their lives?

The Senator from Wisconsin extols the President as a trust destroyer because he has instituted legal proceedings against one trust out of 318, admitted by the Senator from Iowa to exist.

Why has not the sugar-refining trust been prosecuted by legal

proceedings? It seems to be so much in favor with both the Executive and the Republican majority in Congress that a special session of Congress was called for its benefit.

Enough recalcitrant Republicans were found to join the Democrats to put on an amendment to the Cuban reciprocity bill that would hold the hands of the sugar trust out of the pockets of the people; but another expedient was found in the negotiation and ratification of the treaty that would feed the greed of the sugar trust, and that it might be carried into effect a special session of Congress was called to enact a law for its effectuation.

When one Republican extols the President as a trust destroyer, because he instituted legal proceedings against one trust, and another virtually defends the trusts, it is not surprising that the Republican leaders should consider themselves reduced to that extremity where the only way they can find to defend the conduct of their party is to attract attention from it by alleging that Democrats have been as guilty as they. Listen to this from the Senator from Iowa:

Whatever may be said in condemnation of the trust evil, there are mighty few thoughtful citizens who have ever had any temptation to kill them off by remedies which have never failed to produce the industrial misfortune out of which we escaped in 1896.

That is to say, that if you kill off the trusts you will revert to conditions of 1896; therefore you should not kill off the trusts. The same Senator said, in discussing the Democratic proposition that the protective tariff is the mother of trusts:

I do not deny that free trade may be counted upon with reasonable certainty to cripple, if not destroy, almost any industry which it comes in contact with.

Thereby treating the trusts as an industry that ought not to be destroyed.

The Democratic proposition is not between free trade and protection for protection's sake. The proposition is to reasonably revise the tariff. Republicans say they ought to be permitted to revise it; they have been permitted to revise it, and it has not been revised; they have for two Administrations had both the executive and legislative departments of Government, and there has been no revision. And they now whip with the party lash every man who dares to utter any desire for the revision of the tariff.

If the Senator from Iowa is correct in his assertion that free trade would cripple if not destroy the trusts, then the trusts have not only been created but have been kept alive by a protective tariff.

Given the markets of this country, the trusts have raised the prices of their goods to such an extortionate amount that they have thereby raised the money to fight legitimate competition in other countries, and they are waging a war of extermination against all competing industries in other countries.

For instance, the trusts sell in foreign countries the products of the trusts at from 25 to 125 per cent cheaper than they sell the same articles at home, the purpose being to drive their competitors out of business in foreign countries, so that the purchasers here will have no place to look for relief from the extortionate prices demanded of them from the trusts.

At this point I wish to read just a short extract on the question of protection from a book entitled "Thomas H. Benton," by Theodore Roosevelt:

Political economists have pretty generally agreed that protection is vicious in theory and harmful in practice; but if the majority of the people in interest wish it, and it affects only themselves, there is no earthly reason why they should not be allowed to try the experiment to their heart's content. The trouble is that it rarely does affect only themselves; and in 1828 the evil was peculiarly aggravated on account of the unequal way in which the proposed law would affect different sections.

It purported to benefit the rest of the country, but it undoubtedly worked real injury to the planter States, and there is small ground for wonder that the irritation over it in the region so affected should have been intense.

The Senator from Wisconsin demands to know wherein the President is unsafe. Personally I do not criticize the President, but as a President I think it is hardly necessary to point out to a reading public wherein he is unsafe. He entered into the domain of a republic with which we were at peace and refused to permit it to exercise sovereignty over its own territory. He took as a pretext a treaty that we made in 1846 with that country, wherein the United States guaranteed to defend the sovereignty of that Government and to keep open the channels of commerce between the two oceans.

Does any man in his senses believe that it was the intention of the Government of New Granada, when that treaty was made, that the Government of the United States should exclude the Government of New Granada from its own territory or from the exercise of sovereignty over its own territory? Treaties are to be construed like any other contracts, by the intention of the contracting parties.

Nobody believes that such was the intention, either of the United States or of New Granada, of which Colombia is the successor, and all this for the purpose of protecting what was alleged to be the rights of a French corporation composed exclusively of citizens of France. If not done for the purpose of protecting the

alleged rights of the Panama Canal Company, why does the President say that the "plan" "was fitly to end in further injury to the citizens of a friendly nation, whose enormous losses in their generous efforts to pierce the Isthmus have become a matter of history?"

If that is not its meaning, what is its significance? And it can not be supposed that the President sent to Congress a message in an important matter like this, if in any matter, containing idle and meaningless language. It will not with any degree of reason be contended that Great Britain, Germany, Russia, France, Austria, or Italy would have submitted to the treatment to which Colombia was subjected without war.

If that is so, and the President were to take it into his head to override one of these great powers, as he did Colombia, we would at once be involved in a war. Is not such a man unsafe? But it may be answered that there is no danger of his undertaking such a thing with one of the great powers of the world. Then, would you make our nation stand in the attitude of a swaggering bully, dominating and domineering small countries and standing in awe and dread of great powers?

Indeed, I rather caught from the speech of the Senator from Wisconsin that we would be afraid to treat France as we have treated Colombia; for while we invaded Colombia and segregated her territory, we must handle very delicately the New Panama Canal Company. For if that canal company were to undertake to raise its price, as I catch from the speech of the Senator, above that agreed upon with the United States because of some supposed advantage in the event we pay the price to the Government of Panama, we would dare not proceed to pay that company the amount agreed upon, \$40,000,000, and cut the canal, but we would have to stand the raise which they would make lest we might become involved with France.

When Mr. McKinley died and Mr. Roosevelt was inducted into office Mr. Roosevelt permitted it to be given out that he intended to execute the policies of the late President through Mr. McKinley's chosen appointees and advisers. I doubt not he was sincere in this, but he was in office only a little while when through some cause Mr. McKinley's old appointees found themselves misplaced until it has come about that one who was in close personal and political relation with the late President McKinley is at a disadvantage before this Administration.

True enough, it is not necessary to carry out the late President McKinley's policies nor to retain his appointees and friends and advisers in order to constitute one a safe man for the executive office; but surely when one is so unstable and uncertain that in one moment he is proclaiming allegiance to the policies and advisers of his predecessor and in the next is removing his advisers and pursuing other and contrary policies, he is not such a safe man as is described by the Senator from Wisconsin. He is not a safe man who refused expressly to obey a plain statute of Congress approved by him, such refusal at the risk of provoking war, although with a weak republic. Nor is he a safe man who treats the appointing power as a personal perquisite of the Executive.

In this Government the laws are supposed to be made for and in behalf of the people, and all power and authority and discretion vested in the President of the United States is intended to be used entirely and exclusively for the benefit of the people, and not in any measure or degree as the personal property of the Executive.

He is not a safe man who would arbitrarily take a captain of the Army, as a mark of favoritism, and jump him over more than 800 officers, thereby putting upon each one of these officers the stigma of incompetency, inefficiency, or unworthiness. He is not a safe man who would take an ex-penitentiary convict, guilty of a future crime, and make him a United States marshal in one of the Territories.

No man is worthy to be President of the United States who desires to be President of the United States. It is an office that ought neither be sought nor declined; it has too many responsibilities, too many cares, and too much work, if faithfully and efficiently administered, for any worthy man to desire it. If its functions are properly and faithfully performed, the incumbent must forget his individual affairs during the time of his incumbency of the office, and forget everything else pertaining to temporal affairs except the good of all of the people of the entire country.

But, Mr. President, I have detained the Senate longer than it was my intention, as I purposed to say only a few words in reference to the encroachments of the executive upon the legislative department of the Government.

ADDITIONAL JUDGES IN INDIAN TERRITORY.

Mr. PLATT of Connecticut submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide

for additional United States judges therein, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment to the bill of the House, and agree to the same with an amendment as follows, to wit:

In lieu of the matter inserted by the Senate amendment insert the following:

"That there shall be appointed by the President, by and with the advice and consent of the Senate, four additional judges of the United States court in the Indian Territory, one for the northern district, one for the western district, one for the central district, and one for the southern district. And said judges shall have all the authority and exercise all the powers, perform like duties, and receive the same salary as other judges of said court, and shall each serve for a term of four years from date of appointment, unless said offices are sooner abolished by law. Neither the additional judges, nor their successors in office, shall be members of the court of appeals for the Indian Territory, but they shall hold such courts in their respective districts as may be directed by the court of appeals of the Indian Territory, or majority of the judges thereof in vacation: *Provided*, That none of said judges shall have power to appoint clerks of courts, United States commissioners, or United States constables in said districts, and hereafter at least three terms of court shall be held in each year, at each place of holding court in the Indian Territory, the time to be fixed in the manner now provided by law.

SEC. 2. All the laws of Arkansas heretofore put in force in the Indian Territory are hereby continued and extended in their operation so as to embrace all persons and estates in said Territory, whether Indians, freedmen, or otherwise, and full and complete jurisdiction is hereby conferred upon the district courts in said Territory in the settlements of all estates of decedents, the guardianships of minors and incompetents, whether Indians, freedmen, or otherwise.

The sum of twenty thousand dollars is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the payment of salaries of the judges hereby authorized, the same to be immediately available.

And the House agree to the same.

Amend the title so as to read: "A bill to provide for additional United States judges in the Indian Territory, and for other purposes."

O. H. PLATT,
C. D. CLARK,
A. O. BACON,

Managers on the part of the Senate.

JOHN J. JENKINS,
LOT THOMAS,
JOHN S. LITTLE.

Managers on the part of the House.

The PRESIDENT pro tempore. In the absence of objection, the report will be agreed to.

Mr. BAILEY. Mr. President, I did not know that the conference report had been agreed to.

The PRESIDENT pro tempore. The Chair will regard the question as an open one, then.

Mr. BAILEY. If I understood the reading of the report correctly, these new judges are not permitted to act as members of the court of appeals.

Mr. PLATT of Connecticut. That is correct.

Mr. BAILEY. It is rather singular that this court in banc, as it now exists, should review the decisions of these new judges, and yet that these new judges should not be permitted to review the decisions of those holding precisely equal authority with themselves.

Mr. PLATT of Connecticut. That was the provision of the House bill, and, after a somewhat strenuous conference, we felt obliged to take it.

Mr. FORAKER. Does this provision apply to the four judges already in office?

Mr. BAILEY. No; these are four additional judges, for the appointment of whom we provided only a few days ago. We sent that bill to the House, and they have sent it back here, providing for the additional judges and also establishing certain places at which court shall be held.

Mr. FORAKER. I was inquiring as to the four judges who are already in office. Are they the four who were provided for two or three years ago?

Mr. BAILEY. No; sixteen years ago we organized a court in the Indian Territory, and Congress has increased the number of judges until I believe the Territory is now divided into four districts, each having a judge, and those four judges, sitting in banc, now constitute the court of appeals. The anomaly which this bill

presents is it appoints four more judges equal in authority and in all other respects, except they are not permitted to serve as members of the court of appeals.

Mr. President, I am free to say that I believe, as I have always believed, that that court of appeals ought to be abolished. I have stated on this floor once before during the present session that the court in banc is to-day obsolete in almost every enlightened civilized system of jurisprudence, and I regret that the Territorial court of appeals was not entirely abolished.

Mr. PLATT of Connecticut. The Senator from Texas, if he has served on conference committees, must know how difficult it is to come to an agreement. I assure that Senator that the managers on the part of the Senate have had very great trouble to arrive at an agreement at all. This is the best that can be done. It might be better in some respects, but the imperious necessity for the appointment of four additional judges in that Territory was such that we felt we must come to an agreement, and this is the best that we could do.

The PRESIDENT pro tempore. The question is on agreeing to the report of the committee of conference.

The report was agreed to.

CIVIL GOVERNMENT IN THE PHILIPPINES.

Mr. LODGE. I move that the Senate proceed to the consideration of House bill 14623, known as the "Philippine government bill." It is not my purpose to ask the Senate to go on with the bill at present. I merely move that it be taken up, and when it shall have been taken up I shall yield.

Mr. KEAN. Mr. President—

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

Mr. LODGE. As I have stated, I should like to have the bill taken up, and then I shall yield.

The PRESIDENT pro tempore. The Senator from Massachusetts moves that the Senate proceed to the consideration of the bill referred to by him, the title of which will be stated.

The SECRETARY. A bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1903, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.

Mr. DUBOIS. Mr. President—

The PRESIDENT pro tempore. The question is on the motion of the Senator from Massachusetts [Mr. LODGE] to proceed to the consideration of the bill named by him.

The motion was agreed to.

Mr. DUBOIS. Mr. President, I rose to the motion of the Senator from Massachusetts, and I thought the Chair had recognized me, as I was anxious to be heard.

Mr. LODGE. It is not a debatable motion.

Mr. DUBOIS. The Senator from Massachusetts moved to take up a certain bill, and I should like to know what the bill is.

Mr. LODGE. It is the Philippines bill.

Mr. DUBOIS. Mr. President—

Mr. LODGE. I am aware that there is to be discussion upon the bill. I merely asked that it be taken up, and then, if opportunity offers, of course it will be open to debate. The bill has not even been read. I am not asking to have it read now, as I do not propose to go on with it at this time.

Mr. DUBOIS. Very well. I will say to the Senator from Massachusetts, however, that there will be discussion on the bill.

Mr. LODGE. I merely wished to have the bill taken up. Of course, a motion to take it up is not debatable.

PROPOSED CONSIDERATION OF PENSION BILLS.

Mr. KEAN. I should like to ask unanimous consent for the consideration of a pension bill.

Mr. GALLINGER. Mr. President—

Mr. KEAN. I will say to the Senator from New Hampshire that circumstances prevented me from asking the consideration of the bill while other Senators were making such requests.

Mr. COCKRELL. Let us consider all of the pension bills or none.

Mr. KEAN. This is only one.

Mr. COCKRELL. Let us consider them all together.

Mr. McCUMBER. I hope we shall get all the pension bills disposed of this evening.

Mr. COCKRELL. I shall object to the consideration of any particular pension bill now. Let us have them all taken up and passed, so as to give every Senator a fair chance.

Mr. McCUMBER. Mr. President—

Mr. GALLINGER. I yield to the Senator from North Dakota for a request.

Mr. McCUMBER. I ask unanimous consent at this time that if the Senate be in session at 7.30 o'clock this evening, it then proceed to the consideration of unobjected pension bills on the Calendar until 8 o'clock.

Mr. WARREN. Unless we shall in the meantime—

Mr. COCKRELL. Why not take up the pension bills now?

Mr. McCUMBER. The Senator from New Hampshire [Mr. GALLINGER] desires an executive session now. I understand the intention is to hold an evening session or else to continue in session until 8 o'clock this evening. We can easily complete the Pension Calendar in half an hour.

Mr. WARREN. If the Senator will make that request after we shall have spent a couple of hours upon the Calendar in the consideration of unobjected bills, I shall not object; but I do not want an order of that kind to be made until we have first had an opportunity to consider the Calendar of unobjected cases.

The PRESIDENT pro tempore. Objection is made.

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

The PRESIDENT pro tempore. Will the Senator from New Hampshire withhold that motion until the Chair can lay before the Senate a bill from the House of Representatives?

Mr. GALLINGER. Certainly.

OAHU RAILWAY AND LAND COMPANY.

The bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii, was read the first time by its title.

Mr. FORAKER. I ask unanimous consent that the Senate may now proceed to consider that bill.

The PRESIDENT pro tempore. The bill will be read the second time at length, subject to objection.

The Secretary read the bill, as follows:

Be it enacted, etc., That the deeds from the authorities of Hawaii, dated the 29th day of April, 1903, and the 4th day of February, 1899, respectively, to the Oahu Railway and Land Company, conveying a right of way 40 feet wide for a railway of said company through the military reservation of Kahauiki, district of Kona, Oahu, Hawaiian Islands, be, and the same are hereby, ratified and confirmed.

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

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills:

A bill (S. 4713) to authorize the Spuyten Duyvil and Fort Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead line as now established in the city of New York; and

A bill (S. 5504) to amend an act entitled "An act to authorize the counties of Sherburne and Wright, Minn., to construct a bridge across the Mississippi River," approved March 29, 1904.

The message also announced that the House had passed with amendments the bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 76) granting a pension to Mary H. Cornell;

A bill (S. 128) granting an increase of pension to Clara M. Gihon;

A bill (S. 3489) granting a pension to Annie Colt McCook; and

A bill (S. 3734) granting an increase of pension to Martha W. Cushing.

ENROLLED BILLS SIGNED.

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

A bill (S. 2698) to establish a life-saving station at or near the entrance of Tillamook Bay, Oregon; and

A bill (S. 5557) to authorize the board of county commissioners of the county of Hampden, in the Commonwealth of Massachusetts, to construct a bridge across the Connecticut River between Chicopee and West Springfield, in said county and Commonwealth.

EXECUTIVE SESSION.

Mr. GALLINGER. 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 four hours and fifty minutes in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels, or of river and harbor improvements, and for other purposes.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 9891) giving the consent of Congress to the removal of the restrictions on the sale of Puyallup allotted lands, and confirming and legalizing sales thereof since March 3, 1903.

The message further announced that the House had passed the bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River; in which it requested the concurrence of the Senate.

The message also announced that the House had passed with amendments the bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 15054) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1904, and for prior years, and for other purposes; and

A 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.

TRINITY RIVER (TEXAS) IMPROVEMENT.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 5092) to amend an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas.

The amendments of the House of Representatives were, to strike out all after the enacting clause and insert:

That the provision in an act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, approved June 13, 1902, making appropriation for improving Trinity River, Texas, is hereby so amended as to authorize the Secretary of War to expend so much as may be necessary of the funds appropriated in the construction of one lock and dam on the river between the mouth and section 1.

And to amend the title so as to read: "An act to amend 'An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes,' approved June 13, 1902, making appropriation for improving Trinity River, Texas."

Mr. CULBERSON. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

ST. FRANCIS RIVER BRIDGE.

The bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River was read twice by its title.

Mr. STONE. I ask unanimous consent that the bill may be put upon its passage. It is merely to construct a bridge across the St. Francis River.

The PRESIDENT pro tempore. Does the Senator from Arkansas say that the bridge is all right?

Mr. BERRY. It is all right; and I have authority from the Committee on Commerce to report it, if necessary. I join in the request of the Senator from Missouri that unanimous consent be given for its present consideration.

The PRESIDENT pro tempore. The bill will be read.

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

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

ORDER OF BUSINESS.

Mr. COCKRELL. I hope we will now take up unobjected cases on the Calendar, the pension bills and other bills that are House bills, and dispose of them all. We can do it in a few minutes.

Mr. KEAN. What bills?

Mr. COCKRELL. Unobjected House bills and pension bills.

Mr. CULLOM. I do not want any iron-bound rule as to the kind of bills. If there are Senate bills not objected to they should be considered also.

Mr. COCKRELL. I mean House bills unobjected to. What is the use of wasting our time in passing Senate bills?

Mr. CULLOM. If the Senator please, I think we can get a little bill passed, where there is no objection to it at either end of the Capital, even if it is a Senate bill. I want to have those bills included.

Mr. COCKRELL. Well, then, we may go on and do nothing.

Mr. WARREN. I hope the request of the Senator from Missouri may be granted. There are four small claims bills, the four together amounting to less than \$2,000, that have come from the House, and unless they are passed at once of course they can not reach the President in time. I should be glad to have those bills considered, that they may be disposed of before we proceed to the consideration of pension bills.

Mr. BLACKBURN. That is right.

Mr. WARREN. I ask unanimous consent to take up those four House claims bills. They are unobjected to. I have the numbers here.

Mr. MALLORY. There are a number of House bills which have been on the Calendar for some time that are just as important as those bills, as far as I know. I do not see why we should not include all unobjected House bills.

Mr. McCUMBER. Mr. President—

Mr. PETTUS. Was not unanimous consent given to take up the Calendar of unobjected House bills on the request of the Senator from Missouri?

The PRESIDENT pro tempore. The Chair did not so understand it.

Mr. McCUMBER. I ask unanimous consent that the Senate proceed to the consideration of unobjected House pension bills on the Calendar, and also the four claims bills which were mentioned by the Senator from Wyoming.

Mr. COCKRELL. I suggest as an amendment the request I made before. It is plain that we can pass every one of those bills, and we could have passed many of them while we have been wasting time—unobjected House pension bills and other unobjected House bills.

Mr. FORAKER. I have in charge an unobjected House bill, and I want to get consideration for it at some time.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar.

Mr. CULLOM. I do not see any reason why we should not take up the Calendar and dispose of all the unobjected cases. We can do it in a little while. It does not make any difference whether they are Senate bills or House bills, provided they are unobjected to.

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

Mr. CULLOM. I object, unless unobjected bills generally are included.

MARTHA W. CUSHING.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3734) granting an increase of pension to Martha W. Cushing, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

N. B. SCOTT,
P. J. McCUMBER,
Conferees on the part of the Senate.
H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

MARY H. CORNELL.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 76) granting a pension to Mary H. Cornell, having met, after full

and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

N. B. SCOTT,
P. J. McCUMBER,
Conferees on the part of the Senate.
H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

ANNIE COLT M'COOK.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3489) granting a pension to Annie Colt McCook, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

P. J. McCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.
H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

CLARA M. GIHON.

Mr. McCUMBER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 128) granting an increase of pension to Clara M. Gihon, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate agree to the House amendment.

P. J. McCUMBER,
N. B. SCOTT,
Conferees on the part of the Senate.
H. C. LOUDENSLAGER,
GEORGE R. PATTERSON,
Conferees on the part of the House.

The report was agreed to.

FORESTRY GRANT TO MINNESOTA.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 4401) to grant to the State of Minnesota certain lands for forestry purposes, which was, on page 2, line 6, after the word "lands," to insert:

And provided further, That the land hereby granted shall be cared for and managed by the State of Minnesota, and shall be used for forestry purposes only; and if the said land, or any part thereof, shall cease to be so used the said lands or such part shall revert to the United States and become a part of the public domain.

Mr. NELSON. I move that the Senate concur in the House amendment.

The motion was agreed to.

ORDER OF BUSINESS.

Mr. McCUMBER. I move that the Senate proceed to the consideration of unobjected House pension bills on the Calendar. I make that as a motion, not as a request.

Mr. WARREN. Is that motion in order, Mr. President?

Mr. McCUMBER. I simply make the motion in order that I may get a hearing. That is all.

The PRESIDENT pro tempore. The Chair hardly thinks a motion of that kind could be entertained, being a motion for the immediate consideration of a number of cases.

Mr. WARREN. I move to take up the Calendar of unobjected cases.

Mr. McCUMBER. That is what I said.

Mr. WARREN. If I am in order, I ask that we take up the Calendar for the consideration of unobjected bills.

Mr. PLATT of Connecticut. That is no more in order than the prior motion.

Mr. McCUMBER. My motion was to take up the unobjected House pension bills upon the Calendar.

The PRESIDENT pro tempore. The Senator can undoubtedly make a motion to proceed to the consideration of one particular pension bill, but the Chair doubts if the Senator can make a motion to proceed to the consideration of a dozen or twenty or a hundred bills.

Mr. PLATT of Connecticut. The Senator can as well make that motion as the Senator from Wyoming can make a motion to proceed to the consideration of all the cases on the Calendar.

The PRESIDENT pro tempore. The Chair, of course, has no right to lay the entire Calendar before the Senate for its consideration.

Mr. KEAN. The unfinished business, being the Philippines bill, is before the Senate, and is in order.

Mr. CULLOM. Is it in order, Mr. President, to ask that the Senate proceed to the consideration of unobjected cases—not to make a motion, but to ask unanimous consent?

The PRESIDENT pro tempore. Undoubtedly it is.

Mr. CULLOM. I make that request.

The PRESIDENT pro tempore. The Senator from Illinois asks unanimous consent that the Senate proceed to the consideration of unobjected cases on the Calendar. The Chair would suggest to the Senator that he add "under Rule VIII."

Mr. CULLOM. I include that in the request.

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

Mr. CLARK of Wyoming and Mr. MALLORY. I object.

Mr. KEAN. Then the unfinished business is the Philippine bill, is it not, Mr. President? The Senator from Massachusetts [Mr. LODGE], who is in charge of the bill, not being present, I do not want him to lose his rights.

Mr. CULBERSON. Mr. President, if there is nothing before the Senate, I ask unanimous consent for the present consideration of the bill (S. 5304) for the relief of the heirs of George T. Howard. Of course, I shall not insist on it if some order is adopted for the general consideration of bills.

Mr. SPOONER. Will the Senator indicate the character of the bill for which he asks consideration?

Mr. CULBERSON. It is a small claims bill. I was about to suggest that if any agreement is reached to take up the Calendar or to take up the Calendar of unobjected House bills, or something of that kind, I shall not insist on the consideration of this bill; but it seems to me that we are without business just now, and I think we might as well pass the Senate bill to which I have called attention.

Mr. WARREN. Mr. President—

The PRESIDENT pro tempore. The Chair has promised to recognize the Senator from Wyoming [Mr. WARREN].

Mr. CULBERSON. I yield to the Senator from Wyoming.

The PRESIDENT pro tempore. The Senator from Wyoming.

Mr. WARREN. Mr. President, I do not like to object to the consideration of any bill, but I do not like to go home from this Senate and undertake to explain to my people and to the country that, while we have had a long winter session, we have not once taken up the Calendar and proceeded regularly under it. I am unwilling to give my consent to take up even pension bills, if no others can be taken up. I am willing to take the responsibility of objecting to them.

I am willing to take up unobjected House bills as such, or to take up the Calendar of unobjected business as a whole; but I object to taking up any business at this time which gives individual preference. All ought to stand on the same line, either all House bills or all Senate bills, or both, as the case may be—unobjected cases; otherwise we had better not go to the Calendar at all, in my judgment.

Mr. COCKRELL. This is the first Congress that I recall where the Senate did not take up unobjected House bills and pass them. That has been the universal rule.

Mr. WARREN. Always.

Mr. COCKRELL. It has been done time and again, and before the close of a session unobjected House bills would all be disposed of. I think it is a courtesy due to the other House, as we ask them to pass our bills. We could have passed every one of the House bills on the Calendar by this time. I know every one of them, and I have got every one of them marked.

Mr. STEWART. Is it in order to proceed to the consideration of the Calendar under Rule VIII.

Mr. CULLOM. I will withdraw the objection I made to the request for the consideration of House bills.

Mr. COCKRELL. I ask for the consideration of unobjected House bills, to be taken up in their regular order; but if a bill leads to any discussion I shall certainly object to it.

The PRESIDENT pro tempore. The Senator from Missouri asks unanimous consent that the Senate proceed to the consideration of unobjected House bills on the Calendar. Is there objection? The Chair hears none, and that order is made.

ESTATE OF GEORGE W. SAULPAW.

The bill (H. R. 1513) for the relief of the estate of George W. Saulpaw was announced as next in order.

Mr. COCKRELL. That bill will lead to discussion.

The PRESIDENT pro tempore. The bill will be passed over.

MUTUAL INVESTMENT FIRE INSURANCE COMPANY.

The bill (H. R. 2871) to incorporate the Mutual Fire Insurance Company of the District of Columbia was announced as next in order.

Mr. ALLISON. I think that bill will certainly take time, and I object to its consideration.

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

ESTATE OF WARREN MITCHELL.

The bill (H. R. 1700) for the relief of the legal representatives of Warren Mitchell, deceased, was announced as next in order.

Mr. COCKRELL. Let that bill be passed over; it will lead to discussion.

The PRESIDENT pro tempore. It will be passed over.

UNION PIONEER MINING AND TRADING COMPANY.

The bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the district of Alaska, was announced as next in order.

Mr. NELSON. I think that bill had better go over.

Mr. PERKINS. I will say to the Senator from Minnesota that that bill was reported favorably from the Committee on Commerce, by the Senator from Arkansas [Mr. BERRY], and it is on the Calendar, and is a House bill. I hope it will be considered and passed at this time.

The Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Commerce with an amendment, in section 2, on page 2, after the word "river," at the end of line 13, to insert the following proviso:

Provided, That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which, also, no higher charge shall be made for the transportation over the same of the mails, the troops, or munitions of war of the United States than the rate per mile paid for transportation over railroads or public highways leading to the said bridge.

So as to make the section read:

SEC. 2. That such bridge shall be constructed as a drawbridge, and the draw shall be opened promptly upon reasonable signal for the passage of boats. And whatever kind of bridge is constructed, the said company shall maintain thereon, at its own expense, from sunset to sunrise, during the season of navigation, such lights or other signals as the Light-House Board shall prescribe; and the United States shall have the right of way across said bridge and approaches for postal telegraph and other purposes; and equal privileges in the use of said bridge shall be granted to all telegraph and telephone companies, and said bridge shall be so constructed and operated as not to interfere with the navigation of said river: *Provided*, That any bridge constructed under this act and according to its limitations shall be a lawful structure and shall be known and recognized as a post route, and the same is hereby declared to be a post route, upon which, also, no higher charge shall be made for the transportation over the same of the mails, the troops, or munitions of war of the United States than the rate per mile paid for transportation over railroads or public highways leading to the said bridge.

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 the third time.

The bill was read the third time, and passed.

UNIVERSITY OF ARIZONA.

The bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona was considered as in Committee of the Whole.

Mr. KEAN. That bill is all right, and I hope it will be passed.

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

The preamble was agreed to.

DISTRICT TAX LAW.

The bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia was considered as in Committee of the Whole.

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

PURE-FOOD BILL.

The bill (H. R. 6295) for preventing the adulteration or misbranding of foods or drugs, and for regulating traffic therein, and for other purposes, was announced as next in order on the Calendar.

Mr. KEAN. Let that bill be passed over.

Mr. HEYBURN. I move that the Senate proceed to the consideration of that bill.

Mr. COCKRELL. I hope that motion will be voted down.

Mr. PLATT of Connecticut. Let us take a vote on it.

Mr. KEAN. That motion is contrary to the unanimous-consent agreement.

Mr. SPOONER. That violates the unanimous-consent agreement, Mr. President.

Mr. COCKRELL. The Senator should not violate the agreement.

The PRESIDENT pro tempore. Unanimous consent was given to consider unobjected House bills. This is an objected House bill, and so the motion is not in order. Objection being made, the bill will be passed over.

JOHANN A. KILLIAN.

The bill (H. R. 10688) for the relief of Johann A. Killian was considered as in Committee of the Whole.

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

LIFE-SAVING MEDAL TO JOHN HORN.

The bill (H. R. 10306) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving, was considered as in Committee of the Whole.

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

ESTATE OF MARY KEATING.

The bill (H. R. 10511) for the relief of the estate of Mary Keating was considered as in Committee of the Whole.

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

ESTATE OF MARY P. GILMORE.

The bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore was considered as in Committee of the Whole.

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

PHARMACY IN THE INDIAN TERRITORY.

The bill (H. R. 23) in relation to pharmacy in the Indian Territory was considered as in Committee of the Whole.

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

COLUMBIA BREWING COMPANY, OF SHENANDOAH, PA.

The bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa., was considered as in Committee of the Whole.

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

ATLANTIC AND PACIFIC RAILROAD OF NEW MEXICO.

The bill (H. R. 5755) for the relief of small-holding settlers within the limits of the grant of land to the Atlantic and Pacific Railroad Company in the Territory of New Mexico was announced as next in order on the Calendar.

Mr. CULBERSON. That bill will probably lead to some inquiry at least.

Mr. HANSBROUGH. I do not think the Senator will object to that bill. It has been examined thoroughly by the committee and certainly there is no objection to it.

Mr. CULBERSON. I am compelled, Mr. President, to ask either for the reading of the report or to object to the bill.

Mr. HANSBROUGH. Could not a very small portion of the report be read? I can send it to the desk.

Mr. CULBERSON. I object.

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

ALLEGHENY COLLEGE, MEADVILLE, PA.

The bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa., was considered as in Committee of the Whole.

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

JACOB SWIGERT.

The bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, seventh Kentucky district, was considered as in Committee of the Whole.

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

EXEMPTION OF PRIVATE PROPERTY AT SEA.

The joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers, was considered as in Committee of the Whole.

Mr. CULLOM. I hope that joint resolution will be passed.

Mr. CULBERSON. I desire to know from the chairman of the Committee on Foreign Relations if that joint resolution has been reported unanimously by his committee?

Mr. CULLOM. I think it was actually unanimously reported some time ago. It is the same resolution on which I spoke today.

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

ALEXANDER S. ROSENTHAL.

The bill (H. R. 9457) for the relief of Alexander S. Rosenthal was considered as in Committee of the Whole.

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

G. H. DEAREN.

The bill (H. R. 11337) for the relief of G. H. Dearen was considered as in Committee of the Whole.

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

GRANDE RONDE RESERVATION, OREG.

The bill (H. R. 11966) to ratify and amend an agreement with the Indians located upon the Grande Ronde Reservation, in the State of Oregon, and to make an appropriation to carry the same into effect, was considered as in Committee of the Whole.

The bill was reported from the Committee on Indian Affairs with an amendment, in section 2, page 6, line 21, after the word "this," to strike out "treaty" and insert "agreement;" so as to read:

SEC. 2. That for the purpose of carrying the provisions of this act into effect, the Secretary of the Interior shall be, and he is hereby, authorized and directed to sell, under such rules and regulations as he may prescribe, and at such times and places as he may designate, and shall, within thirty days after the ratification of this agreement, advertise all that part of the Grande Ronde Reservation remaining unallotted on the date of the said agreement, excepting the 440 acres of land reserved for Government uses at the time their allotments in severalty were made, said unallotted lands approximating 25,791 acres.

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.

The preamble was agreed to.

EDWARD J. FARRELL.

The bill (H. R. 10516) for the relief of Edward J. Farrell was announced as the next business in order on the Calendar, and was read.

Mr. KEAN. Let us have the report read. It seems to be a bill which releases land under water in the city of New York. It is rather an important bill. I should like to have the report read.

Mr. CULBERSON. There is no report.

Mr. KEAN. There must be some reason for it.

Mr. COCKRELL. Let the bill be passed over.

Mr. KEAN. It involves land under water. It seems to me it is rather a serious matter of legislation.

Mr. COCKRELL. Let the bill go over.

The PRESIDENT pro tempore. The bill will go over.

ADOLPH WEINHOLD.

The bill (H. R. 13218) for the relief of Adolph Weinhold was considered as in Committee of the Whole. It proposes to remit the forfeiture which may have attached to lot 15 in block 4 in A. E. Randle's subdivision of land in the District of Columbia by reason of the fact that Adolph Weinhold was an alien when he obtained a deed to it.

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

CHECKS OF DISTRICT DISBURSING OFFICERS.

The bill (H. R. 13773) to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia was considered as in Committee of the Whole.

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

AMENDMENT OF DISTRICT CODE.

The bill (H. R. 4085) to amend an act entitled "An act to establish a code of law for the District of Columbia" was considered as in Committee of the Whole. It proposes to add to the code the following section:

SEC. 833a. Whoever, being in possession of personal property received upon a written and conditional contract of sale, with intent to defraud, sells, conveys, conceals, or aids in concealing the same, or removes the same from the District of Columbia without the consent of the vendor, before performance of the conditions precedent to acquiring the title thereto, shall be punished by a fine of not more than \$100, or by imprisonment for more than ninety days.

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

FRAUDULENT SALE OF MERCHANDISE.

The bill (H. R. 5067) to prevent the fraudulent sale of merchandise was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with amendments.

The first amendment of the Committee on the District of Columbia was to strike out section 1, as follows:

That a sale of any portion of a stock of merchandise in the District of Columbia, otherwise than in the ordinary course of trade in the regular and usual prosecution of the seller's business, or a sale of an entire stock of merchandise in gross, in the District of Columbia, will be presumed to be fraudulent and void as against the bona fide creditors of the seller, unless the seller and purchaser shall, at least ten days before the sale, make a full detailed inventory showing the quantity and, so far as possible, with the exercise of reasonable diligence, the cost price to the seller, of each article to be included in the sale; and unless such purchaser shall, at least ten days before the sale, in good faith, make full, explicit inquiry of the seller as to the names and places of residence or places of business of each and all of the creditors of the seller and the amount owing each creditor; and unless the purchaser shall at least ten days before the sale, in good faith, notify or cause to be notified, personally or by registered mail, each of the seller's creditors of whom the purchaser has knowledge, or can, with the exercise of reasonable diligence, acquire knowledge of said proposed sale, and of the said cost price of the merchandise to be sold, and of the price proposed to be paid therefor by the purchaser. The seller shall at least ten days before such sale fully and truthfully answer, in writing, under oath, each and all of said inquiries.

And to insert in lieu thereof the following:

That it shall be the duty of every person who shall bargain for or purchase any stock of goods, wares, or merchandise in bulk, for cash or credit, within the District of Columbia, to demand and receive from the vendor thereof, and if the vendor be a corporation then from a managing officer or agent thereof, at least five days before the consummation of such bargain or purchase and at least five days before paying or delivering to the vendor any part of the purchase price or consideration therefor, or any promissory note or other evidence of indebtedness therefor, a written statement, under oath, containing the names and addresses of all of the creditors of said vendor, together with the amount of indebtedness due or owing, or to become due or owing, by said vendor to each of such creditors, and if there be no such creditors, a written statement, under oath, to that effect; and it shall be the duty of such vendor to furnish such statement at least five days before any sale or transfer by him of any stock of goods, wares, or merchandise in bulk.

The amendment was agreed to.

The next amendment was, to insert the following as a new section:

SEC. 2. That after having received from the vendor the written statement, under oath, mentioned in section 1, the vendor shall, at least five days before the consummation of such bargain or purchase, and at least five days before paying or delivering to the vendor any part of the purchase price or consideration therefor, or any promissory note or other evidence of indebtedness for the same, in good faith notify or cause to be notified, personally or by wire or by registered letter, each of the creditors of the vendor named in said statement of the proposed purchase by him of such stock of goods, wares, or merchandise; and whenever any person shall purchase any stock of goods, wares, or merchandise in bulk, or shall pay the purchase price or any part thereof, or execute or deliver to the vendor thereof or to his order, or to any person for his use, any promissory note or other evidence of indebtedness for said stock, or any part thereof, without having first demanded and received from his vendor the statement, under oath, as provided in section 1, and without also having notified or caused to be notified all of the creditors of the vendor named in such statement as in this section prescribed, such purchase, sale, or transfer shall, as to any and all creditors of the vendor, be conclusively presumed fraudulent and void.

The amendment was agreed to.

The next amendment was to insert the following as a new section:

SEC. 3. That any sale or transfer of a stock of goods, wares, or merchandise out of the usual or ordinary course of the business or trade of the vendor, or whenever thereby substantially the entire business or trade theretofore conducted by the vendor shall be sold or conveyed, or attempted to be sold or conveyed, to one or more persons, shall be deemed a sale or transfer in bulk, in contemplation of this act.

The amendment was agreed to.

Mr. BAILEY. Mr. President, I presume the bill is confined in its operation to the District of Columbia. I will ask whether it is.

Mr. COCKRELL. Entirely so.

Mr. HANSBROUGH. It is entirely confined to the District of Columbia. A similar law is on the statute book of almost every State. It is very much needed in the District. The bill has been gone over very carefully.

Mr. COCKRELL. The bill provides:

That it shall be the duty of every person who shall bargain for or purchase any stock of goods, wares, or merchandise in bulk, for cash or credit, within the District of Columbia—

Mr. MALLORY. It is confined to the District of Columbia. I will move an amendment to the title so as to read "in the District of Columbia."

Mr. BAILEY. Yes.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

On motion of Mr. HANSBROUGH, the title was amended so as to read: "A bill to prevent the fraudulent sale of merchandise in the District of Columbia."

PREVENTION OF CRUELTY TO ANIMALS.

The bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia was announced as the next business in order on the Calendar.

Mr. LODGE. I am entirely in sympathy with the purpose of the bill, but it is a very elaborate bill, and it goes so far as to provide that a man who innocently purchases in another State a horse with a docked tail can not bring him into the District.

It seems to me to be going too far. I think it is a bill which ought to be considered more, and I object to its consideration.

Mr. SCOTT. I hope the Senator will withdraw his objection to the bill. I certainly will feel, if he does not, that I shall have to object to bills right straight along.

Mr. PLATT of Connecticut and other Senators. Oh, no.

Mr. LODGE. There is no use at all of saying that.

Mr. SCOTT. It is a bill which has been carefully considered by the Committee on the District of Columbia, both in the House and in the Senate, and I do not believe that any man who sympathizes with a dumb animal will object to the bill.

Mr. BAILEY. I very much question the right to prohibit the bringing of personal property from one State or District into another, when it does not affect the health, morals, or good order of the place into which it is brought.

I myself believe that the practice of docking horses is a cruel and useless one. Cruelty is always bad, and when it is useless it is doubly bad. But it looks to me like the friends of the bill ought to remove it from all possible valid legal objections, and I do incline to the belief that the State of West Virginia, for instance, could not forbid the bringing into that State from the State of Massachusetts of personal property which does not affect the health, morals, or peace of that State. It seems to me to be going a long way.

Mr. SCOTT. Why will not the Senator amend the bill?

Mr. LODGE. I am perfectly willing to do that.

Mr. SCOTT. Let us amend the bill.

Mr. COCKRELL. I hope we will observe the rule that where there is an objection the bill will be passed over. We have passed all the House bills but four, until we come to the pension bills. Let this bill be laid aside. If we do not have time to consider it at this session, nothing will spoil until next session, and then we will pass it, after full discussion.

Mr. SCOTT. I will agree that the bill may go over, with the understanding that if we have time either to-night or to-morrow it will be called up.

Mr. BAILEY. I should like to see passed a bill to prevent the docking of horses.

Mr. LODGE. Mr. President, I desire to say a single word. The Senator from Texas expressed perfectly my objection to the bill. I think docking is a cruel and useless practice, and that we ought to stop it in the District. I am heartily in favor of it, but when you say that an innocent purchaser who buys a horse with a docked tail in New York or Massachusetts, or anywhere else you please, shall not bring his property with him into the District, I think you are entering upon pretty dangerous ground.

Mr. GALLINGER. Mr. President, on the other hand I wish to say to the Senator from Massachusetts that if the bill is only made applicable to the District and persons are permitted to bring in horses from Virginia and Maryland and other States, it will be an utterly useless legislative act.

Mr. SCOTT. Yes.

Mr. GALLINGER. And it might as well be abandoned.

Mr. COCKRELL. Let us have the next case on the Calendar.

Mr. PLATT of Connecticut. The regular order!

The PRESIDENT pro tempore. The bill will be passed over.

EXTENSION OF WYOMING AVENUE.

The bill (H. R. 14424) for the extension of Wyoming avenue to Twenty-third street west was considered as in Committee of the Whole.

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

CHOCTAW AND CHICKASAW TOWN-SITE FUND.

The bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes, was considered as in Committee of the Whole.

The PRESIDENT pro tempore. The bill has heretofore been read in full to the Senate.

Mr. PLATT of Connecticut. It need not be read again. The Senator from Texas [Mr. BAILEY] objected to it, but he now withdraws his objection.

Mr. BAILEY. I find upon examination that this money is a joint fund belonging to both the Choctaw and Chickasaw Indians. Therefore it would be difficult, at least, if not impossible, to apply a part of it to a separate Chickasaw indebtedness without adjusting the equities between the two tribes, and I will not attempt to do it.

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

OX BOW POWER COMPANY.

The bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River was considered as in Committee of the Whole.

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

TRANSFER OF CERTAIN MILITARY ROLLS AND RECORDS.

The joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department was considered as in Committee of the Whole.

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

ELIZABETH E. CONATT.

The bill (H. R. 13605) granting an increase of pension to Elizabeth E. Conatt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth E. Conatt, widow of Harrison Conatt, late of Company H, Fourth Regiment Iowa Volunteer Cavalry, 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.

ELLA F. KENNEALY.

The bill (H. R. 15183) granting a pension to Ella F. Kennealy was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ella F. Kennealy, helpless and dependent daughter of David Kennealy, late of the U. S. S. *Alleghany*, *Wissahickon*, and *Princeton*, 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.

ARMOUR W. PATTERSON.

The bill (H. R. 15148) granting an increase of pension to Armour W. Patterson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Armour W. Patterson, late of Company A, First 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.

JOSEPH A. COX.

The bill (H. R. 15126) granting an increase of pension to Joseph A. Cox was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph A. Cox, late of Company A, Second Regiment Illinois 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.

JOHN TRADER.

The bill (H. R. 11335) granting an increase of pension to John Trader was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Trader, late of Company B, Sixteenth 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.

EMMA A. WEBSTER.

The bill (H. R. 7497) granting a pension to Emma A. Webster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma A. Webster, widow of Israel B. Webster, late captain Company I, Tenth Regiment Kentucky 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.

LAWRENCE LE BRON.

The bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Lawrence Le Bron, late of Company E, Eleventh 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.

GRACE DRESSEL.

The bill (H. R. 5725) granting a pension to Grace Dressel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Grace Dressel, widow of Fritz Dressel, late musician, Eighth Regiment United States Infantry, and to pay her a pension of \$12 per month and \$2 per month additional on account of the minor child of said Fritz Dressel until she reaches the age of 16 years.

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

THOMAS L. SWEENEY.

The bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas L. Sweeney, late of Company F, Forty-second Regiment United States 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.

STEPHEN M. FERGUSON.

The bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson 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 Stephen M. Ferguson, late lieutenant-colonel Thirty-ninth Regiment Kentucky 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 amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

AARON TAYLOR.

The bill (H. R. 4771) granting a pension to Aaron Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Aaron Taylor, late of Company H, Eleventh Regiment United States Infantry, and to pay him a pension of \$8 per month.

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

JACOB REITZEL.

The bill (H. R. 5012) granting an increase of pension to Jacob Reitzel was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Reitzel, late of Company C, Twenty-first 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.

HARRIET J. WOODBURY.

The bill (H. R. 7373) granting a pension to Harriet J. Woodbury was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harriet J. Woodbury, widow of Everett T. Woodbury, late of Company E, Fourteenth Regiment Michigan 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.

JENNIE A. BROWN.

The bill (H. R. 14524) granting a pension to Jennie A. Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jennie A. Brown, widow of James M. Brown, late of Company I, One hundred and fortieth 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.

SAMUEL H. PHILLIPS.

The bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel H. Phillips, late of Company A, Forty-ninth Regiment Pennsylvania 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.

ALEXANDER P. NELSON.

The bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander P. Nelson, late first lieutenant Company K, Eighty-fourth 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.

AZARIAH S. ELWOOD.

The bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood was considered as in Committee of the Whole. It

proposes to place on the pension roll the name of Azariah S. Elwood, late assistant surgeon, Fortieth 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.

PRINCE A. GATCHELL.

The bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Prince A. Gatchell, late captain Company E, First Regiment Maine Volunteer Heavy 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.

EMMA W. HAYS.

The bill (H. R. 13805) granting a pension to Emma W. Hays was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Emma W. Hays, widow of Joseph H. Hays, late first lieutenant, Thirtieth Regiment United States Infantry, and to pay her a pension of \$17 per month.

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

MATTHIAS RIDENOUR.

The bill (H. R. 14859) granting an increase of pension to Matthias Ridenour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Matthias Ridenour, late of Company H, Thirty-second Regiment Ohio Volunteer Infantry, and to pay him a pension \$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.

LESLIE C. ARMOUR.

The bill (H. R. 14001) granting an increase of pension to Leslie C. Armour was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Leslie C. Armour, late of Company B, Second Regiment United States Cavalry, war with Spain, 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.

ANNIE HYNES.

The bill (H. R. 13816) granting a pension to Annie Hynes was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Annie Hynes, widow of Patrick J. Hynes, late hospital steward, Second Regiment New Jersey Volunteer Infantry, war with Spain, and to pay her a pension of \$12 per month and \$2 per month additional on account of the minor child of Patrick J. Hynes until she reaches the age of 16 years.

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

JANE K. CARPENTER.

The bill (H. R. 12968) granting an increase of pension to Jane K. Carpenter was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane K. Carpenter, widow of Ezra D. Carpenter, late second lieutenant Company B, Eighteenth Regiment Connecticut Volunteer Infantry, and to pay her a pension at the rate 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.

EDWARD M. FOWLER.

The bill (H. R. 12604) granting a pension to Edward M. Fowler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward M. Fowler, late coal passer, United States Navy, 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.

ANTOINETTE I. SAWYER.

The bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Antoinette I. Sawyer, widow of Charles F. Sawyer, late sergeant-major and adjutant Fourth Regiment Maine 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.

WILLIAM T. SPENCER.

The bill (H. R. 14631) granting a pension to William T. Spencer was considered as in Committee of the Whole. It proposes to

place on the pension roll the name of William T. Spencer, late of Company D, Sixth Regiment United States Volunteer Infantry, and to pay him a pension at the rate of \$12 per month.

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

AUGUSTUS FINLEY.

The bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Augustus Finley, now known as Davis, late of Company I, One hundred and thirty-sixth Regiment United States Colored Volunteer Infantry, and to pay him a pension of \$12 per month.

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

MYRON IMAS.

The bill (H. R. 14612) granting an increase of pension to Myron Imas was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Myron Imas, late of Company H, Fifty-seventh 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.

WILLIAM L. BEVERLY.

The bill (H. R. 14611) granting a pension to William L. Beverly was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William L. Beverly, late scout and spy, United States Volunteers, and to pay him a pension of \$12 per month.

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

ALFRED B. SCOVILL.

The bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alfred B. Scovill, late of Company A, Forty-sixth 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.

IDA DIAMOND.

The bill (H. R. 12629) granting a pension to Ida Diamond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ida Diamond, widow of Constantine Diamond, late of the U. S. S. *Monongahela*, United States Navy, 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.

AMBROSE L. HENDEE.

The bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ambrose L. Hendee, late of Company F, Eighty-fifth 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.

HARMON P. COLE.

The bill (H. R. 2577) granting an increase of pension to Harmon P. Cole was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Harmon P. Cole, late of Company A, Fifth 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.

DEGRAPHENREED P. M'KINLEY.

The bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Degraphenreed P. McKinley, late of Captain Gyles's independent company Putnam County 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.

HENRY GOOD.

The bill (H. R. 13490) granting an increase of pension to Henry Good was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry Good, late second lieutenant Company E, One hundred and seventy-first Regiment Pennsylvania Drafted Militia 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.

MARY TAGGART.

The bill (H. R. 15204) granting an increase of pension to Mary Taggart was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Taggart, widow of James C. Taggart, late first lieutenant Company I, Seventy-first Regiment New York Militia Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Maggie Taggart, helpless and dependent child of said James C. Taggart, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary Taggart the name of said Maggie Taggart shall be placed on the pension roll, subject to the provisions and limitations of the pension laws, at the rate of \$12 per month from and after the date of death of said Mary Taggart.

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

GEORGE B. HARTLEY.

The bill (H. R. 4152) granting an increase of pension to George B. Hartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George B. Hartley, late of Company K, Seventy-ninth 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.

IRA WALDO.

The bill (H. R. 3924) granting an increase of pension to Ira Waldo was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira Waldo, late of Company I, Sixth Regiment Iowa 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.

WILLIAM M. CROW.

The bill (H. R. 698) granting an increase of pension to William M. Crow was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William M. Crow, late of Company B, Sixth Regiment Tennessee 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.

ORSON BURLINGAME.

The bill (H. R. 12402) granting a pension to Orson Burlingame was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Orson Burlingame, late of Company G, Second Regiment New York Veteran Volunteer Cavalry, 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.

GEORGE S. NOLAND.

The bill (H. R. 13736) granting a pension to George S. Noland was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George S. Noland, late of Company G, Second Regiment South Carolina Volunteer Infantry, war with Spain, 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.

ROSE B. NOA.

The bill (H. R. 1093) granting a pension to Rose B. Noa was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Rose B. Noa, dependent mother of Loveman Noa, late cadet 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.

MERCY J. WILDER.

The bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mercy J. Wilder, widow of George O. Wilder, late first lieutenant Company C, Fifteenth Regiment, and Company G, Twentieth 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 a third reading, read the third time, and passed.

ELIZABETH B. YOUNT.

The bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth B. Yount, widow of David Yount, late captain Companies H and C, Sixty-ninth 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.

DANIEL WHITE.

The bill (H. R. 14437) granting an increase of pension to Daniel White was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel White, late of Company N, Sixth 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.

ENOCH J. EVANS.

The bill (H. R. 2976) granting an increase of pension to Enoch J. Evans was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Enoch J. Evans, late of Company H, First Regiment West Virginia Volunteer Infantry, and to pay him a pension of \$12 per month in lieu of that he is now receiving.

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

MARGARET J. RANDOLPH.

The bill (H. R. 9107) granting a pension to Margaret J. Randolph was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret J. Randolph, widow of William F. Randolph, late pilot, 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 M'CREARY.

The bill (H. R. 10285) granting an increase of pension to Henry McCreary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry McCreary, late of Company B, Fourth Regiment Delaware 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.

ABRAHAM HARRIS.

The bill (H. R. 13586) granting an increase of pension to Abraham Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Abraham Harris, late of Company F, Eighth Regiment United States Infantry, war with Mexico, and to pay him a pension of \$20 dollars 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 BROOMALL.

The bill (H. R. 10284) granting a pension to Elizabeth Broomall was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Elizabeth Broomall, widow of Joseph Broomall, late of Company E, Fifth Regiment Delaware 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.

JACOB CHRONISTER.

The bill (H. R. 5711) granting an increase of pension to Jacob Chronister was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jacob Chronister, late of Company I, Thirty-fourth 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.

JOHN BRADY.

The bill (H. R. 14508) granting an increase of pension to John Brady was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Brady, late of Company C, One hundredth 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.

CHARLES W. LEE.

The bill (H. R. 14484) granting an increase of pension to Charles W. Lee was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Lee, late captain Company A, Third Regiment Indiana 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 GIDEON.

The bill (H. R. 14894) granting an increase of pension to John Gideon was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Gideon, late of Company A, Thirty-eighth 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.

ALLEN R. HARRIS.

The bill (H. R. 14890) granting an increase of pension to Allen R. Harris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allen R. Harris, late first lieutenant and adjutant 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.

WILLIAM HUFFMAN.

The bill (H. R. 14884) granting an increase of pension to William Huffman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Huffman, late of Company I, First Regiment Kentucky 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.

MARY DINGLER.

The bill (H. R. 14882) granting a pension to Mary Dingler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Dingler, dependent mother of George Neville, late of Company F, Twenty-third Regiment New Jersey 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.

FRANCIS STADLER, JR.

The bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr., was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Stadler, jr., late of Company D, Seventh Regiment New Jersey Volunteer Infantry, and to pay him a pension of \$72 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.

PETER LANDER.

The bill (H. R. 4572) granting an increase of pension to Peter Lander was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Lander, late of Company F, First Regiment Vermont 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.

ALEXANDER ADAMS.

The bill (H. R. 4379) granting an increase of pension to Alexander Adams was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Alexander Adams, late of Company A, One hundred and thirty-ninth 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.

MARY E. HOUGHTON.

The bill (H. R. 13173) granting an increase of pension to Mary E. Houghton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Houghton, widow of Moses B. Houghton, late colonel Third Regiment Michigan 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 P. CRAWFORD.

The bill (H. R. 13437) granting a pension to William P. Crawford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William P. Crawford, late first lieutenant Company C, Fortieth Regiment United States Volunteer Infantry, war with Spain, 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.

JOHN S. EDGAR.

The bill (H. R. 9365) granting an increase of pension to John S. Edgar was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Edgar, late of Battery D, Fifth Regiment United States Artillery, and to pay him a pension of \$72 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.

JULIA R. BRAXTON.

The bill (H. R. 4891) granting a pension to Julia R. Braxton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Julia R. Braxton, widow of Hiram F. Braxton, late second lieutenant Company A, Twenty-fourth Regiment Indiana Volunteer Infantry, and to pay her a pension of \$15 per month.

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

EVERTON J. CONGER.

The bill (H. R. 14336) granting an increase of pension to Everton J. Conger was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Everton J. Conger, late lieutenant-colonel First District of Columbia Volunteer Cavalry, 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.

JAMES W. SMITH.

The bill (H. R. 14201) 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 of Company H, Thirty-seventh 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.

JAMES A. MORRISON.

The bill (H. R. 8280) granting an increase of pension to James A. Morrison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James A. Morrison, late of the U. S. S. *Valley City*, United States Navy, 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 M. STONER.

The bill (H. R. 9901) granting a pension to John M. Stoner was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John M. Stoner, late of Company C, Second Regiment Arkansas Volunteer Cavalry, and Company A, First Battalion Arkansas Volunteer Infantry, and to pay him a pension of \$30 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 reduction 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.

WILLIAM SPIEGELBERG.

The bill (H. R. 7085) granting an increase of pension to William Spiegelberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Spiegelberg, late first lieutenant Company F, Nineteenth 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.

WILLIAM W. DENNIS.

The bill (H. R. 13373) granting an increase of pension to William W. Dennis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William W. Dennis, late of Company D, Third Battalion, Eighteenth Regiment United States 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.

ROBERT H. BETTS.

The bill (H. R. 9623) granting an increase of pension to Robert H. Betts was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert H. Betts, late of Company C, Thirty-eighth 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.

MADISON C. STAVES.

The bill (H. R. 3921) granting an increase of pension to Madison C. Staves was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Madison C. Staves, late of Company K, Eleventh 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.

ABSALOM SHILTS.

The bill (H. R. 9773) granting an increase of pension to Absalom Shilts 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 "Company," to strike out the letter "G" and insert the letter "C;" 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 Absalom Shilts, late of Company C, One hundred and seventy-third 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 amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

GEORGE SMITH.

The bill (H. R. 9477) granting an increase of pension to George Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of George Smith, late of Company H, Fourth 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.

JOSEPH J. MEAD.

The bill (H. R. 14639) granting an increase of pension to Joseph J. Mead was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph J. Mead, late of Company G, One hundred and seventieth 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.

MARY E. DUNFORD.

The bill (H. R. 14702) granting a pension to Mary E. Dunford was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary E. Dunford, dependent mother of Jesse M. Dunford, late of Company G, Fifth Regiment United States Infantry, war with Spain, 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.

ALLAN DUNNING.

The bill (H. R. 14641) granting a pension to Allan Dunning was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Allan Dunning, helpless and dependent son of Henry W. Dunning, late of Sixth Independent Battery, Wisconsin Volunteer Light Artillery, 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.

NANCY SMALLWOOD.

The bill (H. R. 10851) granting an increase of pension to Nancy Smallwood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Nancy Smallwood, widow of James B. Smallwood, late of Company A, Seventh Regiment, and first lieutenant Company I, Forty-seventh Regiment

Kentucky Volunteer Infantry, and to pay her a pension of \$20 per month in lieu of that she is now receiving: *Provided*, That in the event of the death of Margaret Smallwood, helpless and dependent daughter of said James B. Smallwood, the additional pension herein granted shall cease and determine.

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

HEINRICH ERBSTOESER.

The bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoesser was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Heinrich Erbstoesser, late of Company A, Sixth Regiment Wisconsin 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.

MARY LEFFLER.

The bill (H. R. 9394) granting an increase of pension to Mary Leffler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary Leffler, widow of John Leffler, late of Company B, Fifteenth Regiment Pennsylvania Volunteer Cavalry, and to pay her a pension of \$12 per month in lieu of that she is now receiving, and \$2 per month additional on account of the minor child of said John Leffler until he reaches the age of 16 years.

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

WILLIAM HOUGENDOBLE.

The bill (H. R. 14870) granting an increase of pension to William Hougendobler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Hougendobler, late of Company E, Seventy-ninth 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.

CEPHAS H. JOHN.

The bill (H. R. 13690) granting an increase of pension to Cephas H. John was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Cephas H. John, late of Company C, Seventy-seventh Regiment Illinois Volunteer Infantry, and to pay him a pension of \$40 per month in lieu of that he is now receiving.

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

THOMAS C. WILEY.

The bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas C. Wiley, late captain Company H, Second Regiment Kentucky 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 W. SHRADER.

The bill (H. R. 14801) granting a pension to John W. Shrader was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John W. Shrader, late of Captain Coffee's company, Florida Volunteers, war with Mexico, 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.

SYMPHOROSA BARTLEY.

The bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Symphorosa Bartley, widow of Milton Bartley, late of Lieutenant Denman's detachment of United States mounted riflemen, war with Mexico, and pay her a pension at the rate 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.

PARK AVERY.

The bill (H. R. 14638) granting an increase of pension to Park Avery was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Park Avery, late of Company H, Twelfth Regiment Vermont 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 PICKERING.

The bill (H. R. 12348) granting an increase of pension to John Pickering was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Pickering, late of Company C, One hundred and thirty-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.

BARTLETT J. MINGUS.

The bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bartlett J. Mingus, late of Company I, First Regiment Ohio Volunteer Heavy 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.

EDWARD TAYLOR.

The bill (H. R. 14578) granting a pension to Edward Taylor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edward Taylor, late of the U. S. steamships *Lancaster* and *Baltic*, Mississippi Marine Brigade, 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.

MARGARET G. HOWARTH.

The bill (H. R. 12702) granting an increase of pension to Margaret G. Howarth was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Margaret G. Howarth, widow of Richard S. Howarth, late of Company D, Ninety-seventh Regiment Pennsylvania 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.

DANIEL M. CANDOR.

The bill (H. R. 12197) granting an increase of pension to Daniel M. Candor was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel M. Candor, late of Company A, Thirtieth 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.

AMELIA COSTER.

The bill (H. R. 12006) granting an increase of pension to Amelia Coster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Amelia Coster, widow of Leon Coster, late of Company F, Seventeenth Regiment Massachusetts 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.

ISAAC W. WATERS.

The bill (H. R. 12177) granting an increase of pension to Isaac W. Waters was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Isaac W. Waters, late of Company K, 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.

ROBERT R. KEYS.

The bill (H. R. 14511) granting an increase of pension to Robert R. Keys was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert R. Keys, late of Company B, Third 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.

CHARLES W. CRARY.

The bill (H. R. 11086) granting an increase of pension to Charles W. Crary was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Charles W. Crary,

late captain Company H, Ninety-eighth Regiment New York Volunteer Infantry, and to pay him a pension of \$50 per month in lieu of that he is now receiving.

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

ROBERT ELLIOTT.

The bill (H. R. 13000) granting an increase of pension to Robert Elliott was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Elliott, late of Company C, Fortieth 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.

SOLON D. MOORE.

The bill (H. R. 9338) granting an increase of pension to Solon D. Moore was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solon D. Moore, late second lieutenant Company I, Third 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.

WILLIAM LEONARD.

The bill (H. R. 11397) granting an increase of pension to William Leonard was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Leonard, late of Company K, One hundred and sixth 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.

JOHN S. ALLISON.

The bill (H. R. 10334) granting an increase of pension to John S. Allison was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John S. Allison, late of Company G, One hundred and 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.

DANIEL SMITH.

The bill (H. R. 11837) granting an increase of pension to Daniel Smith was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel Smith, late of Company I, Forty-third Regiment Wisconsin 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.

BENJAMIN F. HAWTHORN.

The bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorn was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Benjamin F. Hawthorn, late of Company K, One hundred and fortieth Regiment Pennsylvania 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.

GILBERT A. KENNEY.

The bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Gilbert A. Kenney, late of Company K, Tenth Regiment Rhode Island Volunteer Infantry, and Company C, Second Regiment Rhode Island 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.

HENRY J. GRANNIS.

The bill (H. R. 2124) granting an increase of pension to Henry J. Grannis was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Henry J. Grannis, late of Company C, Twelfth 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.

PHEBE A. DAW.

The bill (H. R. 14992) granting a pension to Phebe A. Daw was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Phebe A. Daw, widow of Joseph Daw, late of Company K, Twenty-second Regiment Michigan 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.

FRANCIS ROGERS.

The bill (H. R. 14938) granting a pension to Francis Rogers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Francis Rogers, late of Company C, Fifth Regiment United States Cavalry, and to pay him a pension of \$12 per month.

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

THOMAS MAHERS.

The bill (H. R. 13886) granting an increase of pension to Thomas Mahers was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Mahers, late of Battery C, Fourth Regiment United States 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.

JOHN B. HOBDAY.

The bill (H. R. 14204) granting a pension to John B. Hobday was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Hobday, late commissary-sergeant Fifty-sixth 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.

WILLIAM FLAIG.

The bill (H. R. 11013) granting an increase of pension to William Flaig was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Flaig, late of Company D, Eighty-second 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.

WILLIAM KIMBROUGH.

The bill (H. R. 14637) granting an increase of pension to William Kimbrough was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Kimbrough, late of Company I, Forty-fourth 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.

DELANA A. LYNCH.

The bill (H. R. 13272) granting a pension to Delana A. Lynch was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Delana A. Lynch, widow of Thomas J. Lynch, late of Company G, One hundred and twentieth 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.

ELLEN A. WILSON.

The bill (H. R. 4398) granting a pension to Ellen A. Wilson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ellen A. Wilson, widow of William P. Wilson, late first-class fireman, United States Navy, war with Spain, and to pay her a pension of \$12 per month, and \$2 per month additional on account of each of the minor children of said William P. Wilson until they reach the age of 16 years.

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

EMANUEL PECK.

The bill (H. R. 13404) granting a pension to Emanuel Peck was considered as in Committee of the Whole. It proposes to place

on the pension roll the name of Emanuel Peck, late of Company F, Fourth Regiment Pennsylvania Reserve 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.

WILLIAM C. CRUMBAUGH.

The bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William C. Crumbaugh, late of Company E, First Regiment Potomac Home Brigade 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.

JOHN HEGARTY.

The bill (H. R. 11262) granting a pension to John Hegarty was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Hegarty, late of Company C, Twenty-sixth Regiment United States Volunteer Infantry, war with Spain, 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.

SAMUEL R. HAZEN.

The bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel R. Hazen, late of Company G, One hundred and fortieth Regiment New York 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.

GARRET I. POST.

The bill (H. R. 13391) granting an increase of pension to Garret I. Post was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Garret I. Post, late of Company H, Twenty-fifth Regiment New Jersey 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.

PETER CREAGER.

The bill (H. R. 8716) granting an increase of pension to Peter Creager was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter Creager, late of Company I, Twentieth 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.

JOHN RICHMOND.

The bill (H. R. 9354) granting an increase of pension to John Richmond was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John Richmond, late of Company C, One hundred and 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.

SAMUEL B. LOEWENSTINE.

The bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Samuel B. Loewenstine, late of Company K, First 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.

WILLIAM WELLS.

The bill (H. R. 11374) granting an increase of pension to William Wells was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Wells, late of Company A, Eighty-ninth 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.

THOMAS ELLMAKER.

The bill (H. R. 5829) granting an increase of pension to Thomas Ellmaker was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Thomas Ellmaker, late of the U. S. S. *St. Marys*, 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.

EDWIN A. MORRIS.

The bill (H. R. 6111) granting an increase of pension to Edwin A. Morris was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Edwin A. Morris, late of Company F, Sixth Regiment Michigan 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 E. PHILLIPS.

The bill (H. R. 6718) granting an increase of pension to James E. Phillips was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Phillips, late of Company I, Ninety-fourth 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.

ROBERT J. TATE.

The bill (H. R. 2675) granting an increase of pension to Robert J. Tate was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert J. Tate, late of Company A, One hundred and thirty-sixth Regiment Illinois 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.

SMITH BILDERBACK.

The bill (H. R. 2499) granting an increase of pension to Smith Bilderback was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Smith Bilderback, late second lieutenant Company F, Thirty-fourth Regiment New Jersey 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 BASNETT.

The bill (H. R. 3431) granting an increase of pension to William Basnett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Basnett, late of Company D, Third Regiment Missouri State Militia 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 H. ROMAINE.

The bill (H. R. 3036) granting an increase of pension to William H. Romaine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William H. Romaine, late captain Company D, One hundred and seventy-fourth 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.

IRA MESERVE.

The bill (H. R. 740) granting an increase of pension to Ira Meserve was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Ira Meserve, late of Company F, Twelfth 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.

JOHN S. MILLER.

The bill (H. R. 4582) granting an increase of pension to John S. Miller was considered as in Committee of the Whole. It pro-

poses to place on the pension roll the name of John S. Miller, late of Company F, Eleventh Regiment Rhode Island 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 BROCK.

The bill (H. R. 934) granting an increase of pension to Frank Brock was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Frank Brock, late of Company F, One hundred and seventh 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.

JOHN M'CONNELL.

The bill (H. R. 5309) granting an increase of pension to John McConnell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John McConnell, late of Capt. D. D. Henrie's company, D, District of Columbia and Maryland 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.

SOLOMON F. HALLETT.

The bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Solomon F. Hallett, late of Company I, 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.

CAROLINE M'GIMSEY.

The bill (H. R. 14640) granting an increase of pension to Caroline McGimsey was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Caroline McGimsey, widow of Francis M. McGimsey, late of Company H, One hundred and fifty-first Regiment Indiana 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 R. FLETCHER.

The bill (H. R. 14636) granting an increase of pension to James R. Fletcher was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James R. Fletcher, late of Battery A, Fourth Regiment United States Artillery, Florida Indian war, and to pay him a pension of \$16 per month in lieu of that he is now receiving.

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

WILLIAM NEUBERG.

The bill (H. R. 14343) granting an increase of pension to William Neuberg was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Neuberg, late of Company B, One hundred and seventy-fifth 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.

MARY J. WAUGH.

The bill (H. R. 487) granting an increase of pension to Mary J. Waugh was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Mary J. Waugh, widow of Andrew Waugh, late of Company D, Twentieth Regiment Pennsylvania Volunteer Cavalry, 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.

HUMPHREY M. GLINES.

The bill (H. R. 749) granting an increase of pension to Humphrey M. Glines was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Humphrey M. Glines, late of Company C, Eleventh Regiment New Hampshire 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.

DANIEL A. BUTLER.

The bill (H. R. 4584) granting an increase of pension to Daniel A. Butler was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Daniel A. Butler, late of Company E, Third 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, and passed.

ELIZA WORKMAN.

The bill (H. R. 5565) granting a pension to Eliza Workman was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Eliza Workman, widow of William F. Workman, late of Company H, Seventh Regiment West Virginia 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.

ARCHIE C. FISK.

The bill (H. R. 14308) granting an increase of pension to Archie C. Fisk was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Archie C. Fisk, late captain and assistant adjutant-general, United States Volunteers, 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.

PETER C. WOOD.

The bill (H. R. 14153) granting an increase of pension to Peter C. Wood was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Peter C. Wood, late captain Company A, and first lieutenant Company F, Forty-ninth Regiment United States Colored 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.

KING KERLEY.

The bill (H. R. 14141) granting an increase of pension to King Kerley was considered as in Committee of the Whole. It proposes to place on the pension roll the name of King Kerley, late of Captain Bennett's company, First 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.

CALVIN HITT.

The bill (H. R. 13911) granting an increase of pension to Calvin Hitt was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Calvin Hitt, late of Company I, Stevenson's regiment, New York 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.

JAMES E. CHAPPELL.

The bill (H. R. 3107) granting an increase of pension to James E. Chappell was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James E. Chappell, late first lieutenant Company G, Fifty-eighth 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.

ERASTUS J. HORTON.

The bill (H. R. 6182) granting a pension to Erastus J. Horton was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Erastus J. Horton, late of Company A, Sixth Regiment Michigan Volunteer Cavalry, and to pay him a pension of \$12 per month.

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

CHARLES E. ARNETT.

The bill (H. R. 10029) granting a pension to Charles E. Arnett was considered as in Committee of the Whole. It proposes to

place on the pension roll the name of Charles E. Arnett, late of Company C, Second Regiment Arkansas Volunteer Infantry, war with Spain, 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.

HELM THOMPSON.

The bill (H. R. 4602) granting an increase of pension to Helim Thompson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Helim Thompson, late of Company E, Forty-fourth 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.

GRANT OF LANDS TO OHIO.

The bill (H. R. 11444) to grant certain lands to the State of Ohio was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, after the first word "That," to strike out the words "all the land above described is granted unto the State of Ohio," and insert:

The following-described lands in township 6 south, range 3 east, in Mercer County, Ohio, be, and the same are hereby, granted to the State of Ohio, to wit: The southeast quarter of the southeast quarter of section 2, township 6 south, range 3 east, 40 acres; the south half of the southwest quarter of section 3, township 6 south, range 3 east, 80 acres; the east half of the northeast quarter of section 8, township 6 south, range 3 east, 80 acres; the southwest quarter of section 8, township 6 south, range 3 east, 40 acres; the northwest quarter of section 8, township 6 south, range 3 east, 40 acres; the southwest quarter of section 8, township 6 south, range 3 east, 40 acres; the northeast quarter of section 9, township 6 south, range 3 east, 160 acres; the southeast quarter of section 9, township 6 south, range 3 east, 160 acres; the northwest quarter of section 9, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 9, township 6 south, range 3 east, 80 acres; the southwest quarter of section 10, township 6 south, range 3 east, 160 acres; the northeast quarter of section 11, township 6 south, range 3 east, 160 acres; the southeast quarter of section 11, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 11, township 6 south, range 3 east, 80 acres; the northwest quarter of section 11, township 6 south, range 3 east, 160 acres; the east half of the southwest quarter of section 17, township 6 south, range 3 east, 80 acres; also the whole of section 7, township 6 south, range 4 east, in Auglaize County, Ohio, 694 acres; also the north half of the southwest quarter of section 27, township 7 south, range 5 east, in Shelby County, Ohio, 80 acres; and containing in all 2,694 acres, more or less.

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.

The committee reported to strike out the third, fourth, fifth, sixth, and seventh whereas of the preamble; so as to make the preamble read:

Whereas the State of Ohio in the years 1828 to 1844, inclusive, constructed the Miami and Erie Canal; and

Whereas the State of Ohio, for the purpose of supplying the said canal with water, built and constructed certain artificial lakes or reservoirs known as the Mercer County Reservoir, in Mercer and Auglaize counties, and the Loramie Reservoir in Auglaize and Shelby counties, the former being completed and flooded with water about the year 1842 and the latter about the year 1844; and

Whereas it has recently come to the knowledge of the authorities of the State of Ohio that the title to the land above described is in the United States and not in the said State of Ohio: Therefore.

The amendment to the preamble was agreed to.

The PRESIDING OFFICER (Mr. KEAN in the chair). This completes the Calendar under the special order.

SHOSHONE OR WIND RIVER INDIAN RESERVATION.

Mr. CLARK of Wyoming. It completes the printed Calendar. However, there is upon the Calendar the bill (H. R. 13481) to ratify and amend an agreement with the Indians residing on the Shoshone or Wind River Indian Reservation, in the State of Wyoming, and to make appropriations for carrying the same into effect. I have a copy of the bill here.

Mr. CULLOM. I desire to make a remark about this bill. The Senator from Wyoming came to me two or three days ago and asked me to allow him to call up the bill and have it considered when I got the floor to speak. This morning when I got the floor there was such confusion that I was a little bit worried, and I did not do exactly right by the Senator. I hope, therefore, the bill will be passed now.

Mr. CLARK of Wyoming. I appreciate the Senator's courtesy. It is a House bill, with some minor amendments, reported from the Committee on Indian Affairs.

Mr. HANSBROUGH. I desire to state that the Senator from Illinois apologized to me in private for having stated that I talked twice as much as any other Senator in the Chamber.

Mr. CULLOM. The Senator proved to me that he had not quite done so.

The PRESIDING OFFICER. The bill called up by the Senator from Wyoming will be read.

Mr. PETTUS. There is objection made.

The PRESIDING OFFICER. Does the Chair understand the Senator from Alabama to object? This is a House bill and comes under the unanimous-consent agreement.

Mr. COCKRELL. What is the bill? Let it be read.

Mr. PETTUS. I did not know that it is a House bill.

Mr. CLARK of Wyoming. It is a House bill.

The PRESIDING OFFICER. And it is under the agreement, the Chair will state to the Senator from Alabama. It will be read, subject to objection.

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

The bill was reported from the Committee on Indian Affairs with amendments.

The first amendment was, on page 11, line 2, after the word "Wyoming," to insert "for the consideration hereinafter named." The amendment was agreed to.

The next amendment was, on page 12, line 22, before the word "thousand," to strike out "one hundred and seventy" and insert "fifty," so as to read:

That at least \$50,000 of the moneys derived, etc.

The amendment was agreed to.

The next amendment was, on page 13, article 4, line 4, after the words "one hundred," to insert "and fifty."

The amendment was agreed to.

The next amendment was, on page 19, to strike out the last section, section 6.

The amendment was agreed to.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The preamble was agreed to.

PREVENTION OF CRUELTY TO ANIMALS.

Mr. SCOTT. I ask leave now to call up the bill (H. R. 10417) to prevent cruelty to certain animals in the District of Columbia. It was laid over a few moments ago, and I shall ask to have it amended.

The PRESIDING OFFICER. The Chair understood the bill to be objected to by the Senator from Texas [Mr. BAILEY].

Mr. FORAKER. The Senator from Texas announced that he had no objection, except only—

Mr. SCOTT. With the amendment I am about to offer the bill will be acceptable.

Mr. FORAKER. The Senator from Massachusetts [Mr. LODGE] also objected, but—

Mr. SCOTT. The Senator from Massachusetts objected, but he is satisfied with the amendment. In line 5, after the word "docked," I move to strike out down to the word "horses," in line 6.

Mr. PETTUS. I object to the further consideration of the bill.

The PRESIDING OFFICER. The Senator from Alabama objects.

ORDER OF BUSINESS.

Mr. CULLOM. The Senator from Wyoming [Mr. WARREN] is expecting a bill from the House in a very few moments.

Mr. WARREN. It is a bill to correct one of the appropriation bills already passed, and I am promised that it will be here within two or three minutes.

Mr. FOSTER of Washington. In the meantime I should like to call up a bill (S. 3843) providing for the hearing of cases upon appeal in the circuit court of appeals for the ninth district in the State of Washington.

The PRESIDING OFFICER. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bill and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 15527) making appropriation for national trophy and medals for rifle contests; and

A joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills:

A bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

A bill (H. R. 11536) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

A bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

A bill (H. R. 13521) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

RIGHT OF WAY IN ARSENAL GROUNDS AT ST. LOUIS.

Mr. COCKRELL. I ask that the joint resolution just received from the House be laid before the Senate.

The joint resolution (H. J. Res. 149) authorizing the Secretary of War to allow to the Anheuser-Busch Brewing Association a right of way through the eastern limits of the arsenal grounds at St. Louis, Mo., was read twice by its title.

Mr. COCKRELL. I ask unanimous consent that the joint resolution may be put on its passage. It has been favorably reported from the House, and has passed the House. It is recommended by the Secretary of War, and is only about ten lines long. Let it be read, and I know no one will object to it.

The PRESIDING OFFICER. The joint resolution will be read.

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

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

TROPHY AND MEDALS FOR RIFLE CONTESTS.

The PRESIDING OFFICER. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 15527) making appropriation for national trophy and medals for rifle contests was read twice by its title.

Mr. WARREN. I ask unanimous consent for the present consideration of that bill.

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

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

COAL-LAND LAWS OF ALASKA.

Mr. HANSBROUGH submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment, and agree to the bill as passed by the Senate with an amendment as follows:

On page 3, line 11, strike out the words "thirty days" and insert in lieu thereof the words "six months;" and the Senate agree to the same.

H. C. HANSBROUGH,
KNUTE NELSON,

Managers on the part of the Senate.

JOHN F. LACEY,
F. W. MONDELL,
JOHN L. BURNETT,

Managers on the part of the House.

The report was agreed to.

RECESS.

Mr. CULLOM. The chairman of the Committee on Appropriations [Mr. ALLISON] has been compelled to leave the Senate Chamber. He has requested me to make a motion that the Senate take a recess until half past 10 o'clock to-morrow morning. I now make that motion.

The motion was agreed to; and (at 11 o'clock and 3 minutes p. m.) the Senate took a recess until to-morrow, Thursday, April 28, 1904, at 10.30 o'clock a. m.

AFTER THE RECESS.

The Senate reassembled, at the expiration of the recess, at 10.30 o'clock a. m.

ENROLLED BILLS SIGNED.

The PRESIDENT pro tempore announced his signature to the following enrolled bills; which had previously been signed by the Speaker of the House of Representatives:

A bill (H. R. 1925) providing for the removal of the port of entry in the customs collection district in Alaska from Sitka, Alaska, to Juneau, Alaska;

A bill (H. R. 11122) to amend an act to prohibit the passage of special or local laws in the Territories, to limit the Territorial indebtedness, and for other purposes;

A bill (H. R. 11135) amending an act approved March 3, 1901, entitled "An act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana territory by the United States by holding an international exhibition of arts, industries, manufactures, and the products of the soil, mine, forest, and sea, in the city of St. Louis, in the State of Missouri;"

A bill (H. R. 11586) to permit the construction of a smelter on the Colville Indian Reservation, and for other purposes;

A bill (H. R. 13088) to relieve obligors on bonds given to the United States upon the exportation to the Philippine Islands prior to November 20, 1901, of articles subject to internal-revenue tax;

A bill (H. R. 13531) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1905, and for other purposes;

A bill (H. R. 13860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes; and

A bill (H. R. 15128) to authorize the Secretary of the Treasury to cancel a certain bond of Klaw & Erlanger.

RIVER AND HARBOR IMPROVEMENTS.

Mr. BERRY submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 14754) providing for the restoration or maintenance of channels or of river and harbor improvements, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, and 58.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In the language proposed to be inserted strike out the words "the following sums be and the same are" and insert in lieu thereof the following: "the sum of three million dollars be and the same is;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the language proposed insert "or to protect and preserve any existing Government work in the interest of navigation;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"SEC. 3. That in order to repair the damage caused by the flood of 1903, and to restore and continue the improvement in the levee system of the Mississippi River interrupted by that flood, the Secretary of War may, as recommended by the Mississippi River Commission, enter into contract or contracts for levee work upon the Mississippi River between Cairo and the Head of the Passes during the fiscal year ending June 30, 1905, to the extent of one million dollars, to be paid for out of the appropriation for that stretch of the river, authorized by the river and harbor act of 1902, for

the fiscal year ending June 30, 1906, when the appropriation for the last-named fiscal year shall become available."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the language proposed insert the following:

"SEC. 4. That no appropriations heretofore or hereafter made for improving harbors and deepening channels shall be used for the construction of Government dredges for use on the Great Lakes or on the Atlantic coast north of Cape Henry, unless there shall be a specific appropriation for that purpose: *Provided, however,* That this provision shall not apply to any dredge the construction of which has heretofore been authorized by the Secretary of War."

And the Senate agree to the same.

S. B. ELKINS,
KNUTE NELSON,
JAMES H. BERRY,

Managers on the part of the Senate.

T. E. BURTON,
B. B. DOVENER,
J. H. BANKHEAD,

Managers on the part of the House.

The report was agreed to.

EMPLOYMENT OF MESSENGER.

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

Resolved, That the Select Committee on the Examination and Disposition of Documents be, and it is hereby, authorized to employ a messenger, to be paid from the contingent fund of the Senate at the rate of \$1,440 per annum, until otherwise provided for.

PUYALLUP INDIAN RESERVATION.

Mr. COCKRELL. I move that the bill (S. 2112) authorizing the Indian allotments in the Puyallup Indian Reservation, State of Washington, to alienate allotted lands, confirming title to allotted lands sold since March 3, 1903, and for other purposes, being Order of Business 769 on the Calendar, be indefinitely postponed, a House bill on the same subject having passed the Senate.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolutions:

A bill (S. 2263) to require the employment of vessels of the United States for public purposes;

A bill (S. 5597) to amend an act entitled "An act providing for public printing and binding and the distribution of public documents";

A joint resolution (S. R. 36) accepting a reproduction of the bust of Washington from certain citizens of the Republic of France, and tendering the thanks of Congress to the donors therefor; and

A joint resolution (S. R. 71) directing the Secretary of the Treasury to institute an investigation relative to the use of the waters of the Colorado River for irrigation, and to report to Congress thereon.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 4573) for the relief of Eugene Patenaude.

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

A bill (H. R. 14468) to authorize the sale and disposition of surplus or unallotted lands in the Yakima Indian Reservation, in the State of Washington; and

A bill (H. R. 14622) prohibiting the selection of timber lands in lieu of lands in forest reserves.

ENROLLED BILLS SIGNED.

The message also 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. 127) authorizing the joining of Kalorama avenue;

A bill (S. 2134) to connect Euclid place with Erie street;

A bill (S. 2621) for the widening of V street NW.;

A bill (S. 2710) for the opening of connecting highways on the east and west sides of the Zoological Park, District of Columbia;

A bill (H. R. 940) granting a pension to Oscar M. Parsons;
 A bill (H. R. 6049) granting an increase of pension to Peter B. Phillips;
 A bill (H. R. 7056) creating a commission to consider and recommend legislation for the development of the American merchant marine, and for other purposes;
 A bill (H. R. 7535) for the relief of Jacob Swigert, late deputy collector, Seventh Kentucky district;
 A bill (H. R. 7718) for the relief of the estate of Artemus E. Gibson;
 A bill (H. R. 10077) granting a pension to Julia A. Henderson;
 A bill (H. R. 12647) to establish a supreme court for the Indian Territory and to provide for additional United States judges therein, and for other purposes;
 A bill (H. R. 14093) to incorporate the Carnegie Institution of Washington;
 A bill (H. R. 14500) to ratify and confirm the present right of way of the Oahu Railway and Land Company through the military reservation of Kahauiki, Territory of Hawaii;
 A joint resolution (H. J. Res. 136) for appointment of members of Board of Managers of the National Home for Disabled Volunteer Soldiers; and
 A joint resolution (H. J. Res. 150) providing for the publication of 50,000 copies of the Special Report on the Diseases of Cattle.

CIVIL GOVERNMENT OF THE PHILIPPINE ISLANDS.

Mr. LODGE. I ask for the regular order.
 The PRESIDENT pro tempore. The regular order is the unfinished business.
 The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 14623) to amend an act approved July 1, 1902, entitled "An act temporarily to provide for the administration of the affairs of civil government in the Philippine Islands, and for other purposes," and to amend an act approved March 8, 1902, entitled "An act temporarily to provide revenue for the Philippine Islands, and for other purposes," and to amend an act approved March 2, 1903, entitled "An act to establish a standard of value and to provide for a coinage system in the Philippine Islands," and to provide for the more efficient administration of civil government in the Philippine Islands, and for other purposes.
 Mr. DUBOIS. I should like to inquire how the bill comes up?
 The PRESIDENT pro tempore. It is the unfinished business. It was taken up on motion yesterday.
 Mr. COCKRELL. To-day.
 The PRESIDENT pro tempore. To-day, rather.
 Mr. DUBOIS. So it is the same day?
 Mr. LODGE. It is the same day.
 Mr. DUBOIS. Very well.
 The PRESIDENT pro tempore. The Senator from Massachusetts demanded the regular order, and this was the regular order.
 Mr. LODGE. Let the bill be read.
 Mr. CULBERSON. Before the bill is read, I desire to ask if this is the House bill and if the Senate bill has been substituted for it?
 Mr. LODGE. The House bill was substituted for the Senate bill.
 Mr. CULBERSON. I desire to call the attention of the chairman of the committee to a fact which he has probably noticed, that the House bill is not identical with the Senate bill.
 Mr. LODGE. I understand that; and I propose, after the bill has been read, to offer committee amendments making the House bill correspond to the Senate bill.
 The Secretary read the bill.
 Mr. LODGE. There are two or three small committee amendments, which will lead to no debate, that I ask to have made.
 On page 3, at the end of line 18, I move to strike out the word "property" and insert "real estate;" so as to make the proviso read:

Provided, That the entire indebtedness of any municipality shall not exceed 5 per cent of the assessed valuation of the real estate in said municipality, and any obligation in excess of such limit shall be null and void.

The amendment was agreed to.
 Mr. LODGE. On page 4, line 12, after the word "well," I move to strike out the word "as."
 The amendment was agreed to.
 Mr. LODGE. In line 20 of the same page, after the word "form," I move to insert "of guaranty of income or interest."
 The amendment was agreed to.
 Mr. LODGE. That concludes the committee amendments. I now ask that the bill may be temporarily laid aside in order that the Senator from Iowa [Mr. ALLISON]—
 Mr. FORAKER. I have an amendment that I wish to offer before the bill is laid aside.

Mr. LODGE. Certainly; excuse me. The Senator from Ohio has an amendment to offer.

Mr. STEWART. I wish to suggest to the chairman of the committee some difficulties about the mining portion of the bill.

Mr. FORAKER. Will the Senator from Nevada allow me to offer my amendment? It will be accepted, and then I will yield.

Mr. STEWART. Certainly.

Mr. FORAKER. I move to amend the bill by inserting at the end of section 1—that is, at the end of line 3, page 2—the following:

And all the provisions of this section are hereby made applicable to Porto Rico.

Mr. LODGE. I accept that amendment. It is simply to give the same bonding privileges to Porto Rico that the bill confers on the Philippine Islands. I mean public bonding.

Mr. STEWART. Before the bill passes from the consideration of the Senate I wish to call the attention of the chairman—

The PRESIDENT pro tempore. Will the Senator from Nevada allow the amendment of the Senator from Ohio to be considered first?

Mr. STEWART. Certainly.

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

The SECRETARY. On page 2, after the words "District of Columbia," in line 3, insert:

And all the provisions of this section are made applicable to Porto Rico.

Mr. HALE. Let that be offered and be considered as pending. I do not want to agree that it shall be adopted nem. con.

The PRESIDENT pro tempore. It will be considered as pending.

Mr. LODGE. Now I renew my request.

Mr. STEWART. Will the Senator allow me to make just one suggestion?

Mr. DUBOIS. I wish to make an inquiry of the Senator from Massachusetts.

Mr. LODGE. Certainly.

The PRESIDENT pro tempore. The Senator from Nevada has been recognized.

Mr. STEWART. The bill contains a great many changes in the mining laws, and it would make it very difficult for American miners to understand them. For instance, the measurement is in meters instead of feet, and many Americans, otherwise intelligent, may not know the extent of a claim measured in meters. Besides, the claims are in rectangular form, and no right is given to follow the vein upon the dip beyond the side lines. It is true that in Mexico the claims are located in rectangular form, but by our usage the miner who has discovered a vein has a preference right to locate a side claim to insure his right to follow the dip beyond the side lines of his location. I think it would have been better to have made the law conform more clearly to the American mining law, because if mining is to be done in the Philippines Americans must do it, and the law ought to be made for American miners.

Mr. LODGE. All that was done elaborately in the other bill. This is a mere modification of the phrases in the other bill, that is all. The mining law is already in existence. But I do not desire to discuss the bill. The Senator from Idaho [Mr. DUBOIS] is on the committee and desires to make an inquiry.

Mr. DUBOIS. I desire to call the attention of the Senator from Massachusetts particularly to section 6. I assume that the bill will not be called up for passage at this session, because it will be debated a good deal, but I am somewhat bothered about section 6.

The Senator will recall that the boards of trade in Manila and the Americans there who are doing business are all insistent that Chinese cooly labor shall come into the Philippine Archipelago. Of course that is resisted very strenuously by the Senator from Massachusetts, as well as by others on the committee.

There are in the Philippine Islands, I think we all agree, at least 40,000,000 acres of public lands susceptible of cultivation. It is very rich land and is all especially adapted to sugar raising. Forty million acres is almost or quite twice as much land as there is altogether in such a State as Indiana. It is a vast empire. This provision, to my mind, seems to give to the Philippine Commission entire authority to administer as they see fit the immigration laws of the United States. I am quite sure that was not intended; but I wish to call the attention of the Senator from Massachusetts to it, so that, if my objection is well taken, before the bill comes up at some time that part of it can be carefully looked at.

Mr. LODGE. Mr. President, I am just as strongly opposed to the admission of Chinese into the Philippine Islands as the Senator from Idaho or anybody could possibly be.

Mr. DUBOIS. I understand that.

Mr. LODGE. I would not knowingly permit anything to pass which would facilitate their entrance into those islands.

As I understand this section, it is simply to put the administration of the laws of the United States in the hands of the Philippine government and that the taxes, the capitation taxes, whatever they are, may go into the Philippine treasury. It does not modify the laws of the United States at all; it simply shifts the administration.

But if the Senator can devise any amendment which he thinks will strengthen that section or make it clear, I hope he will do so. I would rather strike out the section than have any doubt whatever on that point.

Mr. DUBOIS. Very well.

Mr. LODGE. I will say that I do not expect in the closing hours to-day to pass this bill, because I am aware that there is to be a good deal of debate upon section 4. I merely desire to get the bill read and certain formal amendments adopted. I now ask that the bill be temporarily laid aside in order that the Senator from Iowa [Mr. ALLISON] may make a statement in regard to the appropriation bills.

Mr. ALLISON. Mr. President—

Mr. HEYBURN. Before the bill is laid aside I desire to move an amendment to it.

The PRESIDENT pro tempore. The Senator from Iowa was recognized.

Mr. HEYBURN. I would like to offer the amendment before the bill is laid aside.

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

Mr. HEYBURN. I will ask the Senator to yield to me for a moment.

Mr. ALLISON. I have the floor through the courtesy of the Senator from Massachusetts, and—

Mr. HEYBURN. I do not want to have the bill laid aside until I can move an amendment, and I wish to have the opportunity to do so.

Mr. HALE. It can be brought up again immediately.

Mr. LODGE. It can be brought up immediately.

Mr. ALLISON. The bill will not be permanently displaced.

Mr. HEYBURN. Very well.

STATEMENT OF APPROPRIATIONS.

Mr. ALLISON. Mr. President, I wish in these closing hours of the session to present some statements respecting the appropriations for the fiscal year 1905. I have here two or three tables relating to the appropriations made at the present session of Congress.

The first is a table which was prepared by the clerk of the Committee on Appropriations of the Senate and the clerk of the Committee on Appropriations of the House, and is the usual statement of appropriations at the end of every session.

I ask that it may be printed in the RECORD with one or two other tables explanatory, which I will also ask may be printed in the RECORD. Last year similar tables and explanations were made and printed as a separate document. I do not know but that ought to be done now.

Mr. COCKRELL. Let it be done this year in the same way.

Mr. ALLISON. Therefore I ask unanimous consent at this time that that order may be made.

The PRESIDENT pro tempore. The Chair hears no objection, and the tables will be printed in the RECORD.

Mr. ALLISON. And as a document.

The PRESIDENT pro tempore. And as a document.

Mr. ALLISON. This table discloses that the total appropriations for the fiscal year ending June 30, 1905, including all deficiencies and permanent appropriations, are, in round numbers, \$28,000,000 in excess of the appropriations for the current year.

Mr. COCKRELL. Mr. President, we understand on both sides what these table are; that they are made out and are sanctioned by a Republican and a Democrat, so that there is nothing political or partisan in them.

Mr. ALLISON. The Senator is right. These tables are carefully prepared by the clerk of the Committee on Appropriations of the Senate and the clerk of the Committee on Appropriations of the House, and are absolutely correct. They are taken from the records and assented to by all political parties, if there are more than two.

Mr. President, as I was saying, this table discloses appropriations for the fiscal year 1905 of \$28,000,000 in excess of the appropriations for the current year.

It is interesting, perhaps, to ascertain also the items of which this excess is made up, which I will allude to presently.

I also have here a comparison of the appropriations for the fiscal years 1901, 1902, 1903, 1904, and the appropriations as finally agreed to for next year. I ask that this table may be also inserted in the RECORD and in the document.

The PRESIDENT pro tempore. The Chair hears no objection.

Mr. ALLISON. I have another table which discloses the increases made for the next fiscal year over the appropriations made for the current year, aggregating, as I stated before, \$28,000,000.

These increases are found chiefly in two or three items.

The first item to which I call attention is the increase in the appropriations for the District of Columbia, amounting in all to \$2,383,643, of which \$300,000 is an appropriation for the elimination of grade crossings in this city, made necessary by the changes as respects the railroad depots in the city.

Another increase of \$50,000 is for the municipal building, authorized two years ago.

There is also an appropriation of \$428,000 of the highway bridge across the Potomac, which was authorized four or five years ago.

But the chief item of increase is for the filtration plant, the amount appropriated being \$968,000 over the appropriation of last year. This appropriation will complete the filtration plant and make it available for use certainly by December of this year.

So these increases in the appropriations for the District of Columbia are for absolutely necessary purposes, and I take it that there is no Member on either side of this Chamber who will say, now or hereafter, that these appropriations were unwise or unnecessary.

There are minor items running through the different bills, but the next item of importance is an increase of \$16,128,000 for the Navy. For the construction of the new Navy there is appropriated an increase, in round numbers, of \$7,000,000, and for the Naval Academy building, two and a half million dollars.

Another item of this increase is the appropriation for public works at navy-yards and stations of \$2,463,000. I will not go into details respecting these items. I will merely say that the largest of them consists of two items, one for Subig Bay, having another name, which the Senator from Maine can give.

Mr. HALE. Olongapo.

Mr. ALLISON. Olongapo, which is the new naval station at Manila.

Mr. HALE. In Philippine waters.

Mr. ALLISON. In Philippine waters, 40 miles, more or less, from Manila.

Mr. HALE. Yes.

Mr. ALLISON. One of the other largest items is for the purchase of land by way of enlargement of the naval station at Norfolk, Va., and for an increase of the improvements at that navy-yard; and there are other minor items aggregating in all \$15,000,000, or within \$1,000,000 of the total increase of this year.

I take it that these increases in detail, whether as respects the increase of the Navy authorized some years ago for the construction of ships and which will be expended upon ships now under construction, or whether applied to the increase of expenditures at our navy-yards and our naval stations, will be approved on both sides of this Chamber.

So, of the \$28,000,000, \$16,000,000 is practically for the increase of the efficiency of the Navy.

The next large item of increase is for the postal service, which is \$19,000,000. This increase in the postal service is made up of a few large items—increased compensation to postmasters, made necessary by an increase in the service; clerks to postmasters; mail transportation, an item of \$4,000,000, being a fixed item of increase by reason of the increased weight of the mail transported.

The next item of increase, which is the largest of the \$19,000,000, is for letter carriers and clerks in charge of substations for rural free delivery, which amounts, in round numbers, to \$8,000,000. This is a service which I believe is not criticised in this Chamber. If it is criticised here, it is in a friendly way, and I am sure that it is not criticised in any rural region of the country.

Mr. CULLOM. What is the total increase, I will ask the Senator from Iowa?

Mr. ALLISON. Nineteen million dollars is the total increase for the postal service, and \$8,000,000 of this increase over the current fiscal year is for letter carriers and clerks at substations in the rural free-delivery service. So these items which I have named and other items, amounting in all to \$18,275,000 of this \$19,000,000, is for a service in which the public is interested and about which I have heard no criticism.

The appropriations for the postal service were made by the Committee on Post-Offices and Post-Roads. I am glad to say now, at the end of this session, that that committee, one of the ablest in the Senate, passed that bill through this body without criticism from any member of the committee as respects the items of appropriation. So I take it that committee was reasonably careful in analyzing and scrutinizing the various items, and especially will that appear when we see here the items of increase over the appropriations of the current year.

These two items of appropriation, for the Navy and Post-Office,

account for \$25,000,000 of the total increase of appropriations for the next year over the appropriations for the current year.

The permanent annual appropriations are also increased \$8,832,000, but these increases are practically upon paper. They are not increases that go to the substance. The largest increase is \$5,000,000 for the national bank note redemption account. That is a flexible account, whereby bank notes redeemed are appropriated for, and then the deposits made by the national banks reimburse the appropriation. So, although appearing to be an increase in the permanent annual appropriation, it is merely a matter of bookkeeping, and this increase in the permanent appropriation of \$5,000,000 is, as I have said, on paper.

Mr. GORMAN. Will the Senator from Iowa state the gross amount of the permanent appropriations? I did not catch the figures on account of the confusion in the Chamber.

Mr. ALLISON. The gross amount of the permanent appropriations for the next year is \$141,471,820.

Mr. GORMAN. I thank the Senator.

Mr. ALLISON. And the appropriations for the current year are \$132,589,820, making an increase for next year of \$8,882,000. I have accounted for that by stating that the chief item of increase is that of the bank-note redemption fund.

There is another increase of \$2,250,000, which is known as the "reclamation fund." There is a permanent appropriation provided for by law relating to irrigation, whereby the annual funds that are paid into the Treasury from the sale of public lands are set aside for purposes of irrigation. That fund, I understand, which is in the Treasury, will be \$18,000,000 when this appropriation is effective. Though it is in the Treasury it is segregated, and no part of this reclamation fund can be used for any other purpose; but it can not be charged in any sense as an appropriation against the current revenues, because its disposition was provided for four or five years ago by the joint action of the Senate and House of Representatives setting these receipts aside for that purpose.

Mr. STEWART. I suggest to the Senator from Iowa, in that connection, that it might be well to state that as the people take the land they pay for the irrigation, and that money is put into this fund.

Mr. ALLISON. Yes. I did not state that, because I supposed the Senate was familiar with it. Of course, when the arid lands are irrigated and sold the proceeds of the sales go again into that fund, and in that way it is a kind of endless chain or a revolving current, whereby in the future large sums of money will be expended by the Treasury, but they will be returned to the Treasury. So it is probable that at some time in the future—just when, I do not know—this segregation of receipts for this specific purpose will be discontinued.

There is only one other item of increase in the permanent appropriations of importance, and that is the supply of arms to the National Guard and militia of the country. That is increased for the next year \$750,000, arising out of laws on the statute book placed there two years ago. I think, whereby the War Department was required to furnish the National Guard and the militia of the country with small arms.

Thus it will be seen that these increases and the amount of the total increase disclose that the appropriations are made for necessary and proper purposes under existing law.

There are some other items in connection with these appropriations to which I ought to allude, and especially, perhaps, to the appropriation for pensions. The appropriations for the current year 1904, including the deficiencies for this year, will be greater than the appropriations for 1905.

Mr. CULLOM. Are they greater than they were last year?

Mr. ALLISON. They are greater this year than they will be next year, unless there is a deficiency next year, which there probably will be.

We have also increases in the deficiencies for this year. These increases are made up of only one or two items of importance, the chief item being for the St. Louis exposition, which certainly will not be criticised in a party sense. It seemed to be necessary that that appropriation should be made, although there is a hope and an expectation that the whole amount of this appropriation for the St. Louis exposition will be refunded to the Treasury largely within this fiscal year and during the beginning of the next fiscal year.

So I hope there will be no special weight attached to this appropriation for the St. Louis exposition—the Louisiana Purchase Exposition, I believe I should properly call it.

Mr. COCKRELL. The Louisiana Purchase Exposition is the proper name.

Mr. ALLISON. That is its technical name. I believe the appropriation for that exposition is a pleasure to the people of the United States, being in commemoration of that great event which had for its father Thomas Jefferson, for whom, in one of the ap-

propriation bills, we have provided at this late day a suitable memorial in the form of a statue.

Mr. ALDRICH. I wish to ask the Senator from Iowa if he has made any estimate of the total cost to the United States of the Louisiana Purchase Exposition, including the exhibits of the Government and the appropriations, direct and indirect?

Mr. ALLISON. I have not made such an estimate, but a little figuring will enable us to ascertain the total cost of the Louisiana Purchase Exposition. As I remember, we appropriated during previous years about \$5,000,000 for that exposition, and possibly something more.

Mr. ALDRICH. There was one item of \$5,000,000.

Mr. ALLISON. Yes; there was one item of \$5,000,000 or more for the Government exhibit, and probably another of a million dollars; and we have appropriated at this present session about \$4,600,000 for that exposition in the form of a loan, to be refunded to the Treasury.

Mr. ALDRICH. But that does not include the Government exhibit and a number of large expenditures connected with this exposition in other years.

Mr. ALLISON. That does include the million dollars, as I have stated, and includes nearly all, I think, of the expenditures for the Government exhibit, which will amount to about \$1,000,000. I am now speaking from memory. The senior Senator from Missouri [Mr. COCKRELL] will correct me if I am wrong.

Mr. COCKRELL rose.

Mr. BAILEY. The Senator from Iowa invited a correction by the Senator from Missouri, and I yield, of course, to the Senator from Missouri.

Mr. COCKRELL. No; go ahead.

Mr. BAILEY. But, as a matter of fact, the \$5,000,000 that was originally appropriated does not include the cost of making exhibits by the Government.

Mr. ALLISON. I so stated.

Mr. BAILEY. I thought the Senator said it did.

Mr. ALLISON. No; I stated that, in addition, we had appropriated about \$1,000,000.

Mr. BAILEY. I did not hear the Senator use that expression.

Mr. MITCHELL. We have appropriated about \$6,500,000 altogether.

Mr. ALLISON. Yes; outside of the loan; but I hope we shall have a general consensus of opinion that this appropriation of \$4,600,000, in the nature of a loan, will not be, or at least ought not to be, a burden upon the Treasury; and if it is, I think the criticism, whatever it may be, will not be partisan.

Mr. President, I think I have explained the chief items in these tables, disclosing why it is that we have this year an increase of \$28,000,000 over the appropriations of last year.

I have another table here about which I desire to speak for a moment, and I shall ask, Mr. President, to insert another table in this statement, to be printed in the RECORD and made a part of the document.

The PRESIDENT pro tempore. The Chair hears no objection, and that order will be made.

Mr. ALLISON. Of course, there are increases and decreases in every appropriation bill, comparing years. Some years we have increases because of new items authorized by law, and again other items authorized by law drop out and pass away. Last year we had no general river and harbor bill. This year we have only a partial river and harbor bill. Our appropriations last year for rivers and harbors in the sundry civil act, to carry out contracts authorized by law, amounted to \$20,228,150, and this year they are \$7,872,200 in the sundry civil bill, and in the river and harbor bill that has just passed this morning \$3,000,000 more are appropriated; so that the appropriations for the rivers and harbors of the country for the next year are less than they were last year by \$9,355,950.

I make these statements in order that Senators may see that on the whole the appropriations made at the present session of Congress for the next fiscal year are appropriations that are in the main necessary for the conduct of the Government; and with the widest and fullest debate, and opportunity for debate in this Chamber, I do not call to mind any particular criticism of any of the great appropriation bills by Senators on either side. So I take it for granted that they will not be criticised.

Mr. President, there is another thing that I had occasion to look into somewhat, and that is the obligations created by the various bills passed through Congress at this session as compared with similar bills in other sessions. I believe it was the President pro tempore of this body who invented and exploited the idea that in the execution of great public works it was a wise thing to provide for current appropriations to be expended during the year for which the appropriations were made, and to authorize the entering into of contracts, thus binding future Congresses to make appropriations for public works.

We have had that plan now for a good many years, and I am glad to say that, looking over the last few years, the obligations created this year by our several laws on account of contracts are less than they have been for many years, with the exception of a single year, the total amount being, I think, less than \$24,000,000,

or about that sum. Of course, these obligations will run over some years.

I shall content myself for the time being with these explanations.

The tables referred to are as follows:

Chronological history of appropriation bills, second session of the Fifty-eighth Congress; estimates and appropriations for the fiscal year 1904-5, and appropriations for the fiscal year 1903-4.

[Prepared by the clerks to the Committees on Appropriations of the Senate and House of Representatives.]

Title.	Estimates, 1905.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.	
		Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
Agriculture.....	\$6,729,880.00	1904. Feb. 4	\$5,711,240.00	1904. Feb. 5	\$5,711,240.00	1904. Feb. 15	\$6,072,380.00	1904. Feb. 25	\$6,072,380.00
Army.....	77,161,446.13	Jan. 19	75,841,537.88	Jan. 25	75,089,937.88	Mar. 4	77,620,942.32	Mar. 9	77,819,131.76
Diplomatic and consular.....	2,236,300.69	Jan. 28	1,965,800.69	Feb. 4	1,965,800.69	Feb. 8	2,073,100.69	Feb. 9	2,073,100.69
District of Columbia ^a	13,017,581.00	Feb. 23	10,194,477.00	Mar. 3	10,194,477.00	Mar. 23	11,363,204.00	Mar. 20	11,382,604.00
Fortification.....	12,099,297.00	Feb. 16	7,131,192.00	Feb. 18	7,131,192.00	Mar. 8	7,637,192.00	Mar. 13	8,168,292.00
Indian.....	7,502,252.54	Feb. 20	7,630,871.41	Mar. 5	7,642,192.35	Mar. 21	10,511,405.73	Mar. 24	10,511,405.73
Legislative, etc.....	29,711,700.48	Jan. 11	28,258,895.22	Jan. 14	28,288,655.22	Feb. 24	28,736,233.22	Feb. 25	28,734,533.22
Military Academy.....	1,045,387.01	Mar. 11	955,579.26	Apr. 5	955,579.26	Apr. 22	3,000,966.84	Apr. 26	975,966.84
Navy.....	102,866,449.34	Feb. 11	96,338,040.94	Feb. 26	97,524,540.94	Mar. 1	98,255,940.94	Mar. 7	99,039,434.59
Pension.....	138,152,600.00	1903. Dec. 10	138,150,100.00	1903. Dec. 17	138,150,100.00	Mar. 1	138,330,700.00	Apr. 21	138,360,700.00
Post-office ^b	168,085,770.00	1904. Mar. 5	169,996,588.75	1904. Mar. 25	170,376,088.75	Mar. 29	173,053,878.75	Apr. 12	173,550,398.75
River and harbor.....	^c 16,593,990.00	Apr. 7	3,000,000.00	Apr. 11	3,000,000.00	Apr. 18	3,100,000.00	Apr. 21	3,100,000.00
Sundry civil.....	^d 67,499,732.60	Mar. 25	55,623,001.11	Apr. 1	56,248,306.11	Apr. 14	59,102,400.15	Apr. 20	58,906,400.15
Total.....	642,502,386.79		600,827,324.26		602,308,130.20		618,888,344.64		618,689,647.73
Urgent deficiency, 1904, and prior years.....	^e 27,000,000.00	Jan. 23	11,251,308.18	Jan. 30	11,026,195.17	Feb. 2	16,378,411.39	Feb. 5	16,390,458.24
Deficiency, 1904, and prior years.....		Apr. 13	10,386,744.76	Apr. 18	10,401,620.76	Apr. 20	11,342,146.62	Apr. 23	11,491,541.72
Total.....	669,502,386.79		622,465,377.20		623,735,946.13		646,608,902.65		646,571,647.69
Miscellaneous.....	^f 20,000,000.00								
Total, regular annual appropriations.....	689,502,386.79								
Permanent annual appropriations.....	^g 141,471,820.00								
Grand total, regular and permanent annual appropriations.....	830,974,206.79								

Title.	Law, 1904-5.		Law, 1903-4.
	Date.	Amount.	Amount.
Agriculture.....	1904. Apr. 23	\$5,302,040.00	\$5,978,160.00
Army.....	do.....	77,070,300.88	77,888,752.88
Diplomatic and consular.....	Mar. 12	2,020,100.69	1,968,250.69
District of Columbia ^a	Apr. 27	11,021,740.00	8,638,097.00
Fortification.....	Apr. 21	7,518,192.00	7,188,416.22
Indian.....	Apr. 1	9,447,961.40	8,540,406.77
Legislative, etc.....	Mar. 18	28,559,913.22	27,568,653.66
Military Academy.....	Apr. 28	975,966.84	652,748.67
Navy.....	Apr. 27	98,005,140.94	81,876,791.43
Pension.....	do.....	138,360,700.00	139,847,000.00
Post-office ^b	Apr. 28	172,574,968.75	153,511,549.75
River and harbor.....	do.....	^c 3,000,000.00	^(h)
Sundry civil.....	do.....	^d 57,846,911.34	^e 52,372,360.10
Total.....		612,300,966.06	596,061,787.12
Urgent deficiency, 1904 and prior years.....	Feb. 18	16,130,111.39	
Deficiency, 1904 and prior years.....	Apr. 27	10,671,732.54	21,465,690.25
Total.....		639,102,809.99	617,527,447.37
Miscellaneous.....		1,000,000.00	2,941,238.65
Total regular annual appropriations.....		640,102,809.99	620,468,686.02
Permanent annual appropriations.....		^f 141,471,820.00	^g 132,589,820.00
Grand total regular and permanent annual appropriations.....		781,574,629.99	^h 753,058,506.02

Amount of estimated revenues for fiscal year 1905.....\$545,000,000.00

Amount of estimated postal revenues for fiscal year 1905.....159,472,060.72

Total estimated revenues for fiscal year 1905.....704,472,060.72

^a One-half of the amounts for the District of Columbia payable by the United States, except amounts for the water department (estimated for 1905 at \$132,756), which are payable from the revenues of the water department.

^b Includes all expenses of the postal service payable from postal revenues and out of the Treasury.

^c This amount is exclusive of \$8,697,037 to meet contracts authorized by law for river and harbor improvements included in the sundry civil estimates for 1905.

^d This amount includes \$8,697,037 to meet contracts authorized by law for river and harbor improvements for 1905.

^e This amount is approximated.

^f This amount includes \$56,500,000, estimated to meet the requirements of the sinking fund.

^g In addition to this amount, the sum of \$7,872,300 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1905.

^h No river and harbor bill passed for 1904, but the sum of \$20,228,150.99 is appropriated in the sundry civil act to carry out contracts authorized by law for river and harbor improvements for 1904.

ⁱ This amount includes \$7,872,300 to carry out contracts authorized by law for river and harbor improvements for 1905.

^j This amount includes \$20,228,150.99 to carry out contracts authorized by law for river and harbor improvements for 1904.

^k This is the amount submitted by the Secretary of the Treasury in the annual estimates for the fiscal year 1904, the exact amount appropriated not being ascertainable until two years after the close of the fiscal year.

^l In addition to this amount contracts are authorized to be entered into, subject to future appropriations by Congress, as follows: By the District of Columbia act, \$1,460,000; by the naval act, \$22,526,000; by the sundry civil act, \$7,850,000; by the act of March 3, 1903 (public buildings act), \$5,153,859.34; in all, \$36,995,859.34.

Comparison of appropriations, fiscal years 1905 and 1904.

Title of act.	Law, 1905.	Law, 1904.	Increase, 1905 over 1904.	Decrease, 1905 under 1904.
Agricultural.....	\$5,902,040.00	\$5,978,160.00		\$76,120.00
Army.....	77,070,300.88	77,888,752.83		818,451.95
Diplomatic and consular.....	2,020,100.69	1,968,250.69	\$51,850.00	
District of Columbia.....	11,021,740.00	8,638,097.00	2,383,643.00	
Fortifications.....	7,518,192.00	7,188,416.22	329,775.78	
Indian.....	9,447,961.40	8,540,406.77	907,554.63	
Legislative, etc.....	28,556,913.22	27,598,653.66	958,259.56	
Military Academy.....	975,966.84	652,748.67	323,218.17	
Navy.....	98,005,140.94	81,876,791.43	16,128,349.51	
Pensions.....	142,390,700.00	130,847,600.00	11,543,100.00	
Post-office.....	172,574,998.75	153,511,549.75	19,063,449.00	
River and harbor (including contract work).....	10,872,200.00	20,228,150.99		9,355,950.99
Sundry civil (exclusive of river and harbor contract work).....	49,974,711.34	62,144,209.11		12,169,497.77
Total.....	616,900,966.06	596,061,787.12	42,659,199.65	22,420,020.71
Deficiencies.....	22,801,843.93	21,465,660.25	1,336,183.68	
Total.....	639,112,809.99	617,527,447.37	43,995,383.33	22,420,020.71
Miscellaneous.....	1,000,000.00	2,941,238.65		1,941,238.65
Total regular annual appropriations.....	640,102,809.99	620,468,686.02	43,995,383.33	24,361,259.96
Permanent annual appropriations.....	141,471,820.00	132,589,820.00	8,882,000.00	
Grand total, regular and permanent annual appropriations.....	781,574,629.99	753,058,506.02	52,877,383.33	24,361,259.96
Net increase.....			28,516,123.97	

a Includes \$4,000,000 in deficiency act.

Comparison of appropriations, fiscal years 1901, 1902, 1903, 1904, and 1905.

Title of act.	1901.	1902.	1903.	1904.	1905.
Agricultural.....	\$4,023,500.00	\$4,582,420.00	\$5,208,960.00	\$5,978,160.00	\$5,902,040.00
Army.....	114,220,065.55	115,734,049.10	91,730,136.41	77,888,752.83	77,070,300.88
Diplomatic and consular.....	1,771,168.76	1,849,428.76	1,967,925.69	1,968,250.69	2,020,100.69
District of Columbia.....	7,577,369.31	8,502,269.94	8,544,409.97	8,638,097.00	11,021,740.00
Fortifications.....	7,383,628.00	7,364,011.00	7,298,555.00	7,188,416.22	7,518,192.00
Indian.....	8,197,989.24	9,747,471.09	8,986,028.10	8,540,406.77	9,447,961.40
Legislative, etc.....	24,175,652.53	24,594,968.85	25,396,681.50	27,598,653.66	28,556,913.22
Military Academy.....	674,306.67	772,653.68	2,627,324.42	652,748.67	975,966.84
Navy.....	65,140,916.67	78,101,791.00	78,856,363.13	81,876,791.43	98,005,140.94
Pensions.....	145,245,230.00	145,245,230.00	139,842,230.00	139,847,600.00	142,390,700.00
Post-office.....	113,658,238.75	123,782,688.75	138,416,598.75	153,511,549.75	172,574,998.75
River and harbor (including contract work).....	16,260,605.75	7,046,623.00	32,540,199.50	20,228,150.99	10,872,200.00
Sundry civil (exclusive of river and harbor contract work).....	49,619,309.70	54,749,285.21	54,394,601.63	62,144,209.11	49,974,711.34
Total.....	557,948,010.93	582,072,890.88	595,800,474.10	596,061,787.12	616,900,966.06
Deficiencies.....	15,688,330.61	15,917,446.94	28,050,007.92	21,465,660.25	22,801,843.93
Miscellaneous.....	3,802,301.34	7,990,018.67	62,852,795.13	2,941,238.65	1,000,000.00
Total regular annual appropriations.....	577,438,642.88	605,980,355.99	676,703,276.55	620,468,686.02	640,102,809.99
Permanent annual appropriations.....	132,712,220.00	124,358,220.00	123,921,220.00	132,589,820.00	141,471,820.00
Grand total.....	710,150,862.88	730,338,575.99	800,624,496.55	753,058,506.02	781,574,629.99

a Including \$4,000,000 in deficiency act.

Mr. CULBERSON. Mr. President, the statement which has just been presented by the Senator from Iowa [Mr. ALLISON] is a useful and valuable one. Among other matters, he has made a comparison of the expenditures during the past two or three years. I desire, Mr. President, to go somewhat further back in a comparison of the expenditures of the Government, covering, in fact, the past twelve years, beginning with the first full year of the last Administration of Mr. Cleveland. For that purpose I present at this point a table, which I have myself copied from the reports of the Secretary of the Treasury, showing the total revenues and the total expenses of each year. I present the table now, but without reading it, so as not to occupy unnecessarily the time of the Senate. I ask that the table may be printed in the RECORD.

The PRESIDENT pro tempore. In the absence of objection, it is so ordered.

The table referred to is as follows:

Total revenues and expenditures for the past twelve years as shown by the reports of the Secretary of the Treasury.

CLEVELAND.			
Year.	Revenues.	Expenditures.	Deficit.
1894.....	\$372,802,498.29	\$442,605,758.87	\$69,803,260.58
1895.....	390,373,203.30	433,178,426.48	42,805,223.18
1896.....	409,475,408.78	434,678,654.48	25,203,245.70
1897.....	430,387,167.89	448,439,622.30	18,052,454.41
MCKINLEY.			
1898.....	\$494,333,953.75	\$532,381,201.35	\$38,047,247.60
1899.....	610,982,004.35	700,063,564.02	89,111,559.67
1900.....	669,595,431.18	560,068,371.00	a 79,527,060.18
1901.....	699,316,530.92	621,568,546.54	a 77,717,984.38

Total revenues and expenditures for the past twelve years, etc.—Continued.

ROOSEVELT.

Year.	Revenues.	Expenditures.	Deficit.
1902.....	\$684,326,280.47	\$593,038,904.80	a \$91,287,375.67
1903.....	694,621,117.64	640,323,450.28	a 54,297,667.36
1904 (estimated).....	674,767,664.00	660,767,664.00	a 14,000,000.00
1905 (estimated).....	704,472,000.72	747,694,001.44	43,121,999.28

a Surplus.

Mr. CULBERSON. In the first full fiscal year of McKinley (1898) the expenditures, as shown by the foregoing table, exceeded those of the first full fiscal year of Cleveland (1894) by \$89,775,442.48. In the last full fiscal year of McKinley (1901) the expenditures exceeded those of the last full fiscal year of Cleveland (1897) by \$159,333,631.62. The last year of Cleveland exceeded his first year by only \$5,833,863.43.

Mr. ALDRICH. What years were those to which the Senator referred? Will he state them again?

Mr. CULBERSON. I will state it again. In the last full fiscal year of McKinley (1901) the expenditures exceeded those of the last full fiscal year of Cleveland (1897) by \$159,333,631.62. The last year of Cleveland exceeded his first year by only \$5,833,863.43, while the last year of McKinley exceeded his first year by \$75,392,052.57. During the four years of Cleveland the total expenditures amounted to \$1,758,699,216.43, while during the four years of McKinley the total expenditures were \$2,430,316,390.29, an increase in four years under McKinley of \$671,617,173.86.

Mr. HOPKINS. I desire to ask the Senator a question.

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

Mr. CULBERSON. I decline to yield for the present, Mr. President. I want to make this statement consecutively. I will answer any question afterwards.

Taking from this the deficit of \$18,052,454.41, coming over from Cleveland in 1897, there will be left a net increase of \$653,564,719.45, or about 38 per cent. The notable increase of expenditures in 1898 over 1894 was \$6,275,083.63 for pensions, \$8,743,650.59 interest on the public debt, \$27,122,691.01 in the naval establishment, and \$37,424,070.44 in the military establishment. The notable increase in 1901 over 1897 was \$25,498,453.71 in the naval establishment, \$35,747,938.31 in the civil establishment, and \$91,049,732.11 in the military establishment.

Of the total net increase of \$653,564,719.45 for the four years, the notable increase, in round numbers, exclusive of the postal service, was \$19,000,000 interest on the public debt, \$29,000,000 in the civil establishment, \$116,000,000 in the naval establishment, and \$391,000,000 in the military establishment.

President Roosevelt assumed office September 14, 1901, and as soon as he became firmly established in power and control, it will be observed, increased expenditures began. The total expenditures, actual and estimated, for the four years of his incumbency aggregate \$2,641,724,019.18, which is \$211,407,628.89 greater than the four years of McKinley, though he conducted the Spanish war, and \$883,024,802.75 greater than the four years of Cleveland. In the first full fiscal year of Roosevelt (1903) expenditures exceeded those of the first full fiscal year of McKinley (1898) by \$107,942,248.83, and in the last full fiscal year of Roosevelt (1905) expenditures, as estimated by the Secretary of the Treasury, will exceed those of the last full fiscal year of McKinley (1901) by \$105,875,660.25.

Mr. ALDRICH. Will the Senator give me the figures for the first fiscal year of the present Administration, if he has them?

Mr. CULBERSON. After I read this consecutively I will. The last year of McKinley exceeded his first by \$75,392,052.57, while the last year of Roosevelt will exceed his first year by \$134,435,301.89. Of the total increase of \$883,024,802.75 for the four years of Roosevelt as compared with the four years of Cleveland, the notable increase, exclusive of the postal service, is, in round numbers, \$160,000,000 in the civil establishment, \$231,000,000 in the naval establishment, and \$284,000,000 in the military establishment. The total cost of the military establishment, exclusive of pensions, during the four years of Roosevelt, exceeds that of Cleveland by \$515,000,000.

The War Department has furnished me a statement of the war budgets of Great Britain, France, and Germany for the year 1903, including pensions, and I desire to insert at this point in the brief statement I am making these budgets from the War Department, to which I have added those of the United States for 1903 and the estimated expenses of the military establishment for 1905.

Statement of budgets of Great Britain, France, and Germany during 1903.

GREAT BRITAIN. ^a	
Army: Ordinary budget.....	\$168,709,355.00
Navy: Ordinary budget.....	172,287,500.00
Total.....	340,996,855.00
FRANCE. ^b	
Army: Ordinary budget.....	\$131,348,048.00
Extraordinary budget.....	6,212,000.00
Navy: Ordinary budget.....	62,094,905.00
Total.....	200,254,953.00
GERMANY.	
Army: Ordinary budget.....	\$143,401,436.00
Extraordinary budget.....	16,082,267.00
Navy: Ordinary budget.....	23,267,048.00
Extraordinary budget.....	35,344,467.00
Total.....	218,195,218.00
GREAT BRITAIN.	
Ordinary total budget (1903):	
Army.....	\$135,424,355.00
Navy.....	172,287,500.00
Total.....	307,711,855.00
UNITED STATES FOR 1903.	
War.....	\$118,619,520.15
Navy.....	82,618,084.18
Pensions.....	138,425,646.07
Total.....	339,662,250.40
UNITED STATES FOR 1905. ^c	
War.....	\$142,294,000.00
Navy.....	106,841,000.00
Pensions.....	138,152,600.00
Total.....	387,287,600.00

^a The budget for Great Britain includes extraordinary credits for the Transvaal war, the expedition to China and to Somaliland, etc. The ordinary budget amounts to \$135,424,355.

^b The war budget includes \$7,658,209 for the gendarmerie and \$5,551,441 for colonial troops.

^c Estimated.

WAR DEPARTMENT,
OFFICE OF THE ADJUTANT-GENERAL,
Washington, April 25, 1904.

Hon. CHARLES A. CULBERSON,
The Normandie, Washington.

DEAR SENATOR CULBERSON: Complying with your request over the phone this afternoon, I beg to hand you herewith a memorandum showing the costs of the military establishments of England, France, and Germany, including pensions, so far as can be shown from the data on file in the military information division of this Department.

Trusting the memorandum contains the information you desire, I am,
Very truly, yours,

W. P. HALL,
Brigadier-General, Assistant Adjutant-General.

Mr. CULBERSON. The total war budget of Great Britain for 1903 was \$340,996,855; for Germany, \$218,195,218, and for France, \$200,254,953. The total expenses of the military establishment of the United States for 1903 was, in round numbers, \$339,000,000. If the expenses of the British operations in South Africa are excluded, the war budget of the United States for 1903 exceeded that of Great Britain by \$32,000,000; Germany by \$121,000,000, and France by \$139,000,000. The Secretary of the Treasury estimates that the total cost of the military establishment of the United States for 1905, including pensions, will approximate \$387,287,600, which it will be observed still further increases this character of expenditures in the United States over those of Great Britain, France, and Germany.

Mr. ALDRICH. That is for the Army and Navy and pensions, I suppose.

Mr. CULBERSON. I also ask leave to insert as a part of this statement the letter of the Secretary of the Treasury, dated April 25, 1904, in which he gives me the estimates of expenditures for 1905, which I have used in the statement, that I will now send to the desk to have printed.

The PRESIDING OFFICER (Mr. PERKINS in the chair). Is there objection to the request of the Senator from Texas?

Mr. ALDRICH. Before consent is given to print the statement, I desire to have the sum of the expenditures for the several years upon which this statement is based read at the desk.

Mr. CULBERSON. If the Senator from Rhode Island is to pursue that course, I will myself read the statement.

Mr. ALDRICH. I desire to have the expenditure stated.

Mr. CULBERSON. I ask the Senator from Rhode Island if he objects to my having the table printed?

Mr. ALDRICH. I desire to have it read, in order that I may hear it—I refer to the statement of the expenditures for a series of years—so that I may see upon what the comparison is based.

Mr. CULBERSON. As I have stated, these figures are copied from the several reports of the Secretary of the Treasury. Does the Senator want the figures for 1904?

Mr. ALDRICH. I want the Senator to read the figures for the period of Mr. McKinley's Administration and the period of Mr. Cleveland's Administration. I wish to see what his figures are.

Mr. CULBERSON. The total revenues for 1904—

Mr. ALDRICH. I am not talking about revenues. I am talking about expenditures.

Mr. CULBERSON. Four hundred and forty-two million dollars expenditures, in round numbers.

Mr. ALDRICH. What year?

Mr. CULBERSON. Eighteen hundred and ninety-four. Eighteen hundred and ninety-five, \$433,000,000; 1896, \$434,000,000; 1897, \$448,000,000.

Mr. ALDRICH. That is sufficient. I merely wanted to get the basis upon which the statement is made.

Mr. CULBERSON. The basis is the report of the Secretary of the Treasury, in which he states that it includes the total expenditures of the United States for all purposes for each of the several years.

The PRESIDING OFFICER. Without objection, the statement presented by the Senator from Texas will be ordered printed in the RECORD.

The letter of the Secretary of the Treasury referred to is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, April 25, 1904.

Hon. C. A. CULBERSON,
United States Senate.

SIR: In reply to your request of to-day I have the honor to inform you that the estimates of appropriations for the year 1905, as submitted by the several Executive Departments and offices and transmitted to Congress at the beginning of and during the present session, aggregate, in round numbers, as follows:

For the civil establishment, including foreign intercourse, public buildings, collecting the revenues, District of Columbia, and miscellaneous expenses.....	\$165,697,000
For the military establishment, including rivers and harbors, forts, arsenals, seacoast defenses, etc.....	142,294,000
For the naval establishment, including construction of new vessels, machinery, armament, equipment, improvements at navy-yards, etc.....	106,841,000
For Indian affairs.....	10,888,000
For pensions.....	138,152,000
For postal service, payable from postal revenues.....	159,472,000
(Deficiency, \$3,600,000, payable from Treasury and charged in civil establishment.)	
For interest on the public debt.....	24,250,000
Total, exclusive of the sinking fund.....	747,594,000

As the appropriations for the year 1905 have not all been made, it is impossible for the Department to estimate the expenditures falling within the ensuing fiscal year.

Respectfully,

L. M. SHAW, Secretary.

Mr. GORMAN obtained the floor.

Mr. STEWART. I should like to ask the Senator from Texas one question.

Mr. CULBERSON. Certainly.

The PRESIDING OFFICER. Does the Senator from Maryland yield?

Mr. GORMAN. Yes.

Mr. STEWART. Can the Senator inform us whether it would take more or less labor and commodities at present prices to pay the expenses of the Government under Roosevelt or McKinley than it did to pay the expenses of the Government at the then prices under Cleveland? As I understand, the average prices of labor and commodities are double what they were at that time. Consequently, money is worth only half as much. Commodities are worth double. In considering the expenditures of different Administrations we ought to take into account, it seems to me, the value of labor and of commodities in order to see whether the burdens are greater now than they were then.

Mr. GORMAN. Of course there is no intention on the part of anyone to go into the discussion suggested by the Senator from Nevada.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the following bills and joint resolution:

A bill (S. 1750) to provide an American register for the British ship *Pyrenees*;

A bill (S. 5588) to amend an act entitled "An act granting a charter to the General Federation of Women's Clubs," approved March 3, 1901; and

A joint resolution (S. R. 6) to authorize the Secretary of the Navy to donate to the Minnesota Historical Society the steering wheel of the former ship *Minnesota*.

The message also announced that the House had agreed to the amendments of the Senate to the following bills:

A bill (H. R. 5067) to prevent the fraudulent sale of merchandise;

A bill (H. R. 6780) authorizing the Union Pioneer Mining and Trading Company to construct and maintain a bridge across the Catalla Creek, in the District of Alaska;

A bill (H. R. 9773) granting an increase of pension to Absalom Thilts;

A bill (H. R. 11444) to grant certain lands to the State of Ohio; and

A bill (H. R. 13592) granting an increase of pension to Stephen M. Ferguson.

The message further announced that the House had passed a bill (H. R. 15438) to amend section 653 of the Code of Law for the District of Columbia; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the House to the following bills:

A bill (S. 2814) to amend an act entitled "An act to extend the coal-land laws to the district of Alaska," approved June 6, 1900; and

A bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes.

The message further announced that the House had passed a concurrent resolution authorizing the President of the Senate and the Speaker of the House of Representatives to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock post meridian; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also 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. 4713) to authorize the Spuyten Duyvil and Port Morris Railroad Company and its lessee, the New York Central and Hudson River Railroad Company, to build and maintain bridges or other structures for their railroad across the Spuyten Duyvil Creek and the Harlem River north of the Harlem River pier and bulkhead lines as now established in the city of New York;

A bill (S. 3869) for the extension of Albemarle street;

A bill (H. R. 23) in relation to pharmacy in the Indian Territory;

A bill (H. R. 487) granting an increase of pension to Mary J. Waugh;

A bill (H. R. 698) granting an increase of pension to William M. Crow;

A bill (H. R. 740) granting an increase of pension to Ira Meserve;

A bill (H. R. 749) granting an increase of pension to Humphrey M. Glines;

A bill (H. R. 934) granting an increase of pension to Frank Brock;

A bill (H. R. 1093) granting a pension to Rose B. Noa;

A bill (H. R. 1305) granting an increase of pension to Gilbert A. Kenney;

A bill (H. R. 2124) granting an increase of pension to Henry J. Grannis;

A bill (H. R. 2499) granting an increase of pension to Smith Bilderback;

A bill (H. R. 2577) granting an increase of pension to Harmon P. Cole;

A bill (H. R. 2675) granting an increase of pension to Robert J. Tate;

A bill (H. R. 2976) granting an increase of pension to Enoch J. Evans;

A bill (H. R. 3036) granting an increase of pension to William H. Romaine;

A bill (H. R. 3107) granting an increase of pension to James E. Chappell;

A bill (H. R. 3393) for the relief of the Columbia Brewing Company, of Shenandoah, Pa.;

A bill (H. R. 3431) granting an increase of pension to William Basnett;

A bill (H. R. 3921) granting an increase of pension to Madison C. Staves;

A bill (H. R. 3924) granting an increase of pension to Ira Waldo;

A bill (H. R. 4085) to amend an act entitled "An act to establish a code of law for the District of Columbia;"

A bill (H. R. 4152) granting an increase of pension to George B. Hartley;

A bill (H. R. 4379) granting an increase of pension to Alexander Adams;

A bill (H. R. 4398) granting a pension to Ellen A. Wilson;

A bill (H. R. 4572) granting an increase of pension to Peter Lauder;

A bill (H. R. 4573) for the relief of Eugene Patenaude;

A bill (H. R. 4592) granting an increase of pension to John S. Miller;

A bill (H. R. 4584) granting an increase of pension to Daniel A. Butler;

A bill (H. R. 4602) granting an increase of pension to Helim Thompson;

A bill (H. R. 4771) granting a pension to Aaron Taylor;

A bill (H. R. 4891) granting a pension to Julia R. Braxton;

A bill (H. R. 4903) granting an increase of pension to Solomon F. Hallett;

A bill (H. R. 5012) granting an increase of pension to Jacob Reitzel;

A bill (H. R. 5309) granting an increase of pension to John McConnell;

A bill (H. R. 5565) granting a pension to Eliza Workman;

A bill (H. R. 5711) granting an increase of pension to Jacob Chronister;

A bill (H. R. 5725) granting a pension to Grace Dressel;

A bill (H. R. 5839) granting an increase of pension to Thomas Ellmaker;

A bill (H. R. 6111) granting an increase of pension to Edwin A. Morris;

A bill (H. R. 6182) granting a pension to Erastus J. Horton;

A bill (H. R. 6338) granting an increase of pension to Antoinette I. Sawyer;

A bill (H. R. 6493) to ratify and confirm act No. 47 of the legislative assembly of the Territory of Arizona;

A bill (H. R. 6537) granting an increase of pension to Benjamin F. Hawthorn;

A bill (H. R. 6718) granting an increase of pension to James E. Phillips;

A bill (H. R. 6921) for the relief of the estate of Mary P. Gilmore;

A bill (H. R. 7085) granting an increase of pension to William Spiegelberg;

A bill (H. R. 7145) granting an increase of pension to Ambrose L. Hendee;

A bill (H. R. 7373) granting a pension to Harriet J. Woodbury;

A bill (H. R. 7497) granting a pension to Emma A. Webster;

A bill (H. R. 8280) granting an increase of pension to James A. Morrison;

A bill (H. R. 8690) to amend the law relating to taxation in the District of Columbia;

A bill (H. R. 8716) granting an increase of pension to Peter Creager;

A bill (H. R. 9107) granting a pension to Margaret J. Randolph;
 A bill (H. R. 9338) granting an increase of pension to Solon D. Moore;
 A bill (H. R. 9354) granting an increase of pension to John Richmond;
 A bill (H. R. 9365) granting an increase of pension to John S. Edgar;
 A bill (H. R. 9394) granting an increase of pension to Mary Leffler;
 A bill (H. R. 9457) for the relief of Alexander S. Rosenthal;
 A bill (H. R. 9477) granting an increase of pension to George Smith;
 A bill (H. R. 9623) granting an increase of pension to Robert H. Betts;
 A bill (H. R. 9891) confirming the removal of restrictions upon alienation by the Puyallup Indians of the State of Washington of their allotted lands;
 A bill (H. R. 9901) granting a pension to John M. Stoner;
 A bill (H. R. 10029) granting a pension to Charles E. Arnett;
 A bill (H. R. 10208) for the relief of Allegheny College, at Meadville, Pa.;
 A bill (H. R. 10284) granting a pension to Elizabeth Broomall;
 A bill (H. R. 10285) granting an increase of pension to Henry McCreary;
 A bill (H. R. 10306) to authorize a duplicate medal to be struck off and presented to John Horn, of Detroit, Mich., for life-saving;
 A bill (H. R. 10334) granting an increase of pension to John S. Allison;
 A bill (H. R. 10511) for the relief of the estate of Mary Keating;
 A bill (H. R. 10688) for the relief of Johann A. Killian;
 A bill (H. R. 10846) granting an increase of pension to Heinrich Erbstoesser;
 A bill (H. R. 10851) granting an increase of pension to Nancy Smallwood;
 A bill (H. R. 11013) granting an increase of pension to William Flaig;
 A bill (H. R. 11086) granting an increase of pension to Charles W. Crary;
 A bill (H. R. 11262) granting a pension to John Hegarty;
 A bill (H. R. 11335) granting an increase of pension to John Trader;
 A bill (H. R. 11336) granting an increase of pension to Samuel R. Hazen;
 A bill (H. R. 11337) for the relief of G. H. Dearen;
 A bill (H. R. 11374) granting an increase of pension to William Wells;
 A bill (H. R. 11397) granting an increase of pension to William Leonard;
 A bill (H. R. 11486) granting an increase of pension to Samuel B. Loewenstine;
 A bill (H. R. 11827) granting an increase of pension to Daniel Smith;
 A bill (H. R. 11972) to authorize the Ox Bow Power Company, of South Dakota, to construct a dam across the Missouri River;
 A bill (H. R. 12006) granting an increase of pension to Amelia Coster;
 A bill (H. R. 12177) granting an increase of pension to Isaac W. Waters;
 A bill (H. R. 12197) granting an increase of pension to Daniel M. Candor;
 A bill (H. R. 12268) granting an increase of pension to Jane K. Carpenter;
 A bill (H. R. 12348) granting an increase of pension to John Pickering;
 A bill (H. R. 12382) authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes;
 A bill (H. R. 12402) granting a pension to Orson Burlingame;
 A bill (H. R. 12533) to authorize the Paragould and Memphis Railroad Company to construct a bridge across St. Francis River;
 A bill (H. R. 12604) granting a pension to Edward M. Fowler;
 A bill (H. R. 12629) granting a pension to Ida Diamond;
 A bill (H. R. 12702) granting an increase of pension to Margaret C. Howarth;
 A bill (H. R. 12861) granting an increase of pension to Bartlett J. Mingus;
 A bill (H. R. 13000) granting an increase of pension to Robert Elliott;
 A bill (H. R. 13173) granting an increase of pension to Mary E. Houghton;
 A bill (H. R. 13218) for the relief of Adolph Weinhold;
 A bill (H. R. 13272) granting a pension to Delana A. Lynch;
 A bill (H. R. 13347) granting an increase of pension to William C. Crumbaugh;
 A bill (H. R. 13373) granting an increase of pension to William W. Dennis;

A bill (H. R. 13391) granting an increase of pension to Garret I. Post;
 A bill (H. R. 13404) granting a pension to Emanuel Peck;
 A bill (H. R. 13437) granting a pension to William P. Crawford;
 A bill (H. R. 13490) granting an increase of pension to Henry Good;
 A bill (H. R. 13586) granting an increase of pension to Abraham Harris;
 A bill (H. R. 13605) granting a pension to Elizabeth E. Conatt;
 A bill (H. R. 13636) granting a pension to George S. Noland;
 A bill (H. R. 13690) granting an increase of pension to Cephas H. John;
 A bill (H. R. 13773) to provide for the settlement of certain outstanding checks drawn by the disbursing officers of the District of Columbia;
 A bill (H. R. 13805) granting a pension to Emma W. Hays;
 A bill (H. R. 13816) granting a pension to Annie Hynes;
 A bill (H. R. 13886) granting an increase of pension to Thomas Maher;
 A bill (H. R. 13911) granting an increase of pension to Calvin Hitt;
 A bill (H. R. 14001) granting an increase of pension to Leslie C. Armour;
 A bill (H. R. 14141) granting an increase of pension to King Kerley;
 A bill (H. R. 14153) granting an increase of pension to Peter C. Wood;
 A bill (H. R. 14201) granting an increase of pension to James W. Smith;
 A bill (H. R. 14204) granting a pension to John B. Hobday;
 A bill (H. R. 14308) granting an increase of pension to Archie C. Fisk;
 A bill (H. R. 14336) granting an increase of pension to Everton J. Conger;
 A bill (H. R. 14308) granting an increase of pension to William Neuberger;
 A bill (H. R. 14416) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes;
 A bill (H. R. 14424) for the extension of Wyoming avenue to Twenty-third street west;
 A bill (H. R. 14437) granting an increase of pension to Daniel White;
 A bill (H. R. 14464) granting an increase of pension to Elizabeth B. Yount;
 A bill (H. R. 14484) granting an increase of pension to Charles W. Lee;
 A bill (H. R. 14490) granting a pension to Degraphenreed P. McKinley;
 A bill (H. R. 14524) granting a pension to Jennie A. Brown;
 A bill (H. R. 14578) granting a pension to Edward Taylor;
 A bill (H. R. 14611) granting a pension William L. Beverly;
 A bill (H. R. 14630) granting a pension to Augustus Finley, now known as Davis;
 A bill (H. R. 14631) granting a pension to William T. Spencer;
 A bill (H. R. 14641) granting a pension Allan Dunning;
 A bill (H. R. 14508) granting an increase of pension to John Brady;
 A bill (H. R. 14511) granting an increase of pension to Robert R. Keys;
 A bill (H. R. 14512) granting an increase of pension to Thomas L. Sweeney;
 A bill (H. R. 14521) granting an increase of pension to Samuel H. Phillips;
 A bill (H. R. 14531) granting an increase of pension to Prince A. Gatchell;
 A bill (H. R. 14541) granting an increase of pension to Azariah S. Elwood;
 A bill (H. R. 14572) granting an increase of pension to Alexander P. Nelson;
 A bill (H. R. 14592) granting an increase of pension to Alfred B. Scovill;
 A bill (H. R. 14612) granting an increase of pension to Myron Imas;
 A bill (H. R. 14636) granting an increase of pension to James R. Fletcher;
 A bill (H. R. 14637) granting an increase of pension to William Kimbrough;
 A bill (H. R. 14638) granting an increase of pension to Park Ivory;
 A bill (H. R. 14639) granting an increase of pension to Joseph J. Mead;
 A bill (H. R. 14640) granting an increase of pension to Caroline McGimsey;
 A bill (H. R. 14702) granting a pension to Mary E. Dunford;

A bill (H. R. 14747) granting an increase of pension to Symphorosa Bartley;

A bill (H. R. 14801) granting a pension to John W. Shrader;

A bill (H. R. 14802) granting an increase of pension to Thomas C. Wiley;

A bill (H. R. 14859) granting an increase of pension to Matthias Ridenour;

A bill (H. R. 14865) granting an increase of pension to Mercy J. Wilder;

A bill (H. R. 14870) granting an increase of pension to William Hougendobler;

A bill (H. R. 14876) granting an increase of pension to Francis Stadler, jr.;

A bill (H. R. 14882) granting a pension to Mary Dingler;

A bill (H. R. 14884) granting an increase of pension to William Huffman;

A bill (H. R. 14890) granting an increase of pension to Allen R. Harris;

A bill (H. R. 14938) granting a pension to Francis Rogers;

A bill (H. R. 14992) granting an increase of pension to Phebe A. Daw;

A bill (H. R. 14894) granting an increase of pension to John Gideon;

A bill (H. R. 15076) granting an increase of pension to Lawrence Le Bron;

A bill (H. R. 15126) granting an increase of pension to Joseph A. Cox;

A bill (H. R. 15148) granting an increase of pension to Armour W. Patterson;

A bill (H. R. 15183) granting a pension to Ella F. Kennealy;

A bill (H. R. 15204) granting an increase of pension to Mary Taggart;

A joint resolution (H. J. Res. 29) providing for the transfer of certain military rolls and records from the Interior and other Departments to the War Department; and

A joint resolution (H. J. Res. 102) relating to the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerent powers.

HOUSE BILL REFERRED.

The bill (H. R. 14468) to authorize the sale and disposition of surplus or unallotted lands in the Yakima Indian Reservation, in the State of Washington, was read twice by its title, and referred to the Committee on Indian Affairs.

GOVERNMENT OF CANAL ZONE.

Mr. KITTREDGE submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5342) to provide for the temporary government of the canal zone at Panama, the protection of the canal works, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House, and agree to the same with amendments as follows: Restore all of section 1 of the bill, proposed to be stricken out by said amendment, and in lieu of the matter proposed to be inserted by said amendment of the House insert the following:

"SEC. 2. That until the expiration of the Fifty-eighth Congress, unless provision for the temporary government of the canal zone be sooner made by Congress, all the military, civil, and judicial powers as well as the power to make all rules and regulations necessary for the government of the canal zone, and all the rights, powers, and authority granted by the terms of said treaty to the United States shall be vested in such person or persons and shall be exercised in such manner as the President shall direct for the government of said zone and maintaining and protecting the inhabitants thereof in the free enjoyment of their liberty, property, and religion."

And the House agree to the same.

A. B. KITTREDGE,

A. J. HOPKINS,

Managers on the part of the Senate.

W. P. HEPBURN,

W. C. LOVERING,

W. C. ADAMSON,

Managers on the part of the House.

The report was agreed to.

FINAL ADJOURNMENT.

Mr. ALLISON. I ask unanimous consent for the present consideration of the concurrent resolution relating to final adjournment, just received from the House of Representatives.

The PRESIDENT pro tempore laid before the Senate the concurrent resolution from the House of Representatives; and it was considered by unanimous consent, and agreed to, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the 28th day of April, 1904, at 2 o'clock p. m.

EXPENDITURES OF THE GOVERNMENT.

Mr. GORMAN addressed the Senate. After having spoken a few moments—

Mr. HALE. I do not desire to take the floor from the Senator from Maryland, but will he yield to me for a moment?

Mr. GORMAN. Certainly.

Mr. HALE. We are now on Wednesday's session. This session, of course, should be terminated by a motion to adjourn. Undoubtedly the Senator from Maryland will be recognized when Thursday's session commences. I move that the Senate adjourn.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The Chair will state to the Senator from Maryland that he will immediately recognize him upon the convening of the Senate on its Thursday's session.

The question is on agreeing to the motion of the Senator from Maine that the Senate adjourn.

The motion was agreed to; and (at 11 o'clock and 58 minutes a. m., Thursday, April 28, 1904) the Senate adjourned until 12 o'clock meridian, Thursday, April 28, 1904.

NOMINATIONS.

Executive nominations received by the Senate April 26, 1904.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

José C. Barbosa, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904. This is a reappointment.

Andres Crosas, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904. This is a reappointment.

Hermínio Díaz y Nazario, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904, vice Rosendo Martienzo Cintron.

ASSISTANT APPRAISER OF MERCHANDISE.

H. Morgan Ruth, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania, to succeed Fred P. Vincent, promoted.

PROMOTIONS IN THE ARMY.

Military Secretary's Department.

Brig. Gen. Fred C. Ainsworth, Chief of the Record and Pension Office of the War Department, to be the Military Secretary with the rank of major-general, with rank from April 23, 1904.

Col. William P. Hall, assistant adjutant-general, to be assistant adjutant-general with the rank of brigadier-general, with rank from April 23, 1904.

POSTMASTERS.

CALIFORNIA.

Arthur J. Chittenden to be postmaster at Corning, in the county of Tehama and State of California, in place of Ollie McKellar. Incumbent's commission expires April 27, 1904.

COLORADO.

David James to be postmaster at Loveland, in the county of Larimer and State of Colorado, in place of David James. Incumbent's commission expires May 4, 1904.

FLORIDA.

John F. Stunkel to be postmaster at Leesburg, in the county of Lake and State of Florida, in place of John F. Stunkel. Incumbent's commission expires May 28, 1904.

Thomas H. Alexander to be postmaster at White Springs, in the county of Hamilton and State of Florida. Office became Presidential July 1, 1903.

ILLINOIS.

John W. Campbell to be postmaster at Morrisonville, in the county of Christian and State of Illinois, in place of John W. Campbell. Incumbent's commission expired January 25, 1904.

William S. Rice to be postmaster at Carmi, in the county of White and State of Illinois, in place of William S. Rice. Incumbent's commission expires May 26, 1904.

John R. Snook to be postmaster at Altamont, in the county of Effingham and State of Illinois, in place of John R. Snook. Incumbent's commission expired April 12, 1904.

INDIANA.

Robert F. Brammer to be postmaster at Albany, in the county of Delaware and State of Indiana, in place of Coursen J. Stright. Incumbent's commission expired January 10, 1902.

Japhet F. Lehman to be postmaster at Berne, in the county of Adams and State of Indiana, in place of Japhet F. Lehman. Incumbent's commission expired January 23, 1904.

Henry F. Radcliff to be postmaster at Pierceton, in the county of Kosciusko and State of Indiana, in place of Henry F. Radcliff. Incumbent's commission expired April 12, 1904.

IOWA.

Samuel H. Hall to be postmaster at Lime Spring, in the county of Howard and State of Iowa. Office became Presidential April 1, 1904.

Victor Nelson to be postmaster at Gowrie, in the county of Webster and State of Iowa, in place of Victor Nelson. Incumbent's commission expires May 22, 1904.

William G. Ross to be postmaster at Fairfield, in the county of Jefferson and State of Iowa, in place of Charles M. Junkin, resigned.

E. M. Smith to be postmaster at Winterset, in the county of Madison and State of Iowa, in place of James W. Miller. Incumbent's commission expired December 13, 1903.

KANSAS.

George W. Hook to be postmaster at Sabetha, in the county of Nemaha and State of Kansas, in place of Jacob A. Constant. Incumbent's commission expires May 28, 1904.

LOUISIANA.

Edward Eagles to be postmaster at Winnfield, in the parish of Winn and State of Louisiana. Office became Presidential April 1, 1904.

MASSACHUSETTS.

Orick H. Kelley to be postmaster at North Plymouth, in the county of Plymouth and State of Massachusetts, in place of Orick H. Kelley. Incumbent's commission expires April 27, 1904.

MINNESOTA.

Edward L. Bjorkquist to be postmaster at Moorhead, in the county of Clay and State of Minnesota, in place of Edward L. Bjorkquist. Incumbent's commission expires June 5, 1904.

NEBRASKA.

Thomas A. Boyd to be postmaster at Beaver City, in the county of Furnas and State of Nebraska, in place of William T. Ager, resigned.

G. J. Crook to be postmaster at Falls City, in the county of Richardson and State of Nebraska, in place of Ellis O. Lewis. Incumbent's commission expired February 23, 1903.

NEW JERSEY.

George W. Pollitt to be postmaster at Paterson, in the county of Passaic and State of New Jersey, in place of George W. Pollitt. Incumbent's commission expires May 28, 1904.

NEW YORK.

Clarence M. Alvord to be postmaster at Livonia, in the county of Livingston and State of New York, in place of Clarence M. Alvord. Incumbent's commission expires May 4, 1904.

John H. McGrath to be postmaster at New Lebanon, in the county of Columbia and State of New York, in place of John H. McGrath. Incumbent's commission expires May 4, 1904.

Solomon A. Royce to be postmaster at Liberty, in the county of Sullivan and State of New York, in place of Clarence A. Sprague. Incumbent's commission expires May 28, 1904.

William Watson to be postmaster at Warsaw, in the county of Wyoming and State of New York, in place of William Watson. Incumbent's commission expires May 28, 1904.

Francis Worden to be postmaster at Coxsackie, in the county of Greene and State of New York, in place of Francis Worden. Incumbent's commission expires May 4, 1904.

OHIO.

Thomas G. Moore to be postmaster at Barnesville, in the county of Belmont and State of Ohio, in place of Thomas G. Moore. Incumbent's commission expires May 4, 1904.

OKLAHOMA.

Adolph Bollenbach to be postmaster at Weatherford, in the county of Custer and Territory of Oklahoma, in place of John W. Rice. Incumbent's commission expires April 27, 1904.

PENNSYLVANIA.

Daniel G. Engle to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania, in place of Daniel G. Engle. Incumbent's commission expired April 16, 1904.

J. F. Fenstermacher to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania, in place of Frank G. Pennell, deceased.

John H. Glasser to be postmaster at Monaca, in the county of Beaver and State of Pennsylvania, in place of John H. Glasser. Incumbent's commission expires May 28, 1904.

Henry F. Hershey to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania, in place of Henry F. Hershey. Incumbent's commission expired April 16, 1904.

Anne D. Moore to be postmaster at Avondale, in the county of Chester and State of Pennsylvania, in place of Anne D. Moore. Incumbent's commission expires May 28, 1904.

John Roland to be postmaster at New Holland, in the county of Lancaster and State of Pennsylvania. Office became Presidential January 1, 1904.

James E. Rupert to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania, in place of James E. Rupert. Incumbent's commission expires April 27, 1904.

SOUTH CAROLINA.

James W. Johnson to be postmaster at Marion, in the county of Marion and State of South Carolina, in place of James W. Johnson. Incumbent's commission expires May 26, 1904.

TENNESSEE.

Sallie J. Massey to be postmaster at Sevierville, in the county of Sevier and State of Tennessee. Office became Presidential April 1, 1904.

TEXAS.

Anderson L. Davis to be postmaster at Gonzales, in the county of Gonzales and State of Texas, in place of Anderson L. Davis. Incumbent's commission expired January 27, 1903.

WEST VIRGINIA.

John E. Houston to be postmaster at Davis, in the county of Tucker and State of West Virginia, in place of Sumner W. Thompson, resigned.

Charles M. Jenks to be postmaster at Tug River, in the county of McDowell and State of West Virginia. Office became Presidential April 1, 1904.

WISCONSIN.

Frank B. Goodhue to be postmaster at Whitewater, in the county of Walworth and State of Wisconsin, in place of Iram Z. Merriam. Incumbent's commission expired February 19, 1904.

GOVERNOR OF PORTO RICO.

Beekman Winthrop, of New York, to be the governor of Porto Rico for the term of four years from July 1, 1904, vice William H. Hunt, resigned.

PROMOTIONS IN THE NAVY.

Gunner James Shannon to be a chief gunner in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), having completed ten years' service in his present grade.

Gunner William G. Moore to be a chief gunner in the Navy from the 17th day of April, 1904 (subject to the examinations required by law), having completed ten years' service in his present grade.

PROMOTIONS IN THE MARINE CORPS.

Maj. Thomas N. Wood to be a lieutenant-colonel in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Lieut. Col. William F. Spicer, retired.

Capt. Robert M. Dutton to be a major in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Maj. Thomas N. Wood, promoted.

First Lieut. John H. A. Day to be a captain in the United States Marine Corps from the 6th day of March, 1904 (subject to the examinations required by law), vice Capt. Robert M. Dutton, promoted.

Second lieutenants in the United States Marine Corps to be first lieutenants.

Albert N. Brunzell.

Louis G. Miller.

Daniel W. B. Blake.

William E. Smith.

Raymond B. Sullivan.

Fred A. Udell.

Howard H. Kipp.

Harvey C. Egan.

Gerard M. Kincade.

Frederic Kensel.

Hugh McC. Howard.

Elias R. Beadle.

Arthur B. Owens.

Eugene P. Fortson.

Second Lieut. Clarence S. Owen to be a first lieutenant in the United States Marine Corps from the 14th day of April, 1904 (subject to the examinations required by law), vice First Lieut. John P. V. Gridley, deceased.

PROMOTIONS IN THE NAVY.

Assistant Paymaster Howard D. Lamar to be a passed assistant paymaster in the Navy from the 3d day of March, 1903 (subject to the examinations required by law), vice P. A. Paymaster Perry G. Kennard, promoted.

P. A. Paymaster Christian J. Peoples to be a paymaster in the Navy from the 27th day of December, 1903 (subject to the examinations required by law), vice Paymaster Samuel L. Heap, promoted.

Assistant Paymaster Alvin Hovey-King to be a passed assistant paymaster in the Navy from the 27th day of December, 1903 (subject to the examinations required by law), vice P. A. Paymaster Christian J. Peoples, promoted.

Pay Inspector John R. Martin to be a pay director in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Pay Director John B. Redfield, retired.

Paymaster James S. Phillips to be a pay inspector in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Pay Inspector John R. Martin, promoted.

P. A. Paymaster William B. Rogers to be a paymaster in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice Paymaster James S. Phillips, promoted.

Assistant Paymaster George A. Deering to be a passed assistant paymaster in the Navy from the 13th day of April, 1904 (subject to the examinations required by law), vice P. A. Paymaster William B. Rogers, promoted.

Surg. Phillips A. Lovering to be a medical inspector in the Navy from the 9th day of June, 1903 (subject to the examinations required by law), vice Medical Inspector Manly H. Simons, promoted.

P. A. Surg. Cary D. Langhorne to be a surgeon in the Navy from the 9th day of June, 1903 (subject to the examinations required by law), vice Surg. Phillips A. Lovering, promoted.

P. A. Surg. Joseph C. Thompson to be a surgeon in the Navy from the 20th day of June, 1903 (subject to the examinations required by law), vice Surg. William R. Du Bose, promoted.

Asst. Surg. Robert E. Ledbetter to be a passed assistant surgeon in the Navy from the 19th day of October, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

Asst. Surg. Charles St. J. Butler to be a passed assistant surgeon in the Navy (subject to the examinations required by law) from the 26th day of October, 1903, having completed three years' service in his present grade.

Asst. Surg. John M. Brister to be a passed assistant surgeon in the Navy from the 14th day of December, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

Asst. Surg. Herbert O. Shiffert to be a passed assistant surgeon in the Navy from the 26th day of December, 1903 (subject to the examinations required by law), having completed three years' service in his present grade.

P. A. Surg. Frederick L. Benton to be a surgeon in the Navy from the 29th day of December, 1903 (subject to the examinations required by law), vice P. A. Surg. Joseph A. Guthrie, suspended.

P. A. Surg. Joseph A. Guthrie to be a surgeon in the Navy from the 10th day of March, 1904 (subject to the examinations required by law), vice Surg. Daniel H. Morgan, retired.

P. A. Surg. Ralph T. Orvis to be a surgeon in the Navy from the 20th day of April, 1904 (subject to the examinations required by law), vice Surg. Will F. Arnold, retired.

Lieut. (Junior Grade) Cyrus R. Miller to be a lieutenant in the Navy from the 23d day of September, 1903 (subject to the examinations required by law), vice Lieut. James G. Doyle, promoted.

Lieut. Harry G. Leopold to be a lieutenant-commander in the Navy from the 11th day of October, 1903 (subject to the examinations required by law), vice Lieut. Commander Cameron McR. Winslow, promoted.

Lieut. (Junior Grade) Luther M. Overstreet to be a lieutenant in the Navy from the 11th day of October, 1903 (subject to the examinations required by law), vice Lieut. Harry A. Field, promoted.

Lieut. (Junior Grade) Hilary Williams to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), vice Lieut. Chester M. Knepper, promoted.

Lieut. (Junior Grade) Robert W. Henderson to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the

examinations required by law), to fill a vacancy created by the act of Congress approved March 3, 1903.

Lieut. (Junior Grade) John Halligan, jr., to be a lieutenant in the Navy from the 1st day of January, 1904 (subject to the examinations required by law), to fill a vacancy created by the act of Congress approved March 3, 1903.

Lieut. Clarence S. Williams to be a lieutenant-commander in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Commander Alexander Sharp, promoted.

Lieut. John D. McDonald to be a lieutenant-commander in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Commander Walter S. Hughes, promoted.

Lieut. (Junior Grade) Alexander N. Mitchell to be a lieutenant in the Navy from the 4th day of February, 1904 (subject to the examinations required by law), vice Lieut. Frank K. Hill, promoted.

Lieut. Commander Fidelio S. Carter to be a commander in the Navy from the 17th day of February, 1904 (subject to the examinations required by law), vice Commander William H. Everett, promoted.

Lieut. (Junior Grade) William P. Cronan to be a lieutenant in the Navy from the 17th day of February, 1904 (subject to the examinations required by law), vice Lieut. Walter O. Hulme, promoted.

Lieut. Commander Harry H. Hosley to be a commander in the Navy from the 15th day of March, 1904 (subject to the examinations required by law), vice Commander John M. Hawley, promoted.

Lieut. (Junior Grade) Zeno E. Briggs to be a lieutenant in the Navy from the 15th day of March, 1904 (subject to the examinations required by law), vice Lieut. Hilary P. Jones, jr., promoted.

Lieut. Commander Frank E. Beatty to be a commander in the Navy from the 18th day of March, 1904 (subject to the examinations required by law), vice Commander William E. Sewell, deceased.

Lieut. (Junior Grade) William B. Wells to be a lieutenant in the Navy from the 9th day of April, 1904 (subject to the examinations required by law), vice Lieut. Henry K. Benham, deceased.

Lieut. (Junior Grade) Clarence A. Abele to be a lieutenant in the Navy from the 14th day of April, 1904 (subject to the examinations required by law), vice Lieut. William C. Davidson, deceased.

Commander Frederic Singer to be a captain in the Navy from the 4th day of February, 1904, vice Capt. James K. Cogswell, an additional number in grade.

Ensigns to be lieutenants (junior grade) in the Navy.

John T. Beckner.
Herbert H. Evans.
Samuel I. M. Major.
Frank O. Branch.
Ralph E. Pope.
John E. Lewis.

Lieutenants in the Navy to be lieutenant-commanders.

Alexander S. Halstead.
James E. Palmer.
Harry A. Field.

TO BE ASSISTANT SURGEONS IN THE NAVY.

Lewis H. Wheeler, a citizen of Connecticut.
John Flint, a citizen of Massachusetts.
James L. Belknap, a citizen of Massachusetts.
Henry A. May, a citizen of Maryland.

UNITED STATES MARSHAL.

Edward S. Wilson, of Porto Rico, to be United States marshal in and for the district of Porto Rico. A reappointment, his term expiring June 4, 1904.

APPOINTMENT IN THE ARMY.

To be brigadier-general on the retired list.

Col. Timothy E. Wilcox, assistant surgeon-general, to rank from April 26, 1904, on which date he will be retired from active service by operation of law, on account of age.

UNITED STATES DISTRICT JUDGE.

Charles F. McKenna, of Pennsylvania, to be United States district judge for the district of Porto Rico, vice William H. Holt, whose term will expire June 4, 1904.

CAPTAIN ON ACTIVE LIST OF NAVY.

Capt. Seth M. Ackley, now on the retired list, to be a captain on the active list of the Navy, from the 8th day of April, 1904, to rank next after Capt. Charles T. Hutchins, and to be additional to the number of the grade of captain, or of that grade to which he

may be promoted, in accordance with the provisions of an act of Congress approved April 8, 1904.

PROMOTIONS IN THE ARMY.

Military Secretary's Department.

Lieut. Col. Henry P. McCain, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, April 23, 1904, vice Hall, promoted.

Maj. John Tweedale, Assistant Chief of the Record and Pension Office, to be assistant adjutant-general with the rank of lieutenant-colonel, April 23, 1904, vice McCain, promoted.

APPOINTMENT IN THE ARMY.

Military Secretary's Department.

Capt. Henry A. Barber, Twenty-eighth Infantry, to be Assistant Chief of the Record and Pension Office with the rank of major, April 26, 1904, vice Tweedale promoted.

PROMOTIONS IN THE ARMY.

Medical department.

Lieut. Col. Valery Havard, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, April 26, 1904, vice Wilcox, retired from active service.

Maj. William H. Corbusier, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 26, 1904, vice Havard, promoted.

Capt. Charles F. Kieffer, assistant surgeon, to be surgeon with the rank of major, April 26, 1904, vice Corbusier, promoted.

To be colonels.

Lieut. Col. Alexander M. Miller, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Lieut. Col. Milton B. Adams, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Lieut. Col. William R. Livermore, Corps of Engineers, April 23, 1904, to fill an original vacancy.

To be lieutenant-colonels.

Maj. Richard L. Hoxie, Corps of Engineers, April 23, 1904, vice Miller, promoted.

Maj. William L. Marshall, Corps of Engineers, April 23, 1904, vice Adams, promoted.

Maj. Joseph H. Willard, Corps of Engineers, April 23, 1904, vice Livermore, promoted.

Maj. William H. Bixby, Corps of Engineers, April 23, 1904, to fill an original vacancy.

Maj. William T. Russell, Corps of Engineers, April 23, 1904, to fill an original vacancy.

To be majors.

Capt. Graham D. Fitch, Corps of Engineers, April 23, 1904, vice Hoxie, promoted.

Capt. Cassius E. Gillette, Corps of Engineers, April 23, 1904, vice Marshall, promoted.

Capt. David Du B. Gaillard, Corps of Engineers, April 23, 1904, vice Willard, promoted.

Capt. Harry Taylor, Corps of Engineers, April 23, 1904 (subject to examination required by law), vice Bixby, promoted.

To be captains.

First Lieut. Edwin R. Stuart, Corps of Engineers, April 23, 1904, vice Fitch, promoted.

First Lieut. George M. Hoffman, Corps of Engineers, April 23, 1904, vice Gillette, promoted.

To be first lieutenants.

Second Lieut. Arthur Williams, Corps of Engineers, April 23, 1904, vice Stuart, promoted.

Second Lieut. Wildurr Willing, Corps of Engineers, April 23, 1904, vice Hoffman, promoted.

Executive nominations received by the Senate April 27, 1904.

CIRCUIT JUDGE.

Jeter C. Pritchard, of North Carolina, now serving as associate justice of the supreme court of the District of Columbia, to be United States circuit judge for the fourth judicial circuit, vice Charles H. Simonton, deceased.

APPOINTMENTS IN THE MARINE-HOSPITAL SERVICE.

Joseph Pettyjohn, of Georgia, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Francis H. McKeon, of Connecticut, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Ernest A. Sweet, of Massachusetts, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

Robert D. Spratt, of Alabama, to be an assistant surgeon in the Public Health and Marine-Hospital Service of the United States.

POSTMASTERS.

ILLINOIS.

Harry Whitver to be postmaster at Walnut, in the county of Bureau and State of Illinois, in place of Watson D. Morlan, resigned.

MICHIGAN.

Arthur M. Hawkins to be postmaster at Clayton, in the county of Lenawee and State of Michigan, in place of Ralph Taylor. Incumbent's commission expires April 27, 1904.

MINNESOTA.

Rowland Arundel to be postmaster at Staples, in the county of Todd and State of Minnesota, in place of Rowland Arundel. Incumbent's commission expires May 28, 1904.

PENNSYLVANIA.

Harry L. Cooper to be postmaster at Edinboro, in the county of Erie and State of Pennsylvania, in place of Harry L. Cooper. Incumbent's commission expired January 17, 1904.

Delos A. Wright to be postmaster at Union City, in the county of Erie and State of Pennsylvania, in place of Delos A. Wright. Incumbent's commission expires June 5, 1904.

RHODE ISLAND.

Walter Price to be postmaster at Westerly, in the county of Washington and State of Rhode Island, in place of Walter Price. Incumbent's commission expires May 24, 1904.

TEXAS.

C. E. Dodge to be postmaster at Port Arthur, in the county of Jefferson and State of Texas, in place of Darwin H. Barnes. Incumbent's commission expired February 15, 1903.

WITHDRAWAL.

Executive nomination withdrawn April 26, 1904.

John E. Albright to be postmaster at Mount Airy, in the State of North Carolina.

CONFIRMATIONS.

Executive nominations confirmed by the Senate April 27, 1904.

GOVERNOR OF PORTO RICO.

Beekman Winthrop, of New York, to be the governor of Porto Rico for the term of four years from July 1, 1904.

SOLICITOR OF DEPARTMENT OF COMMERCE AND LABOR.

William Miller Collier, of New York, to be solicitor of the Department of Commerce and Labor, under the provisions of the act approved March 18, 1904, entitled "An act making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1905, and for other purposes."

UNITED STATES ATTORNEY.

Charles H. Brown, of New York, to be United States attorney for the western district of New York.

COLLECTORS OF CUSTOMS.

Isaiah J. McCottrie, of South Carolina, to be collector of customs for the district of Georgetown, in the State of South Carolina.

Charles A. Judson, of Ohio, to be collector of customs for the district of Sandusky, in the State of Ohio.

ASSISTANT APPRAISER OF MERCHANDISE.

H. Morgan Ruth, of Pennsylvania, to be assistant appraiser of merchandise in the district of Philadelphia, in the State of Pennsylvania.

MEMBERS OF EXECUTIVE COUNCIL OF PORTO RICO.

Hermilo Diaz y Nazario, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

Andres Crosas, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

José C. Barbosa, of Porto Rico, to be a member of the executive council of Porto Rico for the term of four years from June 5, 1904.

MARSHALS.

Edward S. Wilson, of Porto Rico, to be United States marshal in and for the district of Porto Rico.

James M. Shoup, of Alaska, to be United States marshal for the district of Alaska, division No. 1.

PROMOTIONS IN THE REVENUE-CUTTER SERVICE.

First Asst. Engineer Hermann Kotzschmar, jr., to be a chief engineer with the rank of first lieutenant in the Revenue-Cutter Service of the United States.

Second Asst. Engineer Michael N. Usina to be a first assistant engineer with the rank of second lieutenant in the Revenue-Cutter Service of the United States.

PROMOTIONS IN THE ARMY.

ARTILLERY CORPS.

To be captains.

First Lieut. Elijah B. Martindale, jr., Artillery Corps, January 21, 1904.

First Lieut. John W. Kilbreth, jr., Artillery Corps, April 1, 1904.

First Lieut. Le Vert Coleman, Artillery Corps, April 7, 1904.

To be first lieutenants.

Second Lieut. Laurin L. Lawson, Artillery Corps, December 14, 1903.

Second Lieut. William K. Moore, Artillery Corps, January 2, 1904.

SUBSISTENCE DEPARTMENT.

Capt. Alexander M. Davis, commissary, to be commissary with the rank of major, March 17, 1904.

INFANTRY ARM.

First Lieut. William H. Jordan, jr., Eighteenth Infantry, to be captain, April 14, 1904.

First Lieut. Courtland Nixon, Second Infantry, to be captain, April 14, 1904.

MILITARY SECRETARY'S DEPARTMENT.

Lieut. Col. Henry P. McCain, assistant adjutant-general, to be assistant adjutant-general with the rank of colonel, April 23, 1904.

Maj. John Tweedale, Assistant Chief of the Record and Pension Office, to be assistant adjutant-general with the rank of lieutenant-colonel, April 23, 1904.

MEDICAL DEPARTMENT.

Lieut. Col. Valery Havard, deputy surgeon-general, to be assistant surgeon-general with the rank of colonel, April 26, 1904.

Maj. William H. Corbusier, surgeon, to be deputy surgeon-general with the rank of lieutenant-colonel, April 26, 1904.

Capt. Charles F. Kieffer, assistant surgeon, to be surgeon with the rank of major, April 26, 1904.

CORPS OF ENGINEERS.

To be colonels.

Lieut. Col. Alexander M. Miller, Corps of Engineers, April 23, 1904.

Lieut. Col. Milton B. Adams, Corps of Engineers, April 23, 1904.

Lieut. Col. William R. Livermore, Corps of Engineers, April 23, 1904.

To be lieutenant-colonels.

Maj. Richard L. Hoxie, Corps of Engineers, April 23, 1904.

Maj. William L. Marshall, Corps of Engineers, April 23, 1904.

Maj. Joseph H. Willard, Corps of Engineers, April 23, 1904.

Maj. William H. Bixby, Corps of Engineers, April 23, 1904.

Maj. William T. Rossell, Corps of Engineers, April 23, 1904.

To be majors.

Capt. Graham D. Fitch, Corps of Engineers, April 23, 1904.

Capt. Cassius E. Gillette, Corps of Engineers, April 23, 1904.

Capt. David Du B. Gaillard, Corps of Engineers, April 23, 1904.

Capt. Harry Taylor, Corps of Engineers, April 23, 1904 (subject to examination required by law).

To be captains.

First Lieut. Edwin R. Stuart, Corps of Engineers, April 23, 1904.

First Lieut. George M. Hoffman, Corps of Engineers, April 23, 1904.

To be first lieutenants.

Second Lieut. Arthur Williams, Corps of Engineers, April 23, 1904.

Second Lieut. Wildurr Willing, Corps of Engineer, April 23, 1904.

APPOINTMENTS IN THE ARMY.

MILITARY SECRETARY'S DEPARTMENT.

Brig. Gen. Fred C. Ainsworth, Chief of the Record and Pension Office of the War Department, to be the Military Secretary with the rank of major-general, with rank from April 23, 1904.

Col. William P. Hall, assistant adjutant-general, to be assistant adjutant-general with the rank of brigadier-general, with rank from April 23, 1904.

Capt. Henry A. Barber, Twenty-eighth Infantry, to be Assistant Chief of the Record and Pension Office with the rank of major, April 26, 1904.

To be brigadier-general on the retired list.

Col. Timothy E. Wilcox, assistant surgeon-general, to rank from April 26, 1904, on which date he will be retired from active service by operation of law on account of age.

PROMOTIONS IN THE NAVY.

Lieut. (Junior Grade) Cyrus R. Miller to be a lieutenant in the Navy from the 23d day of September, 1903 (subject to the examinations required by law).

Lieut. Harry G. Leopold to be a lieutenant-commander in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Luther M. Overstreet to be a lieutenant in the Navy from the 11th day of October, 1903.

Lieut. (Junior Grade) Hilary Williams to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) Robert W. Henderson to be a lieutenant in the Navy from the 1st day of January, 1904.

Lieut. (Junior Grade) John Halligan, jr., to be a lieutenant in the Navy from the 1st day of January, 1904.

The following-named ensigns to be lieutenants (junior grade) in the Navy from the 28th day of January, 1904:

John T. Beckner.

Herbert H. Evans.

Samuel I. M. Major.

Frank O. Branch.

Lieut. Clarence S. Williams to be a lieutenant-commander in the Navy from the 4th day of February, 1904.

Lieut. John D. McDonald to be a lieutenant-commander in the Navy from the 4th day of February, 1904.

Lieut. (Junior Grade) Alexander N. Mitchell to be a lieutenant in the Navy from the 4th day of February, 1904.

Lieut. Commander Fidelio S. Carter to be a commander in the Navy from the 17th day of February, 1904.

Lieut. (Junior Grade) William P. Cronan to be a lieutenant in the Navy from the 17th day of February, 1904.

Lieut. Commander Harry H. Hosley to be a commander in the Navy from the 15th day of March, 1904.

Lieut. (Junior Grade) Zeno E. Briggs to be a lieutenant in the Navy from the 15th day of March, 1904.

Lieut. Commander Frank E. Beatty to be a commander in the Navy from the 18th day of March, 1904.

Lieut. (Junior Grade) William B. Wells to be a lieutenant in the Navy from the 9th day of April, 1904.

Lieut. (Junior Grade) Clarence A. Abele to be a lieutenant in the Navy from the 14th day of April, 1904.

Surg. Phillips A. Lovering to be a medical inspector in the Navy from the 9th day of June, 1903.

P. A. Surg. Cary D. Langhorne to be a surgeon in the Navy from the 9th day of June, 1903.

P. A. Surg. Joseph C. Thompson to be a surgeon in the Navy from the 20th day of June, 1903.

Asst. Surg. Robert E. Ledbetter to be a passed assistant surgeon in the Navy from the 19th day of October, 1903.

Asst. Surg. Charles St. J. Butler to be a passed assistant surgeon in the Navy from the 26th day of October, 1903.

Asst. Surg. John M. Brister to be a passed assistant surgeon in the Navy from the 14th day of December, 1903.

Asst. Surg. Herbert O. Shiffert to be a passed assistant surgeon in the Navy from the 26th day of December, 1903.

P. A. Surg. Frederick L. Benton to be a surgeon in the Navy from the 29th day of December, 1903.

P. A. Surg. Joseph A. Guthrie to be a surgeon in the Navy from the 10th day of March, 1904.

P. A. Surg. Ralph T. Orvis to be a surgeon in the Navy from the 20th day of April, 1904.

Assistant Paymaster Howard D. Lamar to be a passed assistant paymaster in the Navy from the 3d day of March, 1903.

P. A. Paymaster Christian J. Peoples to be a paymaster in the Navy from 27th day of December, 1903.

Assistant Paymaster Alvin Hovey-King to be a passed assistant paymaster in the Navy from the 27th day of December, 1903.

Pay Inspector John R. Martin to be a pay director in the Navy from the 13th day of April, 1904.

Paymaster James S. Phillips to be a pay inspector in the Navy from the 13th day of April, 1904.

P. A. Paymaster William B. Rogers to be a paymaster in the Navy from the 13th day of April, 1904.

Assistant Paymaster George A. Deering to be a passed assistant paymaster in the Navy from the 13th day of April, 1904.

To be lieutenant-commanders from the 1st day of January, 1904 (subject to the examinations required by law), to fill vacancies created in that grade by the act of Congress approved March 3, 1903:

Alexander S. Halstead.

James E. Palmer.

Harry A. Field.

Commander Frederic Singer to be a captain in the Navy from the 4th day of February, 1904.

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:

Ralph E. Pope.

John E. Lewis.

To be assistant surgeons in the Navy from the 22d day of April, 1904, to fill vacancies existing in that grade on that date:

Lewis H. Wheeler, a citizen of Connecticut.
John Flint, a citizen of Massachusetts.
James L. Belknap, a citizen of Massachusetts.
Henry A. May, a citizen of Maryland.
Maj. Thomas N. Wood to be a lieutenant-colonel in the United States Marine Corps from the 6th day of March, 1904.

Capt. Robert M. Dutton to be a major in the United States Marine Corps from the 6th day of March, 1904.

First Lieut. John H. A. Day to be a captain in the United States Marine Corps from the 6th day of March, 1904.

Second lieutenants in the United States Marine Corps to be first lieutenants in the Marine Corps from the 3d day of March, 1904 (subject to the examinations required by law), to fill vacancies existing in that grade on that date:

Albert N. Brunzell.
Louis G. Miller.
Daniel W. B. Blake.
William E. Smith.
Raymond B. Sullivan.
Fred A. Udell.
Howard H. Kipp.
Harvey C. Egan.
Gerard M. Kincade.
Frederic Kensel.
Hugh McC. Howard.
Elias R. Beadle.
Arthur B. Owens.
Eugene P. Fortson.

Second Lieut. Clarence S. Owen to be a first lieutenant in the United States Marine Corps from the 14th day of April, 1904 (subject to the examinations required by law).

Lieut. Henry E. Parmenter to be a lieutenant-commander in the Navy from the 12th day of March, 1904.

Lieut. Isaac K. Seymour to be a lieutenant-commander in the Navy from the 2d day of April, 1904.

Ensign Henry E. Lackey to be a lieutenant (junior grade) in the Navy from the 28th day of January, 1904.

Lieut. (Junior Grade) William T. Tarrant to be a lieutenant in the Navy from the 18th day of March, 1904.

Lieut. (Junior Grade) Walter B. Tardy to be a lieutenant in the Navy from the 2d day of April, 1904.

Asst. Surg. Samuel S. Rodman to be a passed assistant surgeon in the Navy from the 14th day of December, 1903, having completed three years' service in his present grade.

Gunner James Shannon to be a chief gunner in the Navy from the 13th day of April, 1904.

Gunner William G. Moore to be a chief gunner in the Navy from the 17th day of April, 1904.

Capt. Seth M. Ackley, now on the retired list, to be a captain on the active list of the Navy from the 8th day of April, 1904, to rank next after Capt. Charles T. Hutchins, and to be additional to the number of the grade of captain, or of that grade to which he may be promoted, in accordance with the provisions of an act of Congress approved April 8, 1904.

POSTMASTERS.

ALABAMA.

Charley N. Thompson to be postmaster at Piedmont, in the county of Calhoun and State of Alabama.

ARKANSAS.

William Miller to be postmaster at Dermott, in the county of Chicot and State of Arkansas.

James E. Wickersham to be postmaster at Yellville, in the county of Marion and State of Arkansas.

F. W. Youmans to be postmaster at Lewisville, in the county of Lafayette and State of Arkansas.

CALIFORNIA.

C. H. Anson to be postmaster at Monrovia, in the county of Los Angeles and State of California.

Arthur J. Chittenden to be postmaster at Corning, in the county of Tehama and State of California.

Franklin L. Glass to be postmaster at Martinez, in the county of Contra Costa and State of California.

John Lemasters to be postmaster at Kern, in the county of Kern and State of California.

Edwin Stanton to be postmaster at Avalon, in the county of Los Angeles and State of California.

Charles E. Tucker to be postmaster at Fortuna, in the county of Humboldt and State of California.

COLORADO.

David James to be postmaster at Loveland, in the county of Larimer and State of Colorado.

GEORGIA.

Harry S. Edwards to be postmaster at Macon, in the county of Bibb, and State of Georgia.

IDAHO.

David E. Smithson to be postmaster at Emmett, in the county of Canyon and State of Idaho.

ILLINOIS.

John W. Campbell to be postmaster at Morrisonville, in the county of Christian and State of Illinois.

John Murvin to be postmaster at Louisville, in the county of Clay and State of Illinois.

William S. Rice to be postmaster at Carmi, in the county of White and State of Illinois.

John R. Snook to be postmaster at Altamont, in the county of Effingham and State of Illinois.

Harry Whitver to be postmaster at Walnut, in the State of Illinois.

INDIANA.

George D. Abraham to be postmaster at Odon, in the county of Daviess and State of Indiana.

Robert F. Brammer to be postmaster at Albany, in the county of Delaware and State of Indiana.

Henry Wood to be postmaster at Loogootee, in the county of Martin and State of Indiana.

Samuel P. Yenne to be postmaster at Shoals, in the county of Martin and State of Indiana.

IOWA.

Ezra Bradford to be postmaster at Wellman, in the county of Washington and State of Iowa.

Samuel H. Hall to be postmaster at Lime Spring, in the county of Howard and State of Iowa.

Victor Nelson to be postmaster at Gowrie, in the county of Webster and State of Iowa.

William G. Ross to be postmaster at Fairfield, in the county of Jefferson and State of Iowa.

E. M. Smith to be postmaster at Winterset, in the county of Madison and State of Iowa.

KANSAS.

George W. Hook to be postmaster at Sabetha, in the county of Nemaha and State of Kansas.

W. H. Smith to be postmaster at Colby, in the county of Thomas and State of Kansas.

KENTUCKY.

Llewellyn F. Sinclair to be postmaster at Georgetown, in the county of Scott and State of Kentucky.

LOUISIANA.

Edward Eagles to be postmaster at Winnfield, in the parish of Winn and State of Louisiana.

Caroline G. Lyman to be postmaster at Franklin, in the parish of St. Mary and State of Louisiana.

MAINE.

George A. Herrick to be postmaster at Madison, in the county of Somerset and State of Maine.

MASSACHUSETTS.

Orick H. Kelley to be postmaster at North Plymouth, in the county of Plymouth and State of Massachusetts.

Frank E. Nichols to be postmaster at Warren, in the county of Worcester and State of Massachusetts.

Edwin Smith to be postmaster at Mittineague, in the county of Hampden and State of Massachusetts.

MICHIGAN.

Arthur H. Hawkins to be postmaster at Clayton, in the State of Michigan.

Henry S. Wickware to be postmaster at Cass City, in the county of Tuscola and State of Michigan.

MINNESOTA.

Edward L. Bjorkquist to be postmaster at Moorhead, in the county of Clay and State of Minnesota.

Charles H. Pierce to be postmaster at Northfield, in the county of Rice and State of Minnesota.

Francis M. Shook to be postmaster at Aitkin, in the county of Aitkin and State of Minnesota.

Rowland Arundel to be postmaster at Staples, in the State of Minnesota.

MISSISSIPPI.

Coke B. Wier to be postmaster at Quitman, in the county of Clarke and State of Mississippi.

MISSOURI.

Thomas M. Allen to be postmaster at Cassville, in the county of Cass and State of Missouri.

Henry Puls to be postmaster at Jackson, in the county of Cape Girardeau and State of Missouri.

NEBRASKA.

Thomas A. Boyd to be postmaster at Beaver City, in the county of Furnas and State of Nebraska.

G. J. Crook to be postmaster at Falls City, in the county of Richardson and State of Nebraska.

James H. Overman to be postmaster at Stella, in the county of Richardson and State of Nebraska.

Zalmon Nicola to be postmaster at Collegeview, in the county of Lancaster and State of Nebraska.

Jessie W. Phillips to be postmaster at Table Rock, in the county of Pawnee and State of Nebraska.

Samuel H. Reesman to be postmaster at University Place, in the county of Lancaster and State of Nebraska.

Edward B. Richardson to be postmaster at Ulysses, in the county of Butler and State of Nebraska.

NEVADA.

Theodore R. Hofer, jr., to be postmaster at Carson City, in the county of Ormsby and State of Nevada.

NEW JERSEY.

George W. Pollitt to be postmaster at Paterson, in the county of Passaic and State of New Jersey.

NEW MEXICO.

Frank A. Hill to be postmaster at Raton, in the county of Colfax and Territory of New Mexico.

NEW YORK.

Clarence M. Alvord to be postmaster at Livonia, in the county of Livingston and State of New York.

Edward A. Cowles to be postmaster at Patchogue, in the county of Suffolk and State of New York.

William L. Fuller to be postmaster at Ellenville, in the county of Ulster and State of New York.

John F. Heim to be postmaster at Lancaster, in the county of Erie and State of New York.

Myron H. Kinsley to be postmaster at Kenwood, in the county of Madison and State of New York.

John H. McGrath to be postmaster at New Lebanon, in the county of Columbia and State of New York.

Solomon A. Royce to be postmaster at Liberty, in the county of Sullivan and State of New York.

Anna V. T. Smith to be postmaster at Bronxville, in the county of Westchester and State of New York.

Oliver H. Tuthill to be postmaster at Rockville Center, in the county of Nassau and State of New York.

William Watson to be postmaster at Warsaw, in the county of Wyoming and State of New York.

Francis Worden to be postmaster at Coxsackie, in the county of Greene and State of New York.

OHIO.

Louis A. Koons to be postmaster at Massillon, in the county of Stark and State of Ohio.

James E. Melville to be postmaster at Sandusky, in the county of Erie and State of Ohio.

Thomas G. Moore to be postmaster at Barnesville, in the county of Belmont, and State of Ohio.

OKLAHOMA.

Adolph Bollenbach to be postmaster at Weatherford, in the county of Custer and Territory of Oklahoma.

Thomas D. Craddock to be postmaster at Wellston, in the county of Lincoln and Territory of Oklahoma.

OREGON.

William H. Leitner to be postmaster at Huntington, in the county of Baker and State of Oregon.

PENNSYLVANIA.

Luther M. Alleman to be postmaster at Littlestown, in the county of Adams and State of Pennsylvania.

Harry L. Cooper to be postmaster at Edenboro, in the State of Pennsylvania.

Daniel G. Engle to be postmaster at Marietta, in the county of Lancaster and State of Pennsylvania.

J. F. Fenstermacher to be postmaster at Mount Joy, in the county of Lancaster and State of Pennsylvania.

William H. Flora to be postmaster at Wrightsville, in the county of York and State of Pennsylvania.

John H. Glasser to be postmaster at Monaca, in the county of Beaver and State of Pennsylvania.

Granville F. Heathcote to be postmaster at Glen Rock, in the county of York and State of Pennsylvania.

Henry F. Hershey to be postmaster at Steelton, in the county of Dauphin and State of Pennsylvania.

Anne D. Moore to be postmaster at Avondale, in the county of Chester and State of Pennsylvania.

John W. Reese to be postmaster at Taylor, in the county of Lackawanna and State of Pennsylvania.

John Roland to be postmaster at New Holland, in the county of Lancaster and State of Pennsylvania.

James E. Rupert to be postmaster at Conneautville, in the county of Crawford and State of Pennsylvania.

Henry D. Ruth to be postmaster at Lansdale, in the county of Montgomery and State of Pennsylvania.

Samuel A. Smith to be postmaster at Indiana, in the county of Indiana and State of Pennsylvania.

Daniel Williams to be postmaster at Sharon, in the county of Mercer and State of Pennsylvania.

Delos A. Wright to be postmaster at Union City, in the State of Pennsylvania.

RHODE ISLAND.

Walter Price to be postmaster at Westerly, in the State of Rhode Island.

SOUTH CAROLINA.

Alonzo M. Folger to be postmaster at Easley, in the county of Pickens and State of South Carolina.

James W. Johnson to be postmaster at Marion, in the county of Marion and State of South Carolina.

SOUTH DAKOTA.

Joseph Kubler to be postmaster at Custer, in the county of Custer and State of South Dakota.

TENNESSEE.

Edwin C. Alexander to be postmaster at Elizabethton, in the county of Carter and State of Tennessee.

Gus Cate to be postmaster at Cleveland, in the county of Bradley and State of Tennessee.

George B. Henegar to be postmaster at McMinnville, in the county of Warren and State of Tennessee.

Sallie J. Massey to be postmaster at Sevierville, in the county of Sevier and State of Tennessee.

TEXAS.

J. B. Campbell to be postmaster at Alvarado, in the county of Johnson and State of Texas.

James I. Carter to be postmaster at Arlington, in the county of Tarrant and State of Texas.

Anderson L. Davis to be postmaster at Gonzales, in the county of Gonzales and State of Texas.

C. E. Dodge to be postmaster at Port Arthur, in the State of Texas.

Owen Ford to be postmaster at San Marcos, in the county of Hays and State of Texas.

Charles C. Littleton to be postmaster at Weatherford, in the county of Parker and State of Texas.

Marion D. Townley to be postmaster at Valley Mills, in the county of Bosque and State of Texas.

WASHINGTON.

George W. France to be postmaster at Hoquiam, in the county of Chehalis and State of Washington.

John O. Wilson to be postmaster at Cosmopolis, in the county of Chehalis and State of Washington.

WEST VIRGINIA.

Albert G. Holt to be postmaster at Kenova, in the county of Wayne and State of West Virginia.

John E. Houston to be postmaster at Davis, in the county of Tucker and State of West Virginia.

Charles M. Jenks to be postmaster at Tug River, in the county of McDowell and State of West Virginia.

WISCONSIN.

Henry J. Goddard to be postmaster at Chippewa Falls, in the county of Chippewa and State of Wisconsin.

Frank B. Goodhue to be postmaster at Whitewater, in the county of Walworth and State of Wisconsin.

Murdick W. McAskill to be postmaster at Glidden, in the county of Ashland and State of Wisconsin.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 27, 1904.

[Continuation of proceedings of legislative day of Tuesday, April 26.]

The recess having expired, the House reassembled at 10 o'clock a. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed with amendments the bill (H. R. 12860) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1905, and for other purposes.

The message also announced that the Senate had passed without amendment bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 12899. An act constituting Coal City, Grundy County, Ill., a port of delivery; and

H. R. 7264. An act to provide for the construction of a light-house and fog signal at Diamond Shoal, on the coast of North Carolina, at Cape Hatteras.

The message also announced that the Senate had passed bills