

and 80 other citizens of Forsythe, Ga., against the establishment of the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. BELL: Petitions of citizens of Alaska, for the construction of Government telegraph line and road from Port Valdes to Eagle (Fort Egbert), Alaska—to the Committee on the Territories.

Also, resolution of the Boulder Medical Society, of Boulder, Colo., favoring the passage of Senate bill No. 5083, increasing the pension of Charles Ambrook—to the Committee on Invalid Pensions.

Also, petition of citizens of Colorado Springs and Georgetown, Colo., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petitions of Frances Willard Union and United Presbyterian Church of Colorado Springs, and Methodist Episcopal Church of Hooper, Colo., and others, for the protection of native races in our islands against intoxicants and opium—to the Committee on Alcoholic Liquor Traffic.

By Mr. BUTLER: Petition of Concord quarterly meeting of the Religious Society of Friends at Westchester, Pa., for peace with the inhabitants of the Philippine Islands—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Petition of Josiah Strong, president of League for Social Service, favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. CORLISS: Petition of H. M. Miller and 7 other citizens of Detroit, Mich., in favor of irrigation for the benefit of the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. DOVENER: Petition of Helen A. B. Du Barry, of the District of Columbia, for relief—to the Committee on Pensions.

By Mr. FARIS: Petition of C. D. Renick and 72 other citizens of Rockville, Ind., favoring the repeal of stamp tax on checks, drafts, etc.—to the Committee on Ways and Means.

By Mr. FOWLER: Petition of citizens of Maplewood, N. J., remonstrating against any change either of postmaster or location of office at that place—to the Committee on the Post-Office and Post-Roads.

Also, petitions of T. H. Tomlinson and other citizens of Plainfield, N. J., in behalf of Patrick Reville, a suspended letter carrier—to the Committee on the Post-Office and Post-Roads.

Also, petitions of citizens of Summit, Elizabeth, and of the Eighth Congressional district of New Jersey, in favor of an amendment to the Constitution against polygamy, and other reform measures—to the Committee on the Judiciary.

By Mr. MERCER: Petition of the Women's Christian Association of Omaha, Nebr., in favor of an amendment to the Constitution against polygamy—to the Committee on the Judiciary.

By Mr. MORRELL: Resolutions of Journeymen Bricklayers' Association of Philadelphia, Pa., in favor of Senate bill No. 727, known as the ship-subsidy bill—to the Committee on the Merchant Marine and Fisheries.

By Mr. RIXEY: Paper to accompany House bill for the relief of Margaret A. Thompson, of Portsmouth, Va.—to the Committee on Claims.

Also, papers in support of House bill No. 13413, for the relief of the heirs of Robert Green, of Culpeper County, Va.—to the Committee on War Claims.

By Mr. ROBINSON of Indiana: Petition of Henry Shultz and 73 others, of Lima, Ind., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. SCUDDER: Petition of Women's Home and Foreign Missionary Society of Freeport, N. Y., favoring provision for an adequate and permanent supply of water for the Pima and Papago Indians—to the Committee on Irrigation of Arid Lands.

Also, petition of citizens of Yaphank, N. Y., favoring legislation prohibiting the sale of intoxicants to dependent peoples—to the Committee on Interstate and Foreign Commerce.

By Mr. SMITH of Kentucky: Paper to accompany House bill No. 11273, for the relief of John G. Shacklett—to the Committee on War Claims.

By Mr. TERRY: Affidavits of Thomas Whittaker, M. P. Blair, S. Bryson, P. H. Brown, and Mrs. M. S. Ray, to accompany House bill for the relief of Thomas Whittaker, of Logan County, Ark.—to the Committee on War Claims.

By Mr. THAYER: Petition of Isaac Prouty & Co., of Spencer, Mass., for the repeal of the tax of 15 per cent ad valorem on imported hides—to the Committee on Ways and Means.

By Mr. YOUNG: Petition of J. B. Lippincott Company, of Philadelphia, Pa., in favor of the continuance of the present law relating to second-class mail matter—to the Committee on the Post-Office and Post-Roads.

Also, petition of the Methodist Episcopal Orphanage of Philadelphia, Pa., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

Also, petition of the Motor Vehicle Power Company, of Philadelphia, Pa., urging the passage of Senate bill No. 5427, relating to the use of gasoline as a method of propulsion—to the Committee on Interstate and Foreign Commerce.

SENATE.

THURSDAY, January 31, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D. The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. BURROWS. I ask unanimous consent that the further reading of the Journal be dispensed with.

The PRESIDENT pro tempore. Is there objection?

Mr. ALLEN. I object.

The PRESIDENT pro tempore. Objection is made.

The Secretary resumed the reading of the Journal, and was interrupted by

Mr. STEWART. I ask that the further reading of the Journal be dispensed with.

The PRESIDENT pro tempore. The Senator from Nevada asks unanimous consent that the further reading of the Journal be dispensed with. Is there objection?

Mr. ALLEN. I object.

The PRESIDENT pro tempore. Objection is made.

The Secretary resumed and concluded the reading of the Journal.

The PRESIDENT pro tempore. Without objection, the Journal stands approved.

BRUNSWICK RIVER (NORTH CAROLINA) IMPROVEMENT.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of War, transmitting, in response to a resolution of the 25th instant, a letter from the Chief of Engineers, United States Army, reporting an estimate made by the local engineer officer, Capt. E. W. Van C. Lucas, Corps of Engineers, of \$1,000 for the work of removing an obstruction at the mouth of the Brunswick River, North Carolina; which, with the accompanying paper, was referred to the Committee on Commerce, and ordered to be printed.

FRENCH SPOILIATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the conclusions of fact and of law filed under the act of January 20, 1885, in the French spoliation claims relating to the vessel ship *Rebecca*, George Nowell, master; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a memorial of the National Live Stock Association, remonstrating against the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of the Woman's Christian Temperance Union of Fayette County, Ill., praying for the enactment of legislation to prevent the sale of firearms, intoxicants, etc., in the islands of the Pacific; which was referred to the Committee on Foreign Relations.

Mr. TELLER presented a petition of 700 citizens of Colorado, praying for the enactment of legislation to prohibit the leasing of the public lands; which was referred to the Committee on Public Lands.

Mr. KENNEY presented a petition of the Historical Society of Delaware, praying that an appropriation be made for the purchase of the Valley Forge camping ground for use as a national military reservation; which was referred to the Committee on Military Affairs.

Mr. GALLINGER presented a petition of sundry citizens of North Londonderry, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

Mr. McMILLAN presented a petition of sundry citizens of Michigan, 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 sundry citizens of White Lake, Mich., praying for the enactment of legislation to promote the efficiency of the Life-Saving Service and to encourage the saving of life from shipwreck; which was referred to the Committee on Commerce.

He also presented a petition of the Merchants and Manufacturers' Exchange of Detroit, Mich., and a petition of the Detroit branch of the National League of Commission Merchants, of Detroit, Mich., praying for the repeal of the revenue-stamp tax on bank checks, telegraph messages, and express receipts; which were ordered to lie on the table.

He also presented the petition of William H. Gore, of Detroit, Mich., and a petition of the United Brotherhood of Leather Workers of Flint, Mich., praying for the enactment of legislation to regulate the hours of daily labor of workmen and mechanics,

and also to protect free labor from prison competition; which were referred to the Committee on Education and Labor.

Mr. PENROSE presented a petition of 43 members of the congregation of the Wesleyan Methodist Church of Sutton Hill, Pa., praying for the enactment of legislation to prohibit the sale of intoxicating liquors in any post exchange, canteen, or transport, or upon any premises used for military purposes by the United States; which was ordered to lie on the table.

He also presented a petition of the Twenty-fifth Ward Republican Club, of Philadelphia, Pa., and a petition of 15 employees of the National Tube Company, Morris-Tasker Department, Philadelphia, Pa., and of the Journeymen Bricklayers' Protective and Beneficial Association of Philadelphia, Pa., praying for the passage of the so-called ship-subsidy bill; which were ordered to lie on the table.

He also presented petitions of 75 citizens of Williamsport, of 250 citizens of Canonsburg, of 50 citizens of Pennsylvania, of 100 citizens of Scranton, of 50 citizens of Mifflin County, and of 6 citizens of Montrose, all in the State of Pennsylvania, praying for the enactment of legislation to prohibit the sale of intoxicating liquors to the native races in Africa; which were referred to the Committee on Foreign Relations.

He also presented a petition of 33 members of the Woman's Home Missionary Society of the Presbyterian Church of Lockhaven, Pa., and a petition of 44 citizens of Pennsylvania, praying that an appropriation be made providing for an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians in Arizona; which were referred to the Committee on Indian Affairs.

He also presented a petition of sundry gaugers, storekeepers, and storekeeper-gaugers of the Twenty-third internal-revenue collection district of Pennsylvania, praying for the enactment of legislation authorizing an appropriation for payment of officers of this class as will admit of granting a leave of absence with pay for two and one-half days for each month of thirty days that they are actually assigned to duty, and that they be allowed to claim in their pay accounts the maximum rate of pay allowed them under their assignments for such days as they may be granted leave, etc.; which was referred to the Committee on Finance.

He also presented petitions of Pomona Grange No 20, Patrons of Husbandry, of Jefferson County; of 7 citizens of Luzerne County; of 18 citizens of Delaware County; of 15 citizens of Lackawanna County; of 81 citizens of Montgomery County, and of the legislative committees of the Pennsylvania State Dairy Union and Pennsylvania State Grange, Patrons of Husbandry, all in the State of Pennsylvania, praying for the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented petitions of the managers of the Methodist Episcopal Orphanage of Philadelphia; of the congregation of the First Presbyterian Church of Canonsburg, and of 99 citizens of Philadelphia, all in the State of Pennsylvania, praying for the adoption of an amendment to the Constitution to prohibit polygamy; which were referred to the Committee on the Judiciary.

He also (for Mr. QUAY) presented a petition of sundry gaugers, storekeepers, and storekeeper-gaugers of the Twenty-third internal-revenue district of Pennsylvania, praying for the enactment of legislation authorizing an appropriation for payment of officers of that class as will admit of granting a leave of absence, with pay, for two and one-half days in each month of thirty days that they may be actually assigned to duty, and that they be allowed to claim in their pay accounts the maximum rate of pay allowed them under their assignments for such days as they may be granted leave of absence, etc.; which was referred to the Committee on Finance.

Mr. MONEY. I present a resolution of the Cotton Exchange of Vicksburg, Miss. I ask that it be read and referred to the Committee on Finance.

The being no objection, the resolution was read, as follows:

VICKSBURG COTTON EXCHANGE,
Vicksburg, Miss., January 23, 1901.

Resolved, That the board of directors of the Vicksburg Cotton Exchange petition Congress to include the abolition of the present war-revenue taxes on foreign as well as domestic exchange in the new revenue-reduction bill now pending, because such taxes are a burden borne by both the producer and the consumer of agricultural products, whether consumed at home or abroad, and especially upon the producers of products which are exported, particularly cotton.

Mr. CHANDLER. As a question of order, the Senator should have stated briefly the substance of the petition instead of having it read and inserted in the RECORD. I did not object to the reading of this particular petition, but the rule is a wise one and ought to be observed.

The PRESIDENT pro tempore. The Senator from New Hampshire states the rule correctly, but no objection was made to the reading. It will be referred to the Committee on Finance.

Mr. BATE presented a petition of the Merchants' Exchange of Memphis, Tenn., and a petition of the Chamber of Commerce of

Chattanooga, Tenn., praying that an appropriation be made for a fast-mail service between the Eastern and Southern commercial centers; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. THURSTON presented resolutions adopted by the Nebraska State board of agriculture, favoring the enactment of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a memorial of the Nebraska State board of agriculture, remonstrating against the free distribution of common seeds by the Government; which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. HARRIS, from the Committee on Military Affairs, to whom was referred the bill (H. R. 7602) to correct the military record of Palmer G. Percy, reported it with an amendment, and submitted a report thereon.

Mr. BURROWS, from the Committee on Military Affairs, to whom was referred the bill (S. 2507) to correct the military record of Timothy McKean, submitted an adverse report thereon, which was agreed to: and the bill was postponed indefinitely.

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

A bill (H. R. 7243) to remove the charge of desertion from the military record of Silas Nicholson; and

A bill (H. R. 2204) for the relief of William O. Eagle.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (H. R. 2464) to remove the charge of desertion from the military record of Nicholas Swingle, reported it without amendment, and submitted a report thereon.

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

A bill (H. R. 10118) granting an increase of pension to Mary Flynn;

A bill (H. R. 12358) granting a pension to John H. Doremus;

A bill (H. R. 12350) granting an increase of pension to James Paul;

A bill (H. R. 12516) granting an increase of pension to Edward Warner; and

A bill (H. R. 12444) granting an increase of pension to John D. Cohler.

LIEUT. EDWARD B. HOWARD.

Mr. PROCTOR. I am directed by the Committee on Military Affairs, to whom was referred the bill (H. R. 3135) to correct the military record of Lieut. Edward B. Howard, to report it favorably with an amendment, and I ask for its present consideration.

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

The amendment of the committee was, in line 6, after the word "discharge," to insert "as of May 1, 1865;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and is hereby, authorized and directed to amend the military record of Lieut. Edward B. Howard, Company G, Fourteenth New Hampshire Volunteers, and grant him an honorable discharge as of May 1, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

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.

FLORINE A. ALBRIGHT.

Mr. ALLEN, from the Committee on Claims, to whom was referred the bill (S. 5561) for the relief of Florine A. Albright, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the bill (S. 5561) entitled "A bill for the relief of Florine A. Albright," 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 provide for the bringing of suits against the Government of the United States," approved March 3, 1857. 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.

THE NICARAGUA CANAL.

Mr. MORGAN. I am directed by the Committee on Inter-oceanic Canals to make a further report, it being in reply to the resolution of the National Board of Trade urging the speedy passage of the bill providing for the construction of the Nicaragua Canal. I submit it as part 6 of our report for the present session of Congress, and I move that it be printed; and in this connection I move that part 5, the copies of which in the document room have been exhausted, be reprinted.

The motion was agreed to.

PROPOSED REDUCTION OF REVENUE.

Mr. ALDRICH. I am directed by the Committee on Finance to report sundry amendments to the bill (H. R. 12394) to amend an act entitled "An act to provide ways and means to meet war expenditures, and for other purposes," approved June 13, 1898, and to reduce taxation thereunder, heretofore reported by the committee. I move that the amendments be printed and lie on the table.

The motion was agreed to.

BILLS INTRODUCED.

Mr. McMILLAN introduced the following bills; which were severally read twice by their titles, and referred to the Committee on the District of Columbia:

A bill (S. 5819) to provide for an investigation into the sanitary conditions of the manufacture and sale of clothing in the District of Columbia (with an accompanying paper);

A bill (S. 5820) relative to the suit instituted for the protection of the interests of the United States in the Potomac River Flats;

A bill (S. 5821) to provide for laying a single electric-railway track across the Aqueduct Bridge, in the District of Columbia, and for other purposes; and

A bill (S. 5822) to regulate the operation of street railways in the District of Columbia, and for other purposes.

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

A bill (S. 5823) granting an increase of pension to Edward H. Gordon;

A bill (S. 5824) granting an increase of pension to George E. J. Hasson (with an accompanying paper);

A bill (S. 5825) granting a pension to James P. Snyder (with an accompanying paper);

A bill (S. 5826) granting an increase of pension to Benjamin Bissell; and

A bill (S. 5827) granting an increase of pension to John W. Foster.

Mr. TELLER introduced a bill (S. 5828) for the relief of H. L. A. Culmer, his heirs and assigns; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. THURSTON introduced a bill (S. 5829) for the relief of Isaiah Lightner, W. H. Winterbottom, and Gustave Mollin; which was read twice by its title, and referred to the Committee on Claims.

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

A bill (S. 5830) granting an increase of pension to Ezekiel Dawson;

A bill (S. 5831) granting an increase of pension to James W. Letherbury; and

A bill (S. 5832) granting a pension to Capt. Joseph V. Hoffecker.

Mr. HANSBROUGH introduced a bill (S. 5833) to authorize the construction of reservoirs for the storage of water and for other hydraulic works for the reclamation of the public lands within the arid and semiarid land of the United States, and for other purposes; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. SHOUP introduced a bill (S. 5834) granting an increase of pension to Enoch A. White; which was read twice by its title, and referred to the Committee on Pensions.

Mr. DOLLIVER introduced a joint resolution (S. R. 157) authorizing the Secretary of the Interior to remove from the files of the Department of the Interior certain letters to be donated to the State of Iowa; which was read twice by its title, and referred to the Committee on the Library.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. TURNER submitted an amendment proposing to appropriate \$412,572.70 for repaying to the Government of Mexico money erroneously claimed by and paid to the United States on account of the awards adjudged to have been fraudulently made in the La Abra and Weil claims, intended to be proposed by him to the sundry civil appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. McMILLAN submitted the following amendments, intended to be proposed by him to the District of Columbia appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed:

An amendment proposing to appropriate \$50,000 for the construction in part of a trunk sewer along the west side of Rock Creek from the Potomac River to the Broad Branch road, and along said road to Pleasant drive to the District line (with an accompanying paper);

An amendment proposing to appropriate \$10,000 for grading Illinois avenue;

An amendment proposing to appropriate \$11,500 for grading

and macadamizing New Hampshire avenue from Whitney avenue to Seventh street; and

An amendment proposing to increase the appropriation for the purchase of books for the Free Public Library in the District of Columbia from \$5,000 to \$20,000.

Mr. MONEY submitted an amendment proposing to appropriate \$5,000 to enable the Secretary of Agriculture to have prepared plans for a fireproof administrative building to be erected on the grounds of the Department of Agriculture, intended to be proposed by him to the agricultural appropriation bill; which was referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

PROMOTION OF COMMERCE AND INCREASE OF TRADE.

Mr. PETTUS submitted two amendments intended to be proposed by him to the bill (S. 727) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary; which were ordered to lie on the table and be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (S. 727) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary; which was ordered to lie on the table and be printed.

PAYMENT OF CLAIMS.

Mr. PERKINS submitted an amendment intended to be proposed by him to the bill (S. 1676) for the payment of certain claims; which was referred to the Committee on Claims and ordered to be printed.

MINING LOCATIONS.

Mr. STEWART 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 Mines and Mining, while making inquiry, in pursuance of a resolution of the Senate passed January 3, 1901, concerning mining locations under powers of attorney and where no mineral discoveries have been made, be authorized to send for persons and papers, to examine witnesses, and to employ a stenographer; that said committee may act by a subcommittee and may sit during the sessions of the Senate, and that the expenses of the inquiry may be paid from the contingent fund of the Senate upon vouchers to be approved by the chairman of the committee.

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 with an amendment the resolution of the Senate providing for the counting of the electoral votes for President and Vice-President on Wednesday, February 13, 1901, in which it requested the concurrence of the Senate.

The message also announced that the House had passed a bill (H. R. 13801) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1902; 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 (S. 1894) for the relief of Bvt. Col. Thomas P. O'Reilly; and
A bill (S. 3890) granting an increase of pension to Americus V. Rice;

A bill (S. 5583) extending the time for the commencement and completion of a bridge across the Missouri River at or near Oacoma, S. Dak.;

A bill (S. 5585) to amend an act entitled "An act to incorporate the Masonic Mutual Relief Association of the District of Columbia;"

A bill (H. R. 8856) amending the act of August 15, 1894, entitled "An act making appropriations for current and contingent expenses of the Indian Department and fulfilling treaties and stipulations with various Indian tribes for the fiscal year ending June 30, 1895, and for other purposes;"

A bill (H. R. 9763) directing the issue of a duplicate of a lost check drawn by E. B. Atwood, lieutenant-colonel and deputy quartermaster-general, United States Army, in favor of Alfred C. Cass; and

A bill (H. R. 5853) granting a pension to Mary Black.

THE MILITARY ESTABLISHMENT.

Mr. McMILLAN. I ask unanimous consent to call up the bill (H. R. 13399) for the establishment of a beacon light on Hambrook Bar, Choptank River, Maryland, and for other purposes. It will take but a moment.

Mr. HAWLEY. I can not consent to the taking up of any bill for consideration and passage.

Mr. McMILLAN. This is just a small light-house bill. It will take but a minute.

Mr. CHANDLER. I feel bound by the notice I have given hitherto to object until the conference report on the Army bill is disposed of. I object.

Mr. HAWLEY. I ask for the consideration of the conference report on the Army reorganization bill.

There being no objection, the Senate resumed the consideration of the report of the committee of conference on the disagreeing votes of the two Houses on the bill (S. 4300) to increase the efficiency of the military establishment of the United States.

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

Mr. PETTIGREW. Mr. President, I voted against the passage of the Army bill and I would have been glad if I could have defeated it entirely. I do not believe it ought to have been passed or that any necessity has been shown why it should pass. The report of the Committee on Military Affairs disclosed nothing beyond an argument in favor of Army canteens. The only argument the committee made was one in favor of enlarging the usefulness of that institution by enlarging the Army. The Senate having beaten that portion of the bill, which received such earnest attention on the part of the Committee on Military Affairs, the necessity for enlarging the Army, from the standpoint of the committee, disappeared with the defeat of the canteen. If there exist other reasons why the Army should be enlarged, the committee have not disclosed it to the Senate or the country. Their report contains nothing on the subject.

I was surprised that the minority found no objection to this remarkable report. They seemed to think that the enlargement of the Army was necessary in order to enlarge the scope of the civilizing influences of a barroom at every post. What lulled them to sleep I know not.

We sought information as to why the Army should be enlarged, what use was to be made of it, what was the necessity for increasing it to 100,000 men, and our inquiries were not answered. I introduced a resolution calling upon the Secretary to furnish us desired information regarding the operations of our Army in the Orient, and the resolution was referred to the Committee on the Philippines, and there it slumbered. Information is denied and refused, not only to the Senate, to the Congress, which is expected to create legislation, but to the people of the United States, who give their money to sustain our legislation. Ever since the conflict began in the Philippines a steady practice of concealment has been carried on by the Administration. There has been a constant refusal to furnish information that might justify Army operations. This was not because it was feared the enemy might secure information, but with the purpose of keeping information from the people of the United States.

In the first place, the correspondents found their news censored, and when they made inquiry and protest they were told by General Otis that he took that course because he wanted to do nothing that would hurt the Administration at home; that practically he censored their news to keep the facts from the people of the United States. When we asked by resolution for information, it was denied, and to-day there are concealed in the archives of the State Department a vast amount of information that, in my opinion, if disclosed to the American people would be deemed by them as discreditable to the Administration.

I believe, Mr. President, from what little information we can get from this source that the battle which commenced on the 4th of February near Manila, in 1899, was begun under orders from Washington, and that if we could procure access to the records they would disclose that fact. We began the war, and I fully believe that General Otis was ordered to begin the war. He says the battle of Manila, which began on the 4th of February, was one of vigorous attack upon our part and one exclusively of defense upon the part of the Filipinos.

Important information is denied. Only such portions of the official record are given to the public as it seems in the interest of the party in power to disclose. We were told that if it were not for the sympathy of the people at home the war in the Philippines would cease. It was said to us that if we had not encouraged the insurgents, as they were called, they would lay down their arms and surrender their liberty. This policy of concealment has continued up to date.

Just before the election in 1899 in Ohio the State Department practically denied that it had made such an agreement as the contract with the Sultan of Sulu, and when the Associated Press sent for a copy of that infamous agreement they were given one written in Arabic—Sulu Arabic—that nobody in the United States could translate. By such subterfuges the contract or agreement with the Sultan of Sulu was kept from the public until after the election in Ohio.

Just before the election the Schurman commission made a partial report, setting forth only such facts as would inure to the interest of the Administration and concealing the remainder. Last year during the campaign, although the instructions to the Paris commissioners were sent to the Senate in secret, the President in his letter of acceptance quotes copiously from the instructions to those commissioners, leaving out lines and paragraphs and words which changed the meaning, in order to deceive the voters during

the election campaign. And yet the Senate refuses to make these instructions public and all information is denied to the people except that which the Administration finds it politically safe to disclose to the public.

The Taft Philippine Commission during the campaign was reported in the newspapers to have said that the insurgents were maintaining war because of a hope of the election of Bryan and that the insurrection would fall to pieces in case he was defeated. Now that the election is over we find the insurrection more vigorous than ever, having thus continued up to date. When we asked for the real facts concerning the war from official sources—and such facts would have been serviceable pending the passage of this bill—the desired information was refused. After the bill passes and has gone into conference we are flooded with telegrams stating that the insurgents are about to surrender, that the war is nearly over, and thus the Taft commission again comes to the relief of its masters, the Administration.

One purpose having been accomplished by a partial disclosure of the truth, they shift their position and say the rebels are surrendering and that the war is about over. What new purpose they now expect to accomplish I know not, but under all these circumstances the American people are entitled to full disclosures on both sides of the question. As a coordinate branch of the Government, it is our right to know what has been done and what is being done. We ought not to be required to glean our information from a partisan commission, whose members merely obey the orders of the Administration in promulgating an opinion which suits the particular political exigency of the case.

When this bill came before us I supposed an elaborate report, showing the operations of our Army, the extent of territory which had been conquered, the details, the necessity for the continuation of an armed force in the Philippines, would be forthcoming. All we received was a book of testimony in favor of the canteen and some evidence with regard to the re-formation of the Army upon different lines from those heretofore employed and the rearrangement of the staff. The debate in this body has been upon those subjects, and to-day we are ignorant as to what the situation is, though we have passed an important measure, based upon our supposed knowledge of the situation.

I am credibly informed that the United States has not control of one-quarter of the area of the Philippines; that the entire population are arrayed against us. These people are not in revolt, Mr. President. How can they be rebels to a Constitution which the Administration insists never extended over them? How can they defy a Constitution which does not exist within the area of their country? How can they be rebels against a sovereignty which they never acknowledged?

No, Mr. President, they are not rebels. Any citizen of the United States has the privilege of sympathizing with them without being open to the charge of treason. Our Constitution, so our Administration states, does not extend to them. The sovereignty of the United States does not encompass the environment of these Orientals. How can our sovereignty extend beyond the jurisdiction of our fundamental law? Through what process has such a feat been accomplished? Not through conquest. Once we made this claim, but the cold terms of the Paris treaty dissipated it, and instead of sovereignty by conquest we are now proclaiming ownership of the Philippine Islands by right of cession, with a sordid purchase behind the deal. It seems to matter little that, under our Declaration of Independence and its resultant form of government, we are precluded from establishing sovereignty over any people without their consent.

So far as anything can be ascertained officially, Mr. President, the United States is trying to conquer the Filipinos and impose a government upon them, and up to date the effort has not succeeded. It is not a single tribe in that far-off archipelago that is resisting us. It is the entire population, if common report may be relied upon, and we have little else to guide our legislative course. We are asked to vote for a permanent enlargement of the Army and are denied the information upon which we can justify our acquiescence.

But a few days ago I asked the Secretary of War for a copy of General MacArthur's report, and found that it had been suppressed. No citizen can procure a copy of MacArthur's report. Why has it been suppressed? Why is not the information it contains given to the American people? Upon this subject I have received a letter from the Secretary of War only a few days old. It is as follows:

WAR DEPARTMENT, Washington, January 11, 1901.

SIR: I have the honor to acknowledge the receipt of your letter of the 2d instant requesting a copy of Major-General MacArthur's last report in relation to conditions in the Philippine Islands.

In reply I beg to inform you that the same is not at present available for distribution, and that volume 1 of the Report of the War Department, a quota of which, it is understood, will be placed to your credit in the document room of the Senate as soon as published, will contain the annual report of General MacArthur.

Very respectfully,

ELIHU ROOT, Secretary of War.

HON. R. J. PETTIGREW,
United States Senate.

So I say that I am justified in charging that for political purposes the Administration keeps from the American people information which is necessary for a justification of the passage of this Army bill. I believe that if the information was secured the justification would not be found within it. I believe the American people would say, if they could have access to all the facts, that the way to stop the war is to stop fighting. The people of the Philippines are not our enemies. In speaking for them I am not encouraging the enemies of my country. All they have done to us is to resist the invasion of their islands and the destruction of their liberties. All they have done to us is to insist upon their freedom, their independence as a nation, and, as evidence of their earnest intentions, they participated as our allies in a contest to overthrow the power of Spain. Stop fighting, cease to try to conquer them and to rob them of their country, and the war will be over and bloodshed will cease.

Mr. President, I hope the Filipinos will be successful. I want them to secure their liberty. I believe that they ought to succeed. They are struggling for freedom—for that which has made our history as a nation grand in all its past. I hope the day will never come when I shall fail to sympathize with any people who are struggling for liberty, no matter where they are.

While opposed, Mr. President, to this entire measure, I am especially opposed to one of its features. I am opposed to that paragraph in the bill which requires the United States to copy the infamous policy of Great Britain in the present and in the past—the paragraph which provides that we may enlist soldiers among the Filipinos to fight their own people. I am especially opposed to the legislation covered by that paragraph. It reads as follows:

That when in his opinion the conditions in the Philippine Islands justify such action the President is authorized to enlist natives of those islands for service in the Army, to be organized as scouts, with such officers as he shall deem necessary for their proper control, or as troops or companies, as authorized by this act, for the Regular Army. The President is further authorized, in his discretion, to form companies, organized as are companies of the Regular Army, in squadrons or battalions, with officers and noncommissioned officers corresponding to similar organizations in the cavalry and infantry arms. The total number of enlisted men in said native organizations shall not exceed 12,000, and the total enlisted force of the line of the Army, together with such native force, shall not exceed at any one time 100,000.

I oppose this action, Mr. President, because, while the majority of the population of these islands, in fact from 70 to 80 per cent of them, are educated and civilized, and 6,000,000 of them worship the same God that we do, and believe in the same religion embraced by over 8,000,000 of our own population, still within the borders of that country as well as within the borders of the United States there are savage and uncivilized tribes—not many, but in my opinion enough to supply the 12,000 troops which it is proposed to enlist. Those are the only people you can secure soldiers from—the barbarous tribes of that country.

We have had experience with those people. We enlisted 200 of them, and their conduct was outrageous. I propose to show from the testimony of the Secretary of War that such is the fact. Secretary Root says:

By far the most economical way to take the place of the outgoing volunteers is to put regulars in their place. I do not believe we could get volunteers. There is not the enthusiasm, the opportunity for adventure, which would attract volunteers. No doubt we could get regulars.

Senator WARREN. If we got into a scrap with England or Germany we would be able to get volunteers easy enough?

Secretary ROOT. We could get them quick enough then. We got them quick enough when there was real, sure-enough fighting in the Philippines.

Senator SHOUP. Have you considered the question of enlisting natives over there?

Secretary ROOT. Yes; and there is quite a good deal of discussion of that in this year's report. I said in that everything I have to say. I think no doubt it will be practical, but we have to do it slowly. We can not take them in fast. We have to take them in slow, as we have officers to discipline them and instill in them the spirit of discipline, because they murder and burn and rob like the rest of the crowd until they get some idea of discipline and the necessity of following the lines of civilized warfare.

And yet, Mr. President, this bill provides for recruiting a class of soldiers who, according to the testimony of the Secretary of War, murder and burn and rob. I intend to give the facts in regard to this burning and robbing in the Philippines on the part of our Army. We enlisted 200 Macabebes. These savages are accustomed to fighting the white man's battles, 300 Macabebes serving in the Spanish army. They were enlisted from a town of that name on one of the western islands of the group. When the Spanish war closed they surrendered to us and were paroled. The captured Macabebes offered their services to Aguinaldo, but he declined their offer and refused to take them into his army, because they had been fighting with Spain after the revolt of 1896 and had been so barbarous in their conduct. Our officers then recruited 200 of them, and we sent out this band of marauding robbers to murder and burn. In perpetuation of uncivilized methods of warfare this bill provides that 12,000 more of them may be secured and turned loose upon the Christian people of that country. You can get no other native troops there, and these

12,000 soldiers must be gathered from among the savages in the archipelago.

The Taft Commission the other day passed a law making it a criminal offense, subject to imprisonment, for natives to refuse to take office under the commission and perform the functions of civil government. If we have made it a crime for the civilized natives to refuse to take office and perform the functions of civil government under us, how are we going to get them into the Army to fight their own countrymen?

No, Mr. President, this paragraph in the bill means the enlistment of 12,000 of the savages of that country, the Moros, if you please, to fight against the civilized and Christian people of those islands. This provision alone ought to prevent us from agreeing to the conference report.

Whether or not the crimes which have been committed in the Philippines against civilized warfare were the result of enlisting these Macabebes I can not tell. But I ask that the Secretary read a letter from the military governor and commander in chief of one of the provinces of the Philippines, he being military governor and commander in chief under the native government, which letter describes some of the things we are doing in that country.

The PRESIDING OFFICER (Mr. KEAN in the chair). In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

To the American people:

To you, noble people, model of civic virtues and champion of liberty, the present appeal is addressed, setting forth the inhuman proceeding of your imperialist Army in the present war, which it is maintaining against the Filipino people in order to impose on them the yoke of slavery.

Since General Otis, the blind instrument of the ambitious McKinley, has declared war on us, with the infamous purpose of snatching from us our sacred independence, which we have conquered by dint of very costly sacrifices and at the cost of numberless victims offered up at the altar of our freedom; since the 4th of February, when, trusting in the friendship which linked us with the army in occupation, we were surprised by the latter; finally, since the first booming of the imperialist cannon, threatening to destroy our defenseless towns if they would not submit to the dominion of the invader was heard; since then our land has been the theater of all kinds of vandalic acts, performed by the said army. They have violated the most sacred rights, trampled down even the very laws dictated by the sentiments of humanity, and, not contented with the superiority of their arms and machines of war over ours, they have resorted to all kinds of destructive elements, whose usage in a campaign is entirely forbidden by international law, in order, doubtless, to thus secure the destruction of our race, which is struggling for its freedom. That international law is transgressed in this campaign is proven by the fact that the American cannons are loaded with dynamite and other infernal substance, and by the fact that when the bullets of their rifles penetrate into the body they expand and when they come out they make an ugly and uncommon wound, giving the victims horrible sufferings.

When the American troops occupy a town after it has been cleared by the nationalist troops the noncombatants thereof become the objects of all kinds of abuses and cruelties. Robbery, pillage, violation, and murder, in certain cases, are the first proofs of "protection" which we receive from those who, under pretext of educating the Filipino people and leading them into the way of prosperity and modern culture, violate our homes and deprive us of our properties without even respecting the persons of our wives and daughters.

I wish, however, to pass over this savage conduct in silence, for its bloody proceedings may be the effect of triumph, drunkenness, and of a thirst for blood, which are generally the consequences of a fierce combat.

I am not going to narrate these ferocious deeds. I will only relate such facts as are taking place in the towns they occupy and in those which are not garrisoned by our troops. In these places such tragical scenes as are only comparable to the savage Roman spectacles in the times of the Neros and Caligulas are witnessed. Savage attempts on the persons of the peaceful inhabitants of the towns are of daily occurrence, both in public and in private. To them right is an empty word and void of sense. Prosperity is a mite and personal security a laughing stock. These tyrants have invented such cruel torments as never occurred to the Spaniards to invent during three centuries of despotic dominion, and, in a word, they have revived in these days of iniquity more torturing and refined punishments than those which the most bloody executioners of the inquisition have devised in Europe.

It is doubtless because we do not behave ourselves in the same way as they do that we are called "savages."

In order to give a slight idea of the beastly proceedings of the American troops I am going to relate some of the deeds they practice and which are seen and testified by a great number of people in almost all the towns of these provinces of Zambales and Bataan under my jurisdiction.

Whenever an American post in any of the two provinces is attacked by my forces, the first step which the commander thereof takes after the attack is to seize all the well-to-do and reputed people in the town under pretext that they are supporting the revolution and maintaining relations with us who are on the battlefield. Such unwarranted and unconfirmed imputation is enough motive to imprison those persons, compelling them to acknowledge the crime they are charged with, and exacting from them to make some disclosures regarding the number and position of the enemies, and, in general, all kinds of information which may occur to the commander of the post to ask. If the prisoner denies to have any relation whatever with us, and if he declares to be entirely neutral, the commander proceeds to inflict on him the most cruel torments, some of which I will here describe:

1. *The water cure.*—This is applied in two different ways. The one is performed by binding the hands of the person who is to be tortured, after which they lay him down on his back, and once in this position they introduce an iron tube into his mouth so as to keep it largely open. Then water is steadily poured through the tube down his throat and through the holes of his nose until he is choked to death or compelled to make any declaration which would at least justify his arrest.

The other way consists in fixing a pulley on an arch placed over a well. The tormented is suspended by the legs upon the pulley and rapidly lowered down till he is plunged into the water, where he is kept for some time, more or less long, according to the resistance of the patient. After a while he is pulled up in order to plunge him again into the water until any of the above-mentioned effects is obtained.

2. *The whipping torment.*—This is inflicted upon the supposed culprit by striking him with the barrel and the butt end of the rifle on the thorax cavity, on the abdomen, and on the most sensible parts of the body. If this proves

insufficient to compel him to admit the infamous accusation made against him, they tie him to a post and whip him with thorny sticks till his flesh is all torn into pieces, thus killing him by force of hemorrhage, amidst infernal sufferings.

3. *The sun torment.*—This is done by submitting the presumed criminal to hard labor during the day in the square of the American barracks, suffering on his head the burning and deadly rays of the tropical sun, without giving him a drop of water even after meals.

Thousands of other tortures and proceedings such as only beasts could do are employed by the Americans to martyrize the peaceful inhabitants of the towns, but the pen, full of horror and shame, refuses to picture them. With what I have stated, however, and in spite of the faint colors with which I have related the facts, I think to have said enough to enable the least intelligent to understand how the ineluctable principles of humanity are performed and respected in this unfortunate country by the very people who have proclaimed to the whole world to be the defenders of downtrodden liberties and violated rights, that they have come to the Philippines to bring the light of civilization.

If, as result of these torments, the sacrificed person admits the charges made against him—although he had never thought of committing them—he is soon relieved from these tortures and taken into the famous "calabus" (jail), where he is kept on a miserable and scanty food till our soldiers in one of their combinations attack the garrison. Then the prisoner is shot to death in order to reckon him as a casualty made to our forces.

There is reason for supposing that the intention of such tigers in treating the Filipinos savagely is to frighten them with utterly iniquitous and terrible torments in order to thus oblige them to submit themselves and lay down their arms; but this has a quite contrary effect inasmuch as such unspeakable iniquities only create concealed hatred and eternal vengeance which make the war the more bloody.

Besides these proceedings, which might be called "political proceedings," the imperialists have others which are, so to speak, "mercantile proceedings," because in so doing their only aim is to enrich themselves at the cost of their victims. The following are the most common ones:

They pretend sometimes to have received a denunciation that some nationalists are hiding themselves in a "barrio" or district, or that some rifles are stored therein. Thereupon the commander starts out with some soldiers and arrests all the male inhabitants of the said "barrio." Having done this, the same commander orders every one of the houses to be searched in case there are some contrabands of war hidden therein. It is wonderful how the soldiers fulfill such orders. The examination is carried only on the safe in which the little money and the jewelry of the family are kept. All the contents of the safe disappear as per enchantment and land in the pockets of the officer and soldiers. After this most shameful robbery, the soldiers, attacked with a monstrous lust, assault defenseless women and satiate in them their brutal desires.

Having performed this robbery and assault, the officer, in order to show to the public that he has found revolutionists in the said barrio, compels, by force of horrible torments, some of the prisoners to avow themselves as such, and whether they so confess themselves or not they are shot to death and their houses are burned.

Other commanders of garrisons, who are perhaps more human but as rapacious as the rest, content themselves, in order to carry out their greedy desires of appropriating other people's property, with summoning a well-to-do man of the town and intimidating him to give a certain amount of money on pain of being shot.

There are, nevertheless, some honorable exceptions, but they are very rare. And if these arbitrarinesses are frequent in towns garrisoned by the Americans, they are more so still in those places which, because they have no conditions for defense, are left ungarrisoned. These places are visited once a week by a gross column of Americans who shoot against the houses, loot them, and ravish all the women.

I am ready to prove all that I have stated, either with authentic documents or with the declarations of the victims themselves of such cruelties. I once more affirm that all that I have set forth is nothing but a reflection of what is really and truly happening.

Now, noble American people, I leave to your enlightened judgment and generous sentiments to pronounce a verdict on the infamous proceedings of those imperialists who, in their hunger after conquest and thirst for riches, not only violate the legitimate holy rights of a people and break formal promises, but commit the most atrocious barbarism to the towns, and to the persons the most unspeakable crimes.

McKinley and his followers have thrown on the glorious pages of your brilliant history an ignominious blot, which your noble and worthy conduct alone could wash away by protesting energetically against the aggression made on the Filipino people.

We trust that you, who love justice, who respect the holy principles contained in the Declaration of your independence and affirmed in your Constitution, which made you great, who feel your hearts beat with sentiments of humanity and went to war against Spain with the purpose of freeing oppressed peoples and releasing them from barbarism and tyranny to which they were submitted, who are not blinded by ambition, who, worthy of your forefathers and tradition, do not wish to put a miserable handful of riches above an immaculate name, who prefer the name of "liberators" to that of "masters," who respect the rights of others and abhor the blood which is iniquitously being shed in an unjust war, who consider all men as brothers, will stop this accursed war in which many of your sons are dying, in which defenseless and weak people are murdered, and in which hyenas in man's disguise tear into pieces in a delirium of madness honor, liberty, conscience, convictions, and sacrifice innocent blood, including children, women, and old men, and destroy entire inoffensive towns and abandon now and then neutral cities to the flames.

Yes, you will stop it with all the energies of your soul, obliging your cruel and greedy rulers of to-day to recognize what by natural right belong to us; what we have conquered with our blood, and for which they have promised us to recognize our absolute independence, without which this country is determined to go to her total destruction and annihilation.

For the provinces of Zambales and Bataan, the military governor and commander in chief:

JULY 1, 1900.

TOMAS MASCARDO.

Mr. PETTIGREW. Mr. President, I should not put this paper in the RECORD were it not for the fact that our own soldiers have written back accounts which justify the belief that the barbarities complained of by Governor Mascardo are being practiced, and, I believe in almost every instance, by the Macabebes, whom we have enlisted in that country. Yet this Army bill proposes to enroll 12,000 more of them—men who, the Secretary of War says, murder and burn and rob and torture their prisoners.

I am going to read a paragraph from a paper entitled "City and

State," published in Philadelphia, under the head of "Imperialism—Torture." It is as follows:

IMPERIALISM—TORTURE.

Very recently our attention was called to a paragraph, which we herewith reproduce, that appeared in the Friends' Intelligencer. We ask our readers to note it carefully:

"A. F. Miller, a member of the Thirty-second United States Volunteers, writing from the Philippine Islands to the Omaha World, under date of March 5, describes the means used by United States soldiers to compel captured Filipinos to give up their concealed arms. He says:

"We go out, catch a negro, and ask him if he has a gun; he will give us a polite bow and say, 'No sabby,' and then we take hold of him and give him the 'water cure.' After which he can get us two or three guns. Now, this is the way we give them the water cure: Lay them on their backs, a man standing on each hand and each foot; then put a round stick in the mouth and pour a pail of water in the mouth and nose, and if they don't give up pour in another pail. They swell up like toads. I'll tell you it's a terrible torture.

"We went up the bay the other day to get some robbers, and secured three. They would not tell where they had their guns, so we gave them the water cure (salt water), and two of them gave us their guns. We gave the other one so much water we nearly killed him, yet he would not tell. Guess he was an old head. They have lots of grit. They will stand and see you half kill one of their friends and won't tell a thing. When it comes to their time to take the cure, they will take their clothes off, lie down, and take two or three pails of water before they will say a word. One of them said, 'You can kill me, but you can not make me tell.'"

Upon first reading the above item we could scarcely credit its statements. It seemed so short a time since the nation began a war for humanity and shuddered at "Spanish methods." There is a difference, however, between resisting another man's temptations and one's own.

Happening to meet the editor of the Intelligencer at Lake Mohonk, we asked him about the "water-cure" story. He replied, in substance, that it seemed sufficiently authenticated to print, the name, etc., of the soldier who told it being given. A few days later a gentleman well known to us placed in our hands, for perusal and for anonymous quotation, an autograph letter from a correspondent in the Philippines, who holds an official position in our Army. We herewith print an extract from this letter, asserting at the same time that we have entire confidence in the veracity and credibility of the writer:

—, PHILIPPINE ISLANDS, April 25, 1900.

MY DEAR —: As this is the last day for some time that I will have a chance to write, I thought this would be a good time to begin one. We are still at it, and making preparations for the rainy season, which is expected about the middle or latter part of June.

Any of the natives who have a gun can turn it in to us and get \$30 Mex. [Mexican money] for it, so a good many are bought in that way. We have a company of Macabebe scouts here who go out with white troops, and if they can not get any guns voluntarily they proceed to give the fellow a water cure—that is, they throw them on their backs, stick a gag in their mouths to keep it open, and proceed to fill them with water until they can hold no more; then they get on them, and by sudden pressure on the stomach and chest force the water out again. I guess it must cause excruciating agony, as they nearly always disclose where guns are hidden. Of course there is no pay for guns gotten in that manner. It is rather a harsh way for us to use them. I wonder how we would feel were we used in such a manner. The soldiers who look on think it a huge joke.

War is brutalizing, of course. American boys on leaving home would resent the suggestion of such a torture and prevent its accomplishment; but after being engaged in war for months or years the brutalizing effect of the business they are engaged in not only numbs their consciences and perverts their opinions and their judgment, but has its reflex action upon the mass of the people, brutalizing the sentiment of the whole nation. Continuing, the newspaper says:

These Macabebes are a people who have always been held in contempt and subjection by the Tagals. They are not very numerous, and not the equal of the latter in anything except ferocity. Had the former known a year ago that they would take arms for us, I think they would have exterminated them. Between the two there is little to choose, except that the Macs are more cowardly and indulge their craven ferocity under the protection of Americans.

And yet this bill proposes to enlist 12,000 more of them. The newspaper concludes its article with this paragraph:

I saw two American prisoners who came in here a few days since; one is a Fourth Cavalryman, the other from the Twelfth Infantry. They were with General Macabolas's command. They say they got used pretty well, on the whole. They stole away in the night and arrived here after five days' travel. They looked pretty tough. They say that Macabolas has 4,000 men, all armed, and plenty of ammunition, and that they can get all the food and clothing they want from the people through whose districts they pass. He is presumably waiting for the rainy season to start in. It looks like a concerted plan on his part to make it warm for us. If there is fun, we will not be surprised. I am sorry to say that we will have to call for more troops.

I have read these extracts for the purpose of showing that the soldiers we will enlist under the provisions of this bill will be Macabebe savages. They are the kind of people that England enlisted against us in the war of the Revolution, and when Pitt or Fox protested on the floor of Parliament the English minister said it was their duty to use every implement God had placed in their hands to accomplish their work. Is that the position of the American Senate? Is that the position of the Republican party to-day? What justification is there for placing weapons in the hands of these barbarous people, whom the Secretary of War in his testimony says murder and burn and rob, and whom our soldiers say torture their victims? Has there been an argument made on this floor in justification of this outrageous clause in the Army bill? Mr. President, this provision in the Army bill should be rejected and the report rejected, with instructions to the conferees to provide in the bill that our military indulgences be confined to civilized warfare.

There has been much said, Mr. President, about the character of the people in the Philippines, and the President of the United States himself—I will not characterize his purpose—has stated that a fragment of one tribe alone was fighting us; that there were eighty tribes; that the majority of the Filipinos were willing to accept our rule. The facts are that two tribes compose the bulk of the population and of the Christian people, and that those two tribes are one race, speaking a common language. These two tribes are united to a man in resisting our efforts to deprive them of their liberty, except it be an occasional individual who has been bribed or induced by offers of some character to join with us. Such men existed during the Revolution by which we gained our liberty. Such men exist in every country, no matter what may be the cause for which their countrymen are struggling.

For the purpose of showing what the tribes of the Philippines are, I propose to have read a communication from Sexto Lopez on the tribes of the Philippines, so as to clear up the false statement and erroneous impression which the Administration has studiously undertaken to distribute, in order to create a sentiment against these people. I will ask the Secretary to read the article. It is an exceedingly interesting one, by the best authority in the world, and I should like very much to have the Senators pay some attention to it.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

THE "TRIBES."

It has been suggested that I should say a few words about the so-called "tribes" of the Philippines.

Statements have been made to the effect that we are divided into 84 tribes, speaking different languages and of all degrees of barbarism and civilization; that these "tribes" are at enmity with each other; that they would never agree to form a united, strong government, and that one warlike "tribe" is seeking to dominate all the others and to rule with an iron hand the weaker and peaceable citizens of our country.

These statements are entirely incorrect. That there are a few uncivilized or semicivilized peoples still inhabiting the northern part of Luzon and the interior of the island of Mindanao is a fact which no one disputes. They correspond roughly to the uncivilized or semicivilized remnants of the Indian tribes still inhabiting certain parts of the United States.

The Schurman Commission is responsible for the statements about these 84 different "tribes." But it is clear that the commissioners' list has been compiled from imperfectly kept and still more imperfectly spelt Spanish records. The confusion into which they and others have fallen in reference to the so-called "tribes" is due to the fact that our country is divided not only into provinces, but into provincial districts, wherein slightly different dialects are spoken. The inhabitants of those provincial districts have been confused with the few mountain peoples. The latter have been subdivided by purely artificial boundaries, by which means the small community has been subdivided into two or more "tribes."

Additional "tribes" have also been created by the incorrect spelling of local Spanish officials and by giving two native equivalents for the same people, as, for instance, when two "tribes" are created by calling the one Buquils and the other Buquiles, which is equivalent to saying that there are two "tribes" in England, the English and the British.

Examining the list still more in detail, we find that there are said to be two tribes of Aetas, two more of Aetas, and one of Atas. These are not tribes at all. The word Aeta is the Tagalog equivalent of Negro. This word has been spelt in three different ways by careless Spanish officials and thus multiplied by the commissioners into three separate and distinct "tribes." The word Baluga is another native equivalent for the Negritos, and this word is also given by the commission as the name of a separate and distinct "tribe." It would be just as absurd to regard the Americans as one tribe and the "Yankees" as another and then to increase these two tribes into four or more by misspelling the word "Americans" or by translating it into French. The names are also given of "tribes" which do not exist in the Philippines at all, as, for instance, the Manguianes of Masbate, the Manguianes of Ticao, the Negritos of Tayabas. I have been in all of these places, but I never saw or heard of these "tribes," nor have I ever met anyone who had seen or heard of them.

Thus, by the processes of imagination, bad spelling, translation, subdivision, and multiplication, the 15,000 Negritos are split up into 21 "tribes."

There are also said to be 16 Indonesian "tribes" in the island of Mindanao. It would be interesting to know where the commissioners obtained this information. The interior of Mindanao has never been explored; all that is known of it with any degree of certainty is that the inhabitants are Indonesians and that they are divided into sections under small chiefs or headmen.

It would be impossible, in the time at my disposal, to even attempt to explain all the errors and confusions of this list prepared by the Schurman commission. It is sufficient to say that by the processes which I have indicated the few semicivilized people and the civilized inhabitants of the provincial districts in Luzon and the Visayas have been multiplied into 84 "tribes."

Now, as a native of the country and as one who has given some attention to the ethnography of the archipelago, both by personal research and by a study of the best works on the subject, I may be permitted to give a brief statement of the facts.

There has been a considerable amount of speculation about the Negritos, who are erroneously regarded as the aboriginal inhabitants of the whole archipelago. But Pedro A. Paterno, one of the most capable ethnologists, and others have shown that the Negritos are the surviving remnant of the slaves brought to our islands by the Moros in the eleventh and subsequent centuries. They are not specially Negroid in appearance, and only those inhabiting the province of Bataan in Luzon have curly hair.

In the large and only partially explored island of Mindanao there are several Indonesian "tribes," the chief of which are the Subanos, estimated to number from fifty to seventy thousand, and the Mendayas, who are estimated to number 35,000, and the Tagabanas, comprising about 30,000. The Mendayas and the Manobos are said to practice the one human sacrifice and the other ceremonial cannibalism. It is also said that the small "tribe" of 4,000 Ilongotes in Luzon are head-hunters. This has been denied and asserted on equally untrustworthy authority. I have never met nor heard of anyone who has witnessed any of these practices. The information has always come from a neighboring people. The idea has probably arisen by travelers having seen the heads of criminals erected on spears, just as one might have witnessed the same thing a century or two ago on Temple Bar or London

Bridge. But if that proved head-hunting on the part of the Ilongotes, it also proves that the English people were head-hunters.

If, however, these statements are true, they are paralleled by the scalp-hunting Indians of the United States and by the human sacrifices and ceremonial cannibalism of the Canadian Indians.

There are also the Moros of Mindanao and the Sulus. They are, of course, Mohammedans, and some of their institutions are contrary to the true ideals of morality and liberty.

There are a few natives on Mindoro who have not been Christianized nor tyrannized by Spain. But they have a religion and a code of morals of their own, the latter of which they adhere to, and which in many respects is superior to that practiced by the Spaniards. They believe in one God and are monogamists. They are a moral and hospitable people, who do their duty to their fellow-man, worship God in their own way, and do not believe in any kind or form of devil.

The so-called wild men of Luzon are the Igorrotes, who are a "warlike but semicivilized people, living in villages, owning farms and cattle, irrigating their rice fields, mining and working gold and copper and forging swords and spearheads of iron," but who have never been converted to Christianity or subdued by Spain. They are, however, prepared to submit to and recognize Aguinaldo's government, and have sent him presents of gold dust to assist in the war. The Igorrotes are probably an early branch of the Malayan race, which originally populated the island.

These uncivilized and semicivilized people are not separate genealogical tribes. The inhabitants of Mindanao are a homogeneous people of common Indonesian descent, who have become divided into sections under petty chiefs or head men, some of which have slight differences of dialect which have arisen gradually, owing to there being little or no intercommunication. But most of them speak the same dialect.

Let us now glance very briefly at the remaining millions of Filipinos who are generally regarded as belonging to the Malayan race.

They constitute more than nineteen-twentieths of the entire population of the archipelago, and are divided into provincial districts, inhabited by the Visayans, the Tagalogs, the Bicolos, the Ilocanos, the Pangasinans, and the Cagayans. All of these provincial people belong to one race, and all of them are Christian people practicing the morals and arts of civilization, and speaking dialects which are as similar to each other as are the dialects of the different provinces in England. The divergence between these dialects is much less than that between the Spanish and Italian languages. I have traveled alone in Italy; I do not know Italian; but I have had no difficulty in understanding and in making myself understood by the Italians. Similarly, I have traveled in the Visaya sand elsewhere in the Philippines and have had very much less difficulty in communicating with the Visayans and the Bicolos. A Tagalog will become proficient in the Visayan or other dialects within a fortnight, and vice versa.

As a matter of fact, the difference between the dialects of the seven provincial districts would not be a real difficulty to independent self-government: First, because the difference is so slight, and, secondly, because Spanish is the official language of our country, spoken by the educated people of all provinces; and the Schurman commission declares that these educated people are far more numerous than is generally supposed. When Tagalogs, or Visayans, or Bicolos meet they never dream of speaking in their own dialects; intercourse between them is carried on in Spanish. And I may state, parenthetically, that the Filipinos have so excelled in Spanish as to have won valuable literary prizes in competition with the Spaniards themselves. Dr. Jose Rizal at the age of 17 took the first prize in the Cervantes literary competition at Manila, which was open to Spaniards and Filipinos alike in both Spain and the Philippines.

But if language were a difficulty under Filipino rule, it would be a still greater difficulty under American rule, due to the necessity of the introduction of English, which would form a third language in our islands.

Other countries do not find that a difference in language forms a difficulty to self-government. In every country in the world, with perhaps the exception of the United States, there are two or more languages or dialects spoken by the people.

The only difficulty with regard to language in any of these countries has been due to jealousy as to which language should become the official one. This difficulty has already been settled in the Philippines.

Now as to the supposed enmity between the so-called "tribes." Such enmity is quite unknown among our people. There may be, and no doubt there is, enmity between individuals, but the enmity does not exist between the so-called "tribes" or provinces. During the short term when our government was not interfered with the most perfect harmony and unanimity existed, and provincial and racial differences were never even thought of.

When our government was first established, emissaries came from almost all the provinces and islands declaring their support on behalf of those from whom they came. Even the Moros of Mindanao and the Igorrotes of north Luzon, who had never been subdued by Spain, acclaimed Aguinaldo, and were prepared to recognize his government. Our "asamblea" or representative chamber, under the new constitution, comprised representatives of all the provinces. Some of these provinces include two or more islands, while some of these islands are divided into two or more provinces. Thus, the province of Romblon includes the islands of Romblon, Tablas, Sibuyan, and other smaller islands, while Panay is divided into four and Luzon into many provinces. It should be remembered that these provinces are separated by artificial boundaries. They are geographical but not racial areas. Frequently in one province two dialects are used, as in north Camarines, where Tagalog and Bicol are spoken. On the other hand, in some cases two or more provinces use only one dialect, as in the thirteen provinces where Tagalog is spoken.

A Spaniard or other foreigner can not distinguish any difference in the accent of the inhabitants of these thirteen provinces, although a native may in some cases, but not in all, be able to tell whether a speaker is from, say, Batangas or Bulacan. But to imagine that the inhabitants of these provinces generally are at enmity with each other or that they would be likely to tear each other's throats is as absurd as to suppose that the inhabitants of Massachusetts would naturally desire to rend the men of New Hampshire or Rhode Island.

The interrelations of the people of the several provincial districts show that no such enmity has existed or does now exist. For instance, in the schools and colleges, especially in Manila, there are representatives of all the chief provincials, and it would be impossible to tell which were which. I may be pardoned for here referring to myself. I am a Tagalog, but it would be impossible for another Filipino to say, judging from external appearances only, whether I am a Bicol, a Visayan, a Tagalog, or a Pangasinan. The only way of discovering from which provincial district I came would be by means of the dialect.

There are many institutions in the Philippines the benefits of which are not confined to the people of any one province. For example, there is one educational institution (purely Filipino) granting scholarships which enable the winners to study in Europe. These scholarships are open to all Filipinos in the archipelago.

In Japan the official representative of the so-called "Tagalog despotism" is an Ilocano. In Madrid all the Filipinos have formed themselves into a committee and are working unitedly for independence. The president of

the committee is a Bicol, the vice-president an Ilocano, the secretary a Visayan, the treasurer a Tagalog, and the remainder of the committee are Tagals, Visayans, Bucols, Ilocanos, and Pangasinans. In Barcelona, in Paris, and in London the same diversity of province and the same unanimity of purpose obtain. Among all the Filipinos resident in Europe who represent the educated and moneyed classes, and who know something of European government, there is not one "Americanista."

This is an important fact, because all these men are entirely free from the supposed despotism of Aguinaldo or General MacArthur. They are thus free from all external influences, yet every one of them has voluntarily chosen to support Aguinaldo and to work for the independence of our country. As a matter of fact, with the exception of the few uncivilized tribes in central Mindanao and the Sulus and the semi-civilized Igorrotes and Negritos of Luzon, to which I have referred, the Filipinos are a homogeneous people belonging to the Malayan race. They speak several dialects, but they are one people. They constitute an overwhelming majority of the inhabitants of the Philippines. They are opposed not solely to American but to any foreign rule, and they are united in the desire for independence and for the purpose of maintaining a stable, independent government.

In conclusion, I again assert, without fear of contradiction, that the alleged antagonisms between the inhabitants of the provincial districts, or between the so-called "tribes," have arisen, not in the minds of the Filipinos themselves, but in the minds of those who do not understand our people and who have reached conclusions in no way warranted by the facts.

I have been asked to say a word about the so-called "tribes" not included in the commissioners' list. It has been stated that the "Macabebes are fighting on the American side." The statement has been made in a manner which would convey the idea that the Macabebes are a large tribe, somewhat like the Tagalogs, and that it is therefore clear that all the Filipinos do not desire native rule. You will no doubt be surprised to learn that the Macabebes or Macabebians, as they should be called, are simply the inhabitants of the town of Macabebe, in Pampanga. The population of this town has been estimated at from four to ten thousand all told, and of these only 200 are scouting for the American forces. If that shows disunity on the part of 10,000,000 of Filipinos—well, "make the most of it."

I should like to mention that these same Macabebians also fought for Spain against the Filipinos in the insurrection of 1896. Apparently they prefer foreign rule of any kind, whether it be Spanish or American, to that of their own. We are glad, therefore, that such men as these are not fighting on our side.

Mr. PETTIGREW. Mr. President, it appears from this paper by Lopez that the so-called innumerable tribes of that country fade away upon investigation; that they were created on paper by dividing names and translating names into other languages until one tribe counted for a dozen, and that in reality we are fighting a united people who are struggling for independence. We are trying to deprive them of their liberty by force of arms. We are doing exactly what has been done by every conqueror who has set out to rob a nation of its freedom during all history, declaring to the world we are doing it for the good of our victim. That the Philippine war will continue for years, if we choose to continue it, I believe is inevitable. It may outlast our own Republic. One hundred thousand men are not a sufficient number to send upon a liberty-destroying mission against 8,000,000 people who have shown themselves to be as brave as the Filipinos. We have killed but 35,000 of them in all our murderous work. The impression is but slight. One-half of their area has never been seen by our soldiers. Less than one-quarter of it is in our possession. If we pass the Army bill and send to that country such men as we can spare, it simply means that we will continue to occupy with scattered posts less than a third of the villages and cities within the islands.

I have in my hand an extract from a leaflet containing letters and notes communicated by the insurgent generals to a general Filipino committee outside of the island, and I am going to read it because it not only describes our methods of warfare, but indicates clearly the purpose of the Filipinos, for it was written before the election, to continue the contest indefinitely:

On the contrary, the defenders of the nation do not sleep nor rest, dealing more or less heavy blows to the enemy and demonstrating by their audacity and persistence that they are fully cognizant of the rights which they are defending. No, never shall we give in. We desire, we want, and we are striving for peace, but peace only on the basis of the recognition of the independence of the Philippines, the only honorable, lasting, and feasible peace possible. Our honorable president tells me that you are to work unceasingly for that recognition; that you are not to enter into any negotiation unless it be on the basis of that condition, and that you are to tell the whole world, and America especially, that independence is the only thing we are striving for; that this is the desire of the whole healthy-minded nation, and that only a few whose minds have become diseased by the germ of power differ from that wish, and that there can be no peace whatever in the archipelago until independence has been gained.

A great battle is being fought between imperialists and anti-imperialists, on whose respective banners our slavery and our freedom have been inscribed. I can not tell, nor do I think that I am justified in expressing an opinion as to what will be the final result. All I can say is that I have implicit faith that the voice of justice, properly aided by the tenacity, conviction, and heroism shown by our soldiers, will finally triumph in the conscience and heart of the American people. I fully trust that the vicious intention of McKinley to subject us by force will never succeed and that we shall not require the iron rod of his education to get a proper government. But if his fate and our misfortune should cause him to obtain by purchasing them a majority of the votes, and therewith the power, I am ready to maintain the same activity that I am showing to-day; ready to remain unreconciled and warlike, not only for four years but for ten and more—in fact, for such a length of time as will be needed to recover that which all of us consider our right and our property. I am of the opinion that to remain unreconciled would be one of the most potent factors in obtaining our longed-for independence and in banishing from our shores those Stars and Stripes to which we once looked with such adoration.

The Americans are issuing orders in which they quote the laws of civilized warfare and in which they promise that they will treat their prisoners fairly;

but, very far from fulfilling what they promise, they are treating the officers of our army with the utmost cruelty when they chance to fall into their hands. As, for instance, Capt. Ceferino Francisco, whom they condemned to 50 lashes a day in a prison at Laoag (Ilocos Norte), exposing him then to the heat of the sun, and condemning him afterwards to hard labor. The same was done to Lieut. Andres Gabriel and a captain of "Sandatahan," whom they are whipping daily in the district of Cagugao (Ilocos Sur).

More yet. Many countrymen that are suspected of being participants in the war are subjected to every class of torture. They are exposed to the sun for hours and hours at a stretch, water, vinegar, or wine being poured into their nostrils or their mouth, and a thousand other tortures, all more or less cruel. The deaths of Messrs. José Ber and Juan Avila, living at San Miguel de Sanat, San Nicolas (both in Ilocos Norte), are due to such treatment. Commander Panganiban, is now working as a prisoner in the public streets of Taal (Batangas), in the same place where under the Spanish dominion he had been a gobernadorcillo (sort of subgovernor and justice of the peace); and we understand that he is not the only one, either, who is suffering such a shameful treatment in the same province. Information is pouring in from all parts of that district showing us that the rudest treatment, the most humiliating punishments, are dealt out to those whom they take prisoners, without stopping to make any inquiries and without distinction of classes.

A great many inhabitants of the province of Cebu have been also condemned to convict labor, all of them political criminals, amongst whom was the local president of Siloan, a man 70 years old, who more than once has fallen fainting to the ground, without the slightest compassion being shown to his advanced years.

The Americans think, perhaps, that by means of such Neronean conduct they will succeed in intimidating the other islanders, but they will be disappointed; for, like true patriots, they have disregarded the threats of their enemies, and have flatly refused, as did the 39 electors of the capital, to participate in the election to avoid signing the oath of acknowledgment by which they were to recognize the American sovereignty, and they were unanimous in the decision that to give their vote, even without swearing, meant nothing more than the tacit acknowledgment of the legitimacy of the dominion claimed by the enemy, since in doing so they would concede his right to create, even against our wish, authorities and institutions on our soil. The district chiefs and the inhabitants in crowds presented themselves to the American governor, openly declaring that they did not care to swear, that they had their own nationality and authorities; and the local president of Danao and his subordinates, though captured and ill-treated, could not be shaken in their firm decision not to acknowledge in any manner the new system nor to assist in introducing the same, because it is the order of an invading government, not our own, and the chief persons have declared that they will rather be shot than submit to any other but a Filipino government.

Thanks to the samples of an imperialistic education that have been offered them, the uncivilized Filipinos, as the Americans are accustomed to call them, are now getting thoroughly undeceived as to the civilization and kindness of those who pretend to be their masters, and, far from thinning our ranks, they are strengthening them daily, for to the love of their country there is added now the desire for revenge, and these together will render the Filipinos immovable in the defense of their country and their rights.

Mr. GALLINGER. Who is the author of that paper?

Mr. PETTIGREW. It is an extract from a leaflet containing notes communicated by the insurgent generals to the central Filipino committee, outside of the island. It was sent to Europe, to this country, and to Hongkong.

Mr. GALLINGER. Mr. President, if the Senator from South Dakota will permit me, I should like to ask him if he believes, notwithstanding the statements he has read to the Senate, that our soldiers are guilty of atrocities in the Philippine Archipelago? Does he believe that the war on our part is being conducted inhumanly? I should like the Senator to answer the question, stating his own belief on that point.

Mr. PETTIGREW. Mr. President, it would be entirely unnecessary for me to answer the Senator. All he has to do is to read my remarks in the RECORD to-morrow. I have already answered the question completely, and if he did not choose to remain to listen, I think I am not required to repeat.

Mr. GALLINGER. Then, if the Senator will permit me, of course he is under no obligation whatever. I was unavoidably absent from the Chamber. If the Senator has made a statement—

Mr. PETTIGREW. A complete statement.

Mr. GALLINGER. On that point I shall probably not burden myself with reading it in the RECORD, but I would be pleased to have the Senator answer it, if he sees fit to do so.

Mr. PETTIGREW. The Senator can not desire the information which he appeared so much to desire a second ago if he will not even read it in the RECORD. He must have had some other purpose for rising to his feet and propounding the question, a purpose which others may guess. I will not characterize it or undertake to designate it.

Mr. GALLINGER. Well, Mr. President—

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

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

Mr. GALLINGER. The Senator, of course, can place any interpretation upon the inquiry I made that he sees proper. The question was asked in entire good faith, because I did not believe that any Senator of the United States could believe that the Army of the United States or the soldiers of the United States were committing atrocities upon any people and that their officers were permitting them to do so. I do not myself believe it, and I am sorry if the Senator from South Dakota believes to the contrary.

Mr. PETTIGREW. Mr. President, perhaps the Senator will find time to read the sworn testimony of the Secretary of War before the Committee on Military Affairs, in which he says: "We

have enlisted Macabebes;" that under our flag they murder, rob, and burn.

Mr. TELLER. Mr. President—

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

Mr. TELLER. Will the Senator allow me to make a suggestion to the Senator from New Hampshire?

Mr. PETTIGREW. Certainly.

Mr. TELLER. The Senator from South Dakota has been detailing to the Senate what is called the water cure. I want to say to the Senator from New Hampshire that, unless the cases have been disposed of, two United States officers are now being disciplined by the authorities for practicing the water cure on the natives. Recently a gentleman of high character came to my room and brought me a letter from a distinguished American officer who does not wish to be named, because it has been discovered, I believe, that these complaints at the War Department are not received in a friendly way, in which he stated that he came upon a party that had just inflicted this cruel torture. He did not see it done, but he said that the man was in a very deplorable condition when he reached there, and was nearly dead.

Mr. PETTIGREW. Covered with blood?

Mr. TELLER. Covered with blood.

Mr. PETTIGREW. Mangled about the mouth, and so forth, indicating that the story was entirely correct and true. I could have read letters from other American soldiers to the same effect as those I did read.

Now, Mr. President, it seems deplorable that the American Army has to be lectured by the people whom it is fighting—has to be asked to maintain the rules of civilized warfare and to conduct its operations humanely. Dewey says that Aguinaldo was wonderfully successful against the Spaniards, and that he advised him to conduct the war humanely, and he had done so invariably. Dewey turned over to the Filipinos many hundred Spanish prisoners taken at Subig Bay. There has been no complaint of their brutal treatment. On the contrary, it is a matter of history that they were treated kindly and humanely, and finally they escaped or were released.

No, Mr. President; war is brutalizing, and as we continue year by year in the Orient brutality will increase and the disgrace to this great Republic will deepen. The way to escape criticism for our acts is to give the Filipinos their liberty, their own government.

Who are the people we are fighting? No longer is it claimed that they are savages, because the unvarying testimony is that a greater per cent of them can read and write than can be found in the population of many of our States or within half the countries of Europe. It can no longer be maintained that they are savages, because the proof is conclusive that all the people we are fighting are members of the Catholic Church. The benign influence of the Christian religion has been over them for centuries. Our soldiers testify that they found books in almost every house and that they found schoolhouses everywhere. In fact, they set up a government and continued it for six months, and this government was maintained throughout the entire group of islands, covering every portion of it but the dominion of the Sultan of Sulu and the city of Manila, which was occupied by our Army. They had adopted a postal system, had engraved and issued their own postage stamps, and were in control of a telegraph line owned by their government and operated by it. They organized a central school system, under the control of the general government. Peace and prosperity and happiness existed throughout all this great population, now sadly destroyed over about a quarter of the area of the islands by the presence of the despotic power of our imperial army of invasion.

I have, Mr. President, a letter from a gentleman who was taken prisoner and was for a long time in the hands of the Filipinos. For the purpose of corroborating what I have said I will ask to have the Clerk read this letter.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

NEW YORK, December 26, 1900.

DEAR SIR: In answer to your letter of the 20th, I hereby offer you any assistance that lies within my power. After a consultation with Messrs. Scribner's Sons, with whom I have made a contract to publish my book on the Philippines, I find that they have no objection to my position as an anti-imperialist before the public, although my narrative takes rather an unbiased stand. It gives merely an account of my ten months' experience as a prisoner of war among the insurgents of Luzon, stating facts as they presented themselves to my eyes, regardless of political factions, leaving the reader to draw his own conclusions, which can not, however, but be in favor of the Filipinos.

With regard to the authentic facts for which you have asked me, I am rather puzzled as to what you could make the best use of. If you mean anything that comes within my own personal experience, I am only too glad to serve you. Possibly I had best give you a brief outline. On January 27, 1899, I left Manila in company with a friend and entered the insurgent lines for the purpose of taking photographs. We were arrested as spies and taken on to the insurgent capital at Malolos, and there held until hostilities broke out, a week later. The Filipinos certainly had every right to take us for spies, since we were dressed in civilian clothes and had a camera in our possession, my companion being recognized as a member of the American Army.

Upon learning that the outbreak had occurred, great excitement prevailed at Malolos. A wild rabble gathered before the gates of the prison in which we were confined and attempted to drag us out, but our guards, the insurgent regular soldiers, threw themselves in between us and the mob, fighting in our defense until we were removed to safer quarters. This rather goes to prove that the insurgents are neither savages nor armed rabble, but well disciplined and acquainted with the rules of international law.

We were also informed by Filipino officials several days later that the outbreak was the result of a sentry's blunder and that they had hastened to apologize and offered to make reparation, but that General Otis had refused to consider all advances made by them for a peaceful settlement.

In March the renewed activity of the Americans forced the insurgents to retreat to San Isidro, taking us with them. Our treatment was at times hard, but owing rather to circumstances than to the Filipinos themselves, who seemed on the whole inclined to make our lot as bearable as possible.

In San Isidro we were joined by Lieutenant Gilmore and several of his men on April 22.

In May we were once more on the march, together with several hundreds of Spaniards, retreating constantly until, in June, we found ourselves in Vigan, the capital of the northern province of Ilocos.

Here several of us became seriously ill and were sent to the local hospital. Medicines and medical skill were sadly in want. Still we were treated equally as well as the wounded Filipinos themselves, the women nursing us as they did their own.

In September we were taken up the Abra River to Bangued, in the heart of the Abra Mountains, and here we were allowed the full liberty of the town, well treated and cared for. I was able to teach school here, for which I received a pay almost equal to that of a second lieutenant in the insurgent army. Many of my companions were able to do likewise; all, in fact, that were capable of speaking the Spanish language. Even during the war the Filipinos established schools in every town, and Vigan could boast of an excellent college which followed its daily routine as in times of peace. Upon the arrival of the Americans these schools and colleges were broken up, and the buildings ever since have been confiscated as barracks.

I also observed that every Filipino under 30 could read and write, if not Spanish, at least his native dialect. The Spanish friars discouraged the study of Spanish, and for this reason the poorer people were unable to learn more than what was taught in the convent schools—reading, writing (in native dialect), Bible history, psalm singing, and the rudiments of arithmetic. Whenever given the opportunity, however, the people of all classes are anxious to learn and improve themselves.

In November I succeeded in effecting my escape, and was appointed guide and interpreter to General Young's forces. In this capacity I was able to make comparisons between the two governments, and am forced to say that I drew my conclusions in favor of the Aguinaldo government. The people were more discontented, becoming more and more so every day. Our officers do not seem to understand the natives, and inspire fear rather than respect. Cock fighting, which is strictly forbidden by the insurgents, is freely allowed in American territory. Taxes are heavier than formerly, and our soldiers have so raised the prices of food products that the poorer people are suffering heavily from want.

These are the facts which I present to you now, but whether they are suitable for your purpose or not I cannot say. Should you wish further details, I am willing to oblige you—or the cause rather—of which I am strongly in favor.

Respectfully, yours,

ALBERT SONRICHSEN.

Mr. PETTIGREW. Mr. President, this letter, written by an American who was a prisoner in the hands of the insurgents for weeks, discloses a condition of peace and good government broken into by our Army. What are the conditions in that country to-day, where we are practicing the Spanish policy of concentrating these people in the towns? Already the newspapers inform us that the vacant room and space intended to be used for the accommodation of these reconcentrados in Manila are overcrowded. Not only are we collecting the population together as prisoners, after the Spanish method, removing them from their homes and congregating them in barracks, but we are deporting the leaders. This was what Spain did, and we complained about it. I suppose we are doing this to make the Filipinos love us and trade with us; that is what our statesmen say. In the interest of civilization we are concentrating this population in the barracks of the cities and deporting their leaders. For what? Simply because they have offended us by demanding their own government; simply because they ask for independence.

For my part, I can not understand how any American citizen can justify such a course or support it for a moment. Perhaps Senators do it because they neglect or refuse to inform themselves concerning the situation; because they neglect or refuse to call upon the Department for information, decline to listen, and refuse to read. It can not be that they hunger for information. They say they will not read in order to equip themselves for intelligent discussion. We are pursuing a course so contrary to everything in our history that our action certainly must be a matter of great astonishment among thinking men throughout the world.

I have here a letter written by A. Mabini, whom our imperialistic Government has deported in an arbitrary, monarchical manner to the island of Guam. Mabini is a cripple, deformed and distorted by hardships inflicted upon him in an inquisitorial Spanish prison, because he rebelled against Spain when Spain maintained the sovereignty of the sword over that country. This punishment was bestowed upon him because he undertook to secure freedom for his people. He was deported by us because, when the Filipinos had thrown off Spain's dominion, we tried to deprive his people of their liberty and he resisted the effort. I ask unanimous consent to have the Secretary read this letter. It is brief, and it states what the Filipinos want, from one of the ablest men among them, written by a man who would do honor to any country if he were a citizen thereof.

The PRESIDING OFFICER. The Secretary will read as requested.

The Secretary read as follows:

[Letter of A. Mabini, addressed to the correspondents of the principal American newspapers then at Manila.]

MANILA, January 22, 1900.

Messrs. WILLIAM DINWIDDIE, JOHN F. BASS, and JOHN F. McCUTCHEON, Correspondents of *Harper's Weekly*, *New York Herald*, *San Francisco Call*, and the *Chicago Record*.

GENTLEMEN: Being convinced that you are treating the Philippine questions with an impartial mind and with a tendency to prevent that the public opinion in the United States be led astray, and that it be such as becomes a great, free, and civilized people, I take the liberty of requesting you here-with that you make generally known the following points:

(1) The Filipino nation does not cherish any systematic hatred against the foreigners; on the contrary, it is ready to receive with the greatest gratitude all who evince the desire of cooperating with it in the pursuit of its freedom and happiness.

(2) The Filipinos maintain their fight against the American troops, not because of an especial hatred, but in order to show to the American people that, far from being indifferent as to their political situation, they know how to sacrifice themselves for a government which assures them their individual liberty and which governs them in conformity with the wishes and the needs of the people. They have been unable to avoid that fight, owing to the fact that they have been unable to obtain from the American Government any kind of formal and clear promise regarding the establishment of such a kind of government.

(3) The present condition and state of war deprives the people of the chance to manifest freely their aspirations; therefore the Filipinos desire most ardently that the Congress of the United States provide for some means to listen to them before adopting a resolution that would mean a definite decision regarding their future.

(4) To bring about that, the Filipinos request the Congress that it nominate either an American commission, which would have to find ways and means to meet such Filipinos who enjoy a positive influence both with the peaceful part and with that part of the nation which is now in arms, or that it call for a commission composed of such Filipinos, in order to be informed by them directly as to the wishes and needs of the people.

(5) In order to provide a possibility of receiving a complete information of this sort and in order that the work of the commission, whichever may be its composition, have for a final result the establishment of peace, it is requested that the American army of occupation do not interfere with the free and unhampered manifestation of the opinion of the people in either the press or in peaceful meetings; that the same suspend for the time being their attacks on the Filipino posts, while, of course, also the latter would bind themselves not to undertake anything whatever against the American troops, and, further, that the commissioners be given the greatest liberty to communicate with the revolutionists.

(6) In view of the obvious success of the American arms, even the least rational Filipino can not help admitting that all concessions of the class would mean nothing else but an act of liberality on the side of the North American people, which appears to me to be one additional reason why the Congress should show benevolence and indulgence.

I confidently hope that when the Americans and Filipinos have come to know each other better not only the present conflict will come to an end, but that also any future ones will be avoided. The opinion prevailing among the impartial part of the American nation appears to tend toward adhering to its old traditions and the spirit of justice and humanity, which constitute at the present time the sole hope of all upright Filipinos.

Thanking you beforehand for the great favor which you will confer upon me by complying with my request, I have the honor to be, with the greatest esteem,

Your most obedient servant,

AP. MABINI.

The PRESIDING OFFICER (Mr. KEAN in the chair). The Senator will suspend while the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 727) to promote the commerce and increase the foreign trade of the United States and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

Mr. HAWLEY. I ask that the shipping bill, so called, be laid aside, that we may proceed with the consideration of the conference report.

Mr. ALDRICH and Mr. FRYE. Temporarily.

Mr. HAWLEY. I ask that it be temporarily laid aside, that we may proceed with the consideration of the conference report on the highly important Army bill.

The PRESIDING OFFICER. The Senator from Connecticut asks unanimous consent that the unfinished business be temporarily laid aside that the Senate may continue the consideration of the conference report. Is there objection?

Mr. PETTIGREW. I object.

Mr. FRYE. Mr. President, in my statement made a day or two since I said that I would press the shipping bill as against everything, including even appropriation bills, and would only yield to a majority vote of the Senate on the question of consideration. I did not include in that statement the conference report on the Army reorganization bill. I regard that as the most important legislation before the Senate now.

Therefore I move that the Senate proceed to the consideration of the conference report on the Army reorganization bill.

The PRESIDING OFFICER. The Senator from Maine moves that the Senate proceed to the consideration of the conference report on the Army reorganization bill. The question is on agreeing to the motion.

The motion was agreed to; and the Senate resumed the consideration of the report of the committee of conference on the bill (S. 4300) to increase the efficiency of the military establishment of the United States.

Mr. PETTIGREW. Mr. President, I am very glad to have a choice made and to find out what is the most important business before the Senate and the country. Yesterday it looked as though

it was more important that the campaign debt should be paid and that the subsidy job should be the first thing to be considered, no matter if we kept our volunteers in the Philippines and refused to relieve them when their terms of enlistment had expired, and that the haste over the Army bill had disappeared from the horizon.

I am very glad to find out to-day (and I thought I would try and test the question) that after all the Army bill is the most important to consider. I fear, however, if there were not time to consider both, the Army bill would have to give place to that most important consideration, the question whether the trail of corn, as the Senator from Tennessee [Mr. TURLEY] designates it, should be strewn from the crib to the hungry mouths of the so-called shipbuilders of this country.

The PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

Mr. PETTIGREW. Mr. President, I do not care to continue this discussion. I much regret that such a discussion is necessary in an American Congress. Still more do I regret that it is made possible; that it is true that we are engaged in an effort to subjugate another people against their will to a rule distasteful to them. I would have said four years ago that it could never happen that this Republic would be pursuing a murderous warfare against another people for no offense in the world but their refusal to surrender their own liberty and become either a State in the Union against their will, or a colony outside of the Constitution. Who would have believed it? We thought we were writing a new page in the history of the world, declaring to all mankind that nations could do right; that the obligation was upon them as strongly as upon the individual; that the integrity and character and honor of the people in the aggregate was as sacred as the integrity and character and honor of the individual, who is a component part of the aggregation. And that this nation, dedicated to liberty, an example for the world, inviting all the oppressed of every land to share our freedom, should be proposing to raise an army to crush out the liberty sought for and fought for by another people, certainly marks an era in our affairs, and writes a page in our history burdened with everlasting disgrace and shame.

If Mr. McKinley's opponent had triumphed in the last campaign, to-day there would be no effort to pass an Army bill, no effort to raise taxes to carry on a conquest across the sea. This bill would not have been brought in; and on the 5th of next March the first act of the incoming Executive would have been to withdraw our troops from that country and give its people their liberty. Five thousand men only would have been needed to protect American interests until the government could be restored, which we have partially destroyed in that country, which would have been to the satisfaction and contentment of the people who reside in those islands. I wish this might have happened. I believe it might have happened if the American people had not been deceived by withholding information and by disseminating among them false information concerning the issue.

I do not believe the great heart of the American people throbs in response to this policy of conquest; that the people favor this enlargement of an army for the single purpose of unprovoked conquest. I do not believe they will do other than condemn the paragraph in the bill which allows us to enlist savages to murder, burn, and rob the Christian people of the Philippines, as the Secretary of War says has been their practice.

I hope, Mr. President, the conference report will be rejected; that this bill will be defeated, or, if not defeated, will at least be so modified as to somewhat reflect the sentiments of civilization, and, as I believe, the opinion of the American people.

I now ask to have printed as part of my remarks another article, written by Mr. Mabini, who has been deported. It shows the character of the man—good tempered, able, understanding the principles of government, patriotic, knowing his people. It is a splendid protest against the course we are pursuing; it points out the way we should go and the policy that we ought to adopt in that country. I ask unanimous consent that this paper may be printed as part of my remarks without reading.

The PRESIDING OFFICER. The Senator from South Dakota asks unanimous consent to have printed as part of his remarks the paper referred to. Is there objection? The Chair hears none, and it is so ordered.

The paper referred to is as follows:

[From a pamphlet by Apolinario Mabini, printed in Manila, 1900.]

The possession of the Spanish Antilles was necessary for the development of the Monroe doctrine in a certain sense, while the same can not be said of the Philippine Islands. With the European powers matters lie thus, that the larger their colonial possessions are, the more feverish is their wish to add thereto new ones, in the same manner as the possession of riches increases the desire for wealth. None of the powers referred to, had they perchance been in a position similar to that of the United States, would have failed to aspire to the possession of the Philippines. Not to do so would have been from their point of view an act of "imbecility," not to say actual madness. It can not be denied that to retain the Philippines means for the United States a departure from their policy. Thereby the United States becomes a participator in the abuses, the weaknesses, and inconsistencies of the Old World, which they have voluntarily and consistently shunned since their separation from the former. It appears, on the other side, that it flatters the

American nation to have a place in the concert of the European powers, to be consulted with regard to the inextricable problems of the general equilibrium based on force and on ambition. Even the most obstinate democrat, who in public ridicules coats of arms and blue blood, seems only too proud to mingle with their possessors, especially if this intercourse promises to become the basis of great riches and immense power.

But what if a similar intercourse were likely to bring about utter ruin? May not his untainted nature run the risk of becoming only too easily vitiated by contact with organisms that age and vice have made rotten and infectious? It may be said that this is merely a matter of personal prejudice, and that no cultured or civilized person will think it worth his while to attend to such consideration. Of course it is useless to talk of indigestion to a glutton who sees an inviting repast before him. The cession of the Philippines must be considered as a consequence of such a class of considerations as these: That there could be no peace unless it were under the civilizing and liberating influence of a free nation, and it would constitute an act of cruelty to leave the Filipinos to their own fate, inasmuch as they would then only become the slaves of some other nation, or would kill each other under the impulse of their own savage instincts; that it is the duty of the United States to deliver an oppressed nation and to force it, if need be, by a display of military force, to abandon its barbarous habits. Such considerations would explain their unwillingness to sign any treaty that did not include the cession of the Philippines. Spain, having in happier times become sufficiently acquainted with the truth that underlies such an assertion, was not convinced, but she was humiliated and could not oppose herself to the urgent necessity of circumstances. Neither her protest nor that of the Filipinos produced any other effect than the absurd gnashing of teeth of a vanquished foe.

The powers themselves could not interfere, for certainly not one of them felt sufficiently innocent to cast the first stone.

Greatly to be regretted is the fact that President Schurman has misled public opinion to a great extent. He asserts that expansion is now a fact in the Philippines. He says that this expansion is not to be compared with that which took place on the American continent. He deduces thence that the Philippines are not to participate in the life of the great nation; that in view of the fact that there exists as yet no precedents in American history for the treatment which is to be accorded to the Filipinos, he refers them to the policy followed by the English, which he says has yielded the best results. The inhabitants of colonies may or may not belong to the same race as the sovereign nation. In the former case they are considered fit for self-government, and are to enjoy such rights as are necessary to effect it, as in Canada and Australia; in the second case the sovereign State must directly govern the races that are incapable of self government, and for the latter he suggests a system of administration like the one followed out by the English in India.

If President Schurman knew the Filipinos at all, he would never have spoken as he did, for his words have only served to give a stronger incentive to the revolutionists. His greater culture and learning ought to show him that to call a nation incapable without evidence of the lack of capability is nothing less than an insult to that nation. And worse, such an insult does not come from an ignorant or otherwise narrow-minded American, but from a scholar representing a powerful and victorious nation. He surely can not help being aware that the chief races of India are still obeying their native king, who merely acknowledges the English sovereignty because of and in exchange for great money considerations. In the same manner the Sultan of Jolo is now recognizing American sovereignty, while on the other hand the Filipinos, aside from the Mohammedan population of Jolo and Mindanao, are one in their views and interests and feel themselves bound together by their national solidarity. What President Schurman wants is that the President of the United States should be President for the States and Emperor in the Philippines, in the same way that the King of Spain or Queen Victoria, both of whom are constitutional monarchs in Spain and in the United Kingdom, respectively, are absolute in their power in the colonies. The only difference between the old Spanish system and the modern one of President Schurman is that the latter hopes for better officials than the Spaniards had, which, however, remains a question that only time can decide.

President Schurman condemns those who speak of possessions when referring to colonies, and yet he, while knowing that no American is the master of any Filipino or of an acre of their land, stands, nevertheless, on the basis of the treaty of Paris, by virtue of which the Philippine Islands were sold at \$1,000,000. The American Government is not the actual master of a single Filipino, nor does it possess a rood of their territory, and yet he is willing to deprive a whole nation of a sovereignty to which it is naturally entitled, and claims for himself the right to make laws for that nation.

In the course of his message the President of the United States asserts that to abandon the islands means to turn them over to anarchy and barbarity, to make of them an object of discord between rival nations, a scene of endless wars and continual bloodshed. Conceding to the islands that sort of treatment which the President actually concedes to them will lead inevitably to that which the President asserts he desires to avoid, for and because the Filipinos are really no barbarians. Since no peace will exist in their minds, there will be no end of warfare; the powers, covetous as they are, will find a thousand reasons for interfering, and the result can easily be foreseen. We could even go so far as to parody the President by insisting that the arrival of Dewey's squadron at Manila, far from inaugurating, as we all had hoped, the new era of liberty and progress, would only have meant the beginning of a new era of misery and violence, much, much worse than the dark night of our unhappy past.

Both President McKinley and Secretary Root consider the work of the commission in Negros a promising omen of its beneficial activity in the Philippine Islands and as the beginning of the coming era of prosperity and happiness. We should only be too glad if this were the case; but it might be well that these illustrious statesmen should also know what the Filipinos are actually thinking about the government that has been instituted in Negros.

By no means do the Filipinos envy their countrymen because of that grand new government in Negros, for they know that it is popular in its form only, while actually it is autocratic. The military governor of the island is not only the chief executive officer, as the President states, but he is also the chief legislative power, owing to his right of absolute veto on the resolutions of the council; and, besides that, he is also the highest judicial power, for he nominates and deposes the judges as he likes. The civil governor, who is in fact nothing more than a secretary, is president of the legislative council, thus concentrating more fully the executive power. The military authorities are in full control of the custom-house, the postal service, and of the interinsular commerce service.

To be sure, we do not wish to criticize this government as it is now, if the same is to be only in that form as long as the war lasts, as has also been asserted by Mr. Root. We are willing to assume also that the officials there are working in good faith and willingly, doing this more for the sake of prudence than to serve any immediate personal interests, convinced that after the war is over their official titles, which are now empty, may become real ones. But we repeat, the government of Negros, though not unsuitable for a state of war, is anomalous in a state of peace, and absolutely disastrous if looked upon with a definite and general plan of political administration.

The very same Government which has constantly refused to enter into negotiations and to recognize the Filipino government, a government that is recognized and revered by the three largest islands of the archipelago, viz, Luzon, Bisayas, and Mindanao, and other adjoining islands, a government which has assisted the Americans in their war against Spain, has made a treaty with the Sultan of Jolo, who obstinately clings to customs and institutions that are in direct contrast to civilization and injurious to humanity in general.

The Filipinos, who have adopted a constitution based on the most modern principles, Filipinos who strive earnestly to do away with their former vices and to educate themselves so that they may be worthy to come into friendly contact and relation with the rest of the nations of the world, are attacked by the Americans, while at the same time those who have stood apart in order to be able to maintain both despotism and slavery, enjoy peace and tranquillity under the protection of the Stars and Stripes. Who would ever have thought it possible that the day would come when the Republic of Washington and Lincoln would wage war against liberty and progress and would enter into an alliance of despotism and slavery?

The American Government has distributed its gifts with what must be acknowledged to be an irritating inequality, so flagrantly unjust that even the press of the United States has been scandalized.

It is yet possible to remedy the error. It is yet possible to reach a friendly understanding which would end the war and would establish a perfect friendship and concord between the two nations even in times of misfortune. Later, when peace has been reestablished, the Sultan of Jolo may be offered a reasonable indemnity for the abolition of slavery. The treasury of the Philippines will only be too proud to bear that burden and the money of the Filipinos will readily be given to effect so beneficial an object. We do not think that the Sultan will refuse such an indemnity, just as little as he has refused to be paid for recognizing the sovereignty of the United States. Should he refuse, he would only deserve that the Americans and Filipinos should spill his blood for the good cause of humanity.

We have endeavored to finish this short essay on the very anniversary of the day when Washington was born, to pay the tribute of our love and admiration to his memory.

THE PRESIDING OFFICER. The question is on agreeing to the report of the committee of conference.

MR. TELLER. Mr. President, I do not desire to unnecessarily delay the consummation of this measure. While I am opposed to it, I know it is to pass; but I am going to take occasion to reply very briefly to some criticisms which have been made on some remarks I delivered in the Senate a few days ago and to call attention, as very properly I think I may, to the effort that has been made by the War Department to discredit what has been said about the condition of affairs under the canteen system and what has been said about the condition of affairs under American rule in the Philippine Islands.

I have the misfortune, I suppose, when we come to contend with questions of this kind, not to belong to the political party in power, and therefore it is very easy to assert that the charges made are for sinister purposes, that they are not made in the interest of truth, but are made in the interest of partisanship and for the purpose of discrediting the party in power.

I presented the other day testimony which I believed. I was careful not to present anything that could not be supported. I attempted to introduce evidence uncontroverted; that is to say, evidence as to which nobody could attack the good faith of the persons making the charges. I did not make those charges on my own responsibility. I made them very largely upon the representations made by the religious element of this country.

I stated then that I believed the best element of the people of the United States were opposed to the canteen system, and the witnesses that were brought against it were of that class of people. I called attention then, and I want to call attention now, to the fact that amongst the people who testified of their own knowledge to the extraordinary and disgraceful condition in the Philippines were a large number of the missionaries of the Methodist Episcopal Church.

Mr. President, the Methodist Episcopal Church is, I believe, in numbers the largest Protestant church in the United States. Its respectability nobody will deny, and in the North, if I may say so without any discredit to them or meaning to attack them in any way, the Methodists have been a great political power. The President of the United States is a member of that church, and when I call the attention of the Senate to a statement made by Bishop Thoburn of his own observations in the Philippine Islands I am sure nobody, not even the War Department, has a right to say that that statement is untrue. I am going to put in the RECORD, without reading, if nobody objects to it, and if anybody does object by reading it myself, the statement contained in an editorial of the great representative organ of the Methodist Episcopal Church, the Christian Advocate, published in the city of New York, in its issue of January 3, 1901.

I venture to say that the President of the United States received a vast majority of the votes of the membership of that church. There has been some complaint that there has been too much of what we call politics in that church in support of the President of the United States. So nobody can complain of an article in this paper as emanating from a political source, or as having a political bias. I will venture to say that the man who wrote the article which I am going to read, which is an attack upon the War Department and not on the President, voted for the present President in 1896 and in 1900.

MR. HOAR. What paper is that?

MR. TELLER. I am reading now from the Christian Advocate,

the great organ of the Methodist Episcopal Church. I do not intend to read all of this article, but I am going to put it all in. It is the issue of January 3, 1901, and the editorial is headed "A serious issue for the Government."

In its issue of March 9, 1899, the Christian Advocate, immediately after the House passed and the Senate concurred in the anti-canteen bill, said—

That was the one which you will remember was not effective. The article proceeds:

We give notice to all who have promoted this change that there will be a combination of Regular Army officers against it which will need watching, and many soldiers will sympathize with them.

This is a quotation from the issue of March 9, 1899.

This prophecy has been fulfilled. It has been not only a combination of the Army officers, but of the War Department in regular succession.

No more transparent sophism was ever employed to deprive the people of what Congress meant to give them than that of the Attorney-General (on which the War Department gleefully acted), by means of which the law ordering the expulsion of the canteen from the military stations of the United States was interpreted so as to perpetuate what it was intended to destroy.

The canteen dates from 1889. Before that time the post-trader system was in existence. This was simply a general garrison store, selling all kinds of liquors, managed by a sutler under a Government permit. For the preceding ten years the Army was scattered through the West in one and two company posts which, except during Indian wars, had little or nothing to do; and near them grew up small villages, occupied by the worst classes, male and female, to prey upon the soldiers or minister to their passions. The canteen, a foreign institution, was introduced as a counter attraction to keep the troops out of the dives.

The supporters of the canteen declare that it has brought with it greater temperance on the part of the enlisted man, together with less desertion, less sickness, and less temptation to immorality. The Evening Post, however, points out that a true comparison with the decade previous to 1889 is impossible. Between that year and 1898 the Army was concentrated in larger posts, nearer the great cities, and there was an immense improvement in morals and discipline, which improvement was caused by the gradual replacing by younger officers of "much deadwood" forced upon the Army when it was reorganized after the civil war. This improvement had no connection with the canteen, but is attributable chiefly to increase of size of posts and numerous practice marches and more frequent drills, while in the earlier period most of the soldiers had little or nothing to do.

Now, I wish to insert in the RECORD the remainder of this article, as I do not care to occupy the time of the Senate by reading it.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Colorado? The Chair hears none.

The article referred to is as follows:

A SERIOUS ISSUE FOR THE GOVERNMENT.

In its issue of March 9, 1899, the Christian Advocate, immediately after the House passed and the Senate concurred in the anti-canteen bill, said: "We give notice to all who have promoted this change that there will be a combination of Regular Army officers against it which will need watching, and many soldiers will sympathize with them." This prophecy has been fulfilled. It has been not only a combination of Army officers, but of the War Department in regular succession.

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In 1892, when the canteen had been in use three years, Adjutant-General Corbin publicly announced his condemnation of it. As late as February 9, 1899, he reaffirmed that opinion to several persons; but on May 15, 1900, he wrote a letter to the House Committee on Military Affairs, reversing his position. The date of the change is significant.

When the canteen was first proposed as a substitute for traders' stores, our old acquaintance, Chaplain Orville J. Nave, lent his influence for the change. In a contribution to The Atlanta Journal he now says that by thirteen years of close observation he has been forced to abandon all hope of the regulation of the canteen, and to become as much opposed to it as he was then opposed to the traders.

His first experience with the canteen was at Fort Omaha. This was prosperous, and paid large dividends. He frequently went into the canteen when the noise of the drunken mob that filled it was so great that no regular conversation could be carried on. "Sitting around tables were maudlin, cursing soldiers, while others were filling the air with curses as they surged around in the crowd." He declares that this was a professedly "regulated canteen," whose reports were quoted in Congress, in those days in favor of the canteen, and this, "notwithstanding the officer in charge was himself drunk daily, until his wife went frequently to the regimental commander, pleading to have him removed, and finally came to him, the chaplain." He says that at one time he attempted in his monthly report to bring the condition of affairs to the attention of the War Department, but it was returned to him with peremptory orders "to make his report without referring to anything relating to post administration."

His next experience was at Fort Niobrara, Nebr., where he remained a long time with four different regiments, comprising infantry and cavalry, and thus saw the administration under different managements. The chapel and post schools were within 100 feet of the canteen, and he had charge of

both schools and chapel services. He regrets to have to say that "the saloon was run wide open and for all the money there was in it." The command usually consisted of about 450 men. The usual consumption of beer per month was three carloads, but sometimes it reached four carloads. The noise of the saloon could be heard to the remotest parts of the garrison. Week-night religious services were so disturbed as to make it exceedingly embarrassing. The howling crowd sometimes took up the religious songs and "repeated them in the saloon along with their blasphemous curses."

One officer in charge of the canteen told the chaplain he "kept as far from the thing as he could." Under another, the peculations of the civilians who conducted the sales consumed all the profits. The chaplain gives an account of conducting the funeral services of a soldier who drank heavily at a canteen and killed a comrade, for which he was hanged. In his address Chaplain Nave made some reference to the fact that "the chapel stood for instruction and righteousness and the canteen for the destruction of men," and each soldier must choose with which to keep company. An attempt was immediately made by the officer in charge to bring the service to an end, which the chaplain resisted. He gives instance of a soldier who was on an extended spree, drinking at the canteen, and, becoming crazed, seized his rifle and shot down one soldier, killing him instantly, and then began shooting at everyone he saw, and in turn was finally shot down by command of an officer who happened to be at hand.

He denies that the canteens are "or can be regulated," and affirms that his experience with ten different regiments leads him to believe that "Army officers will not demean themselves by remaining at canteens to regulate the conduct of the men and the quantity of beer sold;" that "regulation is theoretical and not practical." He believes that "the least-regulated saloons" in the whole country are Army canteens, and that with few exceptions "they aim to do all the business possible and let the boys have a good time." He thinks that the Government canteen lowers the conscience standard of both officers and men; says that it was his habit to hold total-abstinence meetings where the command was large enough to enable him to do so, and at these meetings he had taken somewhere between fifteen hundred and two thousand total-abstinence pledges; but on one occasion when he told the men he believed that every officer would be glad to know they had signed total-abstinence pledges and kept them, he was sent for the next morning and asked if he had said that. He replied that he had. Whereupon the colonel of the regiment stated that "it was not so; that the officers did not wish the men to take total-abstinence pledges; they preferred them to be taught the temperate use of beer."

The chaplain makes several important statements of fact which we summarize:

1. At first many officers were opposed to the cooperative saloon; but the War Department forced it upon such officers, "even going so far as to send officers to posts to organize canteens where officers did not organize them."

2. Notwithstanding this, many officers refused to have charge of saloons, and some barely escaped court-martial for disobedience to orders.

3. That the officers now generally recommend the canteen is probably true, but they have been in the Government process of training for the last thirteen years.

4. The business success of the canteen gains the adherence of many who do not stop to consider the moral influence.

5. When President Hayes issued his order against selling spirituous liquors to soldiers, a cry of impracticability went up from the Army and friends of the liquor traffic.

Chaplain Nave is very courageous to make public these facts. By what mode he will be suppressed or punished for telling the truth remains to be seen.

We credit these statements because no intelligent man occupying Chaplain Nave's position would make them unless he knew that they were true, and that others cognizant of the situation at the times and places referred to by him could not honestly correct them; also, because other chaplains have given similar accounts; further, because parents of soldiers who were total abstainers when they enlisted have informed us of their yielding to temptation in the canteen and having become drunkards; and finally, because, before the War Department determined to carry this thing through, a large amount of testimony was given by colonels and generals of the highest grade, which supported similar statements of facts and the conclusions drawn from them. Of these we now quote one made by Major-General Shafter in 1898.

General Shafter declares: "I have always been strongly opposed to the canteen system or the sale of intoxicating drinks of any kind on military reserves and have opposed it until absolutely overruled and required to establish a canteen at my post. There are always in every regiment a number of men that will under any circumstances get and drink liquor, but the great majority are temperate, abstemious men, and it is to those that the evil effects of the post-exchange system work the greatest injury, as young men who would not think of going away from the post for liquor will, when it is placed before them and every inducement offered them to purchase, do so and thus gradually acquire habits of intemperance."

Generally speaking, Regular Army officers have been using their influence among Senators to secure nonconurrence with the House bill. They make the plausible plea that "soldiers will do worse if they can not get liquor in the post canteen." This can not be true if proper discipline is maintained. Those who make such a plea are simply confessing laxity in this respect and proposing to provide for its continuance.

The brewers' lobby in Washington is large and powerful; the War Department has done all in its power to keep the canteen.

Secretary Root informed the Senate committee that he thinks the prohibition of beer would greatly reduce the number of enlistments. This is something that he can not know without experiment, and his friend the Attorney-General made that impossible.

We notice that certain liquor organizations are by resolution "commending the President for his noble stand on this question." This is not savory reading. He signed the former bill, and doubtless would sign this. Unquestionably if his wish that the experiment of no beer in the canteen should be fairly tried were made known, this bill would pass without amendment. And as Presidential influence from George Washington till now has been exerted, we hope that in this case William McKinley, President and Commander in Chief of the Army and Navy, will let it be felt in favor of making the Army, as the Navy is, free from complication with beer saloons.

The thing to be done now for every reader, male or female, is to write or telegraph to one of the two Senators from his State, imploring him to vote against this scheme to have the Government put the beer mug to every soldier's lips.

Mr. TELLER. Mr. President, it was stated here, and the attempt has been made by the War Department to make it so appear, that all the Army officers are in favor of the canteen system, which we are hoping to have abolished in this bill. That is really the only good thing, I think, that there is in the bill, but that is not good enough to reconcile me to voting for the bill as it stands.

I will ask leave to insert in the RECORD the testimony of a few officers who have declared against the canteen. These are simply

extracts that were put in the other House, and I avail myself of the opportunity to put them in here.

The extracts referred to are as follows:

THE CANTEN IN THE REGULAR ARMY.

[Lieut. A. K. Taylor, then of the Ninth Infantry, in the United Service Magazine for April, 1892.]

What is this institution but one of licensed idleness, with the attraction of beer, cards, dice, billiards, and other kindred solicitations to extravagance and dissipation? The young recruit, fresh from the rural districts, of whom we hope much from his enlistment, is met on the threshold of his military life with the invitation to waste his money, become a beer drinker, a card player, a dice thrower, and an idler of his time. We may, and doubtless will, return him to civil life, if we limit him to one enlistment, as now proposed, enfeebled in body, weakened in mind, and morals tainted—the end a ruined manhood.

OPINIONS EXPRESSED DURING THE LATE WAR.

[General Miles's anti-canteen order.]

GENERAL ORDER, } HEADQUARTERS OF THE ARMY,
No. 87. } ADJUTANT-GENERAL'S OFFICE,
Washington July 2, 1898.

The Army is engaged in active service under climatic conditions which it has not before experienced.

In order that it may perform its most difficult and laborious duties with the least practicable loss from sickness, the utmost care consistent with prompt and efficient service must be exercised by all, especially by officers.

The history of other armies has demonstrated that in a hot climate abstinence from the use of intoxicating drink is essential to continued health and efficiency.

Commanding officers of all grades and officers of the medical staff will carefully note the effect of the use of such light beverages—wines and beer—as are permitted to be sold at the post and camp exchanges, and the commanders of all independent commands are enjoined to restrict, or to entirely prohibit, the sale of such beverages, if the welfare of the troops or the interests of the service require such action.

In this most important hour of the nation's history it is due the Government from all those in its service that they should not only render the most earnest efforts for its honor and welfare, but that their full physical and intellectual force should be given to their public duties, uncontaminated by any indulgences that shall dim, stultify, weaken, or impair their faculties and strength in any particular.

Officers of every grade, by example as well as by authority, will contribute to the enforcement of the order.

By command of Major-General Miles:

H. C. CORBIN, *Adjutant-General.*

[General Shafter.]

HEADQUARTERS OF THE FIFTH ARMY CORPS,
Santiago de Cuba, July 30, 1898.

I have always been strongly opposed to the canteen system or the sale of intoxicating drinks of any kind on military reservations, and have opposed it until absolutely overruled and required to establish a canteen at my post.

I regard it demoralizing to the men, besides impairing seriously their efficiency. There are always in every regiment a number of men that will under any circumstances get and drink liquor, but the great majority are temperate, abstemious men, and it is to those that the evil effects of the post-exchange system work the greatest injury, as young men who would not think of going away from the post for liquor will, when it is placed before them and every inducement offered them to purchase, do so and thus gradually acquire habits of intemperance.

The plea that it furnishes a large sum, which it does, to improve the table fare of the men is, in my opinion, a very poor one, as the Government of the United States is perfectly able to feed its men without any assistance from the profits of rum selling. I have absolutely prohibited the sale of liquor or the opening of saloons in the city of Santiago, and have refused permission for cargoes of beer to come from the States here. I think that the necessity of refraining from drink is fully realized by all the men, and of their own accord they would refrain from drinking.

WILLIAM H. SHAFTER,

Major-General, United States Volunteers, Commanding.

["Fighting Joe Wheeler."]

HEADQUARTERS UNITED STATES FORCES,
Camp Wikoff, Montauk Point, Long Island, September 20, 1898.

I am a thorough believer in temperance in all things, and am utterly opposed to soldiers being sold intoxicating liquors, and I believe that every effort should be exercised to remove the temptation of such dissipation from them.

You must recollect that all men are human, and if we can not make every thing perfect, we must make it as near perfect as possible.

J. WHEELER,

Major-General, United States Volunteers.

[Surgeon-General Sternberg.]

I do not think much of the beer canteen. The theory that the soldier needs a beer canteen to keep him from going to outside saloons for something stronger is all wrong. There is nothing in it. On the contrary, a great many young soldiers who are not accustomed to drink contract drinking habits at these canteens, and are ruined. There is no need whatever for intoxicating drinks at these canteens, and it will be a good thing for the Army if they are abolished.

[Milo B. Ward, major and surgeon, United States Volunteers, Kansas City, Mo., September 23, 1898.]

I have had good opportunity to observe the effects of beer on the health of the men in the Second Division, Third Army Corps, and I am forced to confess that it was one of the features of camp life which caused the medical department much concern. I was some of the time medical officer of the day, and in that capacity I visited and inspected the entire division.

I urged in each report made that the canteens be closed. I found the troops who drank beer suffered from malarial jaundice, and many of them were very ill.

I can not say that a limited quantity of beer would have been injurious, but the quantity can not be controlled if canteens are permitted to be open. Many of the regiments found it necessary to close their canteens.

[Surgeon Genella.]

HOSPITAL HEADQUARTERS, CAMP WIKOFF, LONG ISLAND,
September 23, 1898.

What the houses of prostitution are to the youth of the city, so are the canteens of our Army to the soldiers.

W. GENELLA,

Regimental Surgeon Seventh Regular United States Infantry.

[Chaplain E. L. House, Fifth Massachusetts, United States Volunteers, Camp Meade, Middletown, Pa., September 22, 1898.]

There is no doubt in my mind that the sale of intoxicating liquors has done more to contribute to the sickness, death, and troubles of camp life than all other things combined. In our post exchange we have never allowed anything but tonics to be sold. Lager beer, etc., have been entirely excluded, and we have held the record, wherever we have been, of being the best behaved and most gentlemanly regiment of the field. Our colonel, while not a prohibitionist, would not assume the moral consequences that would surely come from the sale of beer. His own words are: "I am not going to educate men to drink, through the sale of beer, that have never drunk intoxicating liquors." Almost all our own court sentences have been the result of men getting liquor outside of the camp when on leave, or else running the guard to get the same.

In fact, I have been told by the most trustworthy source that the great disaster of deaths that came to one of our regiments was due, not to the fighting in the trenches of Santiago, but to a weakened condition and disturbance of the stomachs of the men, brought on by the use of intoxicating liquors before arriving in Cuba, which, with the extreme heat and exposure, brought fever to many men.

[Colonel Glenn.]

HEADQUARTERS FOURTEENTH REGIMENT
PENNSYLVANIA VOLUNTEER INFANTRY,
Camp Meade, Middletown, Pa., September 23, 1898.

There are many ways that a soldier can ruin himself, but I think the canteen is the most damnable of all. I have never allowed one in my regiment, and I never will.

W. J. GLENN, *Colonel, Commanding.*

[General Willcox.]

It is my opinion that the public good, as well as personal character of those concerned, would be enhanced very much by the exclusion of liquor from the rank and file of the Army, except under due medical prescription.

O. B. WILLCOX,
Brevet Major-General (Retired).

WASHINGTON, D. C.

[General Rochester.]

There is no doubt that the drink habit works very great injury to the Army. It has been shown over and over again that those who endure the greatest fatigue and exposure are the men who do not drink.

WILLIAM B. ROCHESTER,
Brigadier-General, United States Army (Retired).

WASHINGTON, D. C.

[General Carlin.]

It has always, since I was old enough to have an opinion, been my conviction that the public good would be enhanced by the exclusion of liquor from all circles. It does no good anywhere and countless evils everywhere. It is useless to discriminate between the Army and other people. Liquor is a nuisance and an evil, and no greater blessing to mankind could come to it than the total prohibition of its manufacture, sale, and use.

WILLIAM R. CARLIN,
Brigadier-General, United States Army (Retired).

GRAND HOTEL, NEW YORK CITY.

TESTIMONY BEFORE THE WAR INVESTIGATION COMMISSION.

Major-General Boynton, who was then in command at Camp Thomas, testified before the commission, and his testimony was in part reported by the New York Tribune as follows:

"Asked if each regiment had a sutler, General Boynton replied: 'They had something worse than a sutler; each one had a canteen.' He said that 372 car loads of beer had been sold in the camp. He deprecated the fact that Army regulations permitted the canteen system."

Col. James C. Lee, assistant quartermaster-general, testified to facts with regard to drink in the camp that were reported in the New York Sun in the following paragraph:

"I think the freedom of the admission of beer and other articles into camp and the frequenting of the rum-selling holes in town more dangerous than sleeping on the ground."

Chaplain Phillips testifies that the canteen was prohibited by Col. William Jennings Bryan in his Nebraska regiment.

ABSTINENCE BEST FOR THE NAVY, TOO.

Rear-Admiral Sampson, in interview published in New Voice:

"I think there is but one opinion among officers of the Navy about grog, and it is that alcoholic liquors have no place in the Navy of the United States except as a medicine. Intoxicating liquors of all sorts should be abolished."

[Commodore Gibbs.]

In my opinion, there can be no question that the public good would be greatly enhanced by the exclusion of alcoholic drink, as a beverage, from both Army and Navy circles. The man who needs the stimulus of alcoholic liquor to enable him to perform his duty is not to be trusted in any capacity. In my experience of nearly fifty years as an officer in the United States Navy I think I can safely say that 90 per cent of all punishments inflicted on board ship that have come under my observation can be traced directly to rum.

I. H. GIBBS,
Commodore, United States Navy.

ALEXANDRIA, VA.

[Rear-Admiral Kimberly.]

I should say, as a naval man, that alcoholic liquor could be dispensed with with advantage, except for medical purposes.

In the Navy the grog ration has been abolished for years and coffee substituted in the early morning before any work is done. I look upon alcoholic drinks as medicine, and they should only be used as such.

L. A. KIMBERLY,

Rear-Admiral United States Navy (Retired).

SECRETARY LONG'S ANTI-CANTEN ORDER.

GENERAL ORDER, }
No. 508. } NAVY DEPARTMENT,
Washington, February 3, 1899.

After mature deliberation the Department has decided that it is for the best interest of the service that the sale or issue to enlisted men of malt or other alcoholic liquors on board ships of the Navy, or within the limits of naval stations, be prohibited.

Therefore, after the receipt of this order, commanding officers and commandants are forbidden to allow any malt or other alcoholic liquor to be sold to, or issued to, enlisted men, either on board ship or within the limits of navy-yards, naval stations, or marine barracks, except in the medical department.

JOHN D. LONG, *Secretary.*

EFFECT OF THE CANTEEN AT FORT VANCOUVER, WASH.

PORTLAND, OREG., March 20, 1900.

DEAR SIR: I have read the article written in opposition to the anti-canteen law, and would say I have lived for seven years on a car line that goes to and from the barracks of Vancouver, Wash., and will say as a positive fact that until liquor was sold inside the barracks we never saw drunken soldiers on the car. Nine were on the car on Sunday morning coming in to Portland from the barracks, all in different stages of drunkenness, but all drunk. It is awful. As a member of the body to vote on this, won't you please cast your vote in favor of no canteen, for the sake of our soldier boys?

Respectfully, yours,

S. J. STEWART.

JOHN H. KETCHAM.

Mr. TELLER. The attempt is studiously made to have it appear that the War Department has been reducing drunkenness and the opportunities for drunkenness in the Philippine Islands; and every time anything is said about it they return to the old story that there were 4,000 saloons in the Philippine Islands, and now there are only a certain very much reduced number. They ignore entirely the fact that those were not saloons in the ordinary acceptance of the term. There were but 4 saloons in Manila when the American Army went there. Immediately after the American Army went there the number increased to 420, and there are several hundred of them there now. They ignore the fact that a very reputable correspondent who wrote from Manila on June 28, 1900, to which I called attention on a former occasion, speaking of the 4,000 wine rooms that were there, said:

Such wine rooms are distinctly a product of wine-drinking countries, such as France, Italy, and Spain, and I believe that I well-patronized saloon, here or at home, is accountable for as much drunkenness and disorder as were 1,000 of these wine rooms in Manila.

Mr. President, I am not going into any general discussion of this question, but I will put these things in the RECORD and leave the War Department to wrestle with the subject and see if they can make the people of the United States believe that the more saloons you have got in a community the greater the temperance cause will progress. I am only calling attention to this thing in a very brief way, because there has been an effort made on the part of the War Department to send out a statement which, it is said, has been received from Manila that the statements made here the other day by some of us were greatly exaggerated and were not true. Mr. President, there was not a tithe told that ought to have been told respecting the condition there. Respect for the American name induced me, at least, to suppress a great many things I might have said.

On the day the vote was taken upon the Army bill, after we had agreed to vote at a certain hour, the senior Senator from California [Mr. PERKINS] made some remarks to which there was no opportunity, on my part at least, to reply at that time, and I believe nobody else attempted to do so. That Senator assumed that a great temperance work had been done in the Alaskan country by the passage of a bill allowing liquor to be sold in that district. He depicted the condition which he said existed before the passage of that bill; he declared that great improvement had been the result; and he justified the passage of the bill upon the theory that the Government was unable to suppress smuggling or to enforce the statutory inhibition against the selling of liquor in that country.

Mr. President, I think that that statement, if true, is not very creditable to the American Government. If it be true, it is lamentable that we could neither suppress smuggling nor enforce the law in communities where we professed to have jurisdiction, with a large population of natives, in whom the whole world is now taking an interest, so as to protect them against the evils of intoxicating drinks. We declare our inability to protect them from the rumseller and to enforce the laws that are upon our statute books; and therefore, as we are unable to do that, we will let you folk go in there and sell under restrictions.

The Senator from California, whom I do not see here now, seemed to pride himself that he had taken some part in that legislation and had made a great movement in the interest of temperance. I did not vote for that provision of the law. I knew then, as I know now, that the result would be the destruction of the native tribes up there, who until very recently have been the bulk of the population and to some extent have been under the care of the General Government.

A day or two after the Senator's speech I received a letter written by Dr. Newhall, of the Jessie Lee Missionary Home, a teacher in the Government school in Unalaska. Here is another Methodist minister, Mr. President, whose testimony I will take against that of anybody else, especially if he should be a rumseller. At Unalaska, where there has been an Indian school for many years, supported by the good people of the Methodist Episcopal Church, without any Government aid, where they have established a hospital and have done various things toward civilizing and Christianizing the natives, there were no saloons and no attempt to sell liquor until after the passage of this so-called temperance bill in the Alaskan code. This is what Dr. Newhall says as to that:

The four saloons which were established in Unalaska, to accommodate the Nome miners, are a disgrace and curse to the place. They are having an

awful effect on the natives; as no marshal is here, they have no respect for law, order, or decency. Even the native boys and girls go to the saloons for liquor. Some children take the empty bottles, put in them a few berries, fill with water, and let it ferment.

I suppose he meant the empty whisky bottles that were thrown out.

The natives are drunk all the time and of no use to themselves or anyone else. Unfit to do any labor. Their homes are dens of iniquity. Corrupt white men are responsible for most of the wickedness carried on—mostly effects of saloons.

I am going to put that against the declaration of the Senator that that was a very proper temperance measure. Under it I believe it will be a very short time before the destruction of the Indians in that country will be complete. It is only a few years ago since some trader slipped in there and sold to the people of one of the islands some liquor, and then got away. There was a very bad condition of affairs in that community owing to that, but it was only a temporary thing, for when they drank up the liquor the trouble was over, and those who did not succumb to its influence were ready for work. Now, we have put liquor in their reach everywhere over that country; and here right in the presence of an effort made to civilize and Christianize these Indians, extending now over a period of a dozen years, and a large expenditure of money for that purpose, there are saloons licensed by the Government of the United States to debauch and degrade the only people there who are Indians.

Mr. President, I am opposed to this Army bill on general principles; but I do not want to occupy much time in debating it, except to say that nothing reconciles me to a great army of a hundred thousand men. If in the emergency and under the conditions now existing, which are so much deplored, I believe, by all good people, it is necessary to have a large army, I am sure we ought to have had a provision in the bill, which would have given us some satisfaction, that it would ultimately be reduced to a reasonable number. We failed to get that, and we have provided in this bill for 100,000 troops, and have provided that there should be 12,000 men enlisted of the character of troops, and only the character of troops, that you can get in the Philippine Islands, the Macabebes, whose cruelty the Secretary of War testified to, whose cruelty every soldier who comes back from the Philippines will testify to—a people who are not very numerous, but who have always been the serfs and slaves of Spain, ready always to serve in the Spanish wars against their own people, a people without any ambition or desire to better their condition, living only for the day, and as wicked as probably any other people in the world. There are, as I say, only a few of them; there are not enough perhaps to make the 12,000 provided for; but they are the only class of people you can get for such service in the Philippine Islands.

Mr. President, there is one thing about this matter which I dislike to talk about. The Senator from New Hampshire [Mr. GALLINGER] interrogated the Senator from South Dakota [Mr. PETTINGREW] to know if he meant to say that the American soldier was cruel. Why, Mr. President, there never was any war that was not cruel, and the least defensible a war is the more cruel it always is. When men fight for liberty and for right, and their consciences are clear, they are not destroyed and degraded by going to battle; but when men fight, as the American soldiers in the Philippines have been fighting, against their judgment and against their wish, there will be found plenty of them who will yield to that degrading influence, and they will become as cruel as any people in the world.

Mr. GALLINGER. Will the Senator permit me?

Mr. TELLER. Certainly.

Mr. GALLINGER. Mr. President, I did not mean to say or to suggest that there were not individual instances of cruelty on the part of our soldiers. Beyond a doubt that condition exists. What I meant to say was that, in my judgment, our soldiers are not permitted to practice the cruelties that have been set forth in some publications which have been read to the Senate.

If the Senator from Colorado will permit me another word, I will say I have an intimate acquaintance with three soldiers from my own State, from whom I receive frequent letters. They describe in detail their experiences, and I have yet to have one of them suggest that our army is practicing outrages and cruelties upon the Filipino people. They are fighting the Filipinos, of course, and trying to subdue them, and, as I said in the beginning, there are no doubt individual instances of cruelty; but what I meant was to express surprise concerning a feeling that such a condition could exist there, and that, as a rule, our army had been practicing such outrages as had been depicted in certain publications. That was all.

Mr. TELLER. I have no doubt the American Army is as free from that as any army in the world could be under the circumstances. I know, and so does the Senator from New Hampshire, that with all our boasted intelligence and our aspirations for liberty there is not anything more cruel than the Anglo-Saxon dictator. His very virility and force make him a cruel taskmaster. Macaulay declared that the Spaniards in their worst days in

Mexico and Peru never inflicted upon the natives of those countries any cruelties greater than the English army inflicted upon the natives of India. That is true, too; other authorities have sustained that proposition. The war that is being conducted to-day in South Africa will not bear the light of truth thrown upon it. The Anglo-Saxon resents resistance, and whenever he meets with opposition he overcomes it if he can, and in war he is expected to overcome it by slaying his adversary, and he does not always stand upon the order in which he slays him.

As I said to the Senator from New Hampshire, if they have not been disposed of, there are two Army officers—and I believe both regulars, although of that I am not certain—who have been cashiered or disciplined, I will not say which, for I do not know exactly what the proceeding is, for inflicting this cruel torture of the water cure upon the men. Mr. President, will any man living—

Mr. ALLEN. Will the Senator permit me to ask him what the water cure is?

Mr. TELLER. I will tell the Senator what it is. They find a man. He may be a friend or he may be a foe. If he knows where there are some insurgents concealed, or if he knows where arms are concealed, he is asked to make that known, and if he declines they put a bayonet in his mouth and tie it back so that he can not open his mouth, and take a pump and pump him full of water, and it runs out of his ears and his mouth, and then they strap a strap about him to bring the water out of him. Then they wait to see whether he succumbs—whether he will deliver the information they want. That is what the Macabebes are doing and what they are employed to do.

Mr. ALLEN. Is that a Spanish practice also?

Mr. TELLER. That was the old Spanish practice, and is said to have been sometimes practiced by the Inquisition in early days. Mr. President, there can not be anything more inhuman than that. There can not be anything more wicked than that. While I do not believe that the great mass of the officers in our Army will allow it if they know it, yet it is being done.

I stated, and I want to repeat it, that an officer in high standing in the Army, writing to a friend here in the city, not for publication, not for the public eye, but I suppose having that sense of justice and instinct which every American soldier ought to have—unless he is a Westpointer of recent date—feeling probably outraged (the friend of his is also a military man), detailed this method and stated that the Macabebes had been using it. I do not know but that he stated something in that letter—I am not certain—about the other officers. He said:

I did not see it practiced, but I came up just as they had completed it, and the man's face was bleeding, and the man was exhausted and nearly dead.

If we have to carry on war in the Philippine Islands with agencies of that kind, you can not haul down the American flag too quickly to save it from degradation and dishonor. If we can not maintain the American sovereignty there without those things, God Almighty help us to get out of there and not attempt it.

Mr. BUTLER. If it will not interfere with the Senator from Colorado, I should like to ask him a question. Was the proceeding to which he has referred, according to the information he got through an Army officer, conducted by a Macabebe who is acting now as our ally?

Mr. TELLER. I rather think it was, although I do not know whether he said it was a Macabebe or one of our soldiers; but I rather judged from the context that it was a Macabebe.

Mr. BUTLER. Then the Senator would also judge that it was tolerated, as nothing was said about punishing the party or protesting against it.

Mr. TELLER. It has been tolerated. There is no question about that.

Mr. BUTLER. It is a great shock to the American people.

Mr. TELLER. I do not know why we want the Macabebes in our Army unless it is to practice cruelties that we ourselves are ashamed to practice.

It is not pleasant at all to talk about these things. We are in the Philippine Islands. I do not believe one per cent of the American people, in view of the present conditions, do not wish we were out. That we might have been there with credit to ourselves and profit to the country, nobody will deny who knows the condition of that country; but that we are not there with any credit to-day, and no prospect of profit in the future, or credit either, I think everybody will admit.

Mr. President, we are going to have a new Army officer over there. MacArthur is coming away, and I do not think he will come away any too quickly. I am not hostile to Army officers, nor am I hostile to an army, but I do not believe in the doctrine that this general, who is over there, is said to have declared in a public address to a returning regiment of soldiers, when he said:

General MacArthur, addressing a regiment of volunteers about to return from the Philippines, told the men that the chief advantage of the work in which they have been engaged is "engendering of a warlike spirit, without which no nation can continue to live, and by which alone a nation is created and made perpetual."

I am not sorry that this officer is going to return.

Mr. HALE. Will the Senator permit me to see the statement?

Mr. TELLER (handing the article). It has been published.

Mr. HALE. I did not hear what the Senator gave as his authority.

Mr. TELLER. It has been published over and over again, and I have never seen it denied. It has been published in the papers of the country, and that is a comment by one of the Administration papers.

Mr. HALE. Is this an extract from the speech General MacArthur made to a regiment returning?

Mr. TELLER. Yes; just returning. It is only a part of it. Of course there is a good deal more.

Mr. HALE. Mr. President, I desire to emphasize and to add to what the Senator is saying, not only the surprise which I felt when I read that, but the sense of outrage that the commander of the main portion of the whole Army of the United States engaged in war, which everybody ought to admit, should be so possessed of the Old World spirit of military conquest and military ambition and all that goes with that, as to declare that the engendering of a warlike spirit has been the main benefit of this transaction in which we are engaged, and that no nation can be expected to live and endure without this warlike spirit, the predatory spirit, the spirit of conquest, the spirit that is precisely in antagonism with the spirit of liberty and the desire for peace and security. I do not know whether General MacArthur said this; it has not been denied; I hope it will be denied; but if it is not denied and is to be accepted as the theory upon which all this goes on, there will be some time a terrible reaction against it.

Mr. TELLER. I have no doubt about the authenticity of it, because that was some time ago, and it has not been disputed.

Mr. BACON. I should like to suggest to the Senator from Maine that General MacArthur has simply been a little more outspoken than others, and that the inevitable, necessary, unavoidable, certain consequence of what we are doing in establishing military rule over a subject people is to accomplish that in the prospect of which General MacArthur makes this congratulation. It makes no difference whether he said it or not, that is the effect of this militarism; and the man is blind who does not see it.

Mr. TELLER. That is the teaching of the American Army to-day, with few exceptions.

Mr. BUTLER. I will call attention to the fact that the same interview has been quoted in the Senate before. It can be found in the CONGRESSIONAL RECORD. If it is not correct, it would have been denied before now, I take it.

Mr. TELLER. I did not know that it had been quoted here. I have seen it in a dozen papers, with a number of comments and the comments of friends of the Administration.

I find this in the morning paper:

The President is very much irritated over the increase of the rebellion in the Philippines. He is of the opinion that General MacArthur, with the force at his command, should have achieved better results, and that he should at least have been able to prevent the tide of insurrection from spreading.

I do not know by what authority that is in the paper, and that is followed by a statement that General Wade is to succeed General MacArthur. I have no doubt General MacArthur is a good soldier. I am inclined to think he is rather a superior officer. I think that is the sentiment to-day of the Regular Army educated men, and I think that sentiment prevails at Westpoint and is the basis and the cause of the extraordinary brutality that has been exhibited there in the last few years.

Mr. PROCTOR. MacArthur is not a Westpointer.

Mr. TELLER. MacArthur is not a Westpoint officer? I suppose association with gentlemen who came from there has certainly imbued him with that sentiment. He has got it from somewhere. I do not know where he got it.

But if you will consider the excuses that are made by those young men for their treatment of their inferiors, you will see it arises from this notion of the superiority of arms. It is the great profession of the world to these men; there is nothing like it. The learned professions, as we used to call them, are of no consequence. It is the man who puts on his shoulders epaulets and straps on a belt and a sword, and who commands. He is the man to whom they look, and the tendency at Westpoint is now, as it has been for some years past, to look with contempt upon every man in the Army, no matter how high his character may be, if he did not graduate at that public school. When a committee of the House went up there, and it was just as evident as it could possibly be that the witnesses were lying before that committee and avoiding telling the truth, and when one of the members of Congress intimated to a witness that he was not telling the truth, the wives and the daughters and the sons, and perhaps some of the officers themselves, who sat in the court room proceeded to hiss, as if it was a very wicked thing to say to a young cadet, "You are not telling the truth."

They admitted themselves that their education proceeded upon the line that a pledge made which ought to have been as sacred to

them as an oath was not binding on them when they came to the treatment of those in the lower class. So I do not think the member of Congress who intimated to them that they were lying exceeded the right that he had or went a step beyond what he ought to have gone. Mr. President, I have been a friend of Westpoint always, and I believe in it now, but I believe it would be better to dismantle it to-morrow and depend entirely upon volunteers and self-educated soldiers to win our battles than to instill in the minds of these young men the doctrine that is laid down here by General MacArthur.

Mr. President, I know that war is cruel; I know that war is necessary at times; and I know that out of war has come the greatest progress of the race; but it did not come from a war of aggression; it did not come from a war of conquest. It came when they were defending the God-given rights of theirs against an attempt to take them away. When men win battles in that way, if they win them at the loss of thousands of men, it is not a loss in the end if they maintain liberty for themselves and for the world. So I do not mean to complain of war. You will always have it. It will always be necessary. But it is always to be deplored. It is always cruel. Even when in defense of liberty and rights, it is cruel. It is excessively cruel when the men go out and know that they are violating the first principles of justice by attempting to impose upon a people a government that they do not want. No American soldier can fight that kind of a battle without being degraded in his own mind, and in his impatience he will commit cruelties to bring it to a close.

Mr. President, we have had a war in China; a war that is a disgrace to the Christian world; a war in the interest of right and justice when it began, but if all the truth is told about it by those who know best, the Christian nations which have engaged in it are disgraced as they have never been disgraced before in the history of the world. We talk about the Boxers. The looting and the cruelties inflicted upon the Chinese have been infinitely greater than those inflicted by the Boxers, and with less excuse.

Mr. President, the other day a great bishop, who is a conspicuous figure in all the religious circles of the United States, in the city of New Haven made the statement which I am going to read:

NEW HAVEN, CONN., January 27.

Bishop H. C. Potter, of the Episcopal Diocese of New York, addressed an audience of 2,000 in St. Paul Church to-night. He laid the blame for the Chinese war at the door of the so-called civilized races whose commercial greed, he said, caused it. He declared that if he were called upon to take sides in the matter he would pick the part of the Chinese. He called the American missionaries the heroes of the present conflict.

He deplored the brutality the civilized races persistently used toward the black, brown, and the yellow man, and said that the Chinese war could not be settled till the white man ceased to treat the Chinese with brutality.

"Our policy in China," said the bishop, "has not thus far been a happy one. Professing Christian engineers, capitalists, merchants, and bankers there are responsible for what has happened the past year. If I were to defend any nation against the charge of unchristian outrages, I would take a brief out in favor of China. Nothing could have been more brutal than the policies of the Christian nations in the past year in dealing with this pagan people."

"We have trampled under foot everything the Chinese hold most sacred. The railroad could have passed around the tomb of the ancestors of a ruler, but instead we tore it down and went through the spot where it stood. This is but a type of the treatment we have given the Chinese—an illustration of what they have received in the gross at our hands, and in detail as well."

"I was traveling in Ceylon some time ago and happened to ask an English-speaking stranger the direction to the steamship office. I was being carried by a jinricksha man, and dismissed him, asking him what his charges were. He answered, 'Two anas.'"

"'You scoundrel!' yelled the English-speaking man. 'The charge is only 1 ana.' Thereupon he knocked the jinricksha man down. That's the sort of a way that Christendom serves the pagan nation to-day."

"At another time when I was in the Orient I saw an English woman jab her umbrella into a jinricksha man. I heartily wished that I had a horse-whip, in order that I might treat the woman as she deserved."

"When we take into account all of these things and the outrages in China, especially the exhibition of brutal passions of travelers to the Chinese, we ought to despise ourselves."

As far as American missionaries are concerned, he pays them a high tribute. I have another article here. I will read this to show that war is cruel, even when conducted by Christian nations:

Dr. E. J. Dillon, who accompanied the allies from Taku to Peking, describes in the Contemporary Review of this month some of the things he saw done by the emissaries of advanced civilization. He entered one of the few houses that had not been destroyed, and this is what he found:

"It had been gutted. Everything within had been destroyed, except in one room. On the ground, beside two stools, lay the man and the woman who should have shared it. They were horribly slashed up; three chopsticks lay at their feet. In the courtyard was a little child, its hair done up in four plaits, interwoven with red ribbon, its head crusted with black clotted blood, and shrouded by a swarm of flies. Nor was this, by any means, the only scene of its kind. A wave of death and desolation had swept over the land, washing away the vestiges of Chinese culture. Men, women, boys, girls, and babes in arms had been shot, stabbed, and hewn to bits in this labyrinth of streets, and now, on both banks of the river, reigned the peace described by Tacitus."

There was actual if not declared war when that was done—

Says the editor. Then he turns to Dr. Dillon's further statement:

I speak as an eyewitness when I say that over and over again the gutters of the city of Tungtschau ran red with blood, and I sometimes found it impossible to go my way without getting my boots bespattered with human gore. There were few shops, private houses, and courtyards without dead bodies and pools of dark blood. Amid a native population whose very souls quaked with fear at sight of a rifle, revolver, or military uniform a reign of red terror was inaugurated for which there seems no adequate motive.

Here is a statement by Prince Ching:

Some of the allies have conducted warfare in a fashion unparalleled in the history of civilization. Chinese merchants and private citizens assert that valuables have been looted amounting to immense sums, and it would not be fair to fail to take these largely into consideration when the question of indemnities is discussed. Tientsin, Peking, and all the cities and towns between have been absolutely stripped, while priceless treasures belonging to private individuals have been confiscated, irrespective of all ideas of modern warfare.

Astronomical instruments have been taken down to be shipped out of the country, and a thousand other things have been done that are a disgrace to the civilization in which we live.

Here is an extract from the New York Sun, to which I will call attention:

Human nature in its most depraved and detestable form never appeared more hideous than in the brutalities of which the Chinese have been victims in the past six months. If hordes of Apache, Comanche, and Modoc Indians had been let loose upon the Chinese, the latter could not have suffered more at the hands of these savages than they have endured from the armies of "Darkest Christendom."

I have cut from the papers a dispatch from Berlin, dated the 30th day of this month:

A special dispatch to the Cologne Volks Zeitung from China relates horrible details about the war in that country, and says:

"We hope the awful conditions will soon cease. The depravity and bestiality also among our troops is enormously on the increase. Large numbers of old soldiers are sentenced to long terms in the penitentiary and jail for murder, rape, or burglary. Our losses are certainly greater that way than by death. Diseases are still rampant, especially typhus. Dysentery is decreasing. During November there were nine deaths from disease in Paoing Fu alone, and also two from powder explosions."

Now, Mr. President, there is the English army, the German army, the American army, the Russian army, and the Japanese in China; and I want to stop here and say for the heathen Japanese, that all the testimony shows he has done less looting and less revolting things than his Christian associates in arms. If anybody doubts that war is cruel and that the favored race of the world that arrogates to itself the greatest love of liberty, equality, and justice can be guilty of horrible things, you can find it by carefully examining the condition in China. There were some provocations, I will admit, but we ought to recollect that the Chinaman has a civilization and a religion of his own that had been invaded, and his country was about to be broken up; and if the Boxers in defense of Chinese integrity committed atrocities, there was no reason to suppose that the great mass of Chinamen were guilty of it, or that they should have been punished in the way they have been. They should have had some respect paid to their superstition, if you so choose to call it. We are now tearing down the walls of some of their cities; and one of the Chinese papers says—I can not help to feel with considerable pathos—it is a pity to see the work that was three hundred years in accomplishing destroyed by foreigners in a few days.

I do not wonder, Mr. President, that the Chinaman is not going to submit to having his family and his friends killed and his property taken, nor do I wonder that the men go to war who have been contending for liberty with the Spanish Government for years, with no hope held out to them of participation in the government under which they are to live. Mr. President, they would not be fit for freedom if they did not go to war.

The Senator from South Dakota [Mr. PETTIGREW] called attention to the fact that we had deported a prominent Filipino from the islands to the island of Guam. I do not know exactly under what circumstances this man was deported. It is possible that the deportation was justifiable. And there is another deportation that I want to call the attention of the Senate to, and that is of a newspaper man by the name of Rice, who was running a newspaper in Manila. Rice did not agree with the military control or the military management, and he proceeded to find fault about it. Thereupon they picked Mr. Rice up and deported him to Guam. I do not know what became of the newspaper. I suppose they probably put at the head of it a more pliant man and one more easily managed.

Mr. PROCTOR. They are going to bring him here.

Mr. TELLER. They will bring him here, the Senator says. They have exiled him anyway. I suppose they do that under the omnipotent power of the President as Commander in Chief of the Army. There certainly is not anything in the laws or anything in the genius of our Government that will allow a man to be deported from the Philippine Islands without his wish, and I do not suppose there is any law over there except that which is made by the President. Mr. President, I want to return to what I said before.

Mr. HOAR. Mr. President, I will remind the Senator from Colorado, if he will permit me, that one of the great arraignment against George III in the Declaration of Independence was that he had transported men beyond the seas to be tried for pretended offenses.

Mr. TELLER. Yes; and before I get through I am going to read an extract from the speech of Daniel Webster, where Webster detailed what we went to war for with Great Britain, in which he says we did not go to war because of any suffering that

had been entailed upon us, but because they threatened to deprive us of what we said were our rights.

Now, Mr. President, there is complaint made over in the Philippine Islands that we have taken the most objectionable class of men in the Philippine Islands and that we have put them in charge of the education of the children of that country. They are the priests called friars. If anybody wants to see a scathing statement of their character let him get the work of John Foreman and read it, or if he does not happen to have that he can take the book of Dean Worcester, one of the members of the commission, who quotes it and who indorses it and declares that Foreman is a reliable witness, and a Catholic at that. The entire Filipino community have objected to this change. Of course they say that some of the Filipinos have asked for it. It may be that they have, but to such an extent had this order of friars—Catholic priests—become obnoxious that the Government of Spain, in my judgment, would have taken them and deported every one of them from the islands if we had kept our hands off the islands for sixty or ninety days. They have never been the educators of the people. They are the vilest of the vile; and yet the commission has put them in charge of all the schools of those islands.

Mr. President, common propriety, respect for the galleries and for my associates, will prevent me from stating to the Senate the enormous crimes that these men are guilty of and are proven to be guilty of. I shall not violate, I know, anything given to me in confidence if I say that when our commission was in Paris it took testimony as to the character of this order of priests, and it was so infamous and wicked that the commission declined to make it a matter of record. Yet, under the power of this commission, these men are intrusted with the education of the youth in those islands. They may be taking the oath of allegiance over there, but you will never have peace there while those priests are put in charge and the secular priests who are agreeable to the people are entirely ignored.

Mr. President, these people have grievances at our hands. They sent here the other day a vigorous protest against our domination. I know it was characterized on this floor as a traitorous emanation. So would the same thing have been said by the same parties, I have no doubt, if they had lived in England when we sent over our protests. There was as much indignation in my immediate neighborhood that day as there was when the King of England heard that the tea had been thrown into the Boston Harbor, and when he said, "Force must now take control." It was not allowed even the courtesy of being printed as a document—afraid to give it the light of day; afraid to let the American people read a fair and square statement of their belief. I believe every man who listened to it knew in his heart that when they recited the difficulties we were to encounter in the future they were telling the truth. Are we afraid of the truth? We may censor the press; we may lock up the War Department; but we can not deny to those people over there a right to be heard by the civilized world. They will be heard, Mr. President. The chairman of the committee, sitting by my side, said, "I would say to them, 'Surrender! And if you do not surrender we will treat you as wild beasts of the field and destroy you.'" And that, Mr. President, is the sentiment which emanates from this Army circle and from this imperialistic tendency that is now prevalent in the country.

What do we want the Philippine Islands for? We professed that we wanted them for two things. We wanted them for commerce; we wanted them for the advantages of trade; and we wanted them also that we might do to them a great good. When they say they do not want to have our kindness exhibited in that way, we turn around and the American people, or at least a good number of them, say, "Vae victis!" Mr. President, they may be vanquished, but with that vanquishing will come a greater calamity to us infinitely than will come to them. The great army we are organizing and the great debt we are going to put upon the people is too great for the good that we can get out of those islands, unless we hold them with the approbation and consent and complete approval of the people who live there.

Mr. President, I know exactly how useless it is to talk upon this subject. I know that these are perilous times. I believe we are occupying a very critical period in our history. I do not myself give up. I do not believe the American people are going to continue to dominate a people who do not want to be dominated by us. I believe our duty requires us in some way to compose the difficulties existing there; and if it can not be done, if that is an impossibility, then there is not any other thing for us to do on the face of the earth except to retire from that country and let those people take care of themselves.

Can we afford to maintain an army there of 60,000 men, with a relay of 30,000 here, for you can not keep an army there for more than a year in justice to the Army, and if you must have 60,000 men there, and MacArthur says 100,000, you must have 60,000 men here to take their place when they come back. So you have an army of 120,000 men and an abnormal expenditure in the neighborhood of \$100,000,000, adding to the public debt, adding to

the burden of the people, and for what? For glory only; certainly not for profit. To us, the greatest nation of the world, with the greatest record of any nation that ever lived under the sun, can there be any credit or glory that we are able to dominate and control the brown men of the Pacific sea against their will? No; there is no glory to come to us from this war.

Mr. President, I have said all that I care to say upon this subject to-day. I am not going to vote for the report on this bill. I vote against it because the Army is too large. I vote against it because it has a feature in it that I think is objectionable, which I have just mentioned and to which the Senator from South Dakota addressed himself at more length, calling into the Army the worst element of the Filipino population. I believe that provision will soon bring disorder and disaster, and not peace.

I said I would put in an extract from Webster. I will reserve that for some other time.

Mr. BACON. Mr. President, I understand that there were several items about which the chairman of the committee would give some information. There is one particular part of the report that I want to call attention to, in which I think very great injustice is being done to the officers who are now serving in the Philippine Islands. I took the liberty of suggesting the matter to certain of the conferees on the part of the Senate while the bill was in conference, hoping that there would be an adjustment of the matter, but I find that nothing was done.

I call attention to it now. It is on page 5 of the conference report, and relates to the eighty-ninth amendment. The matter to which I call attention is a provision in the conference report which limits the officers and men now in the Philippines, who will be eligible to appointment under the bill to commissions, to those who have not passed the age of 40 years. The amendment as originally framed by the Senate was defective in that it limited this eligibility to officers, and I think the change of the conference committee, which extends the eligibility to enlisted men, is a proper change. But the change did not stop there. It not only extended the eligibility to enlisted men, but it also imposed a limitation of 40 years.

The particular point to which I call the attention of the Senate, and which, as I said, I took the liberty of calling to the attention of some members of the committee of conference, is on page 31 of the printed bill, new section 24. It occurs to me that where an officer is now in the Philippine Islands, who has been there from the outbreak of hostilities and is still in the Army, and may now be 40 years of age, but who was not 40 years of age when he went in, he ought not to be told that he is too old to continue in the service.

That is true, doubtless, of numbers of officers who are at present in the service. I have one in my mind. I am not sure, but I think he has now passed the age of 40. He went to the Philippine Islands two years ago. He is a captain in the service. He has been wounded. He is a most excellent officer. He has been mentioned in the public reports for gallantry; a man of perfectly active habit, eminently fitted for the most efficient service as a lieutenant in the Regular Army, and yet he is to be told that because, while he has been in the service and he is still in the service, he has passed the age of 40 years, he is not to be eligible for this appointment.

I think the limit of the age of 40 is a proper limitation; but there ought certainly to have been an exception in favor of officers who were not 40 at the time they entered the service and who are still in the service, and who under this bill will be dismissed from the service and shall not be allowed to continue longer in the Army.

When I called the attention of several of the conferees to this matter I was told that it was not in conference; but I see from the bill which is before us that that provision certainly was in conference, and it is one of the provisions which the conference committee has itself changed.

I simply make the suggestion. If there is any suggestion which Senators can make, I think it is a matter of sufficient importance for them to correct it if it is possible to do so. It would certainly be the gravest injustice to let the provision remain as it is.

Mr. BUTLER. On what page is the provision?

Mr. BACON. On page 31, amendment 89.

Mr. PROCTOR. On page 32 of the reprint.

Mr. BACON. The amendment is found on page 32 of the reprint, and it is found on page 5 of the conference report.

Mr. PROCTOR. Will the Senator allow me?

Mr. BACON. Certainly.

Mr. PROCTOR. As the amendment passed the Senate there was the limit of 40 years, making it apply to persons not over 40 years of age and leaving it open to all. The committee did not consider it wise to make this exception. They did not consider that it would be for the interest of the service or of any officer to go in as a lieutenant at over 40 years of age, when those of his same grade would be young men from 25 to 30, and the possibility of his reaching what I might term a respectable position in the service at his retiring age would be very slight. The committee thought that would be unwise. It is possible that there may be

individual cases. We could not legislate for those, and we considered that it would be very unwise to make an exception.

Mr. BACON. Undoubtedly a man in robust health at the age of 40 would have a score of years of vigorous manhood in which to serve as an officer, and the fact that he has reached that time of life and is in the service is an additional reason why he should not now be turned out. He is at a time of life when it is not easy for him to change and adapt himself to some other vocation. I do not consider that the suggestion of the Senator from Vermont is a sufficient answer to the proposition that this is a grave injustice.

I have one case in my mind now, and I have no doubt there are numbers of the same kind—men who went into the service at 40 years of age, who are now in the service, and who have reached the age of 40 years, and passed it, while in the service. That these men, while they were young enough two years ago to go to the Philippine Islands and subject themselves to all these dangers and undergo all these hardships, and, as in the case in my mind, where a man absolutely shed his blood in that dangerous and unpleasant service (which, perhaps, might have been more hazardous than it will be at any time in the future and when the uncertainties were greater), should now be told, forsooth, without any other reason, that they are to be turned out and not permitted to share with their comrades in any opportunity to enter into the regular service of the Government is a proposition to which I can not give my assent.

I wish to add that I should have been more persistent in my application to the members of the conference committee for some recognition of the men who are thus unfortunately situated were it not that, in addition to being told that it was not a matter with which the conference committee could deal, it was suggested to me by more than one member of that committee at that time that, recognizing as they did that it was a great hardship and a matter which ought to be cured, if the bill passed in its present shape there would be favorable consideration by them of an independent bill which would make these officers thus situated eligible for appointment. Now we are told that the conference committee did consider it, and determined that this should not be changed so as to do this justice to these officers who are now in the service.

Mr. BUTLER. Mr. President, I desire to ask the Senator in charge of the bill for an explanation of the amendment on page 15. I have examined the conference report and also the statement which the conferees prepared to elucidate their changes, and I find there is no explanation of why this is done. In the statement which the Senator in charge of the bill had read yesterday with reference to amendment numbered 49 this is all that appears:

No. 49 is amended so it shall read "officers of volunteers commissioned in the Quartermaster's Department since April 21, 1898."

We are told that that was the statement prepared by the conferees to explain their action, but it is evident that there is no explanation so far. I ask the Senator from Vermont [Mr. PROCTOR], who is giving attention to the bill just now, if he will explain the action of the conferees on that matter. The House limited these appointments to all officers who served in the Volunteer Army, and the Senate enlarged it to all persons who served in the Volunteer Army. Now the conferees restrict it more than the House did in the original bill and limit it to certain officers.

Mr. HAWLEY. There was a change made there, I believe, in order to make the appointments in the Quartermaster's Department conform to those in the Commissary-General's Department.

Mr. HALE. And also a change made in the Commissary Department to make it conform to the Quartermaster's Department. Is not that so? That is the explanation—that the change was made in the Quartermaster's Department to make it conform to the Commissary Department, and a change made in the Commissary Department in order to make it conform to the Quartermaster's Department.

Mr. PROCTOR. The purpose of this change was just this: There are a large number of quartermasters now in the service; they have had experience, and they are handling the business of the Department daily. There are very many more of them than can possibly be commissioned. It seemed to the committee unjust that these appointments should go elsewhere than to those specially selected from those now in the service, who are experienced, and who are, of course, much more valuable to the Government than any one not having that experience could be.

Mr. HALE. Mr. President, we are evidently coming to the point of voting on this important bill, and I hope there will be a quorum present.

The PRESIDING OFFICER (Mr. LODGE in the chair). The question is on agreeing to the conference report.

Mr. HALE. I suggest the lack of a quorum.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. HALE. I suggest the absence of a quorum.

Mr. BUTLER. The absence of a quorum has been suggested, Mr. President.

The PRESIDING OFFICER. The Secretary will call the roll. The Secretary called the roll; and the following Senators answered to their names:

Allen,	Deboe,	Jones, Ark.	Proctor,
Bacon,	Depew,	Kean,	Quarles,
Bard,	Dillingham,	Kenney,	Rawlins,
Bate,	Dolliver,	Kyle,	Scott,
Berry,	Elkins,	Lodge,	Sewell,
Beveridge,	Fairbanks,	McComas,	Shoup,
Burrows,	Foraker,	McEnery,	Simon,
Butler,	Foster,	McMillan,	Stewart,
Carter,	Frye,	Mallory,	Teller,
Chandler,	Gallinger,	Martin,	Thurston,
Chilton,	Hale,	Money,	Turley,
Clay,	Hanna,	Penrose,	Vest,
Cockrell,	Hansbrough,	Perkins,	Wetmore.
Culberson,	Howley,	Pettus,	
Cullom,	Hoar,	Platt, Conn.	

The PRESIDING OFFICER. Fifty-eight Senators have answered to their names. A quorum is present. The question is on agreeing to the conference report.

Mr. BUTLER. Mr. President, I must say that the explanation as to the action of the conference committee as I understood it, which was made by the Senator from Vermont, was not very satisfactory. To be sure that I caught it correctly, I will ask the Reporter to read from his notes just what the Senator from Vermont said in answer to my question about amendment numbered 49.

The Reporter read as follows:

Mr. PROCTOR. The purpose of this change was just this: There are a large number of quartermasters now in the service, and they have had experience and they are handling the business of the department daily. There are very many more of them than can possibly be commissioned. It seemed to the committee unjust that these appointments should go elsewhere than to those specially selected from those now in the service who are experienced, and who are, of course, much more valuable to the Government than anyone not having that experience could be.

Mr. BUTLER. If that is true, there is nothing in the law to force the Department to go outside of those most fitted. It does seem, though, improper to limit here for all time, until Congress acts, the appointments to those officers who served in the Quartermaster's Department.

I notice in another place in the bill that the conferees have made the same limitation. On page 16 they have again limited the appointments to officers who served in the Subsistence Department, and in this case, as in the one just referred to, the original House bill left these appointments open to all officers. The Senate, after debating the matter thoroughly, opened it to all persons, including every soldier who served in the Volunteer Army.

Now, the conferees restrict the matter more than the original House bill restricted it. I would ask the Chair if it is the practice of the Senate or if it is competent for a conference committee to bring in something as a substitute that was not a matter of compromise between the two Houses and upon which there was no difference between the Houses, but outside and beyond the differences of the Houses.

The PRESIDING OFFICER. The Chair does not think that any point has yet been raised on which the Chair can rule.

Mr. BUTLER. Well, I have just stated what the conferees have done, and I have stated before that it seemed to me that that was not a proper matter for the conferees. I make the point that the conferees have exceeded their powers.

The PRESIDING OFFICER. The Chair is of the opinion that nothing can be done with the conference report except to agree to it or disagree to it.

Mr. BUTLER. Then, Mr. President, all through this bill there is legislation, and I called attention yesterday to the fact that there are several other places in it where there is legislation. There are amendments inserted in the bill in many places by the conferees where there was no disagreement at all between the House and the Senate.

But regardless of whether these things were done or not done, it does not materially help the bill; and I can not say, so far as I am concerned, that I will be any more reconciled to its main features by those contrived points being in one form or another.

Of course I should like to see the bill go back to conference; and I think it would be well to send it back if there was any hope of improving it. I should exert a great deal of effort if I thought there was any hope of sending it back or any hope of improving it if it were sent back.

I consider this bill, Mr. President, as the Senator from Maine [Mr. FRYE] said, the most important question before the Senate, before Congress, and before the country. I regret very much that no more time was given to it by the Senate. I regret very much that the Committee on Military Affairs did not give us a minority report. If they could not have given us a substitute bill, it seems to me that the members of the committee who did not approve this legislation ought at least to have given us an exhaustive minority report.

It seems that in the beginning this is very important legislation,

legislation that not only incurs a greater load of taxation than the subsidy bill will incur, legislation which from a financial standpoint and a taxation standpoint alone is vastly more important than that measure, as vicious as that is, but a bill which, in addition, fixes upon the country a standing military establishment that is undemocratic and un-republican and antagonistic to the genius of our institutions; and not only that, but a bill that goes further and puts into the hands of the Executive more power at one time than has ever been given before in the history of the Government. It is a radical departure from our history, a radical departure from everything that we have considered distinctively American; and all this is done at one sweep, and we have not even got a minority report from the committee.

Mr. BATE. May I suggest, as I am a member of the Committee on Military Affairs, that I have heard several reflections upon the committee in regard to not making either a majority or a minority report. One of the reasons why that was not done—and I think it is due to the committee that I should make this statement—is that this bill did not originate in the Senate at this session.

Last session we had virtually the same bill before us and we passed it. It was freely discussed here in the Senate, and everybody understood it. Besides that, the same bill about a year ago went to the House, and the House sent back an amendment in the nature of a substitute, and that is the amendment or the bill that is now before us.

The amendment coming from the Senate committee does not stand in the light of an original bill, which would require either a majority or a minority report. I think that was the view of the committee, and if there is any blame attached to it—I was in the minority and voted against the bill—I take my share of it. I am sorry we did not enlighten the Senator more fully regarding it.

Mr. BUTLER. I suppose, then, Mr. President, if we do not pass the subsidy bill at this session, the same bill or a similar one will come here at the next session, and it will not be necessary for the committee to report upon it and we need not discuss it much, inasmuch as it had been up once before.

What I was getting to, Mr. President, was the fact, as the Senator from Maine so well says, that here is the most important piece of legislation not only before Congress, but the most important piece of legislation that has been before this body since I have been a member of it. And yet I feel, for one, that it has not received the attention either in the committee or in the Senate that it deserves. Here comes in the conference report, with many changes of legislation in it, and very few Senators are paying any attention to it. It may be that they are thoroughly familiar with every detail of it and that they are satisfied with it.

I think this is a measure so radical in its nature, of such far-reaching and permanent consequences, outside of the cost in the mere matter of dollars—for we can recover from that—that it would justify the resisting of this measure by all the parliamentary tactics to which those opposed to it could resort. I think, I say, that would be justifiable on a measure of this kind while appealing to the conscience and the intelligence of the country and arousing them to what it means.

It is not often that I think a majority of the Senate or any member of it is justified in going to great extremes to defeat a measure; but I say it seems to me that if there is any measure before us upon which we ought to go to that length it is this measure; and yet it seems as if within the next half hour or less we may vote on this measure, and it will become a law.

Mr. President, if there are others who are interested enough in this bill to discuss it before we vote upon the conference report, then later on, to-morrow, perhaps, I will expect to have something more to say on it. But if I am alone in this position, then I have nothing more to say.

Mr. HALE. Mr. President, I have no desire to obstruct the course of public business by preventing the passage of this bill. I have no great love for it. As I had occasion to say a few days ago, I voted for it on its final passage because I believed that the statement of General MacArthur, borne out by the statement of the Senator from New Jersey [Mr. SEWELL], disclosed a condition in the Philippine Islands of continued warfare as dangerous, as the Senator from New Jersey said, and as fatal in its casualties as pitched battles, and that unless on the 1st of July we mean to abandon the dwindled remnant of American soldiers in the Philippine Islands so that they may be driven to Manila or into the sea we must reinforce them by new troops; and, of course, as the Senator from Connecticut [Mr. HAWLEY] says, speedily. So in that view I was constrained to vote for the passage of the bill, hating to do it, discerning the future troubles that would come from it and the committal of the nation to a large standing army and the difficulty of ever reducing it.

So I do not desire now, by any taking of time or by any tactics, to obstruct its passage; but I do think it fitting and proper to call the attention of the Senate to a most serious usurpation of power in this bill on the part of the committee of conference. I preface

that by saying that upon all important matters, or almost all important matters, the Senate is always at the mercy of committees of conference upon the several bills. That committee is made up of three selected members from each House. It meets in silence so far as the whole world is concerned. It has no hearings; it has no publicity. It is only bound by what has been the everlasting safeguard that is thrown around its deliberations in the rule and the understanding that it will introduce no new matter in its report, because if a committee of conference can bring in new matter that neither House has proposed and incorporate it in the bill, make it a part of the text of the written law as it will finally be, it has a power in legislation that no other tribunal in Congress or anywhere else has.

Now, I find that in filling vacancies in the Quartermaster and in the Commissary Departments, a subject that engaged the attention of both Houses, and where the question of liberalizing appointments and allowing them to be made to volunteer officers outside of the Army had taken much of the time of both Houses, that at last it was left by both Houses reading thus:

That to fill vacancies in the grade of captain created by this act in the Quartermaster's Department the President is authorized to appoint persons who have at any time served as volunteers subsequent to April 21, 1898.

A clear, absolute provision enlarging the constituency from which those officers could be appointed, declaring that they might be so appointed by the President from all officers who had served as volunteers since that time, to wit, the period of the Spanish war.

Mr. CHANDLER. "All persons," not "all officers."

Mr. HALE. I said "all officers," but the clause says "persons."

Mr. CHANDLER. That would include officers and privates.

Mr. HALE. Certainly. It was not a thing done in the dark; it was not a stealthy provision that was put in without comment; but it meant that it was the sense of justice of the two bodies to liberalize these appointments and to allow the President to make such appointments. When it left this Chamber it had then the sanction of both Houses that those appointments should be so made. Nothing but rude hand, sir, could disturb that; nothing but an assault upon the privileges of the two bodies, and a determination on the part of the conferees to disturb a popular enactment of the two bodies.

How six men getting together dared to lay their hands upon a proposition which the two Houses had agreed to and which popularized these appointments, and to substitute what I shall now read, remains to be told to us by the conferees. The only explanation which has been made is that by the chairman of the committee, who says that it was done in the Quartermaster's Department to make it complete and to conform with the Commissary Department, and when you turn to the Commissary Department you find the same thing done; and I asked him if it was not a fact that it was done in the Commissary Department to conform to the Quartermaster's Department. They did it in both; and the Senator from Vermont says that the reason is that there are a great many men lying about loose who had served in the Commissary Department who would make good officers, and therefore the committee decided to limit it to them.

Now, what have they done? They have changed the whole organism of this proposition. They have changed its whole purpose. They have changed its entire scope, and they deliberately reported that hereafter it shall read:

That to fill original vacancies—

Mr. JONES of Arkansas. Where is the Senator reading from?

Mr. HALE. Page 15 of the bill.

That to fill original vacancies in the grade of captain created by this act in the Quartermaster's Department the President is authorized to appoint officers of volunteers commissioned in the Quartermaster's Department.

Where did the committee of conference get the right, when both Houses had agreed that it should be open to all volunteers, to change that and narrow the constituency to the few men who have been commissioned in the Quartermaster's Department, thus shutting out the entire volunteer force?

Mr. PROCTOR. They are all volunteers.

Mr. HALE. But they are limited to those who have been commissioned as officers. Everybody outside is shut out. That is my complaint, that instead of popularizing it and leaving it as the two Houses did, they have cut it down to the little circle of the men who have been commissioned as officers in the Quartermaster's Department.

Mr. President, Senators say this is a little matter; that you ought not to defeat the report because of it. That is a matter for the Senate to settle. I tell my friend the Senator from Iowa, the veteran of this service, the chairman of the Committee on Appropriations, having charge of bills upon which great matters are continually coming up, that if the Senate lets this matter pass and condones it, neither he nor I will be safe on appropriation bills from the assaults of everybody who wants to change an appropriation bill when it gets into conference. He and I have had some experience in fighting off just such schemes as this, and in declaring that committees of conference, intrusted as they are with the

greatest powers in this body, will never permit any change upon a subject-matter that has been agreed to by the two Houses. I ask the Senator if that has not been our rule?

Mr. ALLISON. I desire to ask the Senator from Maine if the conferees have changed paragraphs or provisions that were agreed to by both Houses?

Mr. HALE. So I understand.

Mr. ALLISON. I have not had time to examine the report.

Mr. CHANDLER. Will the Senator allow me?

Mr. ALLISON. If so—

Mr. CHANDLER. Let that question be settled before the debate goes any further.

Mr. PROCTOR. Not at all.

Mr. ALLISON. I want to understand that.

Mr. CHANDLER. I wish to read the clause about the quartermasters, as I understand both Houses agreed to it:

The President is authorized to appoint persons who have at any time served as volunteers subsequent to April 21, 1898.

I understand that was agreed to by both Houses.

Mr. HALE. I so understand.

Mr. CHANDLER. I will now read as to the Subsistence Department.

Mr. PROCTOR. I beg pardon. That is agreed to with an amendment.

Mr. CHANDLER. Will the Senator wait until I get through and let us have that settled? Now, as to the Commissary Department I read:

That to fill vacancies in the grade of captain, created by this act, in the Subsistence Department, the President is authorized to appoint persons who have at any time served as volunteers subsequent to April 21, 1898.

Now, the conferees have inserted, instead of "persons who have at any time served," etc., the words, in the one case, "officers of volunteers commissioned in the Quartermaster's Department since," and as to the other, the Subsistence Department, "officers of volunteers commissioned since April 21, 1898." I should like to have it settled whether or not the original provision had been agreed to by both Houses.

Mr. HALE. Neither House had ever for a moment incorporated into its bill the provision that is now reported by the committee of conference, that these appointments should be limited to officers commissioned in the distinctive departments, but both Houses had put in the proposition that they should be appointed from persons who had volunteered in the service.

Mr. ALLISON. The rule, and I understand it to be invariable, if the Senator will allow me, is that the conferees have jurisdiction only of the differences between the two Houses.

Mr. HALE. That is it.

Mr. ALLISON. I do not know what the facts are.

Mr. PROCTOR. Will the Senator allow me?

Mr. HALE. Certainly.

Mr. PROCTOR. It will be for only a moment. The House provided that the President might make appointments of officers of volunteers commissioned since, etc. The Senate said he might appoint persons who have at any time served as volunteers. The two Houses did not agree at all in the language. It was not acted on by both Houses. The change was merely inserting the words "in the Quartermaster's Department" and "in the Commissary Department," adding those to the words of the House. The House provided that "officers" and the Senate that "persons" should be eligible.

Mr. HALE. But both Houses insisted upon the limitation being to persons who had served in the volunteer service. Both Houses insisted upon that. Now the Senate conferees—

Mr. PROCTOR. The conference does the same thing.

Mr. HALE. No; the conference cuts that down to officers commissioned in the several corps.

Mr. PROCTOR. In the volunteer service.

Mr. HALE. In the volunteer service, but down to the several corps.

Mr. ALLISON. I understand now, from a casual reading, that the House provision was that volunteer officers should be eligible.

Mr. HALE. Yes.

Mr. ALLISON. And the Senate enlarged that provision, so that persons who were volunteers should be eligible.

Mr. HALE. Yes.

Mr. ALLISON. And the conferees have reported that only officers serving in a certain corps shall be appointed, limiting the provision of the House and also limiting the provision inserted in the Senate.

Mr. HALE. This is a new provision entirely, which neither House inserted, confining it to the officers of these several corps. Neither House did that.

Mr. CHANDLER. Will the Senator allow me? The conferees had a right to settle whether it should be "officers" or "persons."

Mr. HALE. Yes.

Mr. CHANDLER. They not only settled that it should be

"officers" instead of "persons," but they incorporated the other two provisions, that there should be no quartermasters appointed except officers who had served as quartermasters and no commissaries appointed except those who had served as commissaries.

Mr. HALE. That is precisely it, and that is what I am complaining of. Because the conferees believed that ought to have been done originally, which they had a right to believe, they intruded that which neither House had put in. They had the right to consider whether it should apply to officers of volunteers generally or to persons, but they had no right to bring in a limitation that it should apply only to officers of particular corps, because both Houses had declared that those appointments should be as broad and large and wide as the volunteer service.

It is not a grateful task, and I do not like to criticize the action of Senators upon a conference committee, but it is the only safety we have, as I have said. I do not like to have to watch a committee of conference any more than I fancy they like to be watched. I think it is a bad thing that we have to watch and see whether there is legislation intruded by a conference committee that neither House has adopted, but which both Houses have rejected. I say that if this passes into acceptance and we agree to it and submit to it, Senators will need to spend a great deal of their time in scrutinizing conference reports and seeing whether new matter is not introduced, seeing whether the conferees have simply considered the two things in question as they should have done here, whether it should be officers of the general volunteer force or persons in the general volunteer force; and with this warning I leave it to the Senate. I can not vote for the acceptance of a report that has been shown, as this is, to be an instance of aggression and intrusion of new matter that neither House has ever considered.

Mr. CHANDLER. Mr. President, the same question was up a few years ago in connection with a conference report on the Indian appropriation bill, when the conferees went beyond their powers and incorporated new matter—outside questions which were not in dispute between the two Houses. A disturbance was made on the floor of the Senate, and notice was given, as it has been given by the Senator from Maine now, that if those things could be done by conference reports, it would be necessary to watch the conferees of this body to see whether they went beyond their powers, something that never had been done up to that time. We were overruled on that conference report. The exigencies of the Indian service, it was said, would not allow a delay in the passage of the bill; and we were told that even if it had been done on that bill, it never would be done again.

Here it is again, Mr. President, and we are told that the exigency which requires the passage of this bill requires this contravention of the rules of the Senate; that we ought to submit to it because this bill ought to become a law immediately. As much as I dislike to differ with my friend the Senator from Vermont, I do feel that the Senate ought here and now to establish the proposition that its conferees must confine themselves to the legitimate duties of conferees, and not make it necessary for the Senate hereafter always to watch the conferees and see whether they are usurping the functions of both Houses of Congress.

Mr. JONES of Arkansas. In the absence of the chairman of the Committee on Indian Affairs, I should like to ask the Senator from New Hampshire to be a little more specific in the statement he just now made. I have no recollection of the circumstance he mentions, and I am a member of that committee.

Mr. HALE. Some of us remember it very distinctly. There was quite a controversy here, and it was a clear case of intruded legislation.

Mr. JONES of Arkansas. On a conference report?

Mr. HALE. On a conference report.

Mr. CHANDLER. A clause was put in as to a certain tribe of Indians in the State of New York, when there was no mention of that tribe of Indians in the original bill as agreed to by both Houses of Congress.

Mr. JONES of Arkansas. I have no recollection of it.

Mr. HALE. I remember it distinctly.

Mr. JONES of Arkansas. I agree fully with what has been said here about conferees putting new matter in bills. I do not think it ought to be allowed. I do not think it ought to be done in any case. I do not remember of its having been done in the case of the Indian bill in any instance. It may be that the Senators who have spoken may recall some such fact at that time, which has escaped my memory entirely. I have no knowledge of it at all.

Mr. HALE. There is no doubt about it.

Mr. JONES of Arkansas. If the statement made by the Senator from Maine is true, I believe the Senate ought to reject this conference report and send it back to conference for the purpose of having the conference committee conform to the ordinary rules of legislation in such cases. I have been told—I do not know whether it is true or not—by leading Senators in this body that there is one instance in this bill of practically a section being adopted in the Senate and in the House in the same language, and that by changing the number of the section an amendment was put on,

on the ground that the change in the body of the section was justified by reason of the change in the number. I do not know whether or not it is true. I can hardly conceive how it can be true. But if such things are being done, the time has certainly come for the Senate to assert its rights and reject the conference report and send it back to the conferees.

Mr. TELLER. What section was that?

Mr. JONES of Arkansas. He did not give the number, and I do not know. This bill has been printed in such a way that it is utterly impossible for me to ascertain what the parliamentary status of a particular provision is.

When the Senator from Maine made his point a while ago, it was with difficulty I could see just the condition the bill was in. I do not think the bill as printed shows the legislative status of any of these questions, and it is impossible for a man to find out what they are. That is another reason why the conference committee ought not to take any liberty with the text of the bill.

Mr. PROCTOR. Mr. President, it strikes me that this is a good deal of a tempest over a small matter. Here are a hundred and fourteen amendments, and I am a little surprised that there is only this one criticism made, as I am sure the suggestion of the Senator from Arkansas has no foundation. The committee of conference had with them all the time an experienced member of the Committee on Appropriations, the Senator from Missouri [Mr. COCKRELL]. If anything serious escaped his watchful eye, it will be a new case in legislation here. Suppose this is a technical departure. It is not a practical departure, because there is no question but that these appointments must be made and will be made from the volunteer quartermasters and commissaries. I do not propose to discuss the parliamentary question at all. I assert, however, that the committee, with the greatest care and with abundant time, intended to take the utmost pains that there should be no departure from the well-established rules of conference committees.

Mr. HALE. Will the Senator tell us why the committee did not take such a course that everybody would have accepted it? Why did they not take the provision of the Senate bill, which left it only as between "officers" and "persons," without bringing in this new element, which both had excluded? What was the temptation to do that?

Mr. HAWLEY. What element—what is it?

Mr. PROCTOR. I will say to the Senator that the word "persons" was considered by the House objectionable, on the ground that it would open the door to an avalanche of applications, which would do the applicants no possible good. It was evident the officers must be selected from the officers who are now serving in the Philippines, and there are a larger number of them than can be appointed, and selections could be made of the very best, and to the House provision was added these words.

Mr. HALE. Now, if that was so, why did they not then accept the proposition of the House, that it should be officers who had been commissioned in the war since 1898? Why did they need to introduce this new element? The answer is perfectly plain to the Senate. If the conferees thought that "persons" opened too wide the door, then why not take the other provision and confine it to officers who had served in the volunteer force? But the committee is not content with that. It does not take either, but introduces a new element entirely. Why did it do that?

Mr. HAWLEY. I want to have the Senator from Maine specify that element.

Mr. PROCTOR. Those words were put in, according to my recollection, at the suggestion of the House committee. It was practically what the bill amounted to before. I care nothing personally about this. The Senator's criticisms upon the action of the committee do not disturb me in the least. Every member of the committee on both sides acted with great care to bring in a correct report. The Senator from Missouri, I know, will corroborate my statement to that effect. This is a very unimportant matter, and I for one do not wish to take the responsibility for postponing this legislation, which has already been postponed to a very unreasonable length, when every day is one of the greatest importance, and its early enactment may save many lives and great embarrassment and expense.

Mr. HALE. Does the Senator think—

Mr. PROCTOR. I beg the Senator's pardon, but I can not yield to him now.

Mr. HALE. I will wait until the Senator gets through.

Mr. PROCTOR. There is another matter. We have this afternoon listened to a severe criticism upon the officer in command of our troops in the Philippines, based upon an anonymous newspaper statement, which I think very unjust and unfair. It is said that it has never been denied. That officer is 10,000 miles away, and it would take him two months to see the report and to answer it; and I do not believe he would answer it if he did see it. He would consider it as I do, not worth answering, not worthy of any attention. He is not subject to the criticisms that have been made here upon Westpoint. He is not a Westpoint

officer. He enlisted as a young volunteer from Wisconsin at the age of 17, and before he was of legal age, before he was 21, he commanded a regiment in battle at Nashville, and won great distinction in repelling Hood's assault upon our lines there. I was very sorry that neither of the Senators from his State, Wisconsin, was present to hear the criticisms upon him and to answer them as I know they would have done.

Mr. TELLER. Will the Senator from Vermont allow me to say a word?

Mr. PROCTOR. Certainly.

Mr. TELLER. I made no criticism upon MacArthur as an officer.

Mr. PROCTOR. I know that.

Mr. TELLER. I criticised his ideas of what war meant. I said he was a better class officer than the average officer. He is. I recognize that. But I complained that the Army sentiment was just exactly what he stated. I did not complain of him personally.

Mr. PROCTOR. This bill has been delayed from day to day for various reasons or on various pretexts. I for one trust it will meet with no further delay; but that is for the Senate to say.

Mr. HALE. One word, if the Senator will allow me. The bringing before the Senate of a most important matter of this kind can not be termed a pretext for delay. This bill has been delayed for a good many weeks by discussion, and one day given to the conferees to retrace their steps and report the bill as it came from one or the other Houses is not going to be fatal to the objects of the bill. The sense of fitness of the Senate is involved in this thing. The Senator says it is only one in a hundred and fourteen amendments. There are two here right together. I hope there are no more.

Mr. PROCTOR. They are identical.

Mr. HALE. Yes; but they apply to two corps. They double the grievance. I hope there are no more. I have had no time to investigate.

Mr. BUTLER. There are others in it, I am certain.

Mr. HALE. The Senator says there are others; but I say the sense or fitness and dignity of the Senate in general legislation is involved in this question, and if the bill is sent back to the conferees it can be reported to-morrow, as it ought to be. It is for the Senate to settle that, and it ought not to be dragged into accepting this report because it is said it is so essentially important. It has gone on day after day. One day is not a fatal thing.

Mr. HAWLEY. Will the Senator answer an inquiry?

Mr. COCKRELL. Mr. President—

Mr. HAWLEY. I will yield to the Senator from Missouri in a moment. Does the Senator from Maine think if this were recommended to us we could substitute an entirely new bill?

Mr. HALE. I think the conferees could report that they had either adopted the House provision or the Senate provision, and that would be the end of it, as they ought to have done when they brought in the report. Two minutes would do it.

Mr. COCKRELL. Mr. President, let us analyze this now, and look at it as a practical, common-sense proposition. The House passed this proposition:

That to fill vacancies in the grade of captain created by this act in the Quartermaster's Department the President is authorized to appoint officers of volunteers commissioned since April 21, 1898.

The Senate amended it by striking out "officers of volunteers commissioned since" and inserting "persons who have at any time served as volunteers subsequent to April 21, 1898." That was the question—the matter in difference. The conferees met. The House would not agree to the Senate amendment and the Senate would not agree to the House amendment, and they did just as every other conference committee of the Senate has done since the day the Senate was first organized. They compromised the differences between them. That is all there is in it.

Mr. HALE. By introducing new matter.

Mr. COCKRELL. No new matter, but taking a part of each one of them. You have to take new words if you compromise.

Mr. HALE. It is not a question of words. They introduced a limitation to the officers in these distinctive corps, which neither House had done. Both Houses left it open to general appointments, one to "officers" and the other to "persons." The conferees introduced an entirely new, distinct matter. That can not be whistled down the wind. Everybody sees that. When you begin in that way, there is no end.

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

Mr. PROCTOR and Mr. SCOTT called for the yeas and nays, and they were ordered.

The Secretary proceeded to call the roll.

Mr. MONEY (when his name was called). I am paired generally with the Senator from Oregon [Mr. MCBRIDE]. If he were present, I suppose he would vote "yea." I should vote "nay."

Mr. SULLIVAN (when his name was called). I am paired

with the junior Senator from Illinois [Mr. MASON]. He being absent, I withhold my vote.

Mr. THURSTON (when his name was called). I have a general pair with the Senator from South Carolina [Mr. TILLMAN]. If he were present, I should vote "yea."

Mr. TURLEY (when his name was called). I am paired with the Senator from Wisconsin [Mr. SPOONER]. If he were present, I should vote "nay."

The roll call was concluded.

Mr. CLARK. I have a general pair with the Senator from Kansas [Mr. HARRIS]. If he were present, I should vote "yea."

Mr. THURSTON. I will transfer my pair to the Senator from Michigan [Mr. McMILLAN], who is absent, and vote. I vote "yea."

Mr. SCOTT (after having voted in the affirmative). I understand that the junior Senator from Florida [Mr. TALIAFERRO] has not voted, and I ask leave to withdraw my vote.

Mr. HANSBROUGH. I inquire if the senior Senator from Virginia [Mr. DANIEL] has voted?

The PRESIDENT pro tempore. The Chair is informed that he has not voted.

Mr. HANSBROUGH. I withhold my vote, as I am paired with that Senator. If he were present, I should vote "yea."

Mr. BURROWS (after having voted in the affirmative). I understand that the senior Senator from Louisiana [Mr. CAFEY] has not voted. I am paired with that Senator, and I withhold my vote.

Mr. CLARK. I desire to announce the pair of my colleague [Mr. WARREN] with the Senator from Washington [Mr. TURNER]. I will further announce that if my colleague were present he would vote "yea."

Mr. QUARLES. I desire to announce that my colleague [Mr. SPOONER] is necessarily absent from the city.

The result was announced—yeas 33, nays 25; as follows:

YEAS—33.

Aldrich,	Elkins,	Lindsay,	Sewell,
Allison,	Fairbanks,	Lodge,	Shoup,
Bard,	Foraker,	McEnery,	Simon,
Clapp,	Foster,	Morgan,	Stewart,
Cullom,	Frye,	Nelson,	Thurston,
Deboe,	Hanna,	Perkins,	Wetmore.
Depew,	Hawley,	Platt, Conn.	
Dillingham,	Kean,	Proctor,	
Dolliver,	Kyle,	Quarles,	

NAYS—25.

Allen,	Clay,	Kenney,	Pettus,
Bacon,	Cockrell,	McComas,	Rawlins,
Bate,	Culberson,	McCumber,	Teller,
Berry,	Gallinger,	Mallory,	Vest.
Butler,	Hale,	Martin,	
Chandler,	Hoar,	Penrose,	
Chilton,	Jones, Ark.	Pettigrew,	

NOT VOTING—29.

Baker,	Harris,	Platt, N. Y.	Turley,
Beveridge,	Heitfeld,	Pritchard,	Turner,
Burrows,	Jones, Nev.	Quay,	Warren,
Caffery,	McBride,	Scott,	Wellington,
Carter,	McLaurin,	Spooner,	Wolcott.
Clark,	McMillan,	Sullivan,	
Daniel,	Mason,	Taliaferro,	
Hansbrough,	Money,	Tillman,	

So the report was agreed to.

PROMOTION OF COMMERCE AND INCREASE OF TRADE.

Mr. FRYE. I move that the Senate proceed to the consideration of the bill known as the shipping bill.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 727) to promote the commerce and increase the foreign trade of the United States, and to provide auxiliary cruisers, transports, and seamen for Government use when necessary.

The PRESIDING OFFICER (Mr. PLATT of Connecticut in the chair). The pending question is on the amendment submitted by the Senator from Rhode Island [Mr. ALDRICH], which will be stated.

The SECRETARY. On page 9, line 25, before the word "years," strike out "twenty" and insert "fifteen," so that the clause, if amended, will read:

SEC. 3. That in no case shall the same vessel be entitled to any compensation pursuant to this act for a greater period than fifteen years.

The amendment was agreed to.

Mr. ALDRICH. On page 3, line 6, I desire to move a similar amendment, striking out the word "twenty" and inserting "fifteen" before the word "years."

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 3, line 6, strike out the word "twenty," where it appears before the word "years," and insert "fifteen," so as to read:

And if the said vessel or vessels shall not have been completed and in existence until after the 1st day of January, A. D. 1900, for a period of fifteen years, of the sums following, etc.

The amendment was agreed to.

Mr. ALDRICH. I now offer the amendment on page 5, of which notice was given on a previous day.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The Secretary will read the amendment.

The SECRETARY. On page 5, lines 1 and 2, strike out the words "less than 19 knots" and insert "over," and also strike out lines 3 to 9, inclusive; so as to read:

Sixth. Eighteen knots and over, 1.6 cents per gross ton.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Rhode Island.

Mr. RAWLINS. Mr. President, I have no prepared or set speech to make upon this measure. There are a few considerations, however, to which I desire to invite the attention of the Senate.

The first question is very easily answered, namely, where the money to be given under the provisions of this bill, if it shall become a law, is to be gathered. I do not know that I am informed as to the exact amount that in the end will be taken from the Treasury under the provisions of the bill when it is passed. It provides a gift of at least \$9,000,000 per annum. It has been variously stated that the amounts which will be contributed during the series of years that this measure is to remain in force according to its present promise will aggregate something like \$180,000,000. This money of course will not be a volunteer gift by the American people; it will be abstracted from the pockets of the people under the forms of law.

If it shall pass, the tax collector will go around and he will ask for so much for the support of the Army and the Navy, so much to defray the ordinary and usual expenses of the Government, so much for every conceivable object to which moneys under our form of government may be legitimately devoted, and then he will say to them, "In addition to that I want so much money to donate to various financial concerns who are to be the beneficiaries under the provisions of this bill." If the people will say, "We do not care to donate our earnings to this purpose; it is not a public purpose; it is not to subserve any of the ends which are specified in the fundamental law of the country," the answer will be that "Under the forms of law we will extort this from you; you must pay it; it is the demand of the Government."

One hundred and eighty million dollars is a gigantic sum, a sum so large that it is scarcely possible to conceive its magnitude. It is more than \$2 for each man, woman, and child in the United States. It is more than three times the entire taxable wealth of the State which I have the honor to represent, and it is larger than the entire taxable property of the great State of Virginia.

Mr. ALDRICH. Will the Senator yield to me for a moment?

Mr. RAWLINS. I will yield.

Mr. ALDRICH. I do not suppose it will change the tenor of his argument, but the Senate, by a vote, has just reduced the time in which these subsidies shall be paid from twenty years to fifteen years. It may make a difference in mathematics, but probably not in the Senator's argument.

Mr. RAWLINS. I will not undertake to accurately state the details of the bill. I have read it as it was originally reported by the committee. It has been impossible for me to keep track of the various amendments which have been proposed to it. From day to day it is undergoing a constant change for better or for worse. Every time we touch the thumbscrew, like a kaleidoscope this measure puts on a new appearance. Whether it amounts to \$180,000,000 or \$100,000,000 or \$500,000,000 makes no difference to the argument which I am addressing to the Senate.

Mr. ALDRICH. That is what I supposed.

Mr. RAWLINS. If it amounts to \$2 for each man, woman, and child it means \$500,000 to the people of the State which I represent. If we apply the percentage argument so eloquently presented by the distinguished Senator from New York [Mr. DEPEW], \$500,000 is a great sum of money to be raised in a little community in the interior of this country where by no wild flight of the imagination any one of them can see any possible benefit to be derived by them under the provisions of the bill. It would erect their statehouse; it would found a great institution of learning; it would conserve the waters which flow to waste; it would afford opportunity to establish homes for thousands of people who, under proper instruction in our form of Government, would lend their aid and their vote and their voice to maintain what ought to be recognized as the principles of justice and equality in the administration of the laws of our country and the apportionment of the funds which by force of those laws are abstracted from the people to subserve the public ends of our Government.

The burden of this measure is manifest; it is distinct and clear; it can be readily apprehended. It falls upon every man, woman, and child. Every family in the nation will contribute, during the period prescribed in the original bill as reported by the committee, \$10 annually out of their hard earnings, which they would have a right to donate to the education of their children and in providing those comforts and supplying those elements of their advancement and progress which every person thus related will seek.

Mr. President, these various streamlets start from every household in the land, and the money thus extorted does not go to the ends of charity or benevolence. I am unable to perceive any good that is to come to the country by reason of the collection of this money.

The tax-reduction bill naturally waits upon the pleasure of the ship-subsidy bill. We passed a law, in a spirit of patriotism and love of country, putting a tax upon almost all conceivable things to raise money to prosecute a war for the sake of liberty and humanity. Those taxes naturally would be taken off when the ends which they were to subserve had been accomplished. All the ends outlined at the time of the framing and enactment of that legislation have been achieved. Nothing remains to be done. But the moneys imposed for the sake of war, for the sake of maintaining the honor of our country, for the sake of civilization—imposed voluntarily and cheerfully by the representatives of the people to subserve a great and patriotic purpose—are no longer to be consecrated to the ends to which they were originally designed. They are now to be perverted and turned into an entirely different channel. They are to go to concerns that can not be said to need them.

The Standard Oil Company and the International Navigation Company, and various other institutions who will be the beneficiaries under the provisions of this bill, can not be legitimately said to be objects of charity or of benevolence. No rational person within the limits of this country, on reflecting upon this question, can perceive any good reason why he should contribute this money under the forms of law to be devoted to the purpose which is specified in the provisions of the bill.

Mr. President, I have already said that the burden of this is great. It is easily comprehended, and it will be seriously felt everywhere throughout the land. Those who maintain that this contribution should be exacted from the people under the forms of law are under the burden of pointing out the beneficent ends, if any, which are to be accomplished by means of it.

The advocates of this measure ought to make it equally clear and distinct, as the burden is equally clear and distinct and will be positively felt directly by the people who contribute the money, and they ought to hold out to them some reciprocal benefit in good which may come to them by way of compensation for the burden which is thus imposed upon them. Has that been done? I have listened in vain to all the arguments which have been presented in support of this bill to ascertain what of advantage, what of good, will come to our people by way of compensation for this enforced contribution. I may state the purpose to which this money is to be applied somewhat crudely, without having undertaken a strict analysis of the measure, which I have not deemed necessary for the purposes of what I have to say, but I say it is to be given to men who undertake to acquire and operate ships under the conditions and in the limitations prescribed by the bill.

It has been pointed out—and the fact has not been controverted by any one, so far as I have heard—that comparatively few great corporations who are engaged in the shipping business on the ocean will be recipients of this bounty from the public Treasury, which amounts to \$9,000,000 per annum, so long as this bill under the present proposition is to remain in force.

It has been said, and reiterated in the Senate, that this money will go into the treasury of the International Navigation Company; a considerable part of it, it is said, will go to the Standard Oil Company—I do not know about that—and that some of it will go probably to the Southern Pacific Railroad Company or the Pacific Mail Steamship Company.

Some half dozen concerns engaged in the shipping industry will receive at least the lion's share of this donation from the public Treasury. What service are they to render in consideration of this? They carry nothing, or they are under obligations to carry nothing, on the sea for the Government of the United States. They are not undertaking to carry the mails or facilitate the carrying of the mails. They undertake not to render any service in the way of the transportation of troops or munitions of war from our shores to the distant islands which we have recently acquired. If any direct public service is to be rendered by these institutions, these financial concerns—so rich that they pass almost the dreams of avarice—if there is any direct service they are to render to the Government, for which this money is to pass to their coffers, no advocate of this bill has pointed it out.

It has already been made clear that the ships which are to be sailed under the provisions and conditions of this bill by the concerns who are to be the recipients of this bounty, are not auxiliary and are not to be auxiliary to the American fleet. But what necessity is there now for adding to our fleet, fast growing by the direct and gigantic appropriations made by Congress, in order to build it up? What stress is the nation under that we are to call upon the International Navigation Company to build ships to act as auxiliaries to the vast Navy which we are accumulating? Are we in any peril upon the seas? Are we in danger of any naval conflict with any power that can cope with the ships we already

have at the command of the President as Commander in Chief of the Armies and Navies of the United States? No such necessity has been pointed out by any advocate of the bill; and to say that the main purpose of this legislation is that these vessels may act as an auxiliary in aid of the naval forces of the nation to preserve the public defense, to protect the people, or promote their general welfare, is a proposition so absurd that it requires not any time, as it seems to me, for its refutation.

But this is the proposition which is made by distinguished advocates of this bill upon the floor of the Senate. If we donate \$9,000,000 per annum to the International Navigation Company and the others—it is true they render no service directly to the Government in consideration of it, and they do not undertake to haul any part of our products—

Mr. HANNA. Will the Senator yield to me?

The PRESIDING OFFICER. Does the Senator from Utah yield to the Senator from Ohio?

Mr. RAWLINS. Certainly.

Mr. HANNA. Do I understand the Senator to say that these ships are to perform no service to the Government in consideration of the money to be paid them? Do I understand him to state that they are not obliged under the provisions of this bill to carry the United States mails, the pay for which is included in the subsidy?

Mr. RAWLINS. Is that a part of the provisions of the bill, I will ask the Senator? Do I understand the Senator to say that these ships will carry the mails?

Mr. HANNA. The Senator said these ships would give no benefit to the Government.

Mr. RAWLINS. Are the ships under the provisions of this bill to carry the mails?

Mr. HANNA. They are obliged to carry the mails—every one of them.

Mr. RAWLINS. I mean the freight ships.

Mr. HANNA. Any of the ships. The Government has a right to compel any of the ships to carry the mails.

Mr. RAWLINS. I thank the Senator for the information which he has given to me, that the Government will be at liberty to call upon the owners of any of these ships who are to receive this money from the Treasury to carry the mails. I would ask the Senator whether, if they do carry the mails, they are to receive any compensation therefor in addition to the subsidy?

Mr. HANNA. None whatever.

Mr. RAWLINS. Will they continue to receive the money which they now get for carrying the mails?

Mr. HANNA. Not at all.

Mr. RAWLINS. I would ask the Senator how much is now being paid by the Government for carrying the mails? He is well informed upon that subject.

Mr. HANNA. About \$1,250,000, if I recollect aright.

Mr. RAWLINS. Do I understand the Senator that that is adequate to compensate them at present for carrying the mails?

Mr. HANNA. The amount now paid by the Government for mail service is adequate, or nearly so.

Mr. FORAKER. If the Senator will allow me, it was stated by the chairman of the committee who had the bill in charge that the amount for this year to be paid as subsidy for carrying the mails would be \$1,500,000.

Mr. RAWLINS. I heard the Senator from Tennessee [Mr. TURLEY] state yesterday that for carrying a certain amount of mail for the United States the Clyde Steamship Company received the sum of about \$100,000, and that for carrying a less amount of mail by the International Navigation Company the United States were now paying that company about \$600,000. I ask the Senator from Ohio if that is a correct statement?

Mr. HANNA. The "Clyde Steamship Company," did the Senator say?

Mr. TURLEY. The Cunard Company.

Mr. RAWLINS. The Cunard Company, I should have said.

Mr. TURLEY. That company was paid about \$184,000 as against \$647,000 paid to the American line.

Mr. HANNA. But the Senator from Tennessee did not say how much the English Government paid the Cunard line for carrying the mail.

Mr. RAWLINS. That is another question.

Mr. HANNA. Not at all. The compensation is for international service.

Mr. RAWLINS. I understand that the carrying of the mails now is accomplished for less than \$2,000,000—\$1,400,000 as suggested to me. In thus arranging for carrying the mail, we pay to certain concerns, who are to be the beneficiaries of this bill, some four times more than the same service could be obtained from other sources. I am glad to learn from the Senator from Ohio [Mr. HANNA] that under the provisions of this bill, whereby we contribute \$9,000,000 per annum out of the Treasury of the United States, we are to obtain some facilities in the way of carrying the mails, a reasonable compensation for which would probably be

about \$1,000,000, or scarcely more than that. That might justify in a public sense the donation or the turning over to these concerns engaged in the carrying trade of \$1,000,000. That would leave \$8,000,000 unaccounted for upon the theory of any public service to the nation.

If the Senator from Ohio knows of any other service these beneficiaries are to perform in consideration of the \$9,000,000 per annum which they are to receive, I would be glad to hear him now. I take it, Mr. President, that there is none.

I am not unmindful of the fact that it has been claimed by the advocates of this bill that \$9,000,000 passing into the hands of the shipowners under its provisions may not remain in their hands, but that some of this contribution from the Treasury will go to shipbuilders. Let us see what will probably happen in that regard. A prudent business management of any of these shipping companies, when they come to arrange for the construction of ships which they are to operate, would be to obtain their construction as cheaply as possible. If there are a number of shipbuilders in this country open to competition for the privilege of building these ships, the operation of which is to result in the receipt of this bounty to their owners, the owners would go to the Cramps or to any other shipbuilders in the country. They would proceed, no doubt, on business principles, and they would only let these contracts for the construction of these ships on the most favorable terms that they were able to obtain under the conditions of competition which now prevail.

I doubt if any one of these concerns which will draw its portion of this money from the Treasury of the United States will go to any shipbuilding concern in the country and say, "Our firm is now in receipt of a million dollars. We want certain ships built and we want to make a division with you of this money which we thus receive; and we contribute to you a certain proportion of the money in consideration of the services which you are to render." Of course, nothing of the kind will take place. The shipbuilders will get no part of this money unless they are able to exact it; and they will not be able to exact any portion of it unless they organize into a combine or a trust, by which to shut out competition. If they shut out competition and the concerns engaged in operating ships can only obtain ships under the terms which the trust prescribes, then it might be possible for the shipbuilders to obtain a large proportion of the money which is to be turned from the Treasury of the United States to those who operate ships.

But if the field of competition is to be widened, if the shipbuilders are to multiply, if they are to operate independently one of the other, if they are to enter this field in competition with one another to obtain the privilege of building these ships whose owners are to receive this bounty from the public Treasury, then the price which the owners of the ship will pay will depend upon the terms upon which they are enabled to obtain the ship under the conditions of competition which may prevail.

Mr. President, the Senator from Ohio, I believe, and other Senators claim that that would stimulate the building of ships in this country. That has not been made very clear to my mind. It may be true. I have not been able to ascertain precisely how many more ships would be built in the shipyards of this country after this bill is passed than if it should not become a law. No one, so far as I have observed, has pointed out that there would be any additional number of ships built.

I find upon examination of the official report recently made to us that Japan and Russia and the citizens of other countries are coming to our shipbuilders in this country and are able to obtain more favorable terms for the construction of ships which they need in their business than they are able to obtain in England or elsewhere among the shipbuilders of the world.

We are advised that our manufactures of iron and steel are being sought for from abroad to be carried across the ocean and utilized in the construction of ships in foreign countries. This demand upon the industry and business of this country is gradually increasing. If this progress continues our shipbuilders will not be limited to the construction of ships to be operated under the provisions of this bill, which are to receive a bounty from the United States, but our shipbuilders will find increased employment by demands from abroad; their industry will be stimulated; their shipyards will be multiplied in suitable places, and this augmentation of this industry of our country will be brought about without any burden upon any of our people.

If, instead of our paying a million dollars to induce the construction of a ship in an American shipyard which will perform a certain amount of service in the carrying trade of the ocean, a foreigner comes and has the same ship built which will perform the same service upon equal terms with that which would be performed if a ship is constructed under the provisions of this bill, we gain everything that is so eloquently pointed out by the advocates of this bill in the way of extending the industry of shipbuilding in our own country and at the same time we avoid the imposition of any burden upon any portion of our people.

But let us go one step further. Unless our shipbuilders organize

a trust and hold up those who are to operate the ships and receive a bounty from the Treasury they will receive no part of this money; it would simply go into the coffers of those who operate the ships to still further enrich them in their business, and no part of it would go to the shipbuilders. They will build ships upon such terms as they are enabled to obtain in competition with all the other shipbuilders in this country. If they get nothing, of course there is nothing going to filter through their fingers to those who supply them—I mean the American shipbuilders—with the things they need in the construction of ships.

If the proposition made by the Senator from Ohio were true, that the shipbuilders would get more; that they would have a larger business; that there would be a greater demand for coal and iron and the manufactures of iron, and that there would be a greater demand upon those who transport the iron and the coal, you might go back of that in all its elaboration and expansion and justify the donation of not only \$9,000,000 out of the Treasury, but hundreds of millions of dollars out of the Treasury. It is a good thing, it is said, and therefore we should take the money out of the Treasury and put it into the hands of a corporation with the idea that it will filter, and increase as it filters, through the various operations of industry from the finished product down to the crude material.

If we can make money by that sort of process, the same argument would apply to every conceivable industry to which it might be proposed to donate money out of the public Treasury. But this is the first time in the history of our country, I think, that the proposition has been advanced that we are to donate, and may properly donate, money out of the national Treasury, collected from the people through the instrumentality of the taxing power, and that we are justified in taking it and giving it to this concern or to that concern, or to this individual or to that individual engaged in some of the numerous branches of industry in our country, upon the theory that thereby that particular person or concern would be enriched, and that through him others would be benefited by the various processes and stages by which industry is carried on in this country from the beginning to the end. If that proposition is sound, of course the shipbuilder may come and properly demand, and the shipowner may come and properly demand a bounty, and the railroad company may come and properly demand a bounty, and the miner may properly come and demand a bounty.

Mr. President, it has been stated that we pay out for carrying to foreign markets the products of the people of this country between one hundred and two hundred million dollars in cash, and that if our foreign commerce were carried in ships flying the American flag and owned by American citizens this money would be kept at home. I do not think it is true that we pay out a hundred million or two hundred million dollars or any other sum of money to foreign ships for carrying our commerce. It is true that we have produced in this country and sent abroad products that have been variously estimated, I think, as high as \$2,000,000,000 per annum, and that all but 9 per cent of this commerce is carried in what are called foreign bottoms. But we do not pay for that in cash so long as the balance of trade is in our favor. The proper way to put it is that the peoples of the world come to us with their ships and invite us to sell to them our products upon terms which they propose, and they buy those things of us and pay for them, carrying them away to the places where they are to be consumed.

We find a market for our products in our own ports, we sell those things to the foreigner, and the foreigner pays for them in various ways. For the past several years he has been paying for them the balance after setting off the service which he renders to us, and the products which we needed and which he brought to us. We have struck a balance and the balance has been uniformly in our favor. It is said that in 1898, I believe, after setting off against what we disposed of to foreigners the products which we took from them and the service, including the cost of transportation, which they rendered to us, they paid us to the extent of something like \$200,000,000. Of course I give these figures in round numbers. Last year they rendered service for us, and sent products to us, and paid us in addition a large amount of cash. If we are to believe the reports which are now made to us this year these foreigners render services, bring us things we need, and take away our products, and pay us a very large balance in gold.

Mr. President, it is not true in any proper sense of the word, therefore, that we pay in cash for carrying our products a single dollar. That is not the case so long as the balance of trade, so called, is in our favor. If the people of other nations abroad are to continue to take our vast surplus products they must do something, they must earn something, they must perform some service with which to pay for those products. If they can not do anything or produce anything which will bring to them a means of compensating us for the products which we may send abroad, then they will cease to take those products. At present, under existing conditions, they can carry the surplus products of our

commerce more cheaply than we can. It seems to me it would be poor economy, if a man was carrying on an extensive business and had in his employ a mechanic who earned for him \$5 a day, to send him into a service wherein he could profit him only \$1 a day. All our people to-day are doing business. They are earning more money than they could earn if they were engaged in carrying our products to foreign countries. They make more money by leaving others to do this who will do it more cheaply than we can. While they are doing it we are engaged in various kinds of business which yield the people of this country in the aggregate far greater profit than we could possibly realize if we engaged in this business.

Mr. President, if that be true, and if foreigners can carry our trade and commerce more cheaply than we can ourselves, then it is a fair and economical business proposition to let them continue to do it. But I know the Senator from New York [Mr. DEPEW] would say, What about the flag? What are you going to do with patriotism? To-day our flag no longer floats upon the seas. Our products are carried in ships flying other flags than that typical of the greatness of the American people. That is a sentiment, and a beautiful sentiment. But there is nothing in it by way of compensation to the people who are going to bear the burden of the necessary taxation to fill the Treasury made empty by the bounty which is to be given to those who float the oceans with ships carrying the American flag. It typifies nothing. The flag of our country flying at the mast of a ship carrying our wheat and corn and various other products to other countries signifies nothing. Our flag floats upon our shores and upon every conceivable place where it is entitled to float, and it is an emblem there of all the hopes and aspirations of the American people.

But if a foreigner desires to come to us and say to us, "You have surplus products and we desire to buy them of you, and we will bear the burden of carrying them away," there is no dishonor in permitting them to do it. We never hear the farmer complain of that. The farmer producing surplus products on his farm might, if he saw fit, invest the result in the necessary means of transporting it to distant cities and carrying them himself, flying such ensign as he might think proper as typical of his character or the business in which he was engaged, but it would be foolish for him to do it if he could find others who could do it far less expensively to him than he could do it for himself. It is the very essence of civilization, the modern development of commerce, the division of labor. That is not only true among the people of any given nation or a given locality, but as commerce now spreads itself over the world, we do not and can not produce everything that we desire or can desire.

Our people want some things that are produced by the rest of the inhabitants of the earth somewhere, and we obtain them from those people. That is a matter of general and universal economy, not only profitable to the people of this country, but to the people of the respective nations, that each lets the other do those things for which they are best adapted, reserving to themselves those employments which yield to them the greatest profit.

Mr. President, while there is much said about American pride and our shipping industry, what does it signify in reality? There are the Germans, and there are the Dutch, and there are the English who build such craft as they are able to build and send them out upon the ocean to perform service. What service? They enter into competition with others engaged in like pursuits, and they come to the farmer or producer and say to him, "I desire to compete with all others floating upon the ocean for the purpose of carrying abroad your surplus products." The American producer strikes the best bargain he can and sends his products away, reserving to himself the greatest measure of pecuniary benefit.

Mr. PETTIGREW. Will the Senator from Utah yield to me to call up a very short bill of eight or ten lines?

Mr. RAWLINS. I yield.

Mr. PETTIGREW. I ask unanimous consent for the present consideration of a very short bill.

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from South Dakota?

Mr. RAWLINS. I yield.

The PRESIDENT pro tempore. The Senator from South Dakota asks unanimous consent—

Mr. CHANDLER. It pains me to object, Mr. President, but I do object.

Mr. PETTIGREW. I withdraw the bill if the Senator from New Hampshire objects.

Mr. RAWLINS. Mr. President—

Mr. BATE. Will the Senator from Utah yield to me for a moment?

Mr. RAWLINS. Certainly.

Mr. BATE. I ask unanimous consent to call up the bill which was up yesterday afternoon. We got almost half through with it. It is purely a local bill. It is the same one we had up yesterday evening, I will say to the Senator from New Hampshire, and it did not quite get through. It is the bill (H. R. 11548) to author-

ize the Kingston Bridge and Terminal Railway Company to construct a bridge across the Clinch River at Kingston, Tenn.

The PRESIDENT pro tempore. The Senator from Tennessee asks unanimous consent for the present consideration of a bill, which will be read for information.

The Secretary proceeded to read the bill.

Mr. ALDRICH and Mr. LODGE called for the regular order.

Mr. BATE. The reading is nearly through.

Mr. KEAN. Regular order, Mr. President.

Mr. BATE. There will be no debate about it.

The PRESIDENT pro tempore. Objection is made.

Mr. FORAKER. I want to ask unanimous consent to pass concurrent resolution No. 98, providing for the printing of the record and briefs in the insular tariff cases in the Supreme Court.

Mr. CHANDLER. I would ask whether the Senator from Utah has finished his remarks?

Mr. RAWLINS. No, sir.

Mr. CHANDLER. Then I must object.

Mr. SULLIVAN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator from Mississippi suggests the absence of a quorum. The Secretary will call the roll.

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

Aldrich,	Clark,	Hanna,	Pettus,
Allison,	Clay,	Hansbrough,	Platt, Conn.
Bacon,	Cullom,	Hawley,	Quarles,
Bard,	Deboe,	Kean,	Rawlins,
Bate,	Depew,	Lodge,	Scott,
Berry,	Dillingham,	McComas,	Shoup,
Beveridge,	Dolliver,	McEnery,	Simon,
Butler,	Fairbanks,	Mallory,	Sullivan,
Carter,	Foraker,	Penrose,	Teller,
Chandler,	Foster,	Perkins,	Turley,
Clapp,	Frye,	Pettigrew,	Wetmore.

The PRESIDENT pro tempore. Forty-four Senators have answered to their names. There is a quorum present.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Rhode Island?

Mr. RAWLINS. Yes, sir.

Mr. ALDRICH. I understood that the Senator from Utah was through.

Mr. CHANDLER. I desire to say that I think there ought to be a short executive session.

Mr. ALDRICH. I hope the Senator from New Hampshire—

Mr. CHANDLER. So far as I am concerned, I have no intention of asking for an evening session to-night, but to-morrow, if this bill is not disposed of, I shall ask a session in the evening. Now, I move that the Senate proceed to the consideration of executive business.

Mr. ALDRICH. Mr. President—

The PRESIDENT pro tempore. The Senator from Rhode Island was recognized before the Senator from New Hampshire rose.

Mr. CHANDLER. I am obliged to the Chair for letting me go along as long as it did.

Mr. ALDRICH. I ask that a vote may be taken upon the pending amendment.

Mr. BERRY. If we are going to have an executive session, as indicated by the motion of the Senator from New Hampshire, there is no necessity for a vote on the amendment to-night. The amendment can be voted on when the bill is again under consideration.

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

The PRESIDENT pro tempore. The Senator from Arkansas was recognized.

Mr. BERRY. I objected, while the Senator from Utah was on the floor, to the Senator from Rhode Island having a vote taken on the amendment.

Mr. ALDRICH. I did not know the Senator from Utah was upon the floor.

Mr. CHANDLER. He has not finished his speech.

Mr. BERRY. He has not concluded his speech.

Mr. CHANDLER. Recognizing the Chair as present, I moved that the Senate proceed to the consideration of executive business. I now renew the motion.

The PRESIDENT pro tempore. Will the Senator from New Hampshire withdraw his motion for a moment, to enable the Chair to lay before the Senate a House bill for reference?

Mr. CHANDLER. Certainly.

HOUSE BILL REFERRED.

The bill (H. R. 13801) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1903, was read twice by its title, and referred to the Committee on Agriculture and Forestry.

EXECUTIVE SESSION.

Mr. CHANDLER. 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 fifteen minutes spent in executive session the doors were reopened, and (at 6 o'clock and 4 minutes p. m.) the Senate adjourned until to-morrow, Friday, February 1, 1901, at 12 o'clock meridian.

NOMINATIONS.

Executive nominations received by the Senate January 31, 1901.

RECEIVER OF PUBLIC MONEYS.

Thomas B. Hildebrand, of Albia, Iowa, to be receiver of public moneys at St. Michael, Alaska (a land office established pursuant to Executive order of February 24, 1900), by transfer from same position at Rampart City, Alaska.

PROMOTIONS IN THE ARMY.

Infantry arm.

Second Lieut. Fred R. Brown, Ninth Infantry, to be first lieutenant, December 11, 1900 (subject to examination required by law), vice Crowley, Seventh Infantry, promoted.

Second Lieut. William T. Merry, Twenty-third Infantry, to be first lieutenant, December 11, 1900, vice Lafitte, First Infantry, promoted.

Second Lieut. Frederick B. Kerr, Twenty-second Infantry, to be first lieutenant, December 11, 1900, vice Stanley, Twenty-second Infantry, who resigns his line commission only.

Second Lieut. Lawrence D. Cabell, Fifth Infantry, to be first lieutenant, December 17, 1900, vice Bradley, Fourteenth Infantry, promoted.

Second Lieut. Clyffard Game, Eleventh Infantry, to be first lieutenant, January 15, 1901, vice Yates, Fourth Infantry, who resigns his line commission only.

Second Lieut. George W. Stuart, Seventh Infantry, to be first lieutenant, January 17, 1901 (subject to examination required by law), vice Settle, Tenth Infantry, promoted.

Second Lieut. William T. Patten, Thirteenth Infantry, to be first lieutenant, January 22, 1901, vice Bricker, Seventeenth Infantry, vacated by transfer to the Ordnance Department.

PROMOTIONS IN THE VOLUNTEER ARMY.

Eleventh Cavalry.

First Lieut. Morrow C. Gustin, Eleventh Cavalry, to be captain, January 26, 1901, vice Larson, resigned.

Second Lieut. Emory S. West, Eleventh Cavalry, to be first lieutenant, January 26, 1901, vice Gustin, promoted.

CONSUL.

Charles B. Rogers, of Indiana, to be consul of the United States at Zanzibar, Zanzibar, vice Robert E. Mansfield, resigned.

WITHDRAWAL.

Executive nomination withdrawn January 31, 1901.

Mr. Thomas B. Hildebrand, of Oakland, Cal., to be receiver of public moneys at St. Michael, Alaska.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 31, 1901.

PROMOTIONS IN THE ARMY.

Infantry arm.

Lieut. Col. Philip H. Ellis, Eighth Infantry, to be colonel, January 17, 1901.

Maj. David J. Craigie, Twenty-fifth Infantry, to be lieutenant-colonel, January 17, 1901.

Capt. Daniel H. Brush, Seventeenth Infantry, to be major, January 17, 1901.

First Lieut. Douglas Settle, Tenth Infantry, to be captain, January 17, 1901.

Cavalry arm.

Second Lieut. William Kelly, jr., Second Cavalry, to be first lieutenant, January 14, 1901.

Second Lieut. George T. Summerlin, Eighth Cavalry, to be first lieutenant, January 18, 1901.

PROMOTIONS IN THE VOLUNTEER ARMY.

Fortieth Infantry.

First Lieut. Charles C. Pulis, Fortieth Infantry, to be captain, January 15, 1901.

Second Lieut. Burton J. Mitchell, Fortieth Infantry, to be first lieutenant, January 15, 1901.

PROMOTIONS IN THE MARINE CORPS.

First Lieuts. Henry Leonard and Henry W. Carpenter, to be captains in the United States Marine Corps from the 23d day of July, 1900.

Second Lieuts. Richard G. McConnell, John W. Wadleigh,

William R. Coyle, and Richard S. Hooker, to be first lieutenants in the United States Marine Corps from the 23d day of July, 1900.

PROMOTIONS IN THE NAVY.

Ensign Edward Everett Hayden, United States Navy, retired, to be a lieutenant on the active list of the Navy.

Lieut. James H. Glennon, to be a lieutenant-commander in the Navy from the 22d day of January, 1901.

P. A. Surg. Will F. Arnold, to be a surgeon in the Navy from the 22d day of January, 1900.

Passed Assistant Paymaster Harry E. Biscoe, to be a paymaster in the Navy from the 13th day of January, 1901.

POSTMASTERS.

Robert A. Todd, to be postmaster at Ellwood City, Lawrence County, Pa.

Robert A. Etter, to be postmaster at Monroe, Green County, Wis.

Henry Graham, to be postmaster at Bridgeton, Cumberland County, N. J.

William T. Corlies, to be postmaster at Red Bank, Monmouth County, N. J.

Ernest J. Robinson, to be postmaster at Plattsburg, Clinton County, N. Y.

T. B. Horton, to be postmaster at Stewartville, Olmsted County, Minn.

Elizabeth C. Cox, to be postmaster at Adrian, Bates County, Mo.

George Williams, to be postmaster at Cambridge, Furnas County, Nebr.

H. C. Foster, to be postmaster at Corona, Riverside County, Cal.

John S. Sweeney, to be postmaster at Paris, Bourbon County, Ky.

Leonard A. Saville, to be postmaster at Lexington, Middlesex County, Mass.

Joseph C. Hale, to be postmaster at Winchester, Franklin County, Tenn.

Martin A. Lien, to be postmaster at Black River Falls, Jackson County, Wis.

Oliver W. Babcock, to be postmaster at Omro, Winnebago County, Wis.

Howard V. Locke, to be postmaster at Swedesboro, Gloucester County, N. J.

Frantz Murray, to be postmaster at Dolgeville, Herkimer County, N. Y.

Lewis J. Townley, to be postmaster at Groton, Tompkins County, N. Y.

Wellington De Vere Joubert, to be postmaster at Litchfield, Meeker County, Minn.

Nettie J. Van Inwegen, to be postmaster at Ortonville, Bigstone County, Minn.

Grace Lamont, to be postmaster at Dillon, Beaverhead County, Mont.

Charles H. Riley, to be postmaster at Dedham, Norfolk County, Mass.

Wilbur F. Whitney, to be postmaster at South Ashburnham, Worcester County, Mass.

I. A. Caswell, to be postmaster at Anoka, Anoka County, Minn.

Winslow L. Rideout, to be postmaster at Lakeport, Lake County, Cal.

Meserve M. Getchell, to be postmaster at Silver City, Owyhee County, Idaho.

Benjamin Derby, jr., to be postmaster at Concord Junction, Middlesex County, Mass.

John C. Southworth, to be postmaster at Whitehall, Trempealeau County, Wis.

Arthur G. Munn, to be postmaster at San Jacinto, Riverside County, Cal.

John R. Walters, to be postmaster at Stephen, Marshall County, Minn.

William F. Jones, to be postmaster at Lawrenceville, Brunswick County, Va.

Charles J. Settersten, to be postmaster at Menekaunee, Marinette County, Wis.

Charles S. Button, to be postmaster at Milton Junction, Rock County, Wis.

Harry H. Nichols, to be postmaster at Girard, Erie County, Pa.

Frank A. Howe, to be postmaster at Waterford, Erie County, Pa.

Arthur B. Chubbuck, to be postmaster at Ipswich, Edmunds County, S. Dak.

Orrin W. Curtis, to be postmaster at Swanton, Fulton County, Ohio.

Wiley C. Shadden, to be postmaster at Mangum, Greer County, Okla.

William L. Stalnaker, to be postmaster at Tonkawa, Kay County, Okla.

Lester Crittenden, to be postmaster at Burton, Geauga County, Ohio.

Thomas E. Dunnington, to be postmaster at Malta, Morgan County, Ohio.
 George E. Reed, to be postmaster at Prairie Depot, Wood County, Ohio.
 William S. Kelley, to be postmaster at Smithville, Burlington County, N. J.
 David L. Jamieson, to be postmaster at New York Mills, Oneida County, N. Y.
 Charles W. Clark, to be postmaster at Oriskany Falls, Oneida County, N. Y.
 James L. Darling, to be postmaster at Flat River, St. Francois County, Mo.
 Benjamin W. Johnson, to be postmaster at Atkinson, Holt County, Nebr.
 Andrew Girsham, to be postmaster at Guttenberg, Hudson County, N. J.
 George E. Kirkpatrick, to be postmaster at Rushford, Fillmore County, Minn.
 Jennie D. Ligon, to be postmaster at Gloster, Amite County, Miss.
 Charles M. Ward, to be postmaster at Craig, Holt County, Mo.
 Hattie J. Hodgson, to be postmaster at Herman, Grant County, Minn.
 Frank B. Higley, to be postmaster at Lake Park, Becker County, Minn.
 Newlon H. Danforth, to be postmaster at Mora, Kanabec County, Minn.
 Lars J. Hauge, to be postmaster at Elbow Lake, Grant County, Minn.
 Edward F. Gummer, to be postmaster at Frazee, Becker County, Minn.
 Nelson H. Fulton, to be postmaster at Hawley, Clay County, Minn.
 George A. Birnie, to be postmaster at Ludlow, Hampden County, Mass.
 Iver S. Gerald, to be postmaster at Bird Island, Renville County, Minn.
 William H. Smith, to be postmaster at Cambridge, Isanti County, Minn.
 Alva T. Hart, to be postmaster at National Military Home, Grant County, Ind.
 William E. Fox, to be postmaster at Wolcott, White County, Ind.
 Charles H. Eastman, to be postmaster at Millinocket, Penobscot County, Me.
 John I. Heisler, to be postmaster at Dallas City, Hancock County, Ill.
 Joel W. Hamilton, to be postmaster at Eaton, Delaware County, Ind.
 Louis T. Bell, to be postmaster at Flora, Carroll County, Ind.
 George B. Hayden, to be postmaster at North Ontario, San Bernardino County, Cal.
 J. E. Hoyle, to be postmaster at Taylor, Shasta County, Cal.
 Austin G. Nettleton, to be postmaster at Nampa, Canyon County, Idaho.
 James R. Hudson, to be postmaster at De Queen, Sevier County, Ark.
 Albert W. Coulter, to be postmaster at Hamburg, Ashley County, Ark.
 Nancy M. Gregg, to be postmaster at Fullerton, Orange County, Cal.
 Edwin R. McCune, to be postmaster at Fayette City, Fayette County, Pa.
 Ezra F. Ferris, sr., to be postmaster at Chatham, Morris County, N. J.
 Edward E. Blackmon, to be postmaster at Augusta, Woodruff County, Ark.
 Ferdinand B. Earhart, to be postmaster at New Orleans, Orleans Parish, La.
 Daniel T. Carlton, to be postmaster at Arcadia, De Soto County, Fla.
 Charles M. Derickson, to be postmaster at Monessen, Westmoreland County, Pa.

EXECUTIVE BUSINESS—INSTRUCTIONS TO PARIS COMMISSIONERS.

Mr. LODGE, from the Committee on Foreign Relations, to whom was referred the resolution submitted by Mr. PETIGREW on the 21st instant, reported it with an amendment, and the Senate, by unanimous consent, proceeded to its consideration.

The amendment was, to strike out at the end of the resolution the words "and that the same be printed for the use of the Senate," so as to make the resolution read:

Resolved, That the injunction of secrecy be removed from the instructions and all accompanying papers given by the President to the Paris commissioners who negotiated the treaty with Spain.

The amendment was agreed to.

The resolution as amended was agreed to.

HOUSE OF REPRESENTATIVES.

THURSDAY, January 31, 1901.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

COUNTING THE ELECTORAL VOTES.

Mr. DALZELL. Mr. Speaker, I submit a privileged resolution from the Committee on Rules for immediate consideration.

The SPEAKER. The report will be read.

The Clerk read as follows:

Mr. DALZELL, of the Committee on Rules, submitted the following report: The Committee on Rules, to whom was referred concurrent resolution No. 87 of the Senate—

Resolved by the Senate (the House of Representatives concurring). That the two Houses of Congress shall assemble in the Hall of the House of Representatives on Wednesday, the 13th day of February, 1901, at 1 o'clock in the afternoon, pursuant to the requirement of the Constitution and laws relating to the election of President and Vice-President of the United States, and the President of the Senate shall be the presiding officer; that two persons be appointed tellers on the part of the Senate and two on the part of the House of Representatives to make a list of the votes as they shall be declared; that the result shall be delivered to the President of the Senate, who shall announce the state of the vote and the persons elected to the two Houses assembled as aforesaid, which shall be deemed a declaration of the persons elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses. "I have considered the same and report that the same should be agreed to with the following amendment:

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

"That the two Houses of Congress shall assemble in the Hall of the House of Representatives on Wednesday, the 13th day of February, 1901, at 1 o'clock in the afternoon, pursuant to the requirement of the Constitution and laws relating to the election of President and Vice-President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the person, if any, elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses."

Mr. DALZELL. Mr. Speaker, this is a very important matter—one that relates to the counting of the electoral votes—and I would be glad to have the attention of the House for a few moments while I explain its purport.

Prior to 1876, when the Electoral Commission was constituted, the electoral vote was counted pursuant to a joint rule of the House and the Senate. That rule, however, was so defective in its details that during the excitement connected with the election of 1876 it was deemed inadvisable to rely upon its provisions, and it was therefore abrogated.

After the electoral count in 1876, and after the elections of 1880 and 1884, the formal count of the electoral votes was made in pursuance of a concurrent resolution of the two Houses, which was identical in terms with the resolution passed by the Senate a few days ago and sent over to this House.

But in 1887 Congress passed a law providing a method of counting, going into the matter in great detail. The resolution now reported as a substitute for the Senate resolution embodies the provisions of that law in exact terms. That law as it originated in the Senate contained a provision which is embodied in the Senate resolution and eliminated in the House substitute, which placed it in the power of the presiding officer to declare the result of the vote. This provision of the law as it originated in the Senate was stricken out by the House. In other words, in the law as originally drafted it was sought to provide, after providing that the result of the count should be delivered to the President of the Senate, that he should be authorized, not only to announce the state of the vote as it had been ascertained by the joint convention of the two Houses, but that he should also "declare the person or persons elected."

The House struck out that provision, so as to make the result depend upon the vote itself and not upon the judgment of the presiding officer. After the passage of the law of 1887, however, instead of providing for the electoral count in the terms of that law, by some apparent oversight or carelessness it has been the habit to adopt the old resolution in force prior to 1887, and that is the resolution that the Senate sent over to the House a few days ago. Now, for that resolution the House proposes to substitute the exact language of the law; proposes to say that the result of the electoral count shall be as declared by the count itself and not by the judgment of the presiding officer.

Mr. SULZER. Will the gentleman permit a question?

Mr. DALZELL. Certainly.

Mr. SULZER. Is not this resolution which came from the Senate exactly the same as the resolution which was adopted in 1897?

Mr. DALZELL. I have already stated that it is the same resolution that has been carried forward ever since 1876.

Mr. SULZER. Then why any change now?

Mr. DALZELL. I have failed to make myself understood if I have not already explained that to the gentleman. That is what I have been trying to explain for the last five minutes. In other words, it is the judgment of the committee that we ought to follow the law, instead of an obsolete resolution; that now, especially at this time, when there is no question at all as to the result of the Presidential election, when there can be no partisan feeling evoked on either side, we ought to establish a precedent in accordance with the law. I think that the action of the committee will commend itself to the judgment of every member of the House who understands the situation.

Mr. BARTLETT. Will the gentleman allow me?

Mr. DALZELL. Certainly.

Mr. BARTLETT. As I understand it, the Committee on Rules of the House have drawn their resolution in accordance with the twelfth article of the Constitution, which does not require that the President of the Senate shall announce, but simply that the person receiving the greatest number of votes shall be President.

Mr. DALZELL. Precisely so. I yield to the gentleman from Tennessee [Mr. RICHARDSON] such time as he may desire.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I want to say that the Committee on Rules have very carefully considered this question at a full meeting of the committee, at which each member of the committee was present, and we were unanimously of the opinion that the substitute which has been offered for the Senate resolution should be adopted. The law is just as stated by the gentleman from Pennsylvania [Mr. DALZELL]. The law of 1887 has been followed literally in the substitute which we offer. It provides that the Vice-President, or the president of the joint convention, shall, after the tellers read the votes, announce the state of the vote. He is not called upon to go any further than that in the law.

As suggested by my friend from Georgia [Mr. BARTLETT], who has just called attention to the constitutional provision, the law is in exact harmony with the Constitution. The duty of the president of this joint convention will have been fully discharged when he announces the state of the vote. That we understand shall be deemed a sufficient declaration.

I hope my friend from Pennsylvania will yield to the gentleman from Texas [Mr. BAILEY].

Mr. BAILEY of Texas. Mr. Speaker, I did not hear the gentleman from Pennsylvania [Mr. DALZELL], and I simply take the floor for the purpose of saying, if he did not say it, that it is the intention of the Committee on Rules now to destroy whatever effect the resolution adopted four years ago might have as a precedent.

Mr. RICHARDSON of Tennessee. The resolution adopted four and eight years ago.

Mr. BAILEY of Texas. I should have said four and eight years ago. During the last three Presidential elections it has been a matter of absolutely no importance who might be called upon to announce the result of the election, but we may hereafter find ourselves in some such perilous situation as that of 1876, and it might then become a matter of supreme importance for the two Houses to determine who should be permitted to declare the result of the election. My own judgment is that the committee acted wisely in eliminating that provision from the resolution which was sent to the House by the Senate, thus emphasizing the fact that it was merely an oversight by which that provision was incorporated in the resolution.

Mr. DALZELL. Mr. Speaker, I want to say in addition, what I omitted to say, that this question has been the subject of discussion between myself, representing the House, and some members of the Senate, and that this resolution, as reported from the committee, embodies the views of those who have given attention to it at the other end of the Capitol, as well as of the Committee on Rules of the House.

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

The resolution as amended was agreed to.

FORTIFICATIONS APPROPRIATION BILL.

Mr. HEMENWAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the bill (H. R. 13822) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; and before making the motion I desire to ask unanimous consent that general debate be closed in two hours.

The SPEAKER. The gentleman from Indiana moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the purpose of considering the bill H. R. 13822, being the fortification bill. Pending that motion, he asks unanimous consent that general debate be limited to two hours. Is there objection to the request?

There was no objection.

The motion of Mr. HEMENWAY was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. TAWNEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13822, and the Clerk will read the bill.

The Clerk read as follows:

A bill (H. R. 13822) making appropriations for fortifications and other works of defense, and for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes.

Mr. HEMENWAY. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Indiana asks unanimous consent to dispense with the first reading of the bill. Is there objection? [After a pause.] The Chair hears none.

Mr. HEMENWAY. Mr. Chairman, my statement in regard to this will be very brief, and the report of the committee, which I ask leave to incorporate in my remarks, states fully the provisions of this bill. The estimates on which the bill is based aggregate \$12,461,193; the sum recommended by this bill amounts to \$7,227,461, or a sum less than the estimates by \$5,233,732; and this bill carries \$156,167 less than the last bill. The total amount appropriated since 1888, when the Endicott report was made, for coast defenses has been \$82,596,016. This Congress has appropriated of that amount in the fortifications act \$14,207,396, in deficiencies bill \$8,674,898, and there was allotted, of the \$50,000,000 appropriation made for war purposes, \$12,865,840. So it will be seen that in this Congress there has been appropriated for coast defenses \$35,828,134, including the allotment from the \$50,000,000 appropriation.

Now, there is nothing unusual in this bill, with the exception of the items I will mention. The committee, after careful consideration, have limited the price of gun forgings to 20 cents a pound. The limit in the former bill was 22 cents a pound, and by this bill we reduce the limit from 22 cents to 20 cents a pound for gun forgings. The committee has also put into this bill an appropriation of \$100,000 for the purchase of Isham shells and for thorite, respectively, upon the recommendation of the Board of Ordnance and Fortification, made in their report for 1899.

Mr. HOPKINS. Will the gentleman allow me, right there? You say on the recommendation of the Board of Ordnance and Fortification. I have looked through your minutes, and I see that General Miles favors it, but my information is that General Buffington and General Wilson are opposed to the Isham shell and thorite. I would like to get the views of the chairman of the committee as to whether I am correct or misinformed.

Mr. HEMENWAY. I will read the gentleman's recommendation of the Board of Ordnance and Fortification. The gentleman perhaps remembers this question of investigating into different inventions was a question that worried Congress a good deal. The different committees of Congress were required to determine whether or not some man's invention was good or bad. It was claimed by civilians all over the country that when they went to the Ordnance Department they could never secure a fair trial of their inventions; that the Department would never investigate any inventions outside of Army circles. So Congress, in order to avoid that, a number of years ago provided a Board of Ordnance and Fortification, which is composed of the General of the Army, the Chief of Ordnance, the Chief of Engineers, one artillery officer, I believe, and one civilian, making a board of five members, to whom all these questions were to be referred, the idea being that the civilian then would have a fair chance if he invented something worth investigation and worth testing. Now, then, this board is allowed a hundred thousand dollars each year with which to make these different tests. The Isham shell and thorite have been tested by this board, and I will read from their report. First this is the report of 1899—

Mr. HOPKINS. Is that a unanimous report?

Mr. HEMENWAY. There is nothing to indicate that it is not unanimous. I think the report is unanimous.

Mr. HOPKINS. That is what I want to get at. I had understood that the two gentlemen I had named—General Buffington and General Wilson—looked upon this with great displeasure and that that report is simply a report of the majority of the board, not a united board. They simply represent General Miles, the artillery officer, and our old friend, General Henderson.

Mr. HEMENWAY. There is nothing in the report to indicate but that it is a unanimous report.

Mr. HOPKINS. Does the gentleman know, as a matter of fact, whether it is or not?

Mr. HEMENWAY. Well, all I know is that there is nothing in the report to indicate that it is not unanimous. I will read extracts from reports:

[Report of the Board of Ordnance and Fortification, 1899.]

Excellent progress has been made during the year in the development of a satisfactory high explosive for general service use and in the perfection of an apparently safe method of throwing large charges of such sensitive high

explosives as nitro-gelatin from service guns. With thorite and the Isham high-explosive shell it is the opinion of the board that we are now distinctly in advance of the best experimental progress in this direction abroad.

In the development of a satisfactory high explosive for general service use the Board has met with marked success during the year. The preliminary experiments with the new explosive, thorite, were begun in December, 1898, the results of which were so promising that on January 19, 1899, this board made an allotment sufficient to enable the inventor to prepare a thousand pounds for further and more exhaustive tests. These tests, which have been in progress at the proving ground during the past summer, are now completed with eminently satisfactory results.

The board then considered a report of the committee on high explosives of further and final tests made with thorite at the proving ground since the last meeting of the board. These tests include chemical analysis of the explosive and the complete detonation of thorite contained in a 12-inch shell after successfully passing through a 41-inch harveized steel plate, the results in all cases being satisfactory.

In view of the fact that all tests made by the board with this explosive during the past year have been eminently satisfactory from a service standpoint, it is recommended that thorite be adopted as a type high explosive for service use, and the board further recommends that steps be immediately taken by the War Department to purchase all the rights in this discovery on terms such as the Secretary of War may deem just and proper.

SPECIAL METHODS OF THROWING HIGH EXPLOSIVES.

The present year has marked the practical continuation of a series of experiments, begun by the board in the summer of 1889 and continued with varying degrees of success until the present time, with the object of developing a safe method of throwing service projectiles containing high explosive bursting charges from service guns with service pressures and velocities.

The first report of the board, submitted to Congress December 3, 1891, contains the following:

"It is too early to say that a conclusion has been reached, but the board hopes that the problem may be solved of firing a shell charged with a satisfactory high explosive of sufficient destructive energy from an ordinary rifled gun without danger of premature explosion. Such a problem is one to command the best attention of scientific military men and of inventors. In this connection attention is called to the fact that large appropriations have been made for pneumatic dynamite guns. Should the result above indicated be reached, the pneumatic gun would be superseded, as the shortness of its range will cause it to remain under the fire of the enemy's long-range high-power rifles until the hostile ship elects to come within its sphere of action."

In February, 1899, this board recommended an allotment of \$15,000 for the purpose of conducting a series of experiments to test a method of throwing high explosive bursting charges in special projectiles from service high-power guns proposed by Mr. Willard S. Isham.

The recommendation having been approved by the Secretary of War, the experiments were begun early in the summer at the proving ground, and have continued up to the present time. The results obtained with Mr. Isham's projectiles have been uniformly satisfactory.

Now, right here I want to state that for ten years this board has been trying to discover some means of firing high explosives from our coast-defense guns. They never succeeded until the Isham shell was discovered. Now, their test of the Isham shell shows to what degree they have succeeded. It is a well-known fact to every member of this committee that we have spent hundreds of thousands of dollars experimenting and trying to find some way of throwing dynamite. We built the *Vesuvius* and bought some dynamite guns. This board has discovered in the Isham shell means of throwing high explosives out of the seacoast guns and seacoast mortars. Now, they go further:

In the development of a satisfactory high explosive for general service use the board has met with marked success during the year. The preliminary experiments with the new explosive, thorite, were begun in December, 1898, the results of which were so promising that on January 19, 1899, this board made an allotment sufficient to enable the inventor to prepare a thousand pounds for further and more exhaustive tests. These tests, which have been in progress at the proving ground during the past summer, are now completed, with eminently satisfactory results.

Now, here comes the recommendation of the board:

In view of the fact that all tests made by the board with this explosive during the past year have been eminently satisfactory from a service standpoint, it is recommended that thorite be adopted as a type of high explosive for service use, and the board further recommends that steps be immediately taken by the War Department to purchase all the rights in this discovery on terms such as the Secretary of War may deem just and proper.

Now, I will say that a year ago the Senate placed an appropriation of \$100,000 for the purchase of thorite and for the purchase of the Isham shell on the coast fortification bill; but the committee of the House believed that there should be some further investigation. General Buffington, the Chief of Ordnance, said that possibly within the next year there would be some new discovery. So we took the advice of General Buffington, and I, as one of the conferees of the House, refused to agree to the item placed on the bill by the Senate and insisted that we ought to wait a year for further developments before we adopted the thorite or before we invested additional money in the Isham shell. After waiting a year I read this part of the report:

Since the date of the last annual report no further progress has been made by the board in the development of high explosives for service use or in the method of throwing high explosives with safety from service guns.

Now, then, in view of this fact, I felt it was the duty of the Committee on Appropriations of the House to insert this item in the bill. It had been recommended by this board in 1899 and placed on the last appropriation bill by the Senate.

Mr. HOPKINS. I agree with the gentleman entirely on that point. My query relates only to the question whether the board has agreed. Does the gentleman understand that General Buffington now approves the adoption of this paragraph?

Mr. HEMENWAY. He does not. He opposes this item. I want to state—I thought I stated plainly, perhaps I did not—that it was upon the advice of General Buffington a year ago that I refused my assent to the Senate amendment. But that goes back to the original proposition. As I stated, it has been claimed by civilians for years that no civilians could go to the Ordnance Department and there receive a fair test of any invention that he had to offer. To avoid that very thing this Board of Ordnance and Fortification was created, so that a civilian could have a fair test of any invention that he had to present.

This man Isham and this man Tuttle go to this board, which we created for the purpose of determining these facts. This board determines these inventions are worthy of further test; that the Government ought to have them. There has been expended on the invention of Isham some \$15,000, I believe; on thorites some five or ten thousand dollars, in round figures. After these tests and this expenditure of money this Board of Ordnance and Fortification determined that the Government ought to have these two inventions. Now the Chief of Ordnance comes back and says they ought not to have them; and a year ago, on the advice that probably within the next year something better would be discovered, I insisted that we ought not to agree with the Senate amendment. But a year has gone by; nothing has been reported in their annual reports, although it is claimed by the Ordnance Department that some new explosives equally good have been discovered.

Mr. HOPKINS. I would like to interrupt the gentleman right there, if he will consent. He speaks of General Buffington as opposed to this. Is not General Wilson also opposed to it?

Mr. HEMENWAY. I have no information on that point. I have the highest regard for the opinions of General Wilson. If he is opposed to this item I do not know it. I have not talked to him about it.

Mr. HOPKINS. That is my information. I do not claim to have any personal knowledge on these points; I simply ask these questions of the chairman in order to elicit the facts. I am informed that thorite can be made according to ten or twelve different formulas, and that one is practically as good as another; that Dr. Tuttle's is no better than a dozen others; that there is no secret in his process, and that from that standpoint the invention is not valuable. What is the information of the committee on that point?

Mr. HEMENWAY. The information of the committee is based upon the reports of the Board of Ordnance and Fortification, in which they say there is no high explosive that is equal to thorite at this time.

Mr. HOPKINS. Is it a fact that there are ten or twelve different formulas for thorite and that one is practically as good as another?

Mr. HEMENWAY. That is not a fact, as I understand. I will read what General Buffington himself stated in his report in 1899:

REPORT OF THE CHIEF OF ORDNANCE, 1899.

Thorite.—This explosive, the invention of Dr. H. P. Tuttle, of Tacoma, Wash., was brought to the attention of the Department last year, and tests of it were made at the Sandy Hook proving ground early in the present year. The results at that time indicated that the explosive was more sensitive than anticipated, and that it could not be fired through a steel plate without being exploded. The fragmentation, however, with a nonfulminating fuze was very good. As the explosive had considerable margin for reduction of its sensitiveness, the efforts of the inventor were devoted at once toward improving its quality in that respect, and in May last he was ready to submit his new mixture for trial. All the tests of thorite desired have not yet been made. Those that have been carried out, however, were very satisfactory, and were designed to show that the mixture could not be exploded by friction or by shock and impact. The last tests were made by mechanical means and by firings made from cannon of various calibers, some of the firings being against plates. In the experiments against plates the shells penetrating were recovered without material deterioration.

Tests were also made to show the insensibility of this substance to heat and its strength as shown by the fragmentation tests of projectiles.

As regards stability but little can be said at present, but a quantity of the mixture in storage for some time in an ordinary shed at the proving ground, during which it absorbed considerable moisture, showed no deterioration. The subsequent drying of the substance indicated that its qualities when damp had not been impaired.

In view of the results obtained in the tests of thorite, the Ordnance Board, under whose supervision these tests have been made, reports that it is of the opinion that it is superior to any other material for filling shell so far tested, and is suitable for adoption in service, at least pending the development of any better material for the purpose.

A. R. BUFFINGTON,
Brigadier-General, Chief of Ordnance.

Mr. STEELE. I understood the gentleman to say that General Buffington was a member of the Ordnance Board?

Mr. HEMENWAY. He is.

Mr. STEELE. And that he has signed that report.

Mr. HEMENWAY. He has.

Mr. STEELE. And you have had no evidence that he was not meaning what he said. And yet you stated to the gentleman from Illinois [Mr. HOPKINS] that General Buffington is not in favor of this invention.

Mr. HEMENWAY. I will say to my colleague [Mr. STEELE] that since signing that report General Buffington has changed his mind and now thinks there are other explosives just as good.

Mr. HOPKINS. How is it with General Wilson?

Mr. HEMENWAY. I have no information as to his views. If he has any objection to the Tuttle thorite or to the Isham shell, he has never said so to the committee or to me.

Mr. McCALL. But there are still three members of the board who advise that this shall be done.

Mr. HEMENWAY. And Captain Lewis—I may read from his testimony here in this connection—

Mr. STEELE. Let me ask the gentleman first to see if I understand the position. Officially General Buffington signed a report such as the gentleman has referred to with reference to the value of this explosive. Did he officially send a denial of the original report, or a statement that he had changed his mind, or is that merely a "grapevine" statement?

Mr. HEMENWAY. In another communication since then he says he believes that there are other explosives that have recently been discovered which are equal to it.

Mr. BARNEY. Is there any patent on thorite?

Mr. HEMENWAY. No; the manufacture of it is a secret, that is all.

Mr. BARNEY. Then how could the United States acquire the exclusive right to manufacture it and use it if not a patent?

Mr. HEMENWAY. Well, they could only do so by obtaining the secret process by which it is prepared. Of course if a patent were granted on it, it would then be known to the public and would be no longer a secret process. If the Government acquires this secret, of course it could be secured by binding this inventor not to give out the secret to anyone else.

Mr. HOPKINS. Allow me now, in this connection. I understand that there is a secret process employed in the manufacture of thorite. I have information, as I have stated before, and that is the point I want to get at, that there are some ten or twelve different formulas for making thorite, and that one is practically as good as the other. It has also been stated that scientific gentlemen claim that they have all the ingredients that are used by Dr. Tuttle, and that his process is no secret, and has not been a secret for a long time.

Mr. HEMENWAY. I do not know where the gentleman gets his information. We have no such information before the committee. It is charged by—I do not know that I ought to say it is charged by some gentlemen—but it has been stated that a few of the secrets of Dr. Tuttle in connection with the manufacture of explosives have been given away. I do not know how much truth there may be in the statement. No Army officer appeared before the committee, and there is no report from the Board of Ordnance or Ordnance and Fortifications that ever undertook to say that there was any explosive equal to thorite. In fact, it is regarded as the most powerful and useful of all explosives for the purpose contemplated. It has received unanimous commendation wherever it has been tested, and General Buffington claims only that some other high explosives have been discovered which in his judgment are equal to it. But in the opinion of most persons who have had occasion to investigate the matter closely it is the most valuable of these high explosives.

Mr. BARNEY. Is it not true that thorite is not an exceedingly sensitive high explosive? That is, that it can be used in shells that are made to penetrate armor plate, for instance? Is it not true that it is claimed there are some explosives more highly sensitive than thorite?

Mr. HEMENWAY. Oh, yes; dry gun cotton—

Mr. BARNEY. Then what connection is there between the Isham patent and the thorite process of Dr. Tuttle?

Mr. HEMENWAY. In the Isham shell they can fire any high explosive—gun cotton, explosive gelatin, or thorite, or any other high explosive—without injury to the gun.

Mr. BARNEY. Then, in other words, there is no connection between the Isham shell patent and the thorite process?

Mr. HEMENWAY. Only that they are coupled together—one and the same party. Dr. Tuttle and Mr. Isham own them.

Mr. TAYLER of Ohio. Are they the joint owners of the two processes?

Mr. HEMENWAY. They are.

Mr. TAYLER of Ohio. For that reason they are coupled in the appropriation?

Mr. HEMENWAY. Yes.

Mr. TAYLER of Ohio. Is there any possible mode by which the Isham patent, if it be valuable, could be purchased, if desired, without connecting the thorite with it?

Mr. HEMENWAY. No; they are owned by the same parties and go together. I will say, however, I do not think it would be wise to buy them separately. They can be bought together for the same price that either can be bought separately, and I think the Government should own both. Of course we have been experimenting and are experimenting to-day. Our interest in this matter has induced the expenditure of large sums for experimental processes, which have been going on for years. We want the very

best which can be secured in all of these lines; we want not only the best guns, but the very best explosives which can be secured.

Mr. TAYLER of Ohio. Was the appropriation of money for experimenting with dynamite guns made with the approval or suggestion of the Ordnance Department?

Mr. HEMENWAY. It was not.

Mr. TAYLER of Ohio. And has the experimenting upon dynamite guns proved their value, or the reverse?

Mr. HEMENWAY. Well, there is where the difference of opinion comes in. A great many insist that the experiments have shown that they were of great value, while others insist that they are of no value; but the Chief of Ordnance is against experimenting with dynamite guns, I think.

Mr. TAYLER of Ohio. Has Congress within your time ever appropriated money for the purpose of making experiments against the judgment and objection of the Ordnance Department where those experiments showed that the Ordnance Department was wrong?

Mr. HEMENWAY. Well—

Mr. TAYLER of Ohio. On the other hand, has not the Ordnance Department, in respect to those appropriations made by Congress, been shown to be right in its objections to these special appropriations?

Mr. HEMENWAY. There, again, the question arises. The General of the Army and the artillery officers insist that the Ordnance Department in a great many instances has been wrong, while the Ordnance Department insists that it has always been right.

Mr. TAYLER of Ohio. What is there that Congress has specially appropriated for against the opinion of the Ordnance Department that has been demonstrated to be a success despite that objection?

Mr. HEMENWAY. Well, we have had no chance with coast defenses to demonstrate that anything was a success. As the gentlemen well know, our coast-defense guns have never yet been in action in war. It is claimed that the mortar is wrong. We have appropriated for 390 mortars. By a great many men who are experts in this line it is claimed that you can not hit anything with a mortar. Yet the Ordnance Department insists that you can hit with them; so their opinion goes.

If the gentleman had had experience in this matter, and possibly he has, he would know that the Ordnance Department and the Army are usually at loggerheads, one suggesting one matter, the other suggesting the other; and it was for that very reason, as I said—for the reason that they were constantly requiring committees of Congress to determine who was right and who was wrong—that Congress finally created this Board of Ordnance and Fortification, and made it up, as I might say, of two from each side and then put a civilian member on as the fifth member. And now I feel as though, having made up this board, having said that Congress will not undertake to determine these matters, but that we will refer them to this Board of Ordnance and Fortification, in order, as the civilians of this country claim who are inventors, that they might have justice, when an invention is referred to this Board of Ordnance and Fortification and when they report back that the Government ought to be the owner of an explosive or of a shell or of a gun, Congress ought to follow the report of that board. That board was appointed for the purpose of informing Congress and trying to determine who was right as between these contending factions.

Mr. MANN. Will the gentleman yield for a question?

Mr. HEMENWAY. Yes.

Mr. MANN. The gentleman referred to mortars. I noticed last summer in the daily press a statement that a discovery had been made that the mortars were of no value, and it was made in such a way that I think it is very proper that the gentleman should make a more full statement upon that subject to the House, so that the country and the House may be informed as to the probable value in some way of the mortars for coast defense.

Mr. HEMENWAY. As the gentleman understands, the mortar fires a shell up into the air, and it is supposed to drop onto the deck of a vessel.

Mr. MANN. I understand that.

Mr. HEMENWAY. Now, with the explosives that we have had, and with the shells that we have had, it has been claimed by a great many that if you drop a mortar shell on the deck of a vessel you would do no great harm; that you could not get enough explosive into one of the shells that we now have, if it exploded, to do any great harm except to the people who happened to be standing immediately around. It is claimed now that with this Isham shell they can fire 130 pounds of any high explosive out of a mortar, and that if that shell were landed upon the deck of a vessel it would take that vessel out of action—in other words, that it would go clear through the vessel. Captain Lewis makes that statement in his testimony here, and I look upon Captain Lewis, who is the secretary of this Board of Ordnance and Fortification, as an expert upon this question, whose opinions can well

be followed. He has had long experience at it, and I want to say for him that he seems to be fair as between the contending factions—does not seem to take sides. He says that if an Isham shell loaded with thorite were landed upon the deck of a vessel it would go clear through and would take the vessel out of action—would simply destroy the vessel.

Mr. MANN. As I understood the gentleman, the Isham shell loaded with thorite is still somewhat in the nature of an experiment. What is the opinion of the Board of Ordnance and Fortification regarding the use of the mortar with the present shell that is used, or have they expressed any opinion?

Mr. HEMENWAY. The Board of Ordnance and Fortification have expressed no opinion upon that.

Mr. MANN. This statement that was made in the press last summer seemed to be made as if it came from some official. That is the reason I ask the gentleman.

Mr. HEMENWAY. I believe it is well known that the General of the Army is not in favor of mortars, while the Ordnance Department is in favor of mortars. The Ordnance Department insists that in firing mortars, which are mounted four together, and four groups of them make a battery—now they are fired, first one quarter and then the other, and so on, until they are all fired; and so 16 shots are started where there is a battery of mortars. They insist that at least one shot will hit; and if that is true, with that shell and thorite, if they can hit with one shell, that will put the vessel out of action.

Mr. MANN. The Board of Ordnance are still of opinion that mortars are serviceable guns?

Mr. HEMENWAY. The Ordnance Department still believes that mortars are serviceable guns.

Mr. WM. ALDEN SMITH. Is not that a question of range?

Mr. HEMENWAY. Of course there are certain ranges at which they can hit better.

Mr. WM. ALDEN SMITH. I would like to ask whether or not we have any new coast defenses being constructed at the present time?

Mr. HEMENWAY. Yes.

Mr. WM. ALDEN SMITH. Where?

Mr. HEMENWAY. That is confidential information that is never given out. The gentleman can, though—

Mr. WM. ALDEN SMITH. They are secret?

Mr. HOPKINS. You are a public officer, sworn; but you can not get that information.

Mr. HEMENWAY. Yes, you can; but I can not put it into the RECORD in a public statement. The gentleman from Michigan and the gentleman from Illinois may go to the committee room and may see just how the appropriation of last year was expended, where the work was carried on, what guns were mounted, and the whole matter. General Wilson always has this information in such form that one can easily ascertain how appropriations have been expended and what will be done with money estimated for.

Mr. HOPKINS. That is all right.

Mr. WM. ALDEN SMITH. On page 3, line 12, there is an appropriation of \$485,000 for the "purchase, manufacture, alteration, and issue of carriages for mounting seacoast guns."

Mr. HEMENWAY. Yes.

Mr. WM. ALDEN SMITH. Does that refer to the new work that is being done?

Mr. HEMENWAY. That refers to the guns provided for.

Mr. WM. ALDEN SMITH. For new work?

Mr. HEMENWAY. Yes. We undertake in each bill where we provide for a gun to provide the carriage for it and provide for making the emplacement. For instance, this bill is based on an estimate of \$1,615,000 for emplacements. We provide the number of guns that can be emplaced for that amount of money; we provide the carriages; then we provide in addition a sufficient amount of steel forgings to keep our own gun factory running eight hours a day. It has been the policy to keep our gun factory running all the time. We have about 422 employees in that factory, and we can manufacture guns cheaper than we can buy them. So it has been the policy of the committee to furnish a sufficient appropriation in each bill to keep that gun factory running the year round.

Mr. WM. ALDEN SMITH. I asked the question as to where these defenses were because I happened to be at Fortress Monroe during a portion of the time when the defenses were being constructed there, and had the pleasure of looking them over; but I was informed that it was not at all a secret matter; that during the war representatives of the Spanish army and Spanish Government knew as well where those fortifications were as our own people, or better.

Mr. HULL. If the gentleman will let his mind go back a couple of years, when we tried to provide that they should not have access to these places, and provided penalties, this House overwhelmingly defeated the proposition.

Mr. WM. ALDEN SMITH. I want to make this observation in connection with the new work, the efficacy of which has never

been demonstrated: Has the committee any information as to the practical utility of the work, or whether it is a good investment for the Government? I want to inquire whether or not some of these modern instruments of warfare, like the submarine torpedo boats, are as well adapted to coast defense as these fixed defenses upon our seacoast, where it is not a question of range, but a question of getting close to the object of attack. As I understand these coast defenses, the attacking force must come up within range of the guns, and that it resolves itself really into a question of range; while some of these modern war ships, some of the torpedo boats and the submarine boats, that are highly commended by men of practical experience in the Navy, can go to the object of attack, and they are not fixed and stationary, where they can not be moved or adjusted to meet any emergency.

Only yesterday I read in the Chicago Tribune a most intelligent and instructive editorial upon that question, and I think that before we invest too largely in coast defenses it would be well to investigate these new methods of defense for our coast.

Mr. HEMENWAY. Of course, that is a question upon which people differ. From my standpoint I would rather have one good 12-inch gun mounted on shore than to have a half a dozen mounted on board ship, for numerous reasons. The gun mounted on shore has a range of 12 miles; the 12-inch gun aboard ship has a range of only about 4 miles. The gun mounted on shore will hit three times to once of the gun mounted on ship, because it has a steady foundation and it is just so many feet above the level of the water that they can shoot much more accurately. So upon that question I think the gun mounted on shore has much the advantage. The seacoast defense is much to be preferred.

Mr. TAYLER of Ohio. Will the gentleman allow me a question?

Mr. HEMENWAY. Certainly.

Mr. TAYLER of Ohio. He said something about the confidential character of this knowledge respecting seacoast fortifications. Do I understand him as meaning that there is no common knowledge of the location and caliber of our seacoast armament?

Mr. HEMENWAY. The Board of Ordnance and the Chief of Engineers undertake to keep secret the number of guns at each particular point and their caliber. It may be known by every country on earth, and yet it is given to us as confidential information. Now, any member of this House who desires to know where these guns are mounted, the number and caliber, and when they were put there, or where the money appropriated by these bills will be expended, can secure that information by going to the Chief of Engineers.

Mr. TAYLER of Ohio. Does not the gentleman suppose that anybody who wants to find out anything, no matter what his official capacity may be, can learn, without violating any confidence, what the armament, for instance, is at Fort Hancock or Fort Hamilton?

Mr. WM. ALDEN SMITH. And would it not add to the strength of the Government?

Mr. HEMENWAY. I do not know but what that can be done; but I feel that when the Chief of Ordnance and the Chief of Engineers come to our committee and lay down certain information and say it is not proper for us to give the information on the floor of the House, that it is due to them to respect their request.

Mr. TAYLER of Ohio. I am not seeking such information here and now—

Mr. HEMENWAY. As to the members of the House, as I stated, if they will come to our committee room they can learn where the money appropriated for by the last bill was expended. We have appropriated, as I said in my original statement, in this Congress thirty-five millions for seacoast defense. Now, any member of the House can learn where this money was expended and where the guns were placed.

Mr. PARKER of New Jersey. Will the gentleman yield to me for a question?

Mr. HEMENWAY. Certainly.

Mr. PARKER of New Jersey. I want to ask if there is any appropriation in this bill for field artillery and for Maxim guns?

Mr. HEMENWAY. There is an appropriation here. If the gentleman will read the bill, he will see that there is for the guns in the line he mentions a considerable appropriation.

Mr. PARKER of New Jersey. I see nothing except that in the hearing the Chief of Ordnance allowed certain items to be stricken out.

Mr. HEMENWAY. He allowed us to strike out the appropriation for field guns, because they already had on hand a balance that can be applied for that purpose that he thought was sufficient.

Mr. PARKER of New Jersey. I want to ask whether the committee on fortifications have taken up the question of non-recoil field carriages?

Mr. HEMENWAY. We have not.

Mr. PARKER of New Jersey. To get rapid-fire non-recoil carriages?

Mr. HEMENWAY. We have not.
Mr. PARKER of New Jersey. And there is no appropriation for field guns?

Mr. HEMENWAY. The Ordnance Department had all the money they wanted.

Mr. PARKER of New Jersey. Did your committee examine artillery officers on that subject?

Mr. HEMENWAY. We did not. I will say to the gentleman, on that question of field and rapid-fire guns, the committee has in the last two or three bills taken up the matter and made liberal appropriations.

Mr. PARKER of New Jersey. I can not find it in the last bill.
Mr. HEMENWAY. If the gentleman will take the allotment of \$12,000,000 from the fifty million appropriated, and take the \$8,000,000 carried on the deficiency bill, he will find that quite a large sum has been expended for field guns.

Mr. PARKER of New Jersey. May I ask whether any appropriation has been made for these Maxim guns?

Mr. HEMENWAY. The Department, I think, have had an appropriation from which such guns could be purchased.

Mr. PARKER of New Jersey. The gentleman means the Ordnance Board?

Mr. HEMENWAY. The Ordnance Department.

Mr. PARKER of New Jersey. You have not examined the officers of the line as to what they require?

Mr. HEMENWAY. No; we never examine the officers of the line. They must work through the Secretary, and in that way get their estimates to the committee.

Mr. McCALL. The gentleman has stated that the estimates were something over \$12,000,000 and that the amount carried by this bill is something over \$5,000,000 less.

Mr. HEMENWAY. Yes, sir.

Mr. McCALL. Can the gentleman give in a few words the reasons for the reduction in the appropriation from the estimate?

Mr. HEMENWAY. Yes, sir. It is the policy of the committee simply to furnish sufficient material to run our own gun factory. We have reduced the estimate on that line. We do not believe it good policy at this time to go out and buy from other parties at increased prices. As suggested by the remark of the gentleman from Michigan, we are in a progressive state; something new is being discovered right along, and we do not believe in rushing in too rapidly to buy the materials now offered. We think it wise that we should go on gradually, keeping our own gun factory at work; and our coast is fairly well defended now.

I call the gentleman's attention to the fact that the Endicott system provided for an expenditure of only a little over \$100,000,000, and that we are now reaching up to over half of that. In other words, since I have been chairman of this subcommittee on fortifications—since our committee has had charge of this bill—we have appropriated more money for seacoast defenses than was ever appropriated before in the history of the United States from the Administration of Washington down.

Mr. McCALL. Of course the gentleman understands that all war preparations are apt to become obsolete; but it is, nevertheless, necessary in matters relating to the defense of the country to take all reasonable precautions. Now, the board which we have appointed for the purpose of considering this matter has recommended the expenditure of nearly twice the amount of the appropriation that the committee has reported.

Mr. HEMENWAY. Not the board; I spoke of the Secretary's estimate.

Mr. McCALL. The estimate of the Secretary of War. This estimate does not come from the board itself?

Mr. HEMENWAY. No, sir. If the gentleman will look into it carefully, I think he will see that the laws have been very liberal. The average appropriation bill for coast defenses formerly was about \$540,000, while the average bill now runs up to between four and five million dollars.

Mr. McCALL. But our seacoast was practically undefended.

Mr. HEMENWAY. The gentleman will note my statement that in this Congress alone we have appropriated about \$23,000,000 for coast defenses; and of the \$50,000,000 appropriated for war purposes nearly \$13,000,000 was for this purpose.

Mr. McCALL. Is there not an unexpended balance of that appropriation?

Mr. HEMENWAY. That has been expended, or contracts made that will cover it.

Mr. McCALL. That was not appropriated by this Congress.

Mr. HEMENWAY. Oh, yes.

Mr. McCALL. I think it was appropriated by the last Congress.

Mr. HEMENWAY. Yes; I find that it was. But we have been very liberal in our appropriations in this respect.

Mr. WM. ALDEN SMITH. There is not anything in this bill, so far as I can find, to show just what new work is going on.

Mr. HEMENWAY. I can show, if the gentleman desires it, exactly what this money will be expended for.

Mr. WM. ALDEN SMITH. Where are the items in the bill which provide for the different kinds of work; under what head shall we find them? I have been looking for them, but have not discovered them.

Mr. HEMENWAY. Here is one item:

For construction of gun batteries \$1,615,000.

That is for emplacement.

Mr. WM. ALDEN SMITH. In what part of the bill is that?

Mr. HEMENWAY. That is on the first page. Then if the gentleman will follow on he will see that we appropriated for so many sets of steel forgings for guns. They will be made into guns.

Mr. WM. ALDEN SMITH. And when these subdivisions are all rounded up we shall so find them embodied in our coast defenses?

Mr. HEMENWAY. They will balance up in so many guns ready for action.

Now, unless there are some further questions—

Mr. McCALL. I would like to ask one further question. I observe that in the first paragraph, on page 3, the price of annealed steel is limited to 20 cents per pound. Is the gentleman satisfied that it can be bought for that; or does not that limitation endanger the whole appropriation?

Mr. HEMENWAY. Well, we took the evidence of Admiral O'Neil, who stated that the companies will come down. I read from his statement. The question is asked:

Do you not think that if we should put it at 20 cents we could get the forgings?

Admiral O'Neil replies—

The manufacturers will come down. I think they would be forced to come down.

Then the committee made this comparison: We are now paying for armor plate \$411 a ton for the harveyized and \$455 a ton for the Krupp. At 22 cents a pound the forgings would come to \$492 a ton. On that comparison Admiral O'Neil claims that 22 cents is too high; that even 20 cents would be a good price.

I now yield to the gentleman from Massachusetts, who desires to occupy the floor for a few minutes.

Mr. MOODY of Massachusetts. Mr. Chairman, I desire to take this opportunity—seeing so many members of the Ways and Means Committee present—to call attention to a subject which I see was brought before that committee on yesterday, and that is with reference to the retirement on pay of the appraisers of this country. I trust they will report the bill favorably and speedily and that it may be in order immediately after the enactment of the bill for the retirement of the officers in the Revenue-Cutter Service. I hope that we shall then provide a method for the retirement of the clerks in the various Departments in the city of Washington—for that is pressed also upon the committees—and that a similar provision will be made for various people in all of the Departments and service of the Government throughout the United States. I feel quite sure, sir, when we shall have done that, that the people will be quite ready to apply a retirement law to every member of Congress who has had any responsibility in connection with the subject. [Applause and laughter.]

Mr. HEMENWAY. I reserve the remainder of my time, and yield now the floor to the gentleman from Arkansas [Mr. McRAE].

Mr. McRAE. I yield the time allotted to me, or such as he may desire, to the gentleman from Texas [Mr. LANHAM].

Mr. LANHAM. Mr. Chairman, I thank my good friend from Arkansas for the generous kindness he has shown in yielding his time to me. I am going to do now what I have rarely, if ever, done before on the floor of this House, and that is under the latitude permissible in general debate to submit some remarks which have no application and bear no relevancy to the bill now under consideration. What I shall say is designed essentially for Democrats, and I shall be grateful if I can receive their attention, and hope "they will hear me for my cause and be silent that they may hear." I will be thankful, also, if I can be spared any interruption during the progress of my remarks, as I wish to proceed in the order that I have mapped out for myself.

I have waited patiently thus far for some one better qualified for the task to discuss the conditions of cleavage which have for the last few years existed in the Democratic party, and to inquire if there be any possible common ground upon which we can hereafter stand. Is it hopeless that we shall ever reach an understanding and become reunited in future purpose? Is the gulf between us impassable?

I shall, in my feeble way, attempt in pacific spirit to diagnose the case and define the extreme symptoms of the prevailing antagonisms; to show unsparingly how many, formerly affiliated, now appear to feel toward each other; to state, in some degree, the respective sides of the controversy, and seek to discover if through mutual explanation and future aspiration there can come any concert out of existing discord.

To those who know me it is unnecessary for me to affirm that I am a strict party man—that I have stayed, and expect to continue

to stay, with my party organization under all past and future circumstances. It will never announce a platform in which I will not at least acquiesce. If it does not meet my approbation, it will not receive my opposition, whenever fairly and authoritatively determined by the appropriate jurisdiction. I am too old now, and my convictions are too well established, to ever be anything else than a Democrat. It is my privilege, growing out of unwavering fealty to my party, to consider its future well-being and to invite attention to its present status and prospective course and policies. No man can justly charge me with presumption if, as a loyal Democrat, I in good faith venture any pertinent suggestions, designed for the good of the political order of which I claim to be a member in good standing. Others may be wiser than I am; no one is truer.

In formulating what seems to be the attitude of the great majority of Democrats, it would, I think, be reasonably safe to say that, in their opinion, a somewhat precipitate and abnormal solicitude concerning the future of the Democratic party seems to have taken possession of some who were erstwhile in affiliation with its organization, but who have in recent years not only manifested an indifference to its success, but have aided in its defeat. They have "laughed at its calamity," and so demeaned themselves as to be charged with desertion of its colors in the midst of its battles. They now step forward and volunteer their criticisms and proffer their advice. They come with officious and unsolicited counsel to tell what ought not to have been done in the past and what ought to be done in the future.

In illustration of this, an old friend of mine and a former prominent Congressman, who is and has long been a persistent advocate of the gold standard, said to me only a few days ago:

Such suggestions at this time from such sources are like the proverbial shaking of the red flag.

They bear upon their bodies no wounds which they have received in conflict with the party's enemies. They are scarless and smokeless and powderless and scentless of strife. They were invisible when their presence and participation were needed; but they are invincible and mighty men of valor if they shall now be allowed to take control and shape the policies and dictate the future conduct of the party. [Applause.]

They do not propose to return, as did the prodigal of old, with meekness, and profess a willingness to be made "hired servants," but with unbridled audacity, "reaping where they have not sown and gathering where they have not strewn," they want to head the procession and direct the proceedings. They do not feel that probation is in order in their case. They must occupy the chief places in the political synagogue, and from their lofty position superintend "the rank and file." It is true that "the lamp still holds out to burn," but it is luminous to and for those only who return "with lowly, contrite hearts."

It does not seek to throw out its rays in search of leaders among the apostate. It is perhaps well that it should once for all be understood that the Democratic party will only put on guard and place in authority those who have clung to it and stayed with it in all reports. Out of six and one-half millions of men who have not "bowed the knee to Baal," it is hardly to be supposed that all suitable material for leadership is wanting—or that no trustee can be found with sufficient ability and fidelity to execute the party's trust. Let us not despair, nor become dissatisfied with ourselves, nor hopeless for the future. [Applause.]

All this talk of reorganization, etc., is puerile and untimely. Every suggestion of change in party name is inopportune and distasteful to the faithful adherents of Democracy. It is true the party has suffered defeat, and this is fully realized and deplored by its loyal membership and those of other organizations who allied themselves with and did valiant service to uphold the cause of Democracy, but it is not the first time in the party's history that its enemies were victorious. It has more than once felt the humiliation of defeat, but it has seen triumph and vindication, and it will see them again. It has witnessed the downfall and destruction of too many parties; it is too ancient and well-founded; it has too many precious memories, and has contributed too much to the cause of good government, constitutional order, and popular liberty to permit itself to disband or become hopelessly discouraged. [Renewed applause.]

If its record were expunged from the political history of the country, there would go with its pages many of the best achievements which have adorned our annals and crowned our institutions. The names and deeds of its statesmen are inseparably connected with the pride and glory of the Republic. It will live on and live as long as our system of government shall endure. When its principles are abandoned, the end of free institutions will come and the structure our fathers erected will be in ruins. [Applause.]

Those Democrats who supported him will regard with disfavor the criticisms which are being indulged against our standard bearer in the recent conflict. [Applause.] The talk about "shelving" him is premature and unbecoming. He is entitled to the

esteem and admiration of his political associates and the respectful consideration of the whole American people. No man, it is believed, could have been selected to lead the anti-Administration forces who could have polled as large a vote as did he. It is easy to criticize after the fact, and the setting sun is rarely worshiped; but there are few if any thoughtful men who believe that it would have been possible, with any nominee, upon any platform, long or short, general or special, omitting or committing, to have defeated Mr. McKinley, under all the circumstances attending the late campaign.

Many things conspired to render him invincible and his election certain. Our leader fell in a great cause, with his "back to the field and his feet to the foe." No man will charge him with insincerity or timidity, nor gainsay his splendid character and wonderful ability. His campaigns will live in history. Any American who loves his country must be proud of the fact that our institutions can develop such a man as he has proven himself to be. He is a credit to our citizenship and national manhood. Whether in the private station or official preferment, he will always be dear to the heart of Democracy, and cherished as one who has shown himself devoted to its cause. It is not strange that animadversions upon him should be resented.

It is unlikely that he will ever again aspire to the nomination for the Presidency, but no discussion of that proposition is now in order. He is an American citizen and a Democrat, and if, perchance, his party should conclude that his services should again be utilized in such a lofty capacity, who shall say it nay? There is plenty of time left us in which to determine matters of candidacy in future campaigns. These things will be taken care of when the suitable occasion arrives.

In the meanwhile it is not to be thought of that the Democratic party must be inactive or indifferent or silent or noncombative. It must continue unremittently to assert itself, to evince its faith to protest against and expose all maladministration of public affairs and sternly resist all evil policies. Its organization must be maintained and strengthened, and its conduct must be such as to appeal to public approval and invite popular support in the future. It should resolutely keep up its time-honored contentions and hold fast to the faith it has proclaimed.

The Republican party owes much of its success to its cohesion and discipline. The individual is submerged in the greater purposes of the party organization. Its members may disagree on the skirmish line, but they always unite in the final combat. Perhaps the very ablest assault upon the foreign policy of the Republicans, the severest arraignment of a colonial system, the most striking vindication of the Declaration of Independence and the Constitution of the United States, the strongest appeal to Americanism in behalf of fidelity to the doctrines and traditions of the fathers, the most eloquent, pathetic, and patriotic deliverance ever made in any forum, was the masterful speech of a great and venerable Republican Senator in opposition to the measures of his own party. He showed as only a statesman can show and presented as only a patriot can present "the bewildering entanglement of horrible eventualities past all calculation to the end of time," in which our Republic must become involved, if we cut loose from "the ancient moorings."

His words will remain, his logic will endure, as the masterpiece in the discussion of this momentous controversy. And yet "the gravitation of his soul" was not so disturbed, the supreme peril to our institutions was not so alarming to him, the consequences, direful as they appeared, and awful as he declared them to be, were not so disastrous in his conception as to drown his partisanship and prevent him from employing his splendid brain and commanding influence to continue in power the party responsible for the conditions he so graphically portrayed. Even before his memorable "words had ceased to breathe" and his "thoughts to burn," he was found advocating the reelection of Mr. McKinley. I mention this because it is the most conspicuous instance in modern times of the strength and tenacity of party attachment and the force of party discipline, and strikingly illustrates how Republicans "stand together," united as if in chains.

This centripetal force, this "tie that binds" Republicans, is not characteristic of Democrats. They are prone to think for themselves. Their sense of individuality and courage of conviction may be creditable to their manhood and complimentary to their patriotism, but when asserted in their highest independent expression and maintained to their logical result, with "some flying east and some flying west," and, I might add, "some flying over the cuckoo's nest" [laughter], party success is jeopardized if not entirely prevented. The resultant centrifugal confusion works its inevitable consequence, and then come crimination and recrimination and the proverbial "I told you so."

It is easy to cite the most prominent and remarkable case of individualism and disregard and independence of party organization of recent occurrence in the Democratic party. It is in striking contrast to the instance of party devotion as suggested in the case of the eminent Republican Senator already indicated. Only twice

since the civil war has the Democratic party been able to elect and seat a President of the United States, and in each case the same man was chosen. For eight years, but not in immediately successive campaigns, the Democratic party crowned its candidate with the highest honors in the world, for there is, in my opinion, no office on earth comparable to that of the Presidency of the United States.

What could incite greater gratitude, stronger party fealty, and more acute sense of obligation to a political organization than to be thus honored? Who would have supposed that it would be possible for any man so preferred even to have become indifferent to the success of his party, much less to be instrumental, passively or actively, in the defeat of his party? And yet it is a stern and undeniable fact that only four years ago this former President turned his back upon his political associates and gave aid and comfort to their enemies; so much so that it may be seriously questioned if Mr. McKinley could have been elected in 1896 but for his defection, conduct, and consequent influence; and, coming down to this moment of time, it is even unknown whether in the last election he cast his vote for the Democratic Presidential nominee. He has affirmed that he did not vote for Mr. McKinley.

To what shall be attributed the attitude of the ex-President? It is but natural that those who have remained true and steadfast in their adherence to Democratic organization should ascribe his conduct to infidelity to the party, assumption of superior wisdom, arrogation of sounder patriotism than that possessed by his fellows, resentment of his party's disagreement with his policies, or repudiation of its jurisdiction. It requires a charity rare indeed to impute to any one man an exalted patriotism and infallible judgment of which the great body of his former associates are utterly incapable. It will be exceedingly difficult to convince Democrats that such a man, whoever he may be, is purer, better, wiser, or more patriotic in his own single personality than is the party in the aggregate.

I have stated in a somewhat emphatic way the naturally intense feelings that may be reasonably supposed to exist in the minds of the great body of Democrats who have maintained a strict party standing and remained and acted with the party machinery and organization. The contemplation of extreme conditions and propositions sometimes aids in reaching a true and wholesome intermediate. Passion and prejudice can only be made to yield or soften when they are fully appreciated and their causes understood.

Let us look now at the other side for a moment, and discover, if we can, any reasonable excuse or seeming justification for the conduct of those Democrats who refused to train with their party and support its nominees upon its deliverance of faith and declaration of principles at Chicago. It will not do to say that they were not men of great intellectuality. It will not do to discount their former service and devotion to the Democratic cause. The party lost in them some of its brightest and ablest men, whose previous records had been most thoroughly approved and highly commended. Their attitude and conduct can not be imputed to ignorance nor to a want of opportunity to study and inform themselves upon the questions involved, because many of them were at one time recognized and unquestioned party leaders.

If they conscientiously foresaw or truly believed that disaster to the party and serious detriment to the country must inevitably attend the successful prosecution of the policies announced; if they really felt that their brethren had gone astray and become alien to the Democratic commonwealth and strangers to the covenant of promise, and that only through a stubborn resistance to ruinous tendencies, even though a temporary triumph of the Republican party should ensue, could relief be obtained from a still greater calamity; if they honestly believed that the only way to save the party was to lose one battle for moral effect, and then reform the lines, benefited and strengthened by the lessons of experience and chastened by the uses of adversity; if they really felt that this ordeal had to be undergone and this cup had to be drunk to the dregs, to the end that unspeakable ultimate evil might be escaped; if from their standpoint and conception they were but executing the behests of real patriotism and loved country better than party; if these and other kindred motives actually inspired them—and they would doubtless so affirm—is it impossible that some allowance may be made by those who censure them for the deeds they have wrought and the consequences they have brought about?

Is there so much of anger in Democratic hearts that there is no possible room for charity and reconciliation? We can not be un-mindful of the fact that in the late campaign some of our estranged brethren returned to the ancient camp, ignored the former feud, turned their backs upon the past and their faces to the future, put on their armor as of old, and valorously went forth to do battle against the common foe, and "in the foremost and focal fire" their plumes were seen and their stalwart blows were dealt. Nor can we forget the welcome we gave them, and with what alacrity we accepted their service. They have washed their robes and re-

deemed themselves by "bringing forth fruits meet for repentance," and who now shall say that they, at least, are not of us, rehabilitated and fully entitled to participate and fraternize with us in all that we shall hereafter do? I for one am willing to shake hands with Hill and Olney and Cockran and others, who, like them, rallied to the rescue in the presence of common danger to our country and its institutions. [Applause on Democratic side.]

I am going to quote here some excerpts—because they meet my cordial approval—from the speech of my colleague [Mr. BAILEY of Texas] in his recent acceptance of his election as United States Senator. He said, among other things:

I advise no bitterness, no strife, no proscription. I welcome every man of every faith and creed who will come to help us rescue this Republic from the perilous situation into which our enemies have led it. But let us be candid with those whom we invite to come back and let us tell them that not for the sake of victory will we sacrifice the principles for which we fought. And then if they come back there will be a peace of honor, and no other kind of peace is worth having at any price. * * *

The reasonable men among them are impressed to-day that no single difference among Democrats can justify a Democrat in helping the radicals to obtain control of this Republic. * * * What we want now is more light and less heat, and every Democrat will come back and worship with us at the altars of our Democratic fathers. Let us forgive him—let us forget, so far as any personal affront to him is concerned, that he has been away, because, mark my words, unless we can rescue this Republic from the powerful and vicious influences that dominate and control it, we will soon have no Republic to rescue or administer; * * * and in the presence of that awful danger let us forget the little quarrels that once divided us.

These are "timely words fitly spoken," and are verily "like apples of gold in pictures of silver."

The reconciliation of the Normans and Saxons was accomplished under the realization that they had "common interests and common enemies," and hence though long hostile, "they drew near to each other in friendship." Never in our history as a party did there exist a greater necessity for earnest cooperation and perfect community of purpose. It has been demonstrated that divided we can not succeed. If Troy could have been defended by good right hands, they were not wanting. Had it been possible for Democrats to have prevailed in the last two Presidential campaigns, it was not because of the failure of earnestness and effort upon the part of those who bore their standard.

The essential cause of our disagreement, as we all know, "the rock upon which we split," was the silver question. Those of us who believe in Constitutional bimetalism have not changed our views nor abandoned our convictions; but we can not wholly disregard the arguments upon which those who do not agree with us base their appeals for concessions on this question. It is suggested, and the suggestion comes from gentlemen too eminent and too devoted to be ignored, that we are forced to realize that with gold standardism under Cleveland and Harrison and McKinley and with the adverse popular verdict in two national elections, and the processes that are and will be continuously at work, the success of our contention must, from the necessity of the case, be long delayed, if ever attained.

Possibly it may require a material falling off in the product of gold, dearth in crops, general distress, monetary stringency, reversal in balances of trade, and international complications to vindicate to general satisfaction the force of our position and to prove to our opponents that we were not only sustained by the Constitution, but practically right. We could hardly wish for such a test. If bountiful harvests and good prices shall reward the toil of the husbandman for the next four years; if prosperity shall not forsake us; if the genesis of the mines shall continue the current output of gold; if commercial balances shall remain in our favor; if good times shall prevail, when our next National Convention assembles it may be conceded that the reasons and necessity, aside from the abstract wrong of demonetization, which provoked our declarations on the silver issue in preceding platforms will not likely appeal with the same force to the popular mind that they have previously done.

And if these conditions shall obtain it is hardly probable that any material demand will arise for the renewed insertion of such declarations in the platform of 1904. The fact stares us in the face—and we may as well be candid with ourselves—that we carried a smaller electoral and popular vote in 1900 than we did in 1896. There may be reasons for and explanations of this reduction, but the cold fact remains. Our last platform subordinated this question to a secondary position, while the platform of 1896 ascribed to it the chief importance. I do not assume to advise my party as to its action on this subject, or to volunteer any opinion as to what it will or should do in relation to it. I content myself with submitting substantially the suggestions I have heard, and cheerfully commit myself in advance to the decision the wisdom of my party may make, for I am one of those who believe that "acquiescence in the decisions of the majority is a vital principle," and that without it success is impossible and reforms can not be accomplished. I commend this maxim of the greatest Democrat ever known as a safe and unerring rule for Democratic guidance at all times and under all conditions. [Applause.]

I greet with the utmost respect those gold-standard Democrats who have stood by their party notwithstanding their disbelief in the free coinage of silver. It is a very high test of loyalty when one by his action says "though my party 'slay me, yet will I trust' in it. Though I disagree with it in one article of its creed, yet I subscribe to the body of its faith and shall follow wherever its banner leads." Such a man can be relied upon in any party emergency. With him "acquiescence" is the criterion. It is easy to be agreeable when you get what you want. "He jests at scars who never felt a wound."

If it shall turn out that the silver question shall not be a disturbing element in our deliberations at the next National Convention, and I admit that only such Convention can eliminate it or dislodge it from the place it now occupies in our creed, what cause of dissension is to be reasonably anticipated? What

is the little rift within the lute
That by and by will make the music mute?

Are we not essentially in accord on all other Democratic propositions? Subtract even from Mr. Cleveland's record what he has said and done, and ignore what he has omitted to say and do, upon this issue, and would his fellowship among us be questioned?

While it can not be expected that we will abandon principles for which we have honestly contended in order to reclaim recalcitrants, and neither concessions nor apologies are due from us, if upon our own motion, and convinced by the inexorable logic of events and the supreme requirements of future conditions we shall deem it wise and expedient to so construct our platform and so define our plan and purpose as to be not only satisfactory to ourselves but agreeable to our former associates, and they shall exhibit a disposition to realign themselves with us—not to absorb us, but to assimilate with us—is there any sufficient reason why we should discourage or spurn their return or deprive our party of the assistance they may render?

In anticipation of such possible conditions, is there any impropriety in our acceptance of sincere overtures if made for the purpose not of domination but of conciliation? And do we humiliate ourselves if we tender "the olive branch" to those who may exhibit a disposition to reunite with us? I believe we can afford to invite the return of those who left us, admonishing them that a cardinal and inviolable doctrine in the household of Democratic faith is "acquiescence in the decisions of the majority when fairly expressed." The imposition of such a condition is not harsh, nor does a compliance with it involve any unmanly self-abnegation. I believe it is our province and duty to preach the unsearchable riches of Democracy to every creature, and rejoice over the reclamation of any who may have gone astray.

Return, O wanderer, return,
And seek an injured party's face;
Forsake the sins that made you mourn,
And drove you from its fond embrace!
Come home! come home!
O prodigal child, come home!

[Laughter and applause.]

Political parties can not remain stationary. They must either increase or decrease in membership. If in the minority, they must encourage enlistments and gain recruits or they will continue to be in the minority, with recurring diminution of numerical forces, or fade away into a mere reminiscence of their former strength. I for one am not willing that the Republican party shall continue to dominate the administration and control the policies of this Government. I supremely desire that the Democratic party shall again be placed in power, and I am willing to employ any and all honorable means to bring about this consummation so devoutly to be desired.

And to this end I think that Democrats can not too early begin to anticipate the coming conflict and prepare themselves accordingly. I am one of those who have long believed that inter-party disagreements should be emancipated from personal bitterness and vituperation. "Come, let us reason together in all soberness," is a good maxim for us to adopt. Let us, indeed, have "more light and less heat," more of toleration and less of proscription. Let the spirit of forgiveness be employed whenever it is, by fair construction, invoked and can be appropriately exercised.

Wherever possible we should, in all human relations—

Let love through all our actions run.

For if ye love them which love you, what reward have ye? Do not even the publicans the same? And if ye salute your brethren only, what do ye more than others? Do not even the publicans so? * * * Though we speak with the tongues of men and angels and have not charity, then are we become as sounding brass or as a tinkling cymbal. * * * Though we have all faith so that we could remove mountains, and have not charity, we are nothing.

I am not one of those who hold that the doctrines of the Decalogue, the Sermon on the Mount, and the teachings of Holy Writ can never have any possible application in the ethics of politics and in the creed and practice of dignified statesmanship.

Oh, sirs, how many considerations are there that combine to unify and summon Democrats together! What mighty issues are at stake and what noble ambitions are aroused! We behold a

saturnalia of extravagance; an assault upon economy that staggers mathematical computation; proposed subventions to special interests and favored classes; the creation of vast military establishments; the domination of huge monopolies; the perils of corporate power; the continuous levy of taxation grievous to be borne; the tendency to magnify Executive prerogative, supplemented by centralized power and influence controlling the administration of Federal affairs; the gradual drifting away from basal principles; the decadence of reverence for the great charters of our liberty, and the growing menace to our distinctive institutions involved in a colonial system.

We see our opponents intoxicated by their recent success, "caring for none of these things." To correct these wrongs and to restore to the American people the joys of the salvation of the heritage the fathers gave us is the mission of the Democratic party. When called to such a service, what man who ever loved Democracy can refrain to obey the summons? To the execution of this mission may we all devote every energy and influence of which we are capable, and may it engage all our powers to re-instate Democratic supremacy in this great Republic. [Prolonged applause on Democratic side.]

Mr. HEMENWAY. I yield now to the gentleman from Tennessee [Mr. GIBSON] the remainder of my time.

Mr. GIBSON. Mr. Chairman, the gentleman from Ohio [Mr. GROSVENOR] on Tuesday got leave to print in the RECORD some remarks and publish some statements in reference to the rule of evidence in regard to pension claims, and this is the first chance I have had to refer to them. I find appended to those remarks a communication from the Commissioner of Pensions, Hon. H. Clay Evans, in which he undertakes to controvert what I said last Friday in reference to the quantity of proof required by the Pension Bureau.

I stated last Friday—I read from the RECORD of that day:

In the Pension Bureau it is necessary that it should appear beyond reasonable doubt that the disability is the result of Army service. In the Invalid Pension Committee we decide the case upon the preponderance of the testimony. That is the difference. * * * It is the practice in the [Pension] Office, and is embodied in the printed rules which have been issued from time to time by the Bureau * * * and announced by the Commissioner to the House committee [on Invalid Pensions].

The questions in issue are:

First. Did I make a correct statement in what I said about the Pension Bureau requiring proof beyond a reasonable doubt?

Second. Is the Pension Bureau rule as to reasonable doubt embodied in the printed rules of the Bureau?

Third. Did the Commissioner of Pensions announce this rule to the Committee on Invalid Pensions?

I will answer these questions separately:

First. As to the rule. All I have to do to show that I have correctly stated the rule is to quote the following from the "Extract from Decisions," printed in the RECORD along with the Commissioner's letter, to show the rules governing the Pension Bureau in the decision of pension claims.

Things established by competent and satisfactory evidence are said to be proved. Satisfactory evidence is but another name for sufficient evidence, and means "that amount of proof which ordinarily satisfies an unprejudiced mind beyond reasonable doubt."

And I here call attention to the fact that no other rule is cited by the Pension Bureau for the government of its officers, examiners, and clerks.

Second. Is this rule embodied in the printed rules of the Bureau?

I hold in my hand, Mr. Chairman, a book entitled "A Treatise on the practice of the Pension Bureau, governing the adjudication of Army and Navy pensions, compiled by order of the Commissioner of Pensions."

On pages 20 and 21 of this book I find the following in reference to proof in case of accidental wounds when the record and parol proof concur in favor of the claim:

Such claim is accepted as "legally" established upon the record and parol evidence as stated, provided, from the description of the wound and the facts and circumstances stated in the evidence, no reasonable doubt arises concerning the incurrence of the same.

Again, in the same official treatise, on pages 31 and 32, I find the following, under the heading of "Proof of claims for diseases not obscure and not of record:"

The rule laid down by the Secretary is that "neither record nor medical evidence of incurrence or treatment in service is absolutely essential to prove service origin, but an absence of such evidence should be satisfactorily accounted for, as a claim must be established by the best evidence of which the case in its nature is susceptible." (Vol. 8, Secretary Decisions, p. 804.) In the same decision "satisfactory" evidence is defined as "sufficient" evidence, and means "that amount of proof which ordinarily satisfies an unprejudiced mind beyond reasonable doubt."

There are other rules laid down in said treatise similar to the above two, but these two are sufficient to sustain my statement, and so I will read no more. You will thus see, Mr. Chairman, that the rule requiring proof beyond a reasonable doubt in pension cases is embodied in the printed rules of the Bureau.

Third. The third issue between the Commissioner of Pensions

and myself is, did he announce this reasonable-doubt rule to the Invalid Pensions Committee?

It is immaterial to the main issue whether Commissioner Evans verbally announced the reasonable-doubt rule or not, because I have shown that the rule is embodied in the Decisions and Treatise governing the Bureau. However, I will notice this issue.

In the first place it will be noted that the Commissioner does not himself, in his letter, deny that he made such an announcement, but instead of a denial he quotes extracts from his stenographer's notes of his remarks. These notes, however, Mr. Chairman, only prove the correctness of my assertion. I quote from Commissioner Evans's letter:

In reply to a question by Hon. Mr. GIBSON, as follows: "Is there any law that requires the Pension Bureau to be satisfied beyond reasonable doubt?" I answered as follows: "I do not know that there is. It is customary in all courts."

The Commissioner's letter shows on its face that I twice propounded to him the question whether proof beyond a reasonable doubt was not required by the Pension Bureau, and on his own showing he evaded an answer to my first question, and when I pressed him for answer he says he answered that he did not know whether such was the rule or not, but that such a rule was "customary in all courts."

So I am abundantly content to let this issue be determined by the Commissioner's own letter. I will add, however, that it would not be safe for the honorable Commissioner to appeal to the Invalid Pension Committee on this question.

I take it, Mr. Chairman, that Commissioner Evans either did not know what the rule of evidence was in his Bureau, or else did not consider the full effect of the rule. This is a charitable view of the matter.

The honorable Commissioner insists that the reasonable-doubt rule is "customary in all courts." I beg leave to say, Mr. Chairman, the Commissioner is grievously mistaken in this matter. Instead of such a rule being "customary in all courts," there is not a court in the United States or in the British Empire where such a rule prevails in civil cases. The rule of reasonable doubt is applied only in criminal cases. I hope the honorable Commissioner does not mean to insist, or to even insinuate, that a pension claim is in the nature of a criminal suit against the Government!

In note b to section 13a of Greenleaf on Evidence (15th ed., p. 25) the rule as to the quantity of proof required is stated thus:

There seems to be at the present time no exception in the United States to the two rules (1) that in criminal cases the jury must be satisfied beyond a reasonable doubt by the proof, and (2) that in civil cases they may decide upon the mere preponderance of evidence.

That is the rule that is "customary in all courts." "No exception to it in the United States" says Greenleaf, a standard authority on questions of evidence. A mere preponderance of evidence is all that is necessary in a civil case, and yet the Pension Bureau for years has been enforcing the rule applicable to criminal cases. Right here, Mr. Chairman, I believe is the secret of the unpopularity of the Pension Bureau and the cause of the injustice it has done.

In the courts of the United States a claimant can recover a judgment of a million dollars on a mere preponderance of proof in his favor, but in the Pension Bureau, in order to get a pension of \$6 a month, you must prove your case beyond a reasonable doubt; that is, you must make the same quantity of proof you would be required to make to convict a man of murder in the first degree. In short, the claimant in a pension case is treated as though he was proving a criminal case against the Government instead of a civil case. No wonder so many old soldiers and widows have failed to prove their claims to the satisfaction of the Pension Bureau!

If you are called upon to prove in court that a common-law marriage has been contracted, or that a person has died, or that a certain wound or other disability was incurred in the line of military duty, or that a certain disability is the result of a wound, or another disability so incurred, you are only required to satisfy the court by a mere preponderance of evidence; but a mere preponderance of evidence will do you no good in the Pension Bureau. You must there prove these facts beyond a reasonable doubt. In other words, a claimant in the Pension Bureau, in order to make out his case, must make the same quantity of proof as is required in a criminal court to send a man to the penitentiary or to the gallows.

Mr. Chairman, I would be willing to conclude my remarks at this point were it not that the Commissioner makes the following offer in his letter:

I want to state further that if there is any ruling or order of this Bureau that can be fairly construed to mean that claims for pensions must be proved beyond any reasonable doubt, the same will be revoked as soon as they are brought to my personal attention.

Mr. Chairman, I was glad to read that statement. I have shown the honorable Commissioner that there are both a "ruling" and an "order" of his Bureau requiring that claims should be "proved beyond any reasonable doubt," and I now and here bring this mat-

ter to his "personal attention," and request him to redeem his promise to "revoke" them.

And I will say, Mr. Chairman, that if the Commissioner carries out his promise in good faith, and hereafter decides pension cases according to the rules of evidence in civil cases in courts of law, then indeed will this little controversy be productive of mighty and wide-reaching and most beneficial results, and the pensioners of our country will at last be able to prove their cases by a mere preponderance of evidence, and thus have justice done them, rather than be crucified on the bloody cross of "proof beyond reasonable doubt."

Mr. HEMENWAY. Now, Mr. Chairman, I ask the Clerk to proceed with the reading of the bill by paragraphs.

The Clerk completed the reading of the bill.

The CHAIRMAN. The Chair calls the attention of the gentleman from Indiana to the fact that on page 6, at line 7, there is an omission of a word after the word "and." The evident intention is that a certain number of cents should be included.

Mr. HEMENWAY. I see there is an omission there, and I move to amend by inserting the word "fifty" after the word "and," in line 7, page 6.

The CHAIRMAN. The gentleman from Indiana moves an amendment, which the Clerk will report.

The Clerk read as follows:

Page 6, line 7, after the word "and," insert "fifty;" so that it will read "\$2.50 per diem."

The amendment was agreed to.

And then, on motion of Mr. HEMENWAY, the committee rose; and the Speaker having resumed the chair, Mr. TAWNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13822) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes, and had directed him to report the same back to the House with an amendment, and with the recommendation that as amended the bill do pass.

Mr. HEMENWAY. I move the previous question on the bill and amendment to its passage.

The previous question was ordered.

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. HEMENWAY, a motion to reconsider the last vote was laid on the table.

Mr. HEMENWAY. I ask unanimous consent to extend my remarks in the RECORD on this bill.

The SPEAKER. The gentleman from Indiana asks unanimous consent to extend his remarks in the RECORD on the bill that has just passed. Without objection this order will be made.

There was no objection.

POST-OFFICE APPROPRIATION BILL.

On motion of Mr. LOUD, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902, with Mr. CANNON in the chair.

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the Post-Office appropriation bill. The Clerk will report the bill.

The Clerk read the title of the bill.

Mr. LOUD. Mr. Chairman, I ask that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from California asks unanimous consent to dispense with the first reading of the bill. Is there objection?

There was no objection.

Mr. LOUD. Mr. Chairman, it is my purpose to ask the House to consider so much of the bill as is uncontested, without entering into any general debate. Before I take my seat I shall make that request; that certain items of the bill may be passed over, and that those items may be open to general debate.

I will say in explanation of the bill that it appropriates substantially the amount of money asked for by the Post-Office Department for the various items that are mentioned in the bill. There are two items of new legislation in the bill—one in relation to assistant superintendents of the salary and allowance division and one increasing the salaries of the 11 division superintendents of the Railway Mail Service from \$3,500 to \$2,700 a year.

I know of nothing further that it is necessary to say at this time about the bill, unless some gentlemen desire to ask questions.

Mr. Chairman, I ask that general debate may be considered as closed upon this bill, excepting the item on page 16, relating to inland transportation by railroad routes, the special facility items on pages 18 and 19, and the proposition for a pneumatic-tube service, if such amendment shall be offered; that those items may be

passed over when reached, and the general debate not considered as closed upon them.

The CHAIRMAN. The gentleman from California asks unanimous consent to close debate upon this bill except touching certain items specified by the gentleman.

Mr. LENTZ. Mr. Chairman, I hope the gentleman will consent to have general debate also on the rescheduling of clerks' salaries and number of clerks in the several lines on pages 3, 4, 5, 6, 7, and at the top of page 8. I desire to offer some amendments in there reducing the number of clerks of one grade, and increasing by a small number several others, substantially in accordance with the report made by the Postmaster-General last year.

Mr. LOUD. I think that is a matter that can be intelligently considered in the debate under the five-minute rule. It is not a question of principle, but it is a question of detail, while the other questions are those upon which some members of the House desire to make some extended remarks.

Mr. LENTZ. If the chairman of the committee will not object to some extension of time in the debate under the five-minute rule, I will not antagonize his motion.

Mr. LOUD. So far as I am concerned, I am willing to concede some latitude of debate under the five-minute rule.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, in line of the request of the gentleman from Ohio, I wish to ask the chairman of the committee whether it is his intention if an amendment calling for the reclassification of the postal clerks is asked for in this bill, and the point of order is raised against it, whether he is willing to allow proper time for the discussion of this matter. If we could have some time for general debate on the question of the clerks' salaries, if the point of order is raised it would give us an opportunity to address our remarks to that subject.

Mr. LOUD. I think you will have opportunity. Of course, I will not pledge the House.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. GAINES. What is the request?

The CHAIRMAN. The request is to close general debate on this bill with the exception of certain paragraphs referred to by him.

Mr. GAINES. To close the debate now?

The CHAIRMAN. Except upon those paragraphs, and that the debate is to be had on those paragraphs when they are read.

Mr. GAINES. Just a moment, Mr. Chairman. Does that include what is called the mail subsidy portion of the bill?

Mr. LOUD. That is one of the exceptions.

Mr. GAINES. I make no exception.

The CHAIRMAN. General debate is to be had when those paragraphs are reached.

Mr. LOUD. It was my purpose, when those items are reached, to ask to pass them over and have general debate on all of them together.

The CHAIRMAN. To the modification of the request as made by the gentleman from California, is there objection?

Mr. WM. ALDEN SMITH. Does that include railway mail pay and the rural free delivery?

Mr. LOUD. I should suppose under the latitude of general debate you could discuss any of the questions. It has been the policy of the House.

Mr. WM. ALDEN SMITH. Why not make it include rural free delivery?

The CHAIRMAN. Is there objection to the request of the gentleman from California? [After a pause.] The Chair hears none.

Mr. ROBINSON of Indiana. Before the gentleman resumes his seat, I desire to ask him whether the bill increases the appropriation to the amount recommended by the Department having rural free delivery in charge?

Mr. LOUD. I will state that it does carry \$3,500,000, which was the amount recommended by the Post-Office Department.

The CHAIRMAN. The Clerk will read the bill.

The Clerk read as follows:

OFFICE OF THE FIRST ASSISTANT POSTMASTER-GENERAL.

For compensation to postmasters, \$19,000,000. Any portion thereof saved by the consolidation of post-offices under existing law shall be transferred to the appropriation for compensation to clerks in post-offices and made available for the payment of the salaries of superintendents and clerks at stations established in lieu of the post-offices thus discontinued.

Mr. LOUD. Mr. Chairman, I move to strike out "nineteen," in line 5, page 2, and insert "twenty."

The Clerk read as follows:

Line 5, page 2, strike out "nineteen" and insert "twenty."

Mr. LOUD. I want to say, Mr. Chairman, that the Post-Office Department estimated an appropriation of \$18,000,000. The Post-Office Committee increased that item to \$19,000,000. When the code bill was under discussion the Auditor came to see me. He wanted to have a continuous appropriation item placed in the code bill, in order that this appropriation might be continuous, to save him from the endless trouble of holding up the accounts of post-

masters throughout the country for a period of from six to nine months by reason of the fact that Congress quite frequently does not appropriate money enough to pay the salaries of the postmasters. The salaries of the postmasters are fixed by law. It can not be any more nor any less.

Our committee thought it wise to keep the appropriation in the appropriation bill and not to make it continuous, in order that we might see and the country might see how much money was being expended. I said to him that I was ready to appropriate \$20,000,000 for the fiscal year ending 1902 on the showing that there is no doubt but what twenty millions will be needed to pay their salaries.

During the fiscal year ending June 30 last the amount of money expended for postmasters' salaries was about \$19,112,000. It is apparent that in the fiscal year ending 1902 it will be at least \$20,000,000.

The CHAIRMAN. The question is on agreeing to the amendment offered by the chairman of the committee.

The amendment was agreed to.

The Clerk, proceeding with the reading of the bill, read as follows:

For postal service in the Philippine Islands or territory held by military occupation, and for additional transportation to and from said territory, also including postal service for military camps or stations, to be used in the discretion of the Postmaster-General, \$50,000.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I have a substitute for the classification described in this bill for the clerks, and I would like to know whether it is proper for the substitute to be presented now or after the concluding paragraph of the bill.

The CHAIRMAN. I believe general debate is closed on this paragraph.

Mr. LOUD. Yes; I think this all might be read as one paragraph, the salary and the allowance division, and then would probably be the time for the gentleman from Massachusetts to offer the substitute.

Mr. FITZGERALD of Massachusetts. Very well.

The CHAIRMAN. What does the gentleman from California ask shall be read as one paragraph?

Mr. LOUD. Beginning at the compensation of clerks in post-offices, to and including line 18 on page 10.

The CHAIRMAN. The gentleman from California asks that paragraph commencing with line 5, page 2, to and including line 18, on page 10, be read as one paragraph for the purpose of consideration and amendment. Is there objection?

Mr. LENTZ. Mr. Chairman, I think it would be more simple to have the paragraphs read and then offer amendments as they are read. I would like to offer an amendment on page 3 when we reach it. It seems to me it would be simpler and easier to keep the record as we read the paragraphs.

The CHAIRMAN. Objection is made, and the Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

One thousand six hundred clerks in charge of stations and substations, janitors, messengers, porters, watchmen, stampers, carpenters, firemen, laborers, pressmen, waste-paper examiners, mail messengers, and general utility clerks, at \$500 each, \$800,000.

Mr. LENTZ. Mr. Chairman, I desire to offer an amendment by striking out, in line 18, the word "six" and inserting "five;" and in line 22 strike out the words "eight hundred" and insert "seven hundred and fifty;" so that the paragraph will read:

One thousand five hundred clerks in charge of stations and substations, janitors, messengers, porters, watchmen, stampers, carpenters, firemen, laborers, pressmen, waste-paper examiners, mail messengers, and general utility clerks, at \$500 each, \$750,000.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 18 strike out the word "six" and insert "five;" in line 22 strike out the words "eight hundred" and insert "seven hundred and fifty."

Mr. LENTZ. Mr. Chairman, I make that suggestion for the purpose of saving in that clause the \$50,000 that would be saved by taking out that sum and changing from eight hundred thousand to seven hundred and fifty thousand, and in that way provide a fund to be added to the classes mentioned in the subsequent paragraph; so as to begin, without any substantial expense to the Government, the classification of these clerks, somewhat, at least, in accordance with the recommendation of the Postmaster-General in his report of 1900.

It seems to me after we get through with the additional amendments we have proposed to make we shall not have done justice to the clerks of the Post-Office Department, those men who are the intellectual machinery of the Post-Office Department. These clerks, upon whom depends the efficiency of the service, are the men who must have their minds so trained that they know instantly every post-office, and in the distribution of mail in the city know the location of the individuals as well. It requires a higher grade of mental activity than some of the professions in life, and for that reason we ought to increase the compensation for this particular class, and especially increase it after they have been in

the service a sufficient length of time. We can better reduce in the first class the number of employees and save the money there, and offer it as an inducement to remain in the service after they have been qualified and efficient.

It will not cost anything, substantially, to make these changes if these amendments are made, and it is in keeping with the desire of the postal clerks themselves. They are there on the ground, familiar with the details of this system, and it is their own suggestion that this working out of their classification will be of advantage to the service as well as to themselves. I am willing to accept the best information we can get on this subject, and we have brought to us here the information that comes from experience. There is no reason, it seems to me, why we should not comply with the recommendation made by the Postmaster-General last summer and cut down the expenses at this end and add it to the system as a reward for the efficiency a little later on.

Mr. MANN. May I ask the gentleman a question?

Mr. LENTZ. Yes; certainly.

Mr. MANN. Is the purpose of the gentleman's amendment to reduce the number of clerks at \$500 in order to increase that corresponding number of clerks at \$600 a year?

Mr. LENTZ. It is.

Mr. MANN. Does the gentleman propose to offer a corresponding amendment to increase the \$600 clerks to \$700?

Mr. LENTZ. In each of the paragraphs I propose to offer an amendment. For instance, in the next paragraph I shall propose an increase of 100 clerks; in the next, 50 clerks; in the next, 25; in the next, 10; and so on throughout; and thus, by increasing in the other grades, compensate for the decrease in this grade.

Mr. MANN. Is it the gentleman's purpose to make an increase of 100 clerks in each grade?

Mr. LENTZ. No, sir.

Mr. MANN. I do not mean to increase the total number of clerks in the Post-Office Department; but when you make a reduction of 100 in a \$500 grade you propose to make an increase of 100 in all the other grades as you go up?

Mr. LENTZ. No, I do not. I propose an increase of 100 in one or two grades, of 50 in one or two, of 25 in one, 15 in one, and 10 in one.

Mr. MANN. For the purpose of making some increase in all, so that some clerks may be promoted?

Mr. LENTZ. For the purpose of graduating the system and graduating the compensation in keeping with the services rendered.

Mr. MANN. For the purpose of getting some promotions—is not that the point?

Mr. LENTZ. Yes; in one sense. I might put the matter in this way. We have 200 men in the entire 76,000,000 of our people who are in a graded service at \$1,400 a year. That is the highest limit. I propose to make the number of such employees 210. There is no extravagance in that increase. It is simply taking off at one end and putting on at the other. So far as I am concerned, I would have been better pleased if the association of clerks had requested that the limit should be \$1,500. I think that these men who do the intellectual work in the Post-Office system of the United States ought to have, out of the 76,000,000 people of this country, a few men at least getting \$1,500 a year. I think they ought to have that goal before them. But they do not ask that. They ask only for 10 more men in the \$1,400 class, and they ask to have 100 men less in the \$500 class.

Mr. MANN. I agree with the gentleman. The point I want to get at is whether, according to the gentleman's plan, there will be a reduction in the total number of clerks?

Mr. LENTZ. No, sir.

Mr. MANN. Or an increase?

Mr. LENTZ. This postal business of the Government is constantly increasing, and there ought to be a constant increase in the number of clerks rather than a reduction.

Mr. MANN. Does the gentleman's plan contemplate an increase in the total number of clerks?

Mr. LENTZ. It will make a slight increase.

Mr. FITZGERALD of Massachusetts. I should like to ask the gentleman from Ohio [Mr. LENTZ] a question. Does he not think that all the clerks in the postal service, particularly those that go in under a civil-service examination—and I understand that every such appointee must enter the service under such an examination—ought to begin at a salary of at least \$600? Allow me to state, in this connection, that last year the postmaster in charge of the Boston office, in the ordinary increase in the business of that office, was allowed to employ thirty or thirty-five additional clerks.

The authority for the employment of such clerks at \$600 had been exhausted by appointments in other sections of the country, so that the clerks that went into the Boston post-office last July and in July, 1899, began at a salary of \$500. It seems to me that this was very unjust, and it was a departure from the settled policy of the Department, which had hitherto given such appointees \$600 a year.

Mr. GAINES. Did they not accept the positions voluntarily?

Mr. FITZGERALD of Massachusetts. They could do nothing else. When they passed the civil-service examination they expected to get at least \$600 a year, and I tried to have the matter straightened out at the Department, but was unable to do so.

Mr. GAINES. But did they not voluntarily take the positions at a salary of \$500?

Mr. FITZGERALD of Massachusetts. They were obliged to. That does not justify this House in allowing this appropriation to pass with a provision in the bill allowing any distinction to be made in the salaries paid to clerks in the first-class post-offices of the country.

Mr. LENTZ. The gentleman from Massachusetts, under the guise of a question, has injected into this debate his argument in favor of \$600 as a minimum limitation of salary. I would not object to such a limitation, but the present allowance is, for the time being, satisfactory to the association of clerks.

Not desiring to complicate this bill with too many amendments—seeking only to begin the work which the Department itself recognizes as proper (that is a classification based upon the experience of the men who are doing the work)—I preferred to let the amount stand as it is in this bill, at \$500. I do not consider that a sufficient compensation for a man who is qualified to go into the postal service; but I prefer to make as few amendments as possible in order that we may begin the classification system.

One of the difficulties in the administration of our post-office system is that the postmasters in the different cities have too much to say about the compensation and the graduation of these clerks. We ought to have a system for them just as we have for other employees in the civil service. But if we accomplish as much as is now asked in this proposed legislation, we may leave it for the next Congress or the next to take the matter up and go further in the right direction.

Mr. FITZGERALD of Massachusetts. In connection with the statement made by the gentleman from Ohio, Mr. Chairman, I wish to say that so far as the clerks in the Massachusetts association are concerned, they protested last year and the year before against any appropriation bill passing the House calling for clerks at \$500 a year, and they protest now. And I think inasmuch as the Department always paid them, until the last two years, a minimum salary of \$600 a year, that we should fix that sum right here and now, and insist that no clerk should be required to enter the public service and receive a salary of less than \$600 a year. I protest against it, and I know I voice the sentiments of the clerks in my section of the country, and I think in all the post-offices in the Eastern States.

Mr. LENTZ. I agree with the gentleman from Massachusetts, and it seemed to me, and I wish to say it in this connection, that when I saw \$500 fixed as the minimum sum here, I was under the impression that there must have been a mistake.

Mr. MANN. Will the gentleman pardon me for a moment?

Mr. LENTZ. I would like the chairman of the committee to tell us why \$500 was put in here as the minimum salary.

Mr. DRIGGS was recognized.

Mr. LENTZ. Can I have an expression of opinion from the gentleman from California in charge of the bill?

Mr. DRIGGS. Mr. Chairman, I would like to ask who has the floor?

The CHAIRMAN. The gentleman from New York has been recognized.

Mr. DRIGGS. Mr. Chairman, I desire to speak in favor of the amendment of the gentleman from Ohio. I believe it is a pretty well established fact, recognized by all large concerns and corporations where many clerks are employed, that if the clerks are well paid by the employers, the employers receive, as a rule, better services from the employees; and I know of no concern that ought to be considered on as broad lines as the Government of the United States itself in dealing with such a question. It ought to be run absolutely on business principles; and if we are to do that it seems to be only just and right that the men who are clerks in the postal service of the Government should have the opportunity to work up to a salary of \$1,400 a year. It is an incentive to industry and activity on their part.

The gentleman on the other side, from Illinois, asked if the amendment of the gentleman from Ohio would result in appointing more clerks. So far as I know, on this proposition, it would result in some 550 or 600 more. But even so, is that any reason why a justifiable measure should not pass? What is the necessity for the Government of the United States seeking to break down, because of overwork, any of its employees? We have enough money to pay for a sufficient force and adequate help to transact the business for every department of the Government.

Mr. MANN. Will the gentleman allow me to interrupt him for a question?

Mr. DRIGGS. Yes; I will yield to the gentleman.

Mr. MANN. The gentleman stated that this proposed amendment of the gentleman from Ohio would result in an increase of

400 or 500 clerks, as I understood him. Well, I think myself that there ought to be such an increase; but I wanted to ask the gentleman from New York with reference to the subject, on what he bases his estimate, because the gentleman from Ohio said that there would be only a very slight increase, and as a matter of fact this amendment strikes out a number of the clerks.

Mr. DRIGGS. I suppose the amendment of the gentleman from Ohio would cover the entire list of clerks in the salary and allowance division of the Post-Office Department; and if I am mistaken in that I will ask the gentleman whether his amendment does not relate to the entire salary and allowance division.

Mr. FITZGERALD of Massachusetts. Will the gentleman allow an interruption?

Mr. DRIGGS. Certainly.

Mr. FITZGERALD of Massachusetts. I have in my hand the Department bill for the reclassification of the clerks in the Post-Office Department, which I shall offer at the proper time as a substitute for the pending motion.

Mr. GAINES. I would like to ask the gentleman from New York where these clerks are to be employed and as to the character of the work they perform?

Mr. DRIGGS. I would like to say to my friend from Tennessee that the work is largely the handling of all the mail matter—especially first-class mail matter—that is delivered to the railway mail postal service throughout the country.

Mr. GAINES. In the city of Washington, or does the gentleman mean it applies to this service all over the United States?

Mr. DRIGGS. As I understand it, all over the country. In all the first and second class post-offices the same provision would apply. Let us take an illustration: A letter comes into the post-office. That letter is stamped by one of the clerks. It goes to another section, and another clerk who has charge of the first-class mail matter assists in dividing this mail for distribution throughout the various States. When it gets into the State to which it is addressed—we will suppose, for instance, the State of New York—it is there again assorted by other clerks who divide it amongst the various post-offices in the State for delivery to them by the various lines of transportation which reach them. Now, the man in the State where this mail is to be distributed—assuming again that it be the State of New York—must be aware of the fact that there are several thousand different offices in the State; and he, the clerk, has to spend a very large part of his spare time in memorizing the names of every single first, second, third, and fourth class post-office throughout the entire State of New York.

They do not receive any compensation from the Government for their extra work in studying new places, new post-offices, that are continually being established by the Post-Office Department. It does seem to me, as the gentleman from Ohio [Mr. LENTZ] has said, that the clerks are the men in the postal service who have the most of the intellectual work of the Department to perform, and they, above all others, must be trustworthy and accurate, for the letters that they transmit to the different sections of the country contain drafts, checks, and money for the settlement of commercial obligations. You can readily see that if this is true, and I believe it is, these men must know absolutely and accurately every post-office in the States, not only where they are working, but throughout the United States.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DRIGGS. I ask unanimous consent for an extension of five minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent that his time be extended five minutes. Is there objection?

There was no objection.

Mr. GAINES. Is this confined to clerks only, and not to those who may do menial service?

Mr. DRIGGS. This is only confined to clerks; no one else. I would say to the gentleman from Tennessee that these men are practically the only branch of Post-Office employees not under the classified service.

Mr. GAINES. Well, they ought to be well paid.

Mr. DRIGGS. They depend absolutely on the appropriation bills from year to year for their salaries, and it seems only just and right when they come before Congress itself, that being their only remedy, they should then be granted the small increase of pay asked.

Mr. GAINES. Why have they not been classified?

Mr. DRIGGS. I do not know why they have not been classified. That action has been recommended by Postmaster-General after Postmaster-General. I understand the gentleman from Massachusetts [Mr. FITZGERALD] is more thoroughly posted on that, and I would refer the gentleman to him. I think it is pretty well known to all of us that the postal clerks have to work far beyond the eight-hour limit prescribed by law; and many of them in the large cities like Chicago, New York, Brooklyn, and Philadelphia work from twelve to fourteen hours a day. I want to in-

dorse all that my friend from Ohio [Mr. LENTZ] has said, and I believe these clerks should receive the increased compensation for which they have asked.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I desire to offer a substitute bill which I will send to the Clerk's desk to be read, calling for the reclassification of clerks. I would ask unanimous consent that the classification bill be passed over and printed in the RECORD. It is the bill which is printed in the report of the First Assistant Postmaster-General and recommended by the Department. Inasmuch as it is rather long I do not wish to take the time of the committee by having it read at the present time, but I ask unanimous consent that it may be printed in the RECORD as a part of my remarks.

Mr. LOUD. With a point of order reserved, Mr. Chairman.

The CHAIRMAN. The Chair does not understand that it is now offered. The gentleman from Massachusetts asks unanimous consent that a certain paper which he sends to the Clerk's desk, and which he gives notice that he proposes to offer as a substitute later on, may be printed in the RECORD. Is there objection?

There was no objection.

The matter referred to is as follows:

RECLASSIFICATION OF CLERKS.

In this connection I desire to submit the proposed classification of post-office clerks in first and second class post-offices, based on the present number, to be effective July 1, 1901.

The present classification, act of Congress of March 2, 1839, does not properly or satisfactorily classify, embodying many confusing and synonymous designations, and does not provide for regular advancement. The bill herewith provides for an annual increase until the maximum salary for the designation is reached, upon satisfactory evidence of the clerk's efficiency, to be determined by the Department, and is fair to the Government and clerk alike.

PROPOSED CLASSIFICATION OF CLERKS IN FIRST AND SECOND CLASS POST-OFFICES.

That the Postmaster-General be, and he is hereby, authorized to classify and fix salaries of clerks and employees of first and second class post-offices from and after July 1, 1901, as hereinafter provided:

AT FIRST-CLASS POST-OFFICES.

Class 1.—Auditors at New York, N. Y., and Chicago, Ill.: Salary, \$3,000 each.

Class 2.—Superintendents of delivery, superintendents of mails, superintendents of money order, and superintendents of registry: Salary, graded in even hundreds of dollars, not exceeding 45 per centum of the salary of the postmaster, five classes, at \$1,400, \$1,600, \$1,800, \$2,200, and not exceeding \$2,700 per annum, except at New York, N. Y., where the salary of the superintendent of delivery, superintendent of mails, superintendent of money order, and superintendent of registry shall be fixed at \$3,200 per annum each.

Class 3.—Cashiers, six classes: Salary, \$1,600, \$1,800, \$2,000, \$2,200, \$2,400, and not exceeding \$2,600 per annum.

Class 4.—Assistant cashiers, assistant superintendents, bookkeepers, finance clerks, foremen of crews, inspectors of stations, physicians, and private secretaries, four classes: salary, \$1,300, \$1,400, \$1,600, and not exceeding \$1,800, except in New York, N. Y., where the salary of the first and second assistant superintendents of registry shall be fixed at \$2,400 and \$1,800, respectively, and that of the first and second assistant superintendents of money order shall be fixed at \$2,400 and \$1,800, respectively.

Class 5.—Superintendents of stations, eight classes: salary, \$1,000, \$1,200, \$1,400, \$1,600, \$1,800, \$2,000, \$2,200, and not exceeding \$2,500 per annum, according to the amount of business transacted.

Class 6.—Clerks in charge of stations and substations, nine classes: salary, graded in even hundreds of dollars, from \$100 to not exceeding \$900 per annum, according to the amount of business transacted.

Class 7.—Assorters, directory clerks, general-delivery clerks, inquiry clerks, mail weighers, nixie clerks, raters, record clerks, separators, special-delivery clerks, stampers, supply clerks, timekeepers, and utility clerks, four classes: salary, graded in even hundreds of dollars, \$600, \$700, \$800, and \$900.

Class 8.—Dispatchers, distributors, mailing clerks, money-order clerks, printers, registry clerks, and stamp clerks, eight classes: salary, \$600, \$700, \$800, \$900, \$1,000, \$1,100, and \$1,200, except at post-offices having gross receipts of \$600,000 and upward, where clerks with exceptional responsibilities in this class may receive a salary of \$1,400 per annum.

Class 9.—Carpenters, firemen, janitors, laborers, messengers, porters, pressmen, and watchmen, four classes: salary, graded in even hundreds of dollars, from \$400 to not exceeding \$700 per annum.

From and after July 1, 1901, appointments of clerks in classes 7 and 8 shall be made at the salaries hereinbefore prescribed, and promotions shall be made to the next higher grade at the beginning of each fiscal year, upon satisfactory evidence of the clerk's efficiency, until the maximum salaries hereinbefore named are reached.

AT SECOND-CLASS POST-OFFICES.

Class 1.—Clerks in charge of stations and substations, nine classes, salary graded in even hundreds of dollars, from \$100 to not exceeding \$900 per annum.

Class 2.—Assorters, general-delivery clerks, separators, stampers, and general-utility clerks, three classes: salary, graded in even hundreds of dollars, \$500, \$600, and not exceeding \$700 per annum.

Class 3.—Dispatchers, distributors, mailing clerks, money-order clerks, registry clerks, and stamp clerks, six classes: salary, \$500, \$600, \$700, \$800, \$900, and \$1,000 per annum.

Class 4.—Janitors, laborers, messengers, porters, and watchmen, four classes: salary, graded in even hundreds of dollars, from \$300 to not exceeding \$600 per annum.

From and after July 1, 1901, appointments of clerks in classes 2 and 3 shall be made at the salaries hereinbefore prescribed, and promotions shall be made to the next higher grade at the beginning of each fiscal year, upon satisfactory evidence of the clerk's efficiency, until the maximum salaries hereinbefore named are reached: *Provided*, That when the salaries hereinbefore stated are adjusted and fixed no clerk shall be appointed, promoted, reduced, or removed without the approval of the Postmaster-General; and

Provided, That clerks and employees, however designated, when detailed to other duties shall not be entitled to additional compensation.

That all acts and parts of acts that conflict with the provisions hereinbefore stated are hereby repealed.

FIRST-CLASS OFFICES.

Class 1.—Auditors at New York, N. Y., and Chicago, Ill.: No change in this class is involved by the proposed bill.

Class 2.—Superintendents: This provides for raising the minimum salary of superintendents of delivery and superintendents of mail from \$1,300 to \$1,400 per annum, and makes five classes instead of fifteen classes, as allowed by the present law. It also provides for raising the minimum salary of superintendents of money order and superintendents of registry from \$1,000 to \$1,400 per annum, and the maximum salary for these grades from \$2,400 and \$2,100, respectively, to \$2,700 per annum, thus placing the superintendents of the four principal divisions of first-class post-offices on the same footing, and removing the unjust discrimination against superintendents of registry and superintendents of money order as made by the present classification law. The exception allowing \$1,200 for the salaries of the four superintendents of divisions in the New York, N. Y., post-office is the same as the law now in effect.

Class 3.—Cashiers: No change is made in this class except that the minimum salary for cashiers is fixed at \$1,600 per annum, instead of \$1,800 per annum, as heretofore, and allowing six instead of five classes. The advantage of this change is self-evident, as it will admit of the employment of cashiers at offices where such an employee is needed, but where the business is not of sufficient magnitude to justify a salary greater than \$1,600 per annum.

Class 4.—Assistant cashiers, etc.: Under this class the maximum salary for assistant cashiers, assistant superintendents of delivery, and assistant superintendents of mails is increased from \$1,400 to \$1,800 per annum, and four classes instead of three are provided for. The minimum salary for assistant superintendents of money order and assistant superintendents of registry is increased from \$800 to \$1,000, respectively, to \$1,200 per annum, and the maximum salary for assistant superintendents of registry is raised from \$1,500 to \$1,800 per annum, thus placing salaries of assistant superintendents of divisions on the same basis, for the same reasons that the salaries of the superintendents are equalized. The maximum salary for finance clerks and bookkeepers is increased from \$1,700 to \$1,800 per annum, but four classes instead of six are allowed, there being a difference of \$200 between the classes instead of \$100, as at present. The maximum salary for private secretaries is increased from \$1,600 to \$1,800 per annum. The minimum and maximum salaries for foremen of crews are placed at \$1,200 and \$1,800 per annum, respectively, instead of \$900 and \$1,400 per annum, as heretofore, and the positions of inspector of stations and physician are created by the proposed classification with a minimum salary of \$1,200 and a maximum salary of \$1,800 per annum. Experience in the past few years has demonstrated the fact that these two new positions are needed at the larger offices. The exceptions at New York, N. Y., in the cases of the first and second assistant superintendents of registry and money order are the same as provided by the present law.

Class 5.—Superintendent of stations: This class provides for raising the maximum salary of superintendents of stations from \$2,000 to \$2,500 per annum, and changes the number of grades from eleven to eight. Under the present law the maximum salary of this class is \$2,000 per annum, except two stations at New York, N. Y., which are allowed \$2,500 per annum, and two allowed at \$2,200 per annum. The above change, increasing the general maximum to \$2,500 per annum, is deemed advisable, as a number of stations of the larger post-offices are doing business in excess of that at many first-class post-offices, and the present maximum of \$2,000 is not sufficient compensation for the ability required to conduct one of these large stations and the responsibility which the superintendents assume.

Class 6.—Clerks in charge of stations and substations: No change in this class is involved by the proposed reclassification.

Class 7.—Raises the minimum salary for stampers and general-utility clerks from \$400 to \$600 per annum, the maximum for stampers from \$800 to \$900 per annum, and the maximum for general-utility clerks from \$700 to \$900 per annum. This class also reduces the maximum for directory clerks from \$1,400 to \$900 per annum, and the maximum for assorters, general-delivery clerks, inquiry clerks, mail weighers, record clerks, separators, special-delivery clerks, and timekeepers from \$1,200 to \$900 per annum. The clerks now in this class who are receiving more than the maximum \$900 per annum are to be provided for by transfer to class 8.

Class 8.—Under this class the maximum salary of printers is fixed at \$900 instead of \$900 per annum, as under the present law, and the minimum and maximum salaries for stamp clerks are fixed at \$600 and \$1,200 per annum, instead of \$500 and \$1,700 per annum, respectively. The maximum salary of dispatchers, distributors, mailing clerks, money-order clerks, and registry clerks is reduced from \$1,400 to \$1,200 per annum, except that at offices having gross receipts of \$600,000 and upward clerks with exceptional responsibilities under any of the designations shown in this class may receive a maximum salary of \$1,400 per annum.

Class 9.—There are no changes made in this class.

SECOND-CLASS OFFICES.

Class 1.—There are no changes made in this class.

Class 2.—Under this class the maximum salary for assorters, general-delivery clerks, separators, and general-utility clerks is reduced from \$900 to \$700 per annum, while the minimum salary for these positions is fixed at \$500 instead of \$600 per annum. The minimum salary for stampers is increased from \$300 to \$500 per annum and the maximum salary for stampers from \$900 to \$700 per annum.

Class 3.—The only change made in this class is in the minimum salary for dispatchers, distributors, mailing clerks, money-order clerks, registry clerks, and stamp clerks, which is reduced from \$900 to \$500 per annum. As the maximum remains the same as heretofore, namely, \$1,000 per annum, six classes are provided for by the reclassification instead of five classes, as allowed by the present law.

Class 4.—No change is made in this class except that the designation of laborer is added to the positions covered by the present law, it having been demonstrated that an employee of this class is needed in a large percentage of second-class post-offices.

Increase in appropriation necessary to put proposed classification bill into effect July 1, 1901, based on the present number of first and second class post-offices.

FIRST-CLASS OFFICES.

Class 2: Superintendents of divisions.....	\$22,200
Class 4: Assistant cashiers, etc.....	41,500
Class 5: Superintendents of stations.....	7,400
Class 7: Eligible for promotion July 1, 1901, 2,853.....	285,300
Five hundred now receiving more than the maximum to be transferred to class 8.....	
Class 8: Eligible for promotion July 1, 1901, 5,142.....	514,200
Of the 500 of class 7 transferred to class 8, 416 receive less than the maximum, and are therefore eligible for promotion July 1, 1901.....	41,600
Total for first-class offices.....	\$912,200

SECOND-CLASS OFFICES.

Class 2: In the second class there are 59 clerks at \$300 and 359 at \$400, which is less than the minimum. Amount necessary to raise salary to \$500, the minimum.....	\$47,700
Nine hundred and seventy-eight clerks eligible for promotion July 1, 1901.....	97,800
There are 55 of this class above the maximum necessary to be transferred to class 3.....	

Class 3: Eligible for promotion July 1, 1901, 784.....	\$78,400
Of the 55 transferred from class 2 to class 3, 37 will be eligible for promotion July 1, 1901.....	3,700

Total for second-class offices.....	\$27,600
Total for clerks.....	1,139,800
Present clerk-hire appropriation.....	11,704,700
Additional clerks and substations necessary.....	455,500
Total.....	13,300,000

If it should not be the wisdom of Congress to enact the proposed bill into law during this session, the Department will require under the present segregated appropriation for promotions and increased service the following:

Grade.	Present number of clerks.	Proposed number.	Amount.
\$100.....	550	1,000	\$100,000
\$200.....	175	300	60,000
\$300.....	96	200	60,000
\$400.....	67	100	40,000
\$500.....	1,598	1,600	800,000
\$600.....	2,660	2,700	1,620,000
\$700.....	847	1,000	700,000
\$800.....	3,902	3,900	3,120,000
\$900.....	1,469	1,900	1,710,000
\$1,000.....	1,432	1,500	1,500,000
\$1,100.....	530	700	770,000
\$1,200.....	692	700	840,000
\$1,300.....	178	225	292,500
\$1,400.....	147	200	280,000
\$1,500.....	58	90	135,000
\$1,600.....	91	100	160,000
\$1,700.....	118	118	200,600
\$1,800.....	52	60	108,000
\$1,900.....	3	2	3,800
\$2,000.....	49	60	120,000
\$2,100.....	6	7	14,700
\$2,200.....	27	29	63,800
\$2,400.....	20	22	\$52,800
\$2,500.....	7	7	17,500
\$2,600.....	13	17	44,200
\$2,700.....	9	10	27,000
\$3,000.....	2	2	6,000
\$3,200.....	4	4	12,800
Total.....	14,802	16,553	12,858,700
Present appropriation.....			11,704,700
Proposed increase.....		1,751	1,154,000

CLERKS IN POST-OFFICES.

Allowances for clerks in post-offices of the first and second classes and stations and substations connected therewith.

Year.	Estimate.	Appropriation.			Expenditure.		
		Amount.	Increase.	Per cent of increase.	Amount.	Increase.	Per cent of increase.
1891-92.....	\$8,249,000	\$8,060,000	\$670,000	9.07	\$7,925,051	\$548,499	7.43
1892-93.....	8,625,000	8,360,000	300,000	3.72	8,341,643	416,592	5.26
1893-94.....	8,860,000	8,810,000	450,000	5.38	8,736,011	394,368	4.73
1894-95.....	9,700,000	9,700,000	890,000	10.10	9,429,523	693,512	7.94
1895-96.....	10,100,000	10,100,000	400,000	4.12	9,963,992	534,469	5.77
1896-97.....	10,500,000	10,400,000	300,000	2.97	10,382,061	418,069	4.20
1897-98.....	11,000,000	10,600,000	200,000	1.92	10,598,329	216,298	2.08
1898-99.....	11,300,000	11,100,000	500,000	4.72	11,094,179	495,550	4.68
1899-1900.....	11,800,000	11,498,000	398,900	3.59	11,496,617	402,383	3.61
1900-1901.....	11,656,900	11,704,700	205,800	1.79			
Total.....			4,314,700			4,120,065	
Average.....			491,470			457,785	

Commencing July 1, 1899, separate appropriations were provided for separating-clerk hire, temporary clerk hire, and clerk hire for substitutes for clerks on vacation, and on July 1, 1900, a separate appropriation was provided for assistant postmasters. Prior to the dates mentioned these several items were included in the regular appropriation for clerks in post-offices.

Rent, fuel, and light for first, second, and third class post-offices.

Year.	Estimate.	Appropriation.			Expenditure.		
		Amount.	Increase.	Per cent of increase.	Amount.	Increase.	Per cent of increase.
1891-92.....	\$1,324,300	\$1,324,300	\$87,800	7.02	\$1,220,811.32	\$96,362.90	8.56
1892-93.....	1,382,000	1,359,149	34,849	2.63	1,289,921.63	69,110.31	5.66
1893-94.....	1,439,350	1,432,000	72,851	5.21	1,385,944.33	96,022.70	7.45
1894-95.....	1,505,000	1,505,000	73,000	5.10	1,442,061.36	56,117.03	4.05
1895-96.....	1,600,000	1,600,000	95,000	6.31	1,471,365.84	29,304.48	2.03
1896-97.....	1,600,000	1,600,000			1,518,625.10	47,259.26	3.21
1897-98.....	1,600,000	1,600,000			1,598,495.15	79,870.05	5.26
1898-99.....	1,750,000	1,704,000	104,000	6.80	1,695,586.73	97,091.58	6.01
1899-1900.....	1,750,000	1,825,000	121,000	7.10	1,817,896.33	122,309.60	7.21
1900-1901.....	1,950,000	1,950,000	225,000	6.85			
Total.....			713,500			693,447.91	
Average.....			71,350			77,049.77	

PROVIDING FOR PRESIDENTIAL POST-OFFICES.

The annual adjustment of postmasters' salaries for the present year, under the act of Congress approved March 3, 1883, resulted in assigning 4,280 offices to the Presidential class. These offices, together with the stations connected with first and second class post-offices and such offices as may be advanced to the Presidential class during the present fiscal year (estimated at 280), are to be provided for out of this appropriation. As shown in the statement under the head of leases, 267 post-offices and stations are in Government buildings, and these offices should be excluded.

LEASES FOR POST-OFFICES.

On June 30, 1900, there were 1,050 post-offices of the first and second classes. Of this number 240 are in Government buildings and 688 in buildings leased to the Government. Two hundred and fifty-three stations of first and second class post-offices and 66 post-offices of the third class are in leased buildings, a total of 1,007. The annual rental of these buildings on June 30, 1900, amounted to \$922,993.

Class.	Number of post-offices in Government buildings.	Leased premises.	
		Number.	Rental.
First-class	145	45	\$72,466
Stations	1	243	409,954
Second-class	95	643	415,731
Stations	1	10	3,471
Third-class	24	66	21,371
Fourth-class	1		
Total	267	1,007	922,993

POSTAL STATIONS.

Stations and substations are established in the larger cities to expedite the delivery of mails and to give postal accommodations to patrons living remote from the main office. Substations, designated by numbers, issue and pay money orders, register letters and parcels, and sell postal supplies, but do not deliver mails. Stations, designated by letters or local names, receive and dispatch mails, transact money-order and registry business, sell stamps, etc., and where carriers are attached they have all the facilities of a free-delivery post-office.

During the year 42 stations were established, 10 were discontinued, and 16 names were changed; 325 substations were established, 14 were discontinued, and 17 were raised to stations.

Twenty post-offices of the second, third, and fourth classes were discontinued and made stations or substations of free-delivery post-offices.

The unprecedented growth of the service, together with the added cost of the insular service (Porto Rico and Hawaiian Islands), necessitates an unusual increase in this item. Again, owing to the failure of the last Congress to heed the very earnest demand of this Department for an additional structure, centrally and conveniently located, in New York City for handling certain classes and conditions of mail, this Department was obliged to lease two separate buildings outside of the main post-office, at an annual rental of more than \$42,000, to handle the outgoing foreign and domestic mail expeditiously. A poor service at New York means a poor service for the whole country.

Appropriation.—I recommend that an appropriation of \$2,100,000 be requested to cover rent, fuel, and light for the fiscal year ending June 30, 1902. FOR CLERK HIRE AND SEPARATING MAILS AT THIRD AND FOURTH CLASS OFFICES.

The increase of \$150,000 under this item for the present fiscal year did not fairly meet the unusual growth of the service, hence an appropriation of \$1,050,000 (an increase of \$150,000) is requested. In this connection I must again urge Congress to make this appropriation available for general clerk hire at third-class post-offices—i. e., at post-offices where it has been satisfactorily shown that the postmaster, by devoting his entire time to the duties of the office, can not, unaided, meet the public demands.

Statement of transactions in separating-clerk hire during the year ended June 30, 1900.

Items.	Amount.
Separating-clerk hire standing June 30, 1899	\$696,747
Allowances made during the year	71,897
Temporary allowances made	21,447
Allowances reduced and discontinued	42,401
Net increase during the year	29,466

TEMPORARY CLERK HIRE.

The regular clerk-hire appropriation under the present segregation not being available for temporary or emergency clerk hire at the larger post-offices, it is recommended that this appropriation cover temporary clerk hire at first and second class post-offices and be made \$125,000, an increase of \$25,000.

FOR SUBSTITUTES FOR CLERKS ON VACATION.

This appropriation has enabled the Department to provide substitutes for about all of the clerks in second-class post-offices during their vacations. Under the law, post-office clerks have for many years past been entitled to fifteen days' annual leave with pay, but in the smaller post-offices a considerable number of these clerks were not accorded this privilege until this appropriation became available. With an increase of \$25,000, substitutes for all clerks in second-class offices and the smaller first-class offices may be provided. Therefore it is recommended that an appropriation of \$150,000 be requested.

FOR MISCELLANEOUS AND INCIDENTAL ITEMS.

For necessary miscellaneous and incidental items directly connected with first and second class offices, including furniture, cleaning, and all other items of expense not specifically provided for in other appropriations, \$250,000.

Provided, That the Postmaster-General, in his discretion, under such regulations as he shall prescribe, may authorize any postmasters of such offices to expend the fund he may allow them for such purposes, without the written consent of the Postmaster-General.

The unprecedented advance within the past year of third-class offices to the second class, and the growth of many first and second class offices, together with the added cost of the postal service in our insular possessions, require an additional appropriation for cleaning and other incidentals which must be met out of this appropriation.

Year.	Estimate.	Appropriation.				Expenditure.			
		Amount.	Increase.	Decrease.	Per cent.	Amount.	Increase.	Decrease.	Per cent.
1891-92	\$132,000	\$132,000	\$12,000		10	\$119,784	\$8,258		7.40
1892-93	132,000	110,000		\$22,000	16.67	107,310		\$12,474	10.41
1893-94	140,000	125,000	15,000		13.64	111,688	4,377		4.08
1894-95	140,000	140,000	15,000		12	120,371	8,683		7.77
1895-96	150,000	150,000	10,000		6.67	111,753		8,618	7.16
1896-97	150,000	150,000				143,618	31,865		28.51
1897-98	150,000	150,000				147,923	4,307		3
1898-99	200,000	175,000	25,000		16.67	171,360	23,437		15.85
1899-1900	200,000	200,000	25,000		14.34	199,891	28,531		16.65
1900-1901	250,000	225,000	25,000		12.50				
Net average increase			10,500				9,818		

For advertising and the purchase of newspapers containing official advertisements contracted for under this appropriation, \$25,000.

CANCELING MACHINES.

After considering anew the entire subject, keeping prominently in view the suggestion of Congress, it was decided to reduce rentals.

Mr. FITZGERALD of Massachusetts. Now, Mr. Chairman, before I take my seat, I will offer the amendment which I send to the desk, but I wish to ask the gentleman from Ohio [Mr. LENTZ] if he is willing to accept an amendment in lieu of his proposition, namely, to strike out the word "five," in line 21, and insert the word "six," so that all clerks in charge of stations and substations shall begin with a salary of \$600, so that all clerks hereafter appointed in the Department will commence at a salary of \$600. I make this suggestion so that the House may have a chance to vote on that proposition.

Mr. MANN. Will the gentleman from Massachusetts allow me to ask him a question?

Mr. FITZGERALD of Massachusetts. Certainly.
Mr. MANN. I suppose the gentleman is aware that this covers substations located out in the suburbs, where the salary must necessarily be fixed by the amount of stamps sold, in accordance with the ruling of the Department, so that they could not receive \$600, and this would reduce them to \$400.

Mr. FITZGERALD of Massachusetts. I am perfectly willing to have the amendment read so that the provision as to \$600 clerks shall only apply to first-class offices.

Mr. MANN. But this provision for 1,600 clerks covers all these other cases, and I dare say not 600 of them are clerks in post-offices at all.

Mr. FITZGERALD of Massachusetts. I think what we are after may be accomplished by inserting an amendment to read:

Provided, That all clerks hereafter employed in first-class post-offices shall be paid a minimum salary of \$600 a year.

Mr. MANN. That would be right, but the trouble is that it is subject to a point of order.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. FLETCHER having taken the Chair as Speaker pro tempore, a message from the Senate, by Mr. CUNNINGHAM, one of its clerks, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 3353. An act to establish a fish-hatching and fish station in the State of Indiana; and

S. 5354. An act to establish a fish-hatching and fish station in the State of Idaho.

The message also announced that the Senate had passed with amendments bills of the following titles; in which the concurrence of the House was requested:

H. R. 3135. An act to correct the military record of Lieut. Edward B. Howard; and

H. R. 12899. An act to incorporate and preserve all the corporate franchises and property rights of the de facto corporation known as the German Orphan Asylum Association of the District of Columbia.

POST-OFFICE APPROPRIATION BILL.

The committee resumed its session.
Mr. FITZGERALD of Massachusetts. I desire to offer another amendment. After the word "dollars," in line 23, insert:

Provided, That all clerks hereafter employed in post-offices of the first class shall receive a minimum salary of \$600.

Mr. LOUD. I make the point of order on that.
The CHAIRMAN. The gentleman from Massachusetts will send his amendment to the Clerk's desk.

Mr. GROSVENOR. I do not understand how the gentleman proposes that amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

At the end of line 22, after the word "dollars," insert the following:

Provided, That all clerks hereafter employed in post-offices of the first class shall receive a minimum salary of \$900.

The CHAIRMAN. Is that offered as an amendment to the amendment of the gentleman from Ohio?

Mr. FITZGERALD of Massachusetts. I offer that as an amendment to the amendment of the gentleman from Ohio.

Mr. LOUD. I reserve the point of order.

The CHAIRMAN. The gentleman from Massachusetts offers an amendment to the amendment of the gentleman from Ohio, to which amendment offered by the gentleman from Massachusetts the gentleman from California makes the point of order.

Mr. FITZGERALD of Massachusetts. He reserves the point of order.

The CHAIRMAN. On which he reserves the point of order.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I want to state in connection with this amendment that I think it is only fair to clerks employed in first-class offices throughout the country that this provision of law should be enacted. I understand it was the practice in the Post-Office Department until two years ago to give as a minimum salary to all clerks in first-class offices throughout the country a salary of \$600; but under the provisions of law general utility clerks can be employed at \$500 a year, and last year, and I believe the year before, beginning with the 1st day of July, 1899, the new clerks that entered the Boston post-office were given a salary of \$500 a year, while clerks who entered post-offices in other sections of the country were given a salary of \$600 a year.

Now, Mr. Chairman, it seems to me that the House ought to deal fairly with the clerks in the first-class offices all over the country; and inasmuch as the same test is required of the men who are appointed in the post-offices of Boston, Philadelphia, and Chicago as is applied to the men who take similar positions in New York, and perhaps some other cities in the country, it seems to me no discriminating scale should be adopted, but that every man when he takes a civil-service examination and obtains an appointment shall be treated with equality. I do not think, Mr. Chairman, that a salary of \$500 is a fair salary for a man of the intelligence required in the Post-Office Department to-day. As the gentleman from New York [Mr. DRIGGS] said a while ago, it requires a very high standard of intelligence and a high standard of morality and honesty. These men must give their time as substitutes, some of them during a period lasting from five to six years, before they receive a permanent appointment; and then this great Government of ours, that will expend during the present fiscal year \$800,000,000, gives these clerks the niggardly sum of \$500 in some of the first-class offices of the country.

Now, Mr. Chairman, the chairman of the Committee on Post-Offices and Post-Roads, I think, is disposed to be fair to all the interests of the Post-Office Department, and is willing that the clerks in all first-class offices should be treated equitably and fairly; and I appeal to him not to insist upon the point of order, but to allow the Post-Office Department in the distribution of these clerks throughout the different first-class offices to treat all cities and all sections alike, and allow these men who enter the post-office service to have what they deserve, a minimum salary of \$600 a year. I therefore appeal to the gentleman from California, the chairman of the committee—and he knows that the situation exists as I have portrayed it to the House, that in some of the first-class offices men are appointed at \$600 a year and in others \$500 a year for the same class of work executed—that equity and fair play and justice to these men demand that they all be treated alike. I appeal to him, then, to withdraw the point of order; and hereafter when these clerks are appointed they will know that no salary less than \$600 will be given.

Mr. GAINES. Why are they not all treated alike?

Mr. FITZGERALD of Massachusetts. Because the laws of Congress are lax in the matter. If this appropriation bill fixes a minimum salary of \$600 to be paid the clerks in all first-class offices then there will be no question about it. I think the fairness of this proposition is admitted by the chief of the salary and allowance division, who is the best official, in my judgment, who has ever occupied that position. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

It is proper for the Chair to state, if there is no objection, this amendment will be disposed of as an independent amendment. The Chair received it as an amendment to the amendment of the gentleman from Ohio. The Chair is now of opinion that it is not germane and should stand as an amendment in itself. If there is no objection, the committee will dispose of this amendment, as the matter seems to be under discussion.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, at the suggestion of the chairman of the committee, I will withdraw my amendment, so that it can be offered later and perhaps at a more proper place.

The CHAIRMAN. The gentleman from Massachusetts with-

draws his amendment. The question is now on the amendment offered by the gentleman from Ohio.

Mr. LOUD. Mr. Chairman, I want to offer a suggestion to the House in regard to the proposed amendment by the gentleman from Ohio. For the current year we have provided for 1,598 clerks in charge of substations, laborers, etc., at \$500. This year we provided for 1,600, an increase of 2. It is the estimate of the Department that they ought to have the number that are provided for here. The great majority of these men are laborers, watchmen, clerks in charge of substations, whose salaries are regulated by the regulations of the Post-Office Department in accordance with the receipts of substations, and they will need the men they have estimated for.

Now, one word, and it is in connection with this subject in relation to what the gentleman said about the employment of \$500 clerks in first-class offices. It is the policy of the Department, entered into two years ago when we took up the question of increase in the appropriation bill of salaries of clerks in first and second class offices, and believing as the committee did, that they were the poorest paid men and were not paid the maximum salary allowed by law, two years ago the salary and allowance division laid down the rule that they would employ no clerks in first-class offices at a salary less than \$600. There are a few employed at the present time in Boston, and I think a few in the city of Chicago.

Mr. MANN. I think not in Chicago.

Mr. LOUD. Perhaps not, but in the city of Boston I know there are a few, and in one or two other offices. Now, here is the situation: The postal service has grown during the last two years beyond the comprehension of any man. Beginning two years ago, we appropriated an amount of money equal to about \$750,000 for the increase of salaries of clerks. We followed it last year with about \$750,000 for increase of salaries of clerks. We follow it again this year with about \$600,000 for the promotion of clerks. Now, last year we gave more than the Department first asked for for clerk hire, because, about the time the bill was to pass, the chief of the salary and allowance division saw that the service was growing abnormally and said he would have to have more clerks. We gave him what he asked for.

The postmasters are expected to send in their roster in May or June, in order that the chief of the salary and allowance division may make up the roster of the different offices. The requests came in for increase of clerk hire all over the country. The chief of the salary and allowance division saw that he had so many clerks, and he parceled them out. The city of Boston did not ask for clerks until after he had apportioned out all the clerks that he had at a salary of \$600 and above, and the question confronted the chief of the salary and allowance division of going into the class of the five-hundred-dollar men, which he had not used up, because many are those who were in charge of stations, and whom he could raise at will, and he said: "I can give the Boston office a few five-hundred-dollar clerks, but I can not give them any six hundred or seven hundred dollar clerks, because I have not got them." Now, the city of Boston would not have had any clerks if they had not taken the five-hundred-dollar clerks. There is the situation.

Mr. GAINES. In other words, under the circumstances, under the appropriation you give, these clerks, if rehired, will get \$600?

Mr. LOUD. Substantially, yes. It is the policy of the salary division to have no clerks in first-class offices at less than a salary of \$600. While on this subject, I might suggest that we have increased the number of \$600 clerks 100 above the number estimated by the Department. We have increased the number of clerks at \$1,200 100 in excess of the number estimated by the Department, in order that it might promote along the whole line.

Mr. FITZGERALD of Massachusetts. The gentleman from California admits the justice of the suggestion that I have made here—that the clerks in the first-class post-offices throughout the country should be all treated alike?

Mr. LOUD. I do.

Mr. FITZGERALD of Massachusetts. And he is willing to accept the amendment?

Mr. LOUD. No. Our service has grown so abnormally that even with 100 above the estimate of the \$600 clerks a contingency might confront us that a post-office would have to go without clerks unless they went in as \$500 clerks.

Mr. FITZGERALD of Massachusetts. I hope the contingency will strike some other place than Boston next year. [Laughter.]

Mr. LOUD. I hope that Boston next year will be as vigilant as she usually is in Congress on matters affecting her interests.

Mr. MANN. Does the gentleman from California think that if the gentleman from Massachusetts [Mr. FITZGERALD] had been the postmaster at Boston there would have been any neglect about asking for a sufficient number of clerks at good salaries?

Mr. LOUD. I do not think there would. I hope the amendment offered by the gentleman from Ohio will not be adopted.

[Mr. MANN addressed the committee. See Appendix.]

Mr. LENTZ. Mr. Chairman, I wish to say a word in addition to what has been said, and so well said, by the gentleman from Massachusetts [Mr. FITZGERALD] in behalf of increasing the salaries of certain clerks \$100. The next amendment which I propose to offer provides for that very matter. I shall offer an amendment to increase the number of \$600 clerks by 100. This will not only accomplish what the gentleman from Massachusetts seeks, but will be in furtherance of the line of thought so well presented by the gentleman from Illinois [Mr. MANN].

The difficulty with the postal-clerk system as it now stands is that it offers no reward, no inducement, for good service. The man who is receiving \$500 or \$600 a year has to remain in that grade too many years before receiving any increase. This slight increase in the other ranks partially provided for by the decrease in this first rank is in furtherance of all the gentleman from Massachusetts has said, and is especially in furtherance of justice to a most faithful and trustworthy set of Government employees.

These men who handle our mails, and in doing so handle the money of the people to the amount of millions and millions of dollars, are not to be treated as mere common laborers. They are men filling positions of trust. The schedule which I propose for the adoption of this Committee of the Whole, modified and adjusted by these gentlemen in the service, will be an offering to them; it will come to them as an inducement; it will be in the nature of a showing by this American Congress that we propose to relieve them of some of this unjust discrimination under which they have suffered for years past.

I want gentlemen of this House to understand that these post-office clerks have not been here receiving increases from session to session. Of all the men in the postal service the post-office clerks have received the least recognition and are to-day rendering services at a lower cost to the Government than any other class of employees. The schedule which they ask may be adopted is, I think, a reasonable one. I believe that every gentleman here who will stop for a moment and look into the figures and the facts will see that we ought to make a reduction of 100 in the number of \$500 clerks and a corresponding increase in the number of those on the \$600 list. And I repeat that the amendment offered by myself, suggested by the association of clerks, ought to be adopted, because it is just.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. LENTZ].

Mr. LOUD. I think the amendment ought to be restated.

The CHAIRMAN. The Clerk will again report it.

The amendment was again read.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

Two thousand eight hundred clerks in charge of stations and substations, janitors, messengers, porters, watchmen, stampers, carpenters, firemen, laborers, pressmen, waste-paper examiners, mail messengers, general-utility clerks, assorters, general-delivery clerks, inquiry clerks, paper distributors, raters of third and fourth class matter, record clerks, separators, special-delivery clerks, stock clerks, supply clerks, time-keepers, weighers of second-class matter, directory clerks, dispatchers, letter distributors, mailing clerks, money-order clerks, nixie clerks, registry clerks, and stamp clerks, at \$600 each, \$1,680,000.

Mr. LENTZ. Mr. Chairman, I offer an amendment to the paragraph just read by striking out the word "eight," on page 3, line 23, and inserting the word "nine," so as to read "2,900 clerks" instead of "2,800;" and on page 4, in line 8, of the bill amend by striking out the word "six" and inserting "seven," and also strike out the word "eighty," in the same line, and insert "forty," so as to read "\$1,740,000" instead of "\$1,680,000."

The argument made in behalf of the other amendment applies in behalf of this one.

The CHAIRMAN. The question is on agreeing to the amendment just proposed by the gentleman from Ohio.

Mr. LOUD. Mr. Chairman, I will state that the committee increased the number 100 above the estimate, and I hope that this amendment will be rejected.

The question was taken; and the amendment was rejected.

The Clerk read as follows:

Two hundred dispatchers, letter distributors, mailing clerks, money-order clerks, nixie clerks, registry clerks, stamp clerks, assistant superintendents money-order division, foremen of crews, assistant superintendents of registry, superintendents money-order division, superintendents of registry, superintendents of stations, assistant cashiers, assistant superintendents of delivery, assistant superintendents of mails, bookkeepers, finance clerks, secretaries and stenographers, superintendents of delivery, and superintendents of mails, at \$1,400 each, \$280,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. I do this for the purpose of asking the chairman of the committee whether there has been an increase in the number of clerks at \$1,400 a year over the appropriation of last year?

Mr. LOUD. I will state to the gentleman that there has been a considerable increase, being 53 in all. There were 147 heretofore and the present bill provides for 200.

Mr. MANN. And that, as I understand it, necessarily increases the salaries of the clerks below, more or less?

Mr. LOUD. That has been the line of policy adopted by the Post-Office Department. We allow, we will say, 100 additional clerks at \$1,200 a year. That would result in bringing up 100 men in every class below to the class above.

Mr. MANN. And these 53, if the promotions were regulated, the bringing up of 53 would result in bringing up 53 clerks in each class below.

Mr. LOUD. Yes.

Mr. MANN. Is there an increase in the \$1,300 clerks?

Mr. LOUD. Yes; an increase of 47 of that class.

Mr. MANN. And that would make the promotion of 47 men in each class below \$1,300 possible?

Mr. LOUD. Yes.

Mr. MANN. So that in the \$1,200, \$1,300, and \$1,400 classes there is an increase of about 200, which would necessitate the promotion in every class below \$1,200, as I understand it?

Mr. LOUD. That is correct.

Mr. MANN. I ask leave to extend my remarks in the RECORD. There was no objection.

The CHAIRMAN. The Clerk will proceed with the reading of the bill.

The Clerk read as follows:

In all for clerk hire in post-offices, \$14,363,700: *Provided*, That the Postmaster-General may, in the disbursement of this appropriation, allow postmasters at first-class offices to employ temporary clerks at the rate of 25 cents an hour during the rush or busy hours of the day.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I desire to offer an amendment here.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Add after the word "day," in line 6 on page 11, the following:

"*Provided*, That hereafter no clerks shall be employed in any first-class office in the country at a salary of less than \$600 per year."

Mr. LOUD. I raise the question of order against that amendment.

The CHAIRMAN. To which amendment the gentleman from California makes the point of order. The Chair will hear from the gentleman on the point of order.

Mr. LOUD. This, Mr. Chairman, is either the present law or else it is a direction, one or the other. The term "clerk," as used in the Post-Office Department, we may say, is so indefinite a term that in order to determine a question of this character technically it would require even the wisdom of the present occupant of the chair.

I will say to the gentleman from Massachusetts in good faith that even if the amendment were adopted it could accomplish no good.

Mr. FITZGERALD of Massachusetts. And why?

Mr. LOUD. By reason of the fact that there are so many terms used in the office under the statute of March 2, 1889, that they could employ men in some other class, and I am not positive whether it would apply to clerks or not. I have not the law before me at this moment, but have sent for it. I regard it as inadvisable, however, to put it in here, because it would accomplish nothing.

If the present law prohibits the appointment of clerks at less than \$600, then it could accomplish nothing, even if the amendment were adopted, because they employ men in the post-office at less than \$600 under detail as stampers, messengers, porters, janitors, watchmen, etc., and they are paid all the way from \$300 to \$600. So the amendment would accomplish nothing even if adopted.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, under the law, when clerks are to be appointed, the names must come from the civil-service register, and the only way that those names can be certified to the Post-Office Department is under the designation of clerks. The examination that a person takes to get upon the eligible list is that of clerk, and that is the only manner in which he can be certified to the Post-Office Department. If the Post-Office Department employs him in any other capacity, it is a violation of the civil-service law, and, as the gentleman from California knows, that is a felony.

Mr. LOUD. Well, then, I will say again it is either the present law, or else it is a prohibition upon the present law.

The CHAIRMAN. Will the gentleman from California indulge the Chair? There are clerks under the law in first-class post-offices?

Mr. LOUD. Yes.

The CHAIRMAN. Are there any who receive less salary than \$600?

Mr. LOUD. Well, up to the present moment I have not positively been able to determine.

The CHAIRMAN. Under the law is it competent, in the exercise of discretion, to employ them at less than a salary of \$600.

Mr. LOUD. I will say in answer to that that the word "clerk," as interpreted and as used for years, may be a misnomer; I do not

know. I know they have employed them, and I know that they could continue to employ them, even though the gentleman's amendment were adopted. The act of March 2, 1899, does provide that stampers, messengers, porters, janitors, and watchmen, who are all civil-service men, permit me to say, may be employed at salaries graduated in even hundreds of dollars, from \$300 to \$600. If a stamper is not a clerk, I do not know what he is.

Now, the gentleman says that the Civil Service Commission hold that these are all clerks. If the Civil Service Commission properly so hold, and they are all clerks, why, then, the amendment of the gentleman is clearly subject to a point of order.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I would like to ask the chairman of the committee to read the statute governing the appointment of clerks, and also any regulation regarding the minimum and maximum salaries that may be paid the clerks, so as to have that information before the committee.

Mr. LOUD. It covers two or three pages of the laws and regulations. Their salaries range from—

Mr. FITZGERALD of Massachusetts. Six hundred dollars?

Mr. LOUD. From \$300, if you include stampers, messengers, porters, janitors, and watchmen.

Mr. FITZGERALD of Massachusetts. I mean where the designation "clerk" is used. I should like to have the chairman give the minimum salary.

Mr. LOUD. It appears from the paragraph I am now reading that where the particular word "clerk" is used \$600 is the minimum.

Mr. FITZGERALD of Massachusetts. If that is the case, then I can not see how the point of order can rest against the amendment that I have offered, because it merely calls the attention of the Department to the law and insists upon its provision. I will say that the Post-Office Department last year, in appointing men at \$500 in Boston—something that was not done in any other post-office in the country—took advantage of that part of the law which allowed the appointment of general-utility clerks at \$500 a year, and general-utility clerks were not supposed to be as capable men and to have the same proficiency as the men who passed the civil-service examination as clerks. And, as the gentleman said a while ago, Boston is about the only large office in the country that suffered in that respect. The practice of the Department was to appoint all clerks at a minimum salary of \$600 a year, and as that is the law I can not see the wisdom of objecting to putting this provision in the law.

Mr. MANN. If the chairman will permit me, I know as a matter of experience that in the Chicago post-office, up to three years ago, there were a large number of so-called clerks employed at a salary of \$400 a year. They subsequently abolished the \$400 class, and these clerks were promoted to \$500. About three years ago the division of salaries and allowances raised the salaries of these clerks to \$600 a year. Now, so far as the effect is concerned, it does not make any difference whether they call them clerks or stampers, though I suppose it would make a difference on the point of order.

Mr. LOUD. I have finally found a provision here, on page 200 of the Postal Laws and Regulations, which covers the point:

Pressmen, messengers, watchmen, laborers, janitors, porters, firemen, carpenters, waste-paper examiners, and general-utility clerks, four classes; salary, graded in even hundreds of dollars, from \$400 to not exceeding \$700 per annum.

There is a provision of law which, it appears, would warrant the employment of clerks at a salary of \$400 a year.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, if the gentleman will allow me, my amendment related only to the appointment of clerks. I said nothing about general-utility clerks; and inasmuch as the provision of the same law states that clerks shall not be appointed at less salary than \$600, I can not see how my amendment can be out of order.

The CHAIRMAN. Will the gentleman from California please send up the law?

Mr. FITZGERALD of Massachusetts. I would like to hear what is going on between the Chairman and the chairman of the committee.

The CHAIRMAN. The Chair sustains the point of order. First, this amendment provides legislation for the future, uses the word "hereafter;" second, it changes existing law, which law has been furnished to the Chair by the gentleman from California.

Mr. FITZGERALD of Massachusetts. Will the Chair enlighten the House as to the conversation that occurred between the distinguished chairman of the Committee on Post-Office and Post-Roads and the Chairman of the committee while preparing his decision. [Laughter.]

The CHAIRMAN. The Chair would go a long way to do anything that would enlighten his friend from Massachusetts.

Mr. FITZGERALD of Massachusetts. And the House.

[Mr. FITZGERALD of Massachusetts addressed the committee. See Appendix.]

Mr. LOUD. While the "gentleman from California" may be,

like Caesar's wife, above suspicion, it may be a question about somebody else. In view of the laughter and confusion and the readiness with which the Chair decided it after the conference [laughter], I thought it well to have inserted the act of March 2, 1899, as the reason for the decision.

The CHAIRMAN. The gentleman can have anything inserted that he sees proper to read.

Mr. CORLISS. Mr. Chairman, I move to strike out the last word. I desire to call attention very briefly to a class of service that is rendered in the post-office branches, especially in the large cities, where great injustice is now being perpetrated. I refer to the substitute letter carriers and clerks in the post-offices. They are required now to attend daily upon the service, and their compensation does not average over \$20 or \$30 a month. We have urgently pressed consideration of this subject without success, and it does seem to me an injustice when these men are compelled to be in daily attendance upon the service that they should not have sufficient compensation to sustain themselves, and I therefore offer the amendment which I now ask to have read.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On line 6, page 11, add:

"Provided, That the compensation of substitute letter carriers and clerks required to be in daily attendance for the service shall be allowed and paid, in lieu of per diem compensation, \$50 per month."

Mr. LOUD. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman from California makes a point of order, and the gentleman will state the same.

Mr. LOUD. I raise the point of order that it is change of existing law. The only existing law in relation to the appointment of substitute letter carriers is to be found in the bill now as it reads. It was incorporated in the bill one or two years ago.

Mr. CORLISS. Will the gentleman point out the paragraph in the bill?

Mr. LOUD. The very paragraph which the gentleman proposes to amend.

Mr. CORLISS. There is no compensation fixed there.

The CHAIRMAN. Does the gentleman from Michigan desire to be heard on the point of order?

Mr. CORLISS. I would simply state, Mr. Chairman, that it seems to me it is qualifying this clause, and not limiting it, or changing it, or making new legislation. The amendment provides that where a clerk or substitute is compelled to be in daily attendance the compensation shall be a certain amount. I think that is not changing the law. The provision is for 25 cents an hour. If one of these persons should work all day, he would not get more than the rate of pay named in my amendment.

The CHAIRMAN. Will the gentleman from Michigan indulge an inquiry from the Chair? What pay does the class of employees specified in the gentleman's amendment receive now under the law?

Mr. CORLISS. Only 25 cents an hour while serving. Yet under the regulations of the Department they are compelled to be in daily attendance. I understand, if they go to the post-office and spend an hour in the morning in compliance with the requirements of the Department, but are not set to work, they do not get any allowance of pay for that hour.

The CHAIRMAN. That is under the law as it now is?

Mr. CORLISS. It is. Therefore I say that those men should be paid for the time they are required to be in attendance, in default of which attendance they lose their positions. Substitute letter carriers are required to appear at the post-office every day, and sometimes twice a day, and yet if not assigned to work they do not receive a cent.

My amendment simply qualifies this provision without adding new legislation. The chairman of the committee knows full well the regulations of the Post-Office Department on this subject. The substitute letter carriers are required to be in daily attendance whether there should happen to be a necessity for their services or not. If they should neglect to respond to the call of the Department they would be discharged.

In my city men have been compelled to tender their resignations as substitute letter carriers because day after day, under the regulations of the Post-Office Department, they are compelled to be in attendance in the morning and the afternoon so as to be in readiness to fill the position of any carrier who for any cause may be prevented from going upon duty. Why should a man be thus compelled to be in attendance an hour in the morning and an hour in the afternoon without any compensation? The amendment will affect only a very small portion of this service, and I certainly hope it will be admitted. I do not think it is new legislation. It is a qualification of this paragraph.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

In line 6, page 11, add:

"Provided, That the compensation of substitute letter carriers and clerks required to be in daily attendance for the service shall be allowed and paid, in lieu of per diem compensation, \$50 per month."

The CHAIRMAN. It is claimed by the gentleman from California [Mr. LOUB], and conceded by the gentleman from Michigan [Mr. CORLISS], that the amendment if adopted would change the compensation that this class of employees now receive under the law. Whether that would be desirable or not is not for the Chair to discuss. This is a general appropriation bill. The last clause of Rule XXI says:

Nor shall any provision changing existing law be in order in any general appropriation bill or any amendment thereto.

The amendment is clearly subject to a point of order; and the point is sustained.

Mr. CORLISS. Will the Chair permit an inquiry?

The CHAIRMAN. Certainly.

Mr. CORLISS. I call the attention of the Chair to the fact that a substitute letter carrier is required to render a service for which he gets no pay. Can we not in this bill give him compensation?

The CHAIRMAN. It would be entirely competent for the House of Representatives to pass a bill which, with the concurrence of the Senate and the signature of the President, might become law, changing the existing law on this subject. But the gentleman from Michigan understands that there is now under consideration a general appropriation bill for the postal service and that Rule XXI, as read by the Clerk, prohibits legislation upon a general appropriation bill. This amendment, being legislation, is subject to a point of order.

Mr. MANN. I move to amend by striking out the last word. Mr. Chairman, I think I would be negligent if I did not say a few words by way of supplement to the statement of the gentleman from Michigan. In the Chicago post-office there are a number of substitutes who, during the present month, are required to report at the post-office both morning and afternoon, and the daily service of whom will not exceed two days per week. So that they serve at a salary of a little over \$2 per day for eight days in a month, while they are required to report at the post-office twice every day, which means that they must pay car fare and probably buy lunch down town.

I am aware of the fact that these gentlemen might resign, as suggested by gentlemen on the other side; but they have waited for nearly a year, after taking a civil-service examination, to be reached upon the eligible list, and after serving upon the substitute list they may in the course of time receive an appointment to a position at \$600 a year. Now, while gentlemen of this House are proposing to increase the amount of money to be expended for rural free delivery, which is paid out of the net profits of the offices in the large cities, I say it is unfair to ask these men to report twice a day at the post-office at a salary of \$16 per month.

The Chicago post-office pays as net revenue into the Government coffers \$5,000,000 a year. The office at the city of New York pays \$7,000,000 net revenue to the Treasury. Yet you gentlemen, in order that these cities may have fair postal service, require these substitutes to work for \$16 a month for one year and sometimes two years. It is an unfair and unjust proposition.

It is true that gentlemen of this House representing country districts have the power to put their hands into our pockets and take out the money for rural free delivery and at the same time refuse to give even a crumb of the bread to employees such as these. But it is at least unfair, and I say unworthy of the House, to pursue such a policy toward the large post-offices of the country.

Mr. MOODY of Massachusetts. Mr. Chairman, I do not know exactly the proposition before the committee for consideration at the present time. But I listened to the remarks of the gentleman from Illinois [Mr. MANN] who has just spoken, and desire to make some comment on one statement of his. I refer to a statement he frequently made in regard to the revenues derived to the Government from the larger post-offices in the country. I think he said that the city of Chicago paid \$5,000,000 of net revenue into the Treasury of the United States, and that the post-office in New York city paid a number of millions of dollars also into the Treasury of the United States as net revenue.

Now, it ought not to be forgotten that no such statement can be true—

Mr. MANN. Will the gentleman pardon me? Does the gentleman question the fact that \$5,000,000 from Chicago and \$7,000,000 from New York are actually paid into the Treasury?

Mr. MOODY of Massachusetts. Not at all.

Mr. MANN. The gentleman says "not at all." Does he mean that he does not question the statement or that it is not so?

Mr. MOODY of Massachusetts. I have no doubt the figures given by the gentleman are accurate in every particular; that this amount had been paid into the Treasury of the United States, and that in a sense it might be said to be net revenues arising from these post-offices.

But I protest against the theory that the entire revenue paid in by a post-office to the Government is net profit. The gentleman stated accurately the net revenue arising from the two great post-offices named by him and then argues as if that were a net profit to the Government. But the gentleman loses sight of an impor-

tant part of the transaction. The New York post-office does not pay the expenses of the mail which is initiated in the city of New York. It pays the expenses of the New York post-office. But we pay to transport the mails of the country in one form or another well over \$50,000,000. In the computation of the gentleman from Illinois that sum is not taken into account at all.

Now, I have no desire to array one class of post-offices against another class of post-offices. The postal service must be treated as a whole. Every man in the remotest part of the country is interested in the good administration of the post-offices in New York and in Chicago, and in every other part of the Union, because it is the letter which he sends or the letter which he receives which has the benefit of that good administration. We say to the people of New York or of Chicago or of Boston that they are interested in promoting a proper administration for the small country post-offices throughout the United States. Because, Mr. Chairman, what would it avail a man sending a letter from New York to some post-office in the country—some distant office—if he had good service in the city of New York, if at the same time he had a poor service at the other end in the delivery or transportation of that mail?

The whole postal system of the Government is conducted at a great loss, a loss, as I have had occasion heretofore to point out to the House, that has risen to the enormous sum of \$110,000,000 in the decade that closed a year ago.

The loss in this direction is not attributable to extravagance. I may state, either in the city management or extravagance in the country generally. It is attributable, I will not say to extravagance at all, because it is too strong a word; but in my judgment it is attributable to the lavish expenditure which we make upon the postal service, which has made of it the best postal service the world has ever seen up to this day.

Now, Mr. Chairman, I do not wish to criticize, and did not intend to be understood as criticizing, the statement of the gentleman from Illinois [Mr. MANN]. I have no doubt but that he had in mind exactly the statement I have undertaken to make clear to the committee. But it should not be forgotten that no post-office pays a net profit to the United States, but altogether they make an enormous loss.

[Here the hammer fell.]

Mr. BURKE of Texas. I would like to ask the gentleman a question.

Mr. MOODY of Massachusetts. I should be very glad to answer the gentleman, but my time has expired.

Mr. BURKE of Texas. I ask that the gentleman may be allowed time to answer a question bearing directly upon his remarks.

The CHAIRMAN. Without objection, the gentleman will proceed.

There was no objection.

Mr. BURKE of Texas. The question is this. I understood the gentleman from Massachusetts to assert that the post-office costs the taxpayers of the country, so to speak, \$110,000,000 a year loss?

Mr. MOODY of Massachusetts. I said within the ten years—the decade I was then referring to.

Mr. BURKE of Texas. I beg the gentleman's pardon; I misunderstood him.

Mr. MOODY of Massachusetts. I would be glad to give the exact figures, but I have not them exactly at hand before me. The bookkeeping of the Department itself during that period shows a loss of \$79,000,000, and the gentleman will of course understand that many accounts which properly belong to that Department appear in other expenditures of the Government, and while they do not show as swelling the total aggregates of the expenditures of the Department, they must be taken into consideration in making a general estimate. But what I said had reference to the period of ten years which showed this loss.

Mr. BURKE of Texas. I misunderstood the gentleman's statement entirely.

Mr. COWHERD. Before the gentleman from Massachusetts takes his seat—I do not want to become involved in any discussion of the rights of city and country, but is it not a fact that the mail originating in the large cities, the interurban mail that never goes out of the city, pays the cost of all the expenses of the city post-office and turns a surplus into the Department besides?

Mr. MOODY of Massachusetts. I think it is probable that that is the fact; but it does not pay the expenses of the immense amount of mail matter which originates in that post-office.

Mr. COWHERD. Ah, but the rest of the mail originating there pays its proportion and more.

Mr. MOODY of Massachusetts. I am not finding any fault with the figures at all, or with the statement which the gentleman from Missouri now makes.

Mr. CLARK. Will you allow me to ask a question?

Mr. MOODY of Massachusetts. Certainly.

Mr. CLARK. Is it not true that the mail that originates in the large cities is the mail that puts the Post-Office revenues in the hole at the end of the year?

Mr. MOODY of Massachusetts. Undoubtedly.

Mr. FITZGERALD of Massachusetts. What class of mail causes that result?

Mr. MOODY of Massachusetts. Second-class matter.

Mr. FITZGERALD of Massachusetts. Is it not a fact that most of the second-class mail matter does not originate in the large cities, such as New York and Boston?

Mr. MOODY of Massachusetts. A great deal originates in one city in New England, but a great deal originates in the city of New York and a great deal in the city of Chicago.

Mr. FITZGERALD of Massachusetts. The bulk of it does not originate in the five large cities.

The CHAIRMAN. The gentleman from Georgia [Mr. MADDOX] is recognized.

Mr. MADDOX. I want to call the attention of gentlemen of the House to another injustice in the regulations of the Post-Office Department. As I understand the law as it now exists, a city must have 10,000 inhabitants before it can have free delivery, or it must pay \$10,000 into the Post-Office Department before it can have free delivery. The gentleman from Chicago [Mr. MANN]—I beg pardon, the gentleman from Illinois—

Mr. MANN. You need not beg my pardon for saying I am from Chicago.

Mr. MADDOX. The gentleman was telling us the enormous amount paid in by the city of Chicago. I want to call his attention to the fact that if you will investigate the Postmaster-General's report and see the sums that are paid in by the different post-offices in this country, you will find that small offices in cities between five and ten thousand people in this country pay a very large amount of net revenue. It will astonish you to see the net revenue that they pay into the Treasury. And yet, do you understand, those people can have neither free rural delivery nor free city delivery. I was looking over this matter the other day, and if you will look it over you will find as I did that there are some places that claim to be cities in the United States that have 10,000 population that enjoy the benefits of free delivery, and you will find other cities that have not more than four or five thousand that pay more net revenue into the Treasury than other cities of 10,000 inhabitants. Yet they can get neither the benefits of free rural delivery nor free city delivery.

Mr. MANN. Will the gentleman pardon me a question?

Mr. MADDOX. Certainly.

Mr. MANN. Is it not a rule of the Post-Office Department to establish free delivery as soon as the gross revenues amount to \$10,000 a year?

Mr. MADDOX. No; that is not all. There is another provision.

Mr. MANN. That is the rule of the Department.

Mr. MADDOX. No; I beg your pardon; the rule is this, that when a city obtains a population of 10,000 people it can have free delivery.

Mr. MANN. I beg the gentleman's pardon; he is mistaken.

Mr. LOUD. Ten thousand population or \$10,000 receipts.

Mr. MADDOX. I am informed by the chairman of the committee that I am correct about this matter, and I have examined it.

Mr. MANN. The gentleman is mistaken; that is all.

Mr. MADDOX. It must have 10,000 population—

Mr. LOUD. Or \$10,000 receipts.

Mr. MADDOX. That is exactly what I am talking about. But I say this, that we may have a city of 10,000 population, and if you will look at the report you will find cities that have 10,000 population that do not pay \$10,000 into the Treasury, and you will find some cities of not over 5,000 population that pay nearly that amount into the Department.

Mr. MANN. The gentleman is right in his statement that they get free delivery when they have 10,000 population, but it is also true that they get free delivery when they have \$10,000 gross receipts.

Mr. MADDOX. You are right about that, but you do not get my distinction. I say that a city of 10,000 population gets free delivery when it does not pay \$3,000 into the Treasury net, and you will find cities of 4,000 population that will pay \$9,000 into the Treasury, and yet are not entitled to free delivery.

Mr. MANN. You can not find any city of 10,000 population anywhere in the country that does not pay \$3,000—

Mr. MADDOX. Yes, I can.

Mr. MANN. Not in the North, and I do not think the gentleman can in the South.

Mr. MADDOX. I can do it if you will give me the opportunity. I not only do it, but I have done it.

Mr. MANN. I accept the gentleman's word, but he can not find any such city in my State.

[Here the hammer fell.]

Mr. BROWN. Mr. Chairman, just a single word. The gentleman on the other side of the aisle is mistaken as to what it takes to make a town eligible to free delivery. I happen to know from experience in two little towns in my Congressional district.

Either one of two things make a town eligible to free delivery—either that the town have a population of 10,000 or that the gross postal receipts of the town be \$10,000.

Mr. MADDOX. That is what I said.

The CHAIRMAN. There are no amendments pending.

Mr. CORLISS. I have an amendment.

Mr. GAINES. I desire to be recognized. I move to strike out the last word.

Mr. Chairman, the statement last made by the gentleman from Massachusetts [Mr. FITZGERALD] shows that accomplished civil-service experts in the mail service have been employed twenty-six years in the mail service without their salaries having been raised, and he cited a good many other similar instances. This is a most remarkable condition of things.

Mr. FITZGERALD of Massachusetts. I wish to correct the gentleman. I made the statement that this clerk had been employed twenty-six years as a postal clerk, and was now receiving only \$1,000. I did not state that he had served twenty-six years before he received the \$1,000. Probably he entered the service at \$600 and it had been increased \$400 in the twenty-six years.

Mr. GAINES. Gentlemen are all familiar with the statement that the gentleman has made, and it is a most remarkable one, and I am satisfied it is true, as the gentleman says so; but it is remarkable that it is true.

Now, gentlemen, I want to challenge your attention to another branch of our appropriations. Take up our insular possessions, and let us see what you have done for the governors in the new Territories, and then compare the immense raise of salary upon our old Territories out West. We see these experts that have labored well, honestly, and intelligently so long, and yet their salaries have not been raised. It looks, gentlemen, like we are making bone of one and flesh of another. Let us take Alaska, an old Territory, brought under our jurisdiction years ago, and by the old Republican party and the Democratic party. We paid a salary to her governor of \$2,500; recently it was raised to \$5,000, and not a reason given for so doing. Take Arizona Territory, an old Territory, and the Governor has \$2,600. Then we come to Hawaii, that was brought under our jurisdiction by the dominant party, and we find the governor gets \$5,000 a year.

In the great State of Vermont the governor is only paid \$1,500. The great State of California pays her governor \$6,000. Then in New Mexico the governor is paid \$2,600. That was made a Territory and brought into this country under Democratic rule, and the law has never been changed. Take Oklahoma, made a Territory under a Democratic Administration, and the governor of that Territory has \$2,600. Take Porto Rico, annexed by the Republican party, and we have Governor Allen receiving \$8,000.

Now, Mr. Chairman, I say that these clerks, upon the showing here, upon all the proof that we have before us, have not been fairly treated. There is no dispute that they are competent; and it seems that when a man is to fill a high office, with but very little work to do, he is given a high salary; but the men who have to draw the water and hew the wood, they get a little salary and poor living for years and years and years. It is true they do it voluntarily; but, gentlemen, maybe poverty forces them to do so. He can voluntarily quit, it is true, but that is not a reason why we do not treat him fairly.

Now, just a word more, Mr. Chairman. The gentleman from Illinois [Mr. MANN] says we are taxing the cities of the country to give the country rural free delivery. I want to remind the distinguished gentleman that the farmers of this country have been taxed since colonial days, long before there was any city built in this country, and they have never received that just recompense along these lines that a good, great, and patriotic government should give them. Now, I say that the farmer has received less according to the taxes that he has paid from time immemorial than any other class of citizens in this country.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CORLISS. Mr. Chairman, I move to strike out the last word, and I wish to offer an amendment and say a word before a point of order is made. The law now, or the regulation, which is law in the Departments, requires the men to attend for the purpose of rendering service. It seems to me it is not new law to fix the compensation for what the law now requires. I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add after line 6, page 11, the following:

"Provided, That whenever under the regulations of the Department substitute letter carriers or clerks are required to attend daily upon service without employment, one hour's compensation shall be allowed for each attendance."

Mr. LOUD. I raise a point of order against that, Mr. Chairman.

The CHAIRMAN. Does the gentleman desire to be heard?

Mr. LOUD. I desire to state that the present law fixes the compensation of substitute letter carriers. When employed they receive the compensation of the carrier for whom they substitute and \$1 a year as compensation. This is the present law.

Mr. CORLISS. I would like to ask the chairman of the committee if it is not true that under the law, or the authority of law, by which the regulations of the Department are fixed, the Department requires substitute letter carriers to be in attendance every day for the purpose of rendering the service that the Department requires, and frequently, a majority of the time, he gains no service. I ask the gentleman if he thinks this amendment is new legislation, in view of the requirements of the Department?

Mr. LOUD. Mr. Chairman, I will read the present law. Section 604 of the postal laws, which is the act of August 2, 1882, 22 Statutes, page 185, says:

That the Postmaster-General be, and hereby is, authorized to appoint one or more substitute letter carriers, whose compensation shall be \$1 per annum and pro rata compensation of the carrier whose route they may be required to serve.

The CHAIRMAN. The Chair is prepared to rule. The amendment on its face purports to, and does, change, if adopted, existing law, and therefore is subject to a point of order under Rule XXI, heretofore read by the Chair. The Clerk will read.

The Clerk, proceeding with the reading of the bill, read as follows:

Free-delivery service: For pay of letter carriers in offices already established, and for substitute letter carriers, and for temporary carriers at summer resorts, holiday, election, and emergency service, \$16,080,900.

Mr. FITZGERALD of Massachusetts. Mr. Chairman, I desire to offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Add, after the word "dollars," line 25, page 12, the following: "Provided, That a salary of not less than \$1,200 a year shall be paid in all offices of the first class to letter carriers who have been permanently employed for a period of five years or more."

Mr. LOUD. I raise a point of order against that.

The CHAIRMAN. Will the gentleman state his point of order?

Mr. LOUD. It changes existing law, Mr. Chairman.

The CHAIRMAN. The Chair will hear the gentleman from Massachusetts.

Mr. FITZGERALD of Massachusetts. This amendment has been offered before in the House, and the point of order raised against it, and I presume the Chair, following the decision, will decide that it is not in order. But, Mr. Chairman, my purpose in presenting it at this time was to draw from some member of the Post-Office Committee a statement as to whether there is any intention of bringing a measure to increase the salary of letter carriers into the House, so that the House may vote on the proposition. This proposition has been agitated a great many years, and the letter carriers have appealed to the House for an opportunity for members to vote on the proposition.

I think all the members of the House who have letter carriers in their districts, particularly in the first and second class offices, have promised the letter carriers that something would be done. These men substitute for five years, and I saw a statement of where men had given up private employment when appointed by the Government to substitute for an uncertain period, lasting from one month to sixty days, and deprived of their employment before they could obtain permanent employment.

The cost of living has increased tremendously within the last three or four years, and inasmuch as the letter carriers have been appealing to Congress for an opportunity to have their petition heard, it seems to me that inasmuch as this is the only way the proposition can come before the House, the House ought to have the privilege of voting intelligently on this proposition.

The CHAIRMAN. The gentleman from California makes the point of order to the amendment offered by the gentleman from Massachusetts, and the gentleman from Massachusetts confesses the point of order. There is nothing left for the Chair to do but sustain the point of order.

Mr. LATIMER. I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 12, after line 25, insert: "And said free-delivery service shall be extended to all cities and towns with 5,000 population or \$5,000 receipts from the office located therein."

Mr. LOUD. I make a point of order that this is new legislation. The present law permits the establishment of free-delivery service in cities having 10,000 inhabitants or the post-offices of which have receipts amounting to \$10,000 annually.

Mr. LATIMER. I move to strike out the last word.

The CHAIRMAN. The Chair thinks we had better dispose first of the point of order.

Mr. CLARK. What was the ruling of the Chair?

The CHAIRMAN. The Chair has not ruled, but is ready to rule, unless the gentleman from South Carolina [Mr. LATIMER] desires to be heard.

Mr. CLARK. Before the gentleman from South Carolina begins I want to ask the chairman of the committee a question. Does the provision in the bill make it any harder for these small towns to get free delivery?

Mr. LOUD. The provision in the bill is simply the act of January 3, 1887.

Mr. CLARK. It does not change existing law?

Mr. LOUD. It does not.

The CHAIRMAN. The Chair is ready to rule, and sustains the point of order. The gentleman from South Carolina [Mr. LATIMER] is recognized, and moves to strike out the last word.

Mr. LATIMER. Mr. Chairman, I realized that the amendment I have offered is subject to the point of order made by the chairman of the committee, but I am anxious to get the consideration of this question by the House, for the reason that great injustice is being done a large class of our fellow-citizens under the present law, and I believe the evil of which I complain can be corrected without working a hardship at any point. Under the present law the free delivery of mail can not be had in cities with less than 10,000 population or \$10,000 gross receipts.

Therefore under existing law the country has free rural delivery, and cities above the 10,000 limit are provided for by free delivery. Now, the object of my amendment to this section is to reduce the limit of cities or towns to 5,000 population or receipts, and then, by adding an amendment to the free rural delivery section of the bill, provide for free rural service in all towns with less than 5,000 population or receipts; in a word, provide for free service for all cities and towns not now provided for.

Mr. Chairman, it is not necessary for me to stand here and attempt to argue the justice of this proposition; that must be evident to every member present who has thought of this subject. Postmaster-General Wanamaker, in estimating the cost of free service to cities, stated that for all towns with 5,000 population their receipts would be self-sustaining; that the receipts in offices of this class would pay all the expense connected with operating the office and pay the salaries of the carriers necessary to deliver the mail.

If this be true—and I feel sure from my knowledge of this subject that it is—and the present limit was placed in the law requiring 10,000 because it was then thought necessary to require that limit, that the revenue might meet the expense, I ask the House, if it believes the 5,000 limit will be self-sustaining, what reason, founded upon justice and fair dealing, can be presented against this amendment. That a point of order shall lie against this amendment is not a justification of the unfair treatment these our fellow-citizens are receiving at the hands of Congress. I introduced a bill more than a year ago to remedy this injustice, but no report can be gotten from the committee.

I attempted to place an amendment upon the codification bill a few days ago requiring that all contractors for carrying the mail on star routes should be required to live in the counties through which the routes lie. We suffer from this miserable system of subletting contracts to irresponsible parties in the South, but this amendment was not allowed in the code because it was new legislation, and now an amendment can not go in because it is an appropriation bill.

Mr. Chairman, I wanted also to introduce an amendment to the rural-delivery section, so that that free service would cover all towns from 5,000 population down, which would give free delivery to all the people in the cities, towns, and the country, and I think I can demonstrate to the House that this service in incorporated towns under the free rural-delivery system will cost but little, if any more, than as now operated. The rule of the Department is that the carrier must pass outside the corporate limits of the town before commencing to deliver the mail. I am now having complete service put in one county in my district. There are from three to four carriers going out from the town office daily. The rule in laying off the routes is not to travel the same road going and returning.

If 4 carriers, therefore, go from a town they travel, going out and returning, 8 streets in the town, and this practically puts them in a short distance of all the residents of the town. They are required to travel from 20 to 25 miles. This is called one route. The boxes are required to be placed in reach of the carrier on the road he travels so he can reach them from his conveyance. Now, where does the extra expense come in? Not one dollar extra will be required. But, Mr. Speaker, this great convenience to the people is denied them and this injustice done the town because, forsooth, some preconceived notion of some statesman will have to be set at naught before it can be accomplished, and this can not be submitted to. I hope some means may be devised by which this justice may be done all the people, and believe it will be done.

The Clerk read as follows:

For experimental rural free delivery, including pay of carriers, horse-hire allowance, supplies, and mechanical appliances, \$3,500,000.

Mr. MANN. Mr. Chairman, I move to strike out the last word. It is not my purpose to discuss particularly the question of rural free delivery at this time, though I think it is something that ought to be discussed. Here is an appropriation of \$3,500,000—a very rapid growth—when everybody in the House understands perfectly well that it is an absolute impossibility to give rural

free delivery throughout the whole country. So that this is special favoritism to those particular places which receive the free delivery.

But that is something which other gentlemen may discuss. I wish to ask the attention of the gentleman from Massachusetts [Mr. MOODY] for a moment. He has stated that none of the large cities pay any net profit to the Government from post-office receipts. The gentleman stated—at least, so I understood him—that no post-office in the land pays any net profit to the Government. That statement was called out by a statement of mine that the net revenue paid by these offices into the National Treasury was, in Chicago, \$5,000,000, and in New York, \$7,000,000.

Of course I understood then, and I understand now, and every intelligent man both in and out of this House understands, that you can not charge against the local post-offices simply the expenses in the offices themselves, if you endeavor to arrive at what the net profits are. But I say, Mr. Chairman, it would be only fair to charge up against a certain post-office the average cost of one-half the railroad transportation of mail to and from the post-office, and not the entire cost of transportation.

Now, as to the Chicago office, for instance, if we wish to arrive at a proper estimate of the cost of that office, we must take the cost of the local office and add one-half of the cost of the transportation of the mails to and from Chicago. Taking it in that way, the Chicago post-office would pay a net profit to the Government of over \$2,000,000 a year—I mean over and above all expenses, including its share of the general expenses. Does not the gentleman from Massachusetts [Mr. MOODY] think it would be fair to charge only one-half the cost of the transportation of the mails to and from the big offices to the offices in all the remote parts of the country, in arriving at the net profits?

Mr. Chairman, the net profit made in the Chicago office goes far toward the rural free-delivery mail service. But we do not make any complaint about that. Yet when you ask at the hands of the House that the employees in our office shall be cut down and substitutes paid no more than \$16 per month, we insist that the gentlemen representing the rural districts where the rural free-delivery service is carried on ought not to ask to have this privilege at the expense of the people who are employed in offices where these vast revenues are collected for carrying on the business of the Post-Office Department.

Mr. MOODY of Massachusetts. Will the gentleman permit an interruption?

Mr. MANN. Certainly.

Mr. MOODY of Massachusetts. I think the gentleman from Illinois and myself, Mr. Chairman, are in no disagreement as to the facts, but only as to the application of them. The gentleman has said that the Chicago post-office is making a profit, which profit is being absorbed by the free rural delivery service throughout the country. Now, why should the free rural delivery service be charged rather to the post-offices to which the mail is destined than to those from which it is received or where it originated? For instance, supposing that the mail originated in Chicago; why should not the expense of delivering this mail matter to rural cities, to villages, to towns all over the country, be charged as a part of the expense of the Chicago office?

Mr. MANN. Well, the idea of the gentleman is that he wants to charge the Chicago office with all of the cost of the mail delivery in Chicago, and all of the cost of the transportation of mails from the city of Chicago to the country; and not only that, but also one-half of the cost of the delivery in the rural free-delivery districts.

Mr. MOODY of Massachusetts. Oh, no; the gentleman misunderstands me. I mean only a proper proportion of the charge. I am merely suggesting a possible method of arriving at an estimate of the actual cost to the Government of the mail which originates in Chicago and is delivered in the rural districts. In regard to this matter, all persons are interested in the very best service that can be adopted. My proposition is that the sender is just as much interested in the speedy delivery of the mail as is the receiver of the mail.

Mr. MANN. That is just one of the very things that I am trying to call to the attention of the House—that the sender of the mail from the country to the city is as much interested in the delivery of that mail as the man in the city who receives it.

Mr. MOODY of Massachusetts. And the gentleman is quite right. He knows that I do not want to make this distinction.

Mr. MANN. I know that the gentleman always endeavors to be eminently fair.

Mr. SPERRY. Mr. Chairman, in relation to this matter of free rural delivery and the amount that the city of Chicago, or the city of New York, or any other large city pays toward the expense of it, I want to say to this committee that some two years ago experimental free rural delivery offices were established throughout Carroll County, Md. After free rural delivery had been established there the star routes discontinued and many of the post-offices were abolished. At the expiration of the first

quarter that county came within some \$230 of paying the entire expense of the free rural delivery, and is to-day paying its own way. The chairman of the Committee on the Post-Office and Post-Roads will understand that.

I happened to be present in Carroll County on the evening of one of their entertainments which was given in commemoration of the establishment of the free rural delivery in that county, and these facts were presented to the meeting by the Postmaster-General himself. I might also say that Mr. Machen cited the same facts—I mean the head of the rural free-delivery service.

I simply speak of this to show that the gentlemen who attempt to charge that the great cities of the country bear the expenses of this system are mistaken, and experience thus far has proved that the communities served by free rural delivery, when once thoroughly established, pay, in the main, their own expenses. Give free rural delivery a chance, and it supports itself. This system has come, and come to stay. [Applause.]

[Mr. WM. ALDEN SMITH addressed the committee. See Appendix.]

Mr. GARDNER of New Jersey. Mr. Chairman, inasmuch as the present opposition to the item for rural free delivery seems to have arisen entirely out of the failure to raise the pay of employees in post-offices who are under the civil service, this is perhaps an opportune moment, and it will only take a moment, to call attention to the remarkable contrast in the pictures "Before and After." Before the civil-service law, whenever an appropriation bill was discussed, we heard a ceaseless howl about the employees of the Government. Whenever the howl took the form of enunciated speech we heard only the terms "spoils," "loot," "public plunder," and other similar expressions, and all propositions to raise salaries bore the name of "steal."

Since the civil-service law the noise is as continuous; there is still a ceaseless din; but how different the terms! Now we hear only of hardships, overwork, and underpay, injustice of getting out of Government employ late in life without provision for a retirement list. I submit, sir, that there is material here to incite the reflection of students of civil service. There must be more penance due for sins committed against the old employees than Congress and the press could ever perform; and it seems to me, in the light of the discussion of to-day, that there ought to be a commission appointed to ascertain how many hundred millions or how many billions are justly due the old and maligned employees of the Government before this civil-service reform. [Loud applause.]

When, for instance, at the close of the war invalid officers and men to a large extent constituted the best and most efficient force that has ever done the work of the Departments, it was universally said that we had put them into "soft spots." We are now being taught that they were really being submitted to new hardships and overwork and earning a right to a civil pension—in many cases a second pension.

We ought to find out why it is that when the transfiguring mantle of classification is spread over a "henchman" he becomes a patriot, and loot becomes underpay, and soft spots become hardships, and "spoils" become sacred vested rights for life.

Mr. GAINES. Mr. Chairman, in the last session of Congress we had an official statement before this House substantially as it was stated by the distinguished gentleman from Connecticut [Mr. SPERRY], showing that the net cost of free rural delivery was \$236 in Carroll County, Md.—that is to say, it cost that much to the Government—and the increase of revenue caused by the service was \$1,501.75. That is the increase in the revenue.

Mr. Chairman, this system has been thoroughly and successfully inaugurated in Davidson County, surrounding the city of Nashville, my home. I have here the official statement of the mail that has been delivered in the country, and the amount of mail that has been brought from the country to the city of Nashville on the several routes that were started there on May 14 last.

I will show the House how much this free rural system has accommodated and pleased the farmers of this county, permitting them to stay in their cornfields and carry on their various agricultural pursuits rather than stop their work and go 2 and 4 miles, as I have done, for their mail. When I lived 10 miles in the country, I have gone 4 or 5 miles for my mail.

I remember the very first article of mail I received at the post-office was a speech delivered in this House. I read now from an official table covering this service in Davidson County: From May 14 to the end of the month there were 652 letters delivered; in the month of June, 4,845; in July, 6,055; in August, 7,928; in September, 6,786; in October, 6,980.

Let us look at the number of newspapers. I want to state that on one route, that carries the mail to my old home, there were five daily newspapers taken, and in thirty days after the service was started, the carrier told me when I was at home last, 55 daily papers were carried on that particular route—and that increase was in thirty days. Now, let us take the newspapers for

the same time: From May 14 to June, 1,259; in June, 9,154; July, 9,000, in round numbers; in August, 11,000; in September, 11,499, and in October, 13,554.

Mr. Chairman, I remember a sentiment uttered by Noah Webster once, "We must educate, we must educate our children, and our country is safe." But my distinguished friend from Illinois [Mr. MANN] has an antipathy for this system, although this service helps to educate our children. It helps out the farmers and gives their children a chance to procure daily and read the deliberations of Congress, and our various ecclesiastical and news papers. It gives them more opportunities to educate themselves. They are entitled to this.

It gives the farmer a chance to get the daily markets promptly; to know what his corn, his wheat, his barley, and his stock is worth at Chicago. Why, they get this news now in the newspapers throughout this great county by 9 to 10 o'clock. They know if there has been any change in the price of wheat or oats and stock and hogs sold in the great city of Chicago early daily, but only in few cases before.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Pennsylvania is recognized.

Mr. BUTLER. Mr. Chairman—

Mr. GAINES. I hope I may have a little more time.

Mr. BUTLER. We are not going to speak in concert.

Mr. GAINES. I ask the indulgence of the House.

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. GAINES. I am giving facts and official figures.

Mr. MANN. I ask that the gentleman from Tennessee may have five minutes more.

The CHAIRMAN. Does the gentleman from Pennsylvania yield to the gentleman from Illinois?

Mr. GAINES. My time had not expired, surely.

The CHAIRMAN. The Chair was under the impression that it was; and so says the record.

Mr. GAINES. I should like to have five minutes more.

Mr. MANN. I ask unanimous consent that the time of the gentleman may be extended five minutes.

The CHAIRMAN. But the gentleman from Pennsylvania has been recognized.

Mr. GAINES. Will my friend yield the floor to me a minute?

Mr. BUTLER. The gentleman from Tennessee may have my time.

Mr. GAINES. I thank the gentleman.

Mr. BUTLER. He will do his work much better than I can do it.

The CHAIRMAN. Without objection, the gentleman from Pennsylvania yields his time to the gentleman from Tennessee.

Mr. MANN. The gentleman seems to think I have an antipathy to free rural delivery. That is quite a mistake, but I ask him whether he thinks it is fair, in order to have rural free delivery, that substitute clerks at Chicago and other large offices should work for \$20 a month?

Mr. GAINES. I do not think the two things are parallel; but I want to say to the gentleman that the purpose of my remarks a few minutes ago was to show that an injustice somewhere along the line you cite has been committed. You have been discussing to-day, as well as the gentlemen on this side, the rights of these faithful clerks in the Government employ; and I do not think they have been dealt with fairly from the proof stated here to-day. But the farmers are not to blame for this.

Mr. Chairman, I have papers here showing the reports on this free rural system from four or five routes that radiate from the city of Nashville. Let us see the amount of mail that was collected and carried in from the country during the same time by these mail routes. May 14 to the end of the month the number of letters was 510; June, 2,764; July, 3,340; August, 2,907; September, 3,834; October, 3,860, making a total of letter mail that was collected 17,215 pieces, that were delivered on this main route, and 4,603 carried back from the country to the city in October.

Mr. Chairman, I yield back to the gentleman from Pennsylvania the balance of his time so generously given me. I ask unanimous consent to place in the RECORD the official tables showing the operation and working of this system in this county.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to add to his remarks in the RECORD the tables. The Chair hears no objection.

NASHVILLE POST-OFFICE, DAVIDSON COUNTY, TENN.
[This route surrounds the city of Nashville.]

Month.	Delivered.						Collected.						
	Registered letters and packages.	Letters.	Postal cards.	Newspapers and circulars.	Packages.	Total delivered.	Letters and packages registered.	Applications for money orders.	Letters.	Postal cards.	Newspapers and circulars.	Packages.	Total collected.
May (14).....	1	652	44	1,259	28	1,985	.....	.....	510	52	10	12	573
June.....	8	4,845	256	9,154	227	14,490	.....	.....	2,764	427	48	14	3,253
July.....	28	6,055	447	9,304	260	16,094	.....	.....	3,340	278	80	43	3,741
August.....	29	7,928	622	11,699	248	20,522	22	5	2,907	369	206	13	3,522
September.....	32	6,786	827	11,499	184	19,328	27	.....	3,834	353	174	23	4,411
October.....	25	6,980	1,019	13,554	305	21,883	32	.....	3,860	339	284	88	4,603

EDGEFIELD POST-OFFICE, DAVIDSON COUNTY, TENN.
[On this route the carrier gets his mail in Edgefield (East Nashville) and carries it to surrounding country.]

May (14).....	3	416	53	1,683	.....	2,155	.....	.....	174	6	.....	.....	180
June.....	5	1,048	125	1,625	30	2,893	.....	.....	347	40	35	48	470
July.....	1	731	160	2,848	55	3,895	1	.....	479	57	35	17	589
August.....	4	279	329	2,670	10	3,292	1	.....	150	15	30	3	199
September.....	2	360	169	1,465	5	2,001	.....	.....	360	172	79	4	615
October.....	2	754	85	1,579	14	2,434	.....	.....	125	20	34	4	188

GOODLETTSVILLE POST-OFFICE, DAVIDSON COUNTY, TENN.
[This route is entirely rural.]

May (14).....	2	337	33	635	2	1,009	.....	.....	126	11	23	.....	160
June.....	.....	746	105	1,488	8	2,347	.....	.....	223	23	29	.....	277
July.....	.....	890	189	1,606	9	2,694	.....	.....	376	30	23	.....	429
August.....	1	986	144	2,106	30	3,267	.....	.....	429	50	22	1	502
September.....	2	939	178	2,274	13	3,406	.....	.....	387	20	14	.....	421
October.....	1	1,230	214	2,981	.....	4,426	5	5	422	20	1	.....	453

FLATROCK POST-OFFICE, DAVIDSON COUNTY, TENN.
[This route is entirely rural.]

May (14).....	4	622	79	749	13	1,467	.....	.....	702	34	1,994	8	2,738
June.....	4	1,655	139	2,639	47	4,484	.....	.....	1,652	195	1,907	10	3,764
July.....	6	1,741	188	3,557	72	5,564	.....	.....	1,243	109	603	38	1,993
August.....	5	1,975	180	4,025	31	6,216	8	3	1,430	66	3,092	37	4,636
September.....	2	2,064	209	4,193	70	4,372	3	6	1,440	56	28	80	1,613
October.....	8	2,258	310	4,573	62	7,211	9	1	1,637	2,837	43	25	4,554

WRENCOE POST-OFFICE, DAVIDSON COUNTY, TENN.
[This route is entirely rural.]

June.....	1	377	2	1,746	12	2,138	.....	.....	198	24	.....	3	225
July.....	.....	330	14	2,121	1	2,466	.....	.....	141	16	8	3	163
August.....	1	443	20	2,267	2	2,733	.....	.....	275	24	136	8	444
September.....	1	390	21	2,539	7	2,958	.....	.....	324	9	13	.....	346
October.....	.....	452	45	3,259	.....	3,756	2	.....	158	20	.....	.....	180

Mr. BUTLER. Mr. Chairman, perhaps in the district where I live there is the most remarkable showing in favor of this service of any place in the United States. A few years ago the Department appointed five carriers to carry the mails in the vicinity of Westchester, Pa. There are 4,000 people served, 875 families. The community is entirely a farming community, all agriculturists. The first month that these carriers served they delivered 5,700 pieces. In the month of October last they carried 91,000 pieces of mail, and for the credit of this community I would like to say to my friend from Chicago that we pay the Government about \$1,000 a year clear profit. [Applause.]

Mr. TALBERT. Mr. Chairman, in the Fifty-third Congress, the first Congress in which I had the honor to serve in this body, I examined the first appropriation bill brought in by the Post-Office Committee, as I did all other appropriation bills, and I found an item in it of \$13,000,000 for free delivery of mail in cities and towns of the United States. I thought that was a large sum. Included in the list was money for horses, bicycles, and car tickets.

I did not oppose it, but the thought occurred to me that it was right and proper that this delivery should be had for the convenience of these people in cities and towns; but in addition to that the people living in the country and the rural districts, the farmers of this great country, isolated as they are, remote from post-offices, according to my reasoning were as much entitled to have their mail delivered at their doors as the people in the cities and towns, and upon that theory I proceeded to act. Now, I am not one of those who have attempted to stir up a feeling of prejudice or bitterness of feeling of any kind between the town and the country people. It ought not to be so, because the country and the towns belong to all of us, and we should work together for the good of all.

In that Congress, when the appropriation bill was under consideration and discussion, several gentlemen on the floor of the House, among them myself, approached Mr. Moses, a member of the Appropriations Committee, and urged upon him the necessity and righteousness of this legislation, and asked him to offer an amendment to a section of the bill of \$20,000 to experiment along this line. I, with several others, made speeches in advocacy of the amendment. That amendment was carried.

My friend from Mississippi [Mr. WILLIAMS], whom I see before me now, was one of the gentlemen who made a speech, in addition to myself and one or two others, urging the adoption of that amendment. Mr. Moses himself made an extended argument, as he was a member of the committee. That was carried; it was passed through the Senate, and then the experiment began along this line, and this was the first practical appropriation made for this purpose and used.

Congress after Congress, by a motion of those who took an interest in it among us, increased the amount from twenty thousand to fifty thousand; in the next Congress from fifty thousand to a hundred thousand; in the next from a hundred thousand to a hundred and fifty thousand, and so on; then to three hundred thousand, and in the first session of this Congress the appropriation was one million seven hundred and fifty thousand for free rural delivery; so that now it is no longer an experiment, but an established fact.

I see that the committee have liberally doubled that sum in this bill, and I am not here to offer an amendment to increase that amount, which is \$3,500,000. I think that is sufficient for the present, and enough is enough. But I want to say, Mr. Chairman, that it has now passed the stage of experimentation and is working by practice and not by theory. It is no theory; it is a practical fact, and the system has come to stay and is daily growing more popular. It is working well in every section, in every Congressional district where it has been tried, with but few exceptions.

I have in the Congressional district I have the honor to represent eight or ten routes, established by my request, and it is working magnificently, to the satisfaction of everybody, with the exception of now and then you hear a man who had a post-office and a little store kicking against it because it has broken up his post-office and destroyed a little trade, and these fellows finally give up and fall into line. The people are pleased with it, and I am receiving petitions every day from the district I represent asking for the establishment of more routes, and I shall endeavor to extend the privilege to as many as I can. It has increased the postal receipts.

Every man, woman, and child is writing more letters and taking more papers than they ever did before, and a great many are taking papers who never did before. But, Mr. Chairman, if the Post-Office Department does not pay expenses in every respect, why, let there be a deficiency, let the country people be served anyway, and let this convenience be extended to the people who need it so badly. We are not called upon to see that the Post-Office Department should pay its own expenses. While we hope and believe it will run itself before a great while, yet the people demand this convenience and should have it.

Yes, let the people in the rural districts have these conveniences

as well as those in cities and towns. We stand here day after day appropriating with lavish hand millions on millions for the other Departments of this Government and nothing is said about deficiencies in those Departments; about excess of expenditures over receipts, although existing in every one of them. I say again that we should extend to the people in the rural districts the same conveniences and the same privileges that are given to people in the cities and towns.

I want to repeat this idea, so that all can understand; and, Mr. Chairman, I want to advocate continually an increase of this appropriation from Congress to Congress, from session to session, until it reaches a sum equal to that appropriated for the cities and towns, or so much as may be necessary. In the bill which I hold in my hand I see an item of \$16,000,000 for the delivery of mail to people living in the cities and towns; and I want to say that if it takes \$20,000,000 to deliver the mails to people in the country, who have just as many rights as the people of the towns and cities, who pay their taxes as well as the residents of our towns and cities, let it be done and done cheerfully. I am an advocate for such an expenditure. I am a strong advocate for the free rural delivery for the benefit of the sturdy farmers of our country, who are bearing the heat and burden of the day and who are recognized, figuratively speaking, only as taxpayers. Let them become tax consumers as well. [Applause.]

Mr. LOUD. Mr. Chairman, I move to strike out the last word. I do not desire to arrest the progress of this bill, but during the debate many wild statements have been made on this floor, and wild statements are published and republished until by repetition they come to be accepted as established facts. I stated some years ago on the floor of this House—and I do not suppose I was the first one to make that statement—that apparent profits in large first-class post-offices were not profits at all.

I know when that statement was first made no one stood by my side to take the position I did; but it has become now an established fact. If there is a profit in the post-office of a large city—say, New York—then there is a profit in every post-office in the United States that has cancellation of stamps to the amount of more than \$50 a quarter, because while the cancellations do not exceed \$50 a quarter the postmaster takes all the receipts.

After the amount of the cancellations passes \$50 a quarter he receives 80 per cent up to \$100, and the percentage declines as the amount increases. So, then, if you are going to figure a profit in post-offices—if you should go to all the post-offices of the country, applying the same basis that you do in New York and Chicago, and possibly San Francisco and some other cities—you would find as a result of your computation a startling profit in the postal service of something like \$90,000,000 or \$100,000,000.

Mr. MANN. The gentleman certainly does not mean ninety or one hundred million dollars?

Mr. LOUD. No; I should say \$65,000,000 or \$70,000,000. Now, if you follow the same rule throughout the country—if in the fourth-class offices you charge only the amount of the expense of running the office, the same as you do in the city of New York, to get your surplus revenue—you will find that you have a profit of from sixty-five to seventy million dollars, being a profit, if you figure that way, of substantially all the receipts of the Post-Office Department.

Now, the Auditor of the Post-Office Department has taken up this question, as well as some other questions; and I call the attention of Congress and the people of the country to his report. Heretofore his reports have been uninteresting; now they embrace the most valuable figures presented to the people of this country. Let us see what he says upon this question. And he was brought to comment upon it by some of the census figures which have been disseminated through the country, undertaking to give this "surplus revenue." He says:

The "net revenue," shown in our Table 10 attached to this report, is taken to be a profit on the postal business of an office. As a matter of fact, however, there is no profit at any office, since the aggregate business of the Department is conducted at a loss. The revenues of a post-office consist almost entirely of postage collected. But those collections must not only take care of the expenses of the local office, but they must in addition pay for the transportation of the mail of that office through to its destination. It would be as illogical to credit a terminal railway office with all its receipts for freights collected and assume that all such collections, above disbursements for clerk hire, etc., were a net profit to the railway system, taking no account of cost of transporting the freight. The Post-Office Department and this Bureau are obliged to look upon the postal service as an entirety, and this precludes the computation of any actual net profit from any individual post-office in the system.

Now, some years ago on the floor of this House I combated the statement that there was profit in the money-order system of the Post-Office Department. Last year the Auditor, whose attention was called to the matter, made some computation—

Mr. MANN. Before the gentleman leaves the question on which he has just been speaking, will he permit me a question?

Mr. LOUD. Certainly.

Mr. MANN. Does the gentleman really doubt in his own mind that there is a net profit—I am not speaking of net revenue, but net profit—from the business of the Chicago and New York post-offices?

Mr. LOUD. Well, personally I will say I do not know. I never have figured that out, and life is too brief for me to do it. There may possibly be a small profit, but it is so small that, in my opinion, it would fade into insignificance if exposed by figures.

Mr. MANN. Does not the gentleman know that in the fourth-class post-offices there is a loss to the Government, if you figure at all the transportation of the mail, and that this loss either takes the form of a deficit or is made up by the profit in the larger offices?

Mr. LOUD. Oh yes; there is probably a much greater loss in the small fourth-class post-offices than there is in the first-class offices.

Mr. BOREING. Will the gentleman permit a question?

Mr. LOUD. Yes.

Mr. BOREING. Is it not a fact that the fourth-class postmaster is the poorest paid official that works for the Government of the United States to-day?

Mr. LOUD. I do not say that. I do not think it would be just to say so, and my experience is entirely against it. I know in some districts in this country that the average storekeeper makes the life of his member of Congress miserable to get him appointed to these places, because, if he can secure the appointment, it is the very best thing for his business. And one of the best business men in the country, in my opinion, who appeared before our committee, testified that, as a business, he would take a fourth-class office for nothing, because it would be of great advantage to him in the transaction of his business with the people; that he would consider he had made money by it. That is only one of the many instances that have come under my own observation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOUD. Mr. Chairman, I would ask a little more time, as these matters have been talked about to some extent by the members of the committee this afternoon.

The CHAIRMAN. The Chair hears no objection to the gentleman proceeding.

Mr. LOUD. Mr. Chairman, I stand here in the unique position, so alleged, of being the one man in the United States who is responsible for the defeat of the legislation for confining star-route contractors to their routes; to increase the salary of the fourth-class postmasters; to increase the salary of letter carriers, and also to increase the salary of post-office clerks, as well as to increase the salaries of the railway mail clerks. So I think I have a right to say a word in connection with this matter when it comes up.

I say that the fourth-class postmaster is receiving the same percentage of his receipts to-day that he did when greenbacks were selling at 35 cents on the dollar. I say that the post-office employee to-day is receiving dollar for dollar as much money as he received when greenbacks were worth 50 cents on the dollar. And the assumption that living expenses have increased in this country is not true. They may have increased in the last two or three years over and above the three or four years preceding, but they have not increased over the living expenses existing from 1860 to 1870 and up to 1880 and preceding that time. I say no, that they have not increased.

And permit me to say here, so far as the post-office employees are concerned, that they are, in my judgment, well paid comparatively with men in private business; better than most men in the country. The number of men who are seeking this employment is an evidence of that fact. The civil-service laws are being appealed to, the civil-service lists are crowded to overflowing with the names of the men seeking employment in this service, and there is a constant demand for these places. It is in evidence before the committee that there are numbers of men seeking this employment all through the country.

Let me give you an illustration. The salary of a letter carrier is proposed to be increased to \$1,200 a year in a city of seven or eight thousand population, just the same as in a city of 500,000. That is a large salary in a town of seven or eight thousand people. In a city of that size, if this employee of the Government shall receive \$1,200, it is probable that there will not be a single individual there who is making as much money.

The president of the bank—if there be a bank—does not receive so much; the cashier of the bank—if there be a bank—does not receive anything like that salary, though he is doing a great deal more work, and requires a much higher degree of intelligence; and the merchant who is doing business in the city would be carrying on a most profitable business if he could earn annually \$1,200, using both his capital and intelligence. You would have, therefore, one salaried man in the employ of the Government—a letter carrier—performing practically a messenger service, as the nabob and prince of the town. That would be the result of such an arrangement.

Now, there is one other thought to which I desire to call the attention of the committee. The Postmaster-General, on page 11 of his report, has estimated—or I may say he has entered, in my opinion, upon a most dangerous field of prophecy. John Wana-

maker, when he was Postmaster-General, entered that field of prophecy. The present occupant of that office is following suit.

Postmaster-General Wanamaker figured out by regular degrees of progress in percentages and increase of the receipts to such an extent that we would have in 1895 \$12,000,000 surplus in the Post-Office Department. The Postmaster-General at present occupying that high position, after the subject had been neglected for some years, enters also again upon that dangerous field of prophecy.

Mr. VANDIVER. How was Mr. Wanamaker's prophecy fulfilled?

Mr. LOUD. Well, we did not have \$12,000,000 surplus. We had a deficit, according to the Post-Office Department, of \$13,000,000, and an actual deficit of \$18,000,000, not thirteen, as reported to us by the Department.

But, I repeat, that subject was neglected for some years until the present Postmaster-General took it up again.

Mr. CLARK. What subject? Prophecy?

Mr. LOUD. Yes. He, like the gentleman from Pennsylvania, entered upon the same field of prophecy. He shows by the same table again and he estimates according to the same system a certain percentage of increases for each year during the last two years. But the fallacy of his figures is shown plainly in the fact that he gives the appropriations of Congress in accordance with his own estimates.

Now, when he made his estimates for \$18,000,000 for postmasters' salaries, he knew as well as any man on this floor knows that it would require more than \$20,000,000 for the payment of such salaries.

Hence, you see, his basis was wrong. Now, he has got us up to the year 1902, with a deficit of \$4,634,000. Now, deficits will increase and decrease just in this ratio: Congress appropriates more than a year ahead. As business increases you are appropriating on the basis of the service of the preceding year, which may perhaps have been a dull year. In that case your railway-mail transportation is based upon weight taken during dull years; and hence, when you are going up the hill you are running upon an economical basis and your deficits will naturally decrease. But when you are up at the top and go down on the other side, you will appropriate for one of the most prosperous years the country has ever seen. When the slump comes we have got a force to do an enormous business.

Our railway mail pay is based upon the weights of two or three prosperous years, and everything is running under high pressure. Then you will find that receipts and expenditures will pull apart again. It may not be next year or the next, but possibly next year may show a deficit of six or seven million dollars apparently. Now, again, unfortunately, I think the Postmaster-General has entered this field of rural delivery.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LOUD. I should like a few minutes more.

Mr. WILLIAMS of Mississippi. I ask unanimous consent that the gentleman's time be extended.

The CHAIRMAN. Unanimous consent is asked that the time of the gentleman from California be extended five minutes. Is there objection?

There was no objection.

Mr. LOUD. These subjects have been under discussion, and I want to speak about them. The Postmaster-General has entered upon the field of prophecy, and here he has told us how much rural free delivery is going to cost in the whole country. He sums it up at \$13,782,224. Now, of course, the Postmaster-General does not make these computations personally. The computations are made for him.

The difficulty with this prophecy is just this: My friend from Connecticut [Mr. SPERRY] cited Carroll County, Md., where rural delivery had been established, and said that it only cost, I think, \$200. The difficulty with these computations is that gentlemen do not figure in all the expense. Let me explain the system to you. Here are ten post-offices which are abolished in consequence of the establishment of rural delivery in a locality. The receipts of the postmasters in those offices, we will say, are \$4,000. They are discontinued. These gentlemen say there is a profit of \$4,000; but it is not a profit.

These cancellations and receipts go into some other office. That is the difficulty about this computation. They do not cease. If you discontinue one office, the receipts of that office must necessarily go to another; and I can not help believing that the gentlemen who have made these figures knew that they could not be correct. I hate to accuse any gentleman of intent to mislead Congress, but I should hate to assume that there is any gentleman in the Post-Office Department, who has sufficient experience and intelligence to be at the head of one of its bureaus, who does not know that the fact exists which I have explained to you.

Mr. GAINES. Will my friend yield a moment?

Mr. LOUD. Certainly.

Mr. GAINES. Here is a statement showing the exact figures

with reference to Carroll County in a few lines. I will read it to my friend.

Mr. LOUD. I do not care particularly about that. I only referred to it in a general way.

Mr. GAINES. I want to get it in the RECORD as a matter of information:

Statement, quarter ended March 31.

Total cost of service for the quarter.....	\$4,543.19
One quarter of the annual savings effected by the service.....	\$2,805.42
Increase of revenue caused by the service.....	1,501.75
	4,307.17

Net cost of rural free delivery per quarter..... 236.02

Mr. LOUD. The saving is apparent rather than real, and I will say that it is not even apparent.

Mr. CLARK. Everybody wants information about this subject, and I would like to ask the gentleman if he does not leave out one large item in his calculation, and that is the increased revenue brought to the Post-Office Department by reason of the extension of this free rural delivery service?

Mr. LOUD. I am not making the computation at all, and I hope I may never seriously engage in the business or enter the field in Congress of stating what the future is going to develop or what any service is going to cost in years to come. I only point out the fallacy of what is an apparent saving, but not a real one. I say again, wherever a post-office is abolished, the salaries paid are not saved by that abolishment. While it is true that there may be some saving, yet it is a very small percentage.

Mr. CLARK. Well, I know; but while that may be true, is it not also true that the experiments as far as they have gone show an increase in the revenue that comes to the Post-Office Department by reason of this free rural delivery service, and that this increase in very large part compensates for the expense of the service?

Mr. LOUD. Oh, to a certain extent, there is no doubt about that, but the Postmaster-General has taken that into his computation. He has figured everything that is favorable to the rural free-delivery service, and I am only commenting upon one item which must be apparent to everybody. And I hold the present occupant in high esteem both personally and officially. He is a most efficient Postmaster-General, but he is human and like us liable to err, and being human he can only endure so much physical and mental strain, and is compelled to rely upon the statements of his efficient corps of subordinates.

Mr. LACEY and Mr. HENRY C. SMITH rose.

Mr. LOUD. I will yield first to the gentleman from Iowa.

Mr. LACEY. If I understand you, the postmasters at the end of the rural free-delivery routes get the cancellations of everything taken up on that route?

Mr. LOUD. I say that some post-office gets them.

Mr. LACEY. What authority is there in the law for that? Why does not the stamping and cancellation en route end the matter, so that there will be no further counting of those stamps?

Mr. LOUD. That postmaster does the business of that office. You understand, of course, the theory of the pay of fourth-class postmasters. The physical act of cancellation is not what he is paid for. That is so insignificant a part of his business that no one assumes that is what he is paid for. But that is the basis of the pay. He has to handle the mail of the patrons of the office.

Mr. LACEY. I want to get the gentleman's explanation of this matter, because I know he is thoroughly familiar with it. Say we have a star route with two or three small offices. Now, heretofore the stamps have been canceled at each of these offices on the star routes; but say that rural free delivery takes that same mail over the same route now, when the stamps are canceled en route by—

The CHAIRMAN. The time of the gentleman has expired.

Mr. LACEY. I ask unanimous consent that the time of the gentleman may be extended.

Mr. WILLIAMS of Mississippi. I ask that the gentleman's time may be extended until he finishes his remarks.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent that the gentleman from Iowa have his time extended to finish his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. LACEY. Now, what I asked the gentleman was, are not these stamps canceled in the wagon by the carrier?

Mr. LOUD. Why, that may be true.

Mr. LACEY. And if so, under what law does the postmaster, where he finally puts these letters into the railway mail or the office in connection with the railway mail, have any authority to make a count of these stamps again?

Mr. LOUD. Why, the present law, permit me to say, prohibits the carrier to carry a letter past an office. It must be deposited at one of the offices on the route, and if he performed the physical act of canceling the stamp it will not deprive the postmaster from receiving his percentage as a fourth-class postmaster; but where

you abolish three or four of these small offices you make it a second or third class office, and then it gives clerk hire.

Mr. LACEY. But you take it where a letter is deposited in the railway mail on the train: the clerk cancels the stamp, and that ends it. He carries it to the next office, or to the next junction on the railroad, and to the post-office there. Now then, that postmaster does not cancel it, and why should not that same rule apply to the rural free delivery?

Mr. LOUD. Because he takes it to the office. He does not put it on the railway mail train. He carries it to the office, and that office is the office to which the mail goes for delivery, and he must perform that service.

Mr. LACEY. He takes the mail from a little office and carries it and puts it in the next office. In principle there is no difference between that and along the line gathering it from the various offices and then depositing it at the terminal. I do not understand upon what principle of law these terminal post-offices succeed in getting credit for these cancellations?

Mr. LOUD. Because his office is the office of cancellation, and where the delivery is to be done, and you can not deprive the postmaster of his pay.

Mr. LACEY. Ought we not to have a modification of the law so as to prevent this and let the system pay its own way.

Mr. LOUD. I do not think so. No; because, as I stated, the postmaster is not paid for the physical performance of the cancellation of stamps. That is made the basis, because Congress thought that an advisable basis for the payment for all that is done at that office. That is what we pay him for.

The letters collected by the letter carrier are collected as by his agent and stamped by the letter carrier as his agent.

Mr. HOPKINS. Are not the letters collected by the letter carrier as agent, and stamped by the letter carrier as his agent?

Mr. LOUD. I have heard the statement made; but I think the cancellation is generally done at the office.

Mr. VANDIVER. I want to suggest to the gentleman from Iowa that perhaps the better answer and more satisfactory answer would be this—that the railroad mail clerk is serving the Government under salary, and therefore it is not proper for him to make a charge for this service of canceling stamps, but the postmasters get their pay for this service.

Mr. LACEY. This carrier is on a salary.

Mr. GAINES. With the gentleman's permission, I will say to my friend from Illinois, and I have had this stated to me by one of the carriers, that if you live along one route and desire to write me a letter, half a mile or fifty steps from the end of the route, he takes that letter and cancels it and delivers it.

Mr. HOPKINS. Right on the route?

Mr. GAINES. He can take and register a letter.

Mr. HOPKINS. I can see under the conditions stated by the gentleman from Tennessee why letters are not stamped until taken to the office.

Mr. GAINES. Not canceled, you mean.

Mr. HOPKINS. That is the rule.

Mr. GAINES. That is the rule and custom; he can do the other thing, and does do it, so I am informed.

Mr. LOUD. In the suggestions that I have made to the House I have not undertaken to make them for the purpose of antagonizing any of these measures. As the several questions have been brought up I have commented upon them and stated, Mr. Chairman, what I regard was the proper practice upon these various questions. I say to-day that the money-order office is conducted at a loss, and if I had my way I would discontinue it.

I do not believe that the Government should enter into any business competition with private interests and do it at a loss, and tax the people to make up the deficit. I assume that the position taken by the Postmaster-General was fallacious, that he could not attempt to show what the deficit would be in a few years; and his basis of figuring on the cost of the free rural delivery service was not correct, because they were figuring the salaries of the post-offices discontinued as profits, whereas it was only a transfer from one office to another in the greater part.

The Clerk proceeded with the reading of the bill.

Mr. LOUD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker pro tempore, Mr. PAYNE, having resumed the chair, Mr. BARNEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 13729) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1902, and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 3353. An act to establish a fish-hatching and fish station in

the State of Indiana—to the Committee on the Merchant Marine and Fisheries.

S. 5354. An act to establish a fish-hatching and fish station in the State of Idaho—to the Committee on the Merchant Marine and Fisheries.

ALBUQUERQUE, N. MEX.

The SPEAKER pro tempore laid before the House the following message of the President of the United States:

To the House of Representatives:

In compliance with a resolution of the House of Representatives of the 29th instant (the Senate concurring), I return herewith the bill (H. R. 5048) entitled "An act to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes."

WILLIAM MCKINLEY.

EXECUTIVE MANSION, January 31, 1901.

Mr. LACEY. Now, Mr. Speaker, I ask unanimous consent to reconsider the vote by which the bill referred to in the message was passed.

The SPEAKER pro tempore. The gentleman asks unanimous consent to reconsider the vote by which the bill was passed.

Mr. ROBINSON of Indiana. What bill does the gentleman refer to?

Mr. RICHARDSON of Tennessee. We would like to have the bill reported.

The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 5048) entitled an act to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes.

Mr. RICHARDSON of Tennessee. Now, will the gentleman state the purpose of this?

Mr. LACEY. I will explain. In the passage of the Santa Fe bill there was a provision inserted that was not inserted in this bill, preserving the rights of anyone whose rights had been adjudicated by the Private Land Claims Court. The parties at Albuquerque thought it was not necessary in this bill to insert it. My own judgment is that it is not. After the bill passed it was discovered that this provision was not in the bill and that it might make a conflict. The bill went to the Senate and passed without amendment. The attention of gentlemen interested in the bill was called to the matter by the Executive, and also by the Commissioner of the Land Office, saying that this provision, which will be offered when the matter comes up before the House, protecting the rights of individuals, ought to be inserted as a matter of caution, and the bill has been recalled by a joint resolution from both Houses in order that this slight amendment might be made to meet that objection.

The amendment is very brief. The proposition will be to offer as an amendment "reserving therefrom any private land claims that may have been or hereafter may be confirmed by the Private Land Claims Court or other authority of the United States."

Mr. KLEBERG. The object of the bill is to quiet title, is it?

Mr. LACEY. Yes. That was all gone over when the bill was before the House. This land grant is three hundred years old, and was held invalid by the Supreme Court of the United States, thus leaving the title to it in the United States, although it was settled, and buildings are there older than the Capitol at Washington. I think it is the oldest town in the United States, with the exception of St. Augustine, or at least one of the oldest towns. This correction ought to be made, and if we can have unanimous consent, I will yield to the gentleman from New Mexico for the purpose of offering the amendment.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. PEREA. Mr. Speaker, I offer the following amendment.

The SPEAKER. The gentleman from New Mexico offers an amendment, which the Clerk will report.

The Clerk read as follows:

At the end of section 1 strike out the period and place a semicolon and add the following: "and also reserving therefrom any private land grants that may have been or may hereafter be confirmed by the Court of Private Land Claims or other authority of the United States."

The amendment was agreed to.

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

On motion of Mr. LACEY, a motion to reconsider the last vote was laid on the table.

And then, on motion of Mr. LOUD (at 5 o'clock and 32 minutes p. m.), the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the conclusions of fact and law in the French

spoliation cases of the ship *Rebecca*, George Nowell, master, against The United States—to the Committee on Claims, and ordered to be printed.

A letter from the treasurer of the East Washington Heights Traction Railroad Company, transmitting the report for the year ending December 31, 1900—to the Committee on the District of Columbia, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. JENKINS, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 13752) to regulate the collection of taxes in the District of Columbia, reported the same without amendment, accompanied by a report (No. 2607); which said bill and report were referred to the House Calendar.

Mr. WANGER, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the Senate (S. 4956) to grant the Knoxville Power Company the right to dam the Tennessee River at or near Knoxville, Tenn., reported the same without amendment, accompanied by a report (No. 2609); which said bill and report were referred to the House Calendar.

Mr. MCCALL, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 5022) to extend the privileges of the seventh section of the immediate transportation act to Fall River, Mass., reported the same without amendment, accompanied by a report (No. 2610); which said bill and report were referred to the House Calendar.

He also, from the same committee, to which was referred the bill of the Senate (S. 5023) to extend the privileges of the seventh section of the immediate transportation act to New Bedford, Mass., reported the same without amendment, accompanied by a report (No. 2611); which said bill and report were referred to the House Calendar.

Mr. HEPBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill of the House (H. R. 13635) to authorize the construction of a bridge across Little River, at or near mouth of Big Lake, State of Arkansas, reported the same with amendment, accompanied by a report (No. 2613); which said bill and report were referred to the House Calendar.

Mr. KERR of Ohio, from the Committee on Patents, to which was referred the bill of the House (H. R. 2924) revising and amending the statutes relating to patents, reported the same without amendment, accompanied by a report (No. 2614); which said bill and report were referred to the House Calendar.

Mr. LONG, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 4509) extending to the city of Everett, Wash., a support of entry, the privileges of the act approved June 10, 1880, governing the immediate transportation of dutiable merchandise, reported the same without amendment, accompanied by a report (No. 2615); which said bill and report were referred to the House Calendar.

Mr. LATIMER, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 13949) to provide for laying a single electric-railway track across the Aqueduct Bridge, in the District of Columbia, and for other purposes, reported H. R. 13307 in lieu of the same, accompanied by a report (No. 2612); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. LONG, from the Committee on Ways and Means, to which was referred the bill of the Senate (S. 5350) for the establishment of a support of entry at Douglas, Ariz., reported the same without amendment, accompanied by a report (No. 2616); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. DRIGGS, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12734) granting a pension to Aaron S. Post, reported the same with amendment, accompanied by a report (No. 2576); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12868) granting a pension to William Bieber, reported the same with amendment, accompanied by a report (No. 2577); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 4331) to grant a pension to Isaac Gibson, late a major, Sixth Illinois Cavalry, reported the same with amendment, accompanied by a report (No. 2578); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9969) granting a pension to Jane Kuhn, reported the same with amendment, accompanied by a report (No. 2579); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1455) granting an increase of pension to Alexander W. Browning, reported the same without amendment, accompanied by a report (No. 2580); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 10444) granting an increase of pension to Oswald A. Ahlstedt, reported the same with amendment, accompanied by a report (No. 2581); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 364) granting a pension to Lewis Black, reported the same with amendment, accompanied by a report (No. 2582); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 4728) granting an increase of pension to Marvin V. Tufford, reported the same without amendment, accompanied by a report (No. 2583); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11169) granting an increase of pension to Orra H. Heath, reported the same without amendment, accompanied by a report (No. 2584); which said bill and report were referred to the Private Calendar.

Mr. GIBSON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 11857) granting an increase of pension to George W. McClure, reported the same with amendment, accompanied by a report (No. 2585); which said bill and report were referred to the Private Calendar.

Mr. MINOR, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13220) granting an increase of pension to Hubert Bascombe, reported the same with amendment, accompanied by a report (No. 2586); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1550) granting an increase of pension to Kate Ezekiel, reported the same without amendment, accompanied by a report (No. 2587); which said bill and report were referred to the Private Calendar.

Mr. SHAW, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3478) granting a pension to J. A. J. Lightburn, Lewis County, W. Va., reported the same with amendment, accompanied by a report (No. 2588); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4058) granting a pension to Carroll A. McKnight, reported the same with amendment, accompanied by a report (No. 2589); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4132) increasing the pension of Elijah Baxter, late of Company H, One hundred and first Pennsylvania Volunteers, and Company M, One hundred and fifty-second Pennsylvania Volunteers, reported the same with amendment, accompanied by a report (No. 2590); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 4588) granting a pension to Peter M. Hill, reported the same with amendment, accompanied by a report (No. 2591); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6099) for the relief of Anna O. Brush, widow of Alfred I. Brush, reported the same with amendment, accompanied by a report (No. 2592); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 1269) granting a pension to Nancy J. Dunaway, reported the same without amendment, accompanied by a report (No. 2593); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 8447) granting an increase of pension to Lyman W. Chandler, reported the same with amendment, accompanied by a report (No. 2594); which said bill and report were referred to the Private Calendar.

Mr. SHAW, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9016) to pension Jackson Lykins for services in the late war, reported the same with amendment, accompanied by a report (No. 2595); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 9531) granting an increase of pension to Hiram S. Kingsley, reported the same with amendment, accompanied by a report (No. 2596); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 9622) granting a pension to Mary E. Welsh, reported the same with amendment, accompanied by a report (No. 2597); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 12908) to pension David T. Nuttle, reported the same with amendment, accompanied by a report (No. 2598); which said bill and report were referred to the Private Calendar.

Mr. SULLOWAY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13249) granting a pension to Frances A. Tillotson, reported the same with amendment, accompanied by a report (No. 2599); which said bill and report were referred to the Private Calendar.

Mr. SHAW, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13401) granting a pension to Joseph H. Woodruff, reported the same without amendment, accompanied by a report (No. 2600); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the Senate (S. 3343) granting an increase of pension to Keziah Fansler, reported the same without amendment, accompanied by a report (No. 2601); which said bill and report were referred to the Private Calendar.

Mr. GASTON, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 13424) granting an increase of pension to Henry S. Comer, reported the same with amendment, accompanied by a report (No. 2602); which said bill and report were referred to the Private Calendar.

Mr. CROWLEY, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 2330) granting an increase of pension to Alonzo Lewis, of Stockham, county of Hamilton, Nebr., reported the same with amendment, accompanied by a report (No. 2603); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 13269) granting a pension to Edward Wesner, reported the same with amendment, accompanied by a report (No. 2604); which said bill and report were referred to the Private Calendar.

Mr. MIERS of Indiana, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 6979) granting a pension to Louisa White, of Greensburg, Ind., reported the same with amendment, accompanied by a report (No. 2605); which said bill and report were referred to the Private Calendar.

Mr. CALDERHEAD, from the Committee on Invalid Pensions, to which was referred the bill of the House (H. R. 3958) granting an increase of pension to Rollin Tyler, of Odell, county of Gage, Nebr., reported the same with amendment, accompanied by a report (No. 2606); which said bill and report were referred to the Private Calendar.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

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

By Mr. COOPER of Wisconsin: A bill (H. R. 13948) to provide for an extension and enlargement of the post-office and custom-house building at Racine, Wis.—to the Committee on Public Buildings and Grounds.

By Mr. LATIMER, from the Committee on the District of Columbia: A bill (H. R. 13949) to provide for laying a single electric-railway track across the Aqueduct Bridge, in the District of Columbia, and for other purposes, in lieu of H. R. 13307—to the Union Calendar.

By Mr. LENTZ (by request): A bill (H. R. 13950) to prevent imitation, infringement, or illegal use of trade-marks; penalty and accounting—to the Committee on Patents.

By Mr. KLEBERG: A bill (H. R. 13951) authorizing Calhoun County, State of Texas, to construct and maintain a free bridge across Port Lavaca Bay—to the Committee on Interstate and Foreign Commerce.

By Mr. LENTZ: A bill (H. R. 13952) to promote the purity of elections—to the Committee on Election of President, Vice-President, and Representatives in Congress.

By Mr. ALLEN of Mississippi: A bill (H. R. 13970) to establish a fish-hatching and a fish-cultural station at Tupelo, in the State of Mississippi—to the Committee on the Merchant Marine and Fisheries.

By Mr. TAYLER of Ohio: A joint resolution (H. J. Res. 599) providing for the printing of digest of election cases—to the Committee on Printing.

By Mr. DALZELL: A concurrent resolution (H. C. Res. 74) for the printing of a Congressional register—to the Committee on Printing.

By Mr. HEATWOLE: A concurrent resolution (H. C. Res. 75) for printing of the reports of the Geological Survey on Alaska—to the Committee on Printing.

By Mr. FITZGERALD of Massachusetts: A concurrent resolution (H. C. Res. 76) accepting a statue of Marquette from Wisconsin—to the Committee on the Library.

By Mr. SULZER: A resolution (H. Res. 398) calling upon the Secretary of State to transmit to the House all the papers and findings in the matter of the claim of John D. Metzgar & Co., against the Government of Haiti—to the Committee on Foreign Affairs.

By the SPEAKER: A joint resolution of the legislative assembly of Porto Rico, concerning San Juan Harbor—to the Committee on Insular Affairs.

Also, a joint resolution of the legislative assembly of Porto Rico, asking for the establishment of a naval station in Porto Rico—to the Committee on Insular Affairs.

By Mr. HOFFECKER: A joint resolution of the legislature of New Jersey, conditionally favoring the purchase of Temple Farm and Moore House, at Yorktown, Va.—to the Committee on Military Affairs.

By Mr. MIERS of Indiana: A concurrent resolution of the legislature of Indiana, relative to the use of Indiana stone in the erection of a Government building at Indianapolis—to the Committee on Public Buildings and Grounds.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

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

By Mr. COCHRANE of New York: A bill (H. R. 13953) to pay claimants for goods and effects lost or destroyed by fire at Ellis Island, New York, on June 15, 1897—to the Committee on Claims.

By Mr. CURTIS: A bill (H. R. 13954) for the relief of John Brewer—to the Committee on Military Affairs.

By Mr. GRIFFITH: A bill (H. R. 13955) granting an increase of pension to Arthur F. Devereux—to the Committee on Invalid Pensions.

By Mr. LENTZ: A bill (H. R. 13956) granting an increase of pension to George Cromley—to the Committee on Invalid Pensions.

By Mr. LONG: A bill (H. R. 13957) granting a pension to Hiram Stanley—to the Committee on Invalid Pensions.

By Mr. MORRELL: A bill (H. R. 13958) to correct the military record of George Moltz—to the Committee on Military Affairs.

By Mr. MUDD: A bill (H. R. 13959) granting an increase of pension to James Grissinger—to the Committee on Invalid Pensions.

By Mr. RICHARDSON of Alabama: A bill (H. R. 13960) for the relief of Anderson Malon—to the Committee on Military Affairs.

Also, a bill (H. R. 13961) granting an increase of pension to John G. Sanders—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13962) to extend the time granted to the Muscle Shoals Power Company by an act approved March 3, 1899, within which to commence and complete the work authorized in said act to be done by said company—to the Committee on Interstate and Foreign Commerce.

By Mr. ROBERTSON of Louisiana: A bill (H. R. 13963) for the relief of the estate of Louis Vuagnat, deceased—to the Committee on War Claims.

Also, a bill (H. R. 13964) for the relief of Francois Bouigny and Marie Annette Bouigny—to the Committee on War Claims.

By Mr. HENRY C. SMITH: A bill (H. R. 13965) granting an increase of pension to John Walz—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13966) granting an increase of pension to Elijah J. Goodell—to the Committee on Invalid Pensions.

Also, a bill (H. R. 13967) to remove the charge of desertion from the record of Alonzo McCurtie—to the Committee on Military Affairs.

By Mr. SPARKMAN: A bill (H. R. 13968) granting a pension to William C. Kelly—to the Committee on Pensions.

By Mr. TERRY: A bill (H. R. 13969) granting an increase of pension to Pleasant Hixson—to the Committee on Invalid Pensions.

By Mr. CLAYTON of Alabama: A bill (H. R. 13971) granting a pension to Dorcas McArdle—to the Committee on Pensions.

By Mr. SIMS: A bill (H. R. 13972) granting an increase of pension to Persia M. Hawkins—to the Committee on Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ALLEN of Maine: Petition of pharmacists of Cumberland County, Me., for the repeal of the special tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. BARBER: Petition of citizens of Easton, Pa., relative to treaty regulating liquor traffic in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. BRANTLEY: Resolutions of the Brunswick (Ga.) Board of Trade, in favor of an appropriation for the special or fast mail service for the South—to the Committee on the Post-Office and Post-Roads.

By Mr. BUTLER: Petitions of citizens of Media and Glen Moore, Pa., asking for the abolishment of the traffic in liquor in Africa—to the Committee on Alcoholic Liquor Traffic.

Also, petition of the Woman's Christian Temperance Union of Kennett Square, Pa., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. CALDERHEAD: Petition of Arthur Capper, of Topeka, Kans., in relation to the repeal of the tax on proprietary medicines—to the Committee on Ways and Means.

By Mr. COUSINS: Protests of B. F. Thomas & Sons and 2 other firms of Iowa, against the parcels-post system—to the Committee on the Post-Office and Post-Roads.

By Mr. DALZELL: Petition of Rev. Edgar M. Levy, D. D., for the erection of a monument to Gen. John C. Fremont—to the Committee on the Library.

Also, petition of members of Beulah Church, Allegheny County, Pa., urging the banishment of the liquor traffic in Africa—to the Committee on Alcoholic Liquor Traffic.

By Mr. DINSMORE: Petition of Daniel Smith, for arrears of pay, bounty, and restoration to pensionable status—to the Committee on Invalid Pensions.

By Mr. FITZGERALD of Massachusetts: Petition of the Massachusetts State Board of Trade, advocating the speedy passage of House bill No. 1439, amending the act to regulate commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. GREENE of Massachusetts: Papers to accompany House bill No. 316, correcting the military record of William Befuh, alias Charles Cameron—to the Committee on Military Affairs.

By Mr. GROW: Petition of Women's Home Missionary Society of the Methodist Episcopal Church of Philadelphia, Pa., favoring anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. HEATWOLE: Petitions of citizens of Green Isle, Young America, Cannon Falls, Glencoe, Chaska, and numerous other towns in Minnesota, against the establishment of the parcels-post system—to the Committee on the Post-Office and Post-Roads.

Also, petitions of J. A. Cosgrove, S. E. Jones, and others in the State of Minnesota, for construction of dam across Gila River, San Carlos, Ariz., for purposes of irrigation for Pima Reservation—to the Committee on Indian Affairs.

Also, petition of P. Cudmore and other citizens of Faribault, Minn., urging Government ownership of all the coal mines in the United States, etc.—to the Committee on Ways and Means.

By Mr. HENRY of Connecticut: Petition of the Connecticut Indian Association and others, relative to an adequate and permanent supply of living water for irrigation purposes for the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. HOFFECKER: Resolutions of the Historical Society of the State of Delaware, urging the passage of bill to make Valley Forge a national park—to the Committee on Military Affairs.

By Mr. KLEBERG: Petition of J. Flynn, W. Kelly, and other citizens of Cameron County, Tex., asking for change of law relating to employees in the Life-Saving Service—to the Committee on Interstate and Foreign Commerce.

By Mr. LANDIS: Petition of citizens of Crawfordsville, Ind., in favor of making provisions for an adequate and permanent supply of water for the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. LONG: Petition of T. W. Randall and many other citizens of Newton, Kans., favoring provision for an adequate and permanent supply of water for the Pima and Papago Indians—to the Committee on Indian Affairs.

By Mr. MERCER: Protest of the Nebraska State board of agriculture, against garden-seed appropriations—to the Committee on Agriculture.

By Mr. MIERS of Indiana: Resolution of the Indiana Republican Editorial Association, asking that Indiana stone be used in the erection of the Government building at Indianapolis—to the Committee on Public Buildings and Grounds.

By Mr. OTJEN: Petition of the internal-revenue gaugers, storekeepers, etc., of the First revenue district of Wisconsin, for sufficient appropriation to provide for their vacation without loss of pay—to the Committee on Appropriations.

By Mr. ROBINSON of Indiana: Petition of Hugh Dougherty,

of Bluffton, Ind., favoring the repeal of stamp tax on checks, drafts, etc.—to the Committee on Ways and Means.

By Mr. SHATTUC: Papers to accompany House bill No. 9076, for the relief of William H. Harrison, late pilot under Rear-Admiral Farragut—to the Committee on War Claims.

By Mr. TERRY: Resolutions of the Board of Trade of Little Rock, Ark., favoring fast-mail service between the East and the South—to the Committee on the Post-Office and Post-Roads.

By Mr. WANGER: Petition of Abbie C. Cranor and 18 other ladies of Conshohocken, Pa., for the extension of the scope of the forestry commission—to the Committee on Agriculture.

Also, petition of Historical Society of Bucks County, Pa., for national military park at Washingtons Crossing—to the Committee on Military Affairs.

Also, petition of Mrs. Allen D. Hoffer and 23 other ladies of Pottstown, Pa., and vicinity, for the preservation of part of the primeval forests in Minnesota as forest reserve and national park—to the Committee on Agriculture.

By Mr. WEEKS: Petition of Ladies' Literary Club and Women's Christian Temperance Union, of Mount Clemens, Mich., in favor of the anti-polygamy amendment to the Constitution—to the Committee on the Judiciary.

By Mr. ZIEGLER: Protest of 56 citizens of the Nineteenth Congressional district of Pennsylvania against the parcels-post system—to the Committee on the Post-Office and Post-Roads.

SENATE.

FRIDAY, February 1, 1901.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

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

NAVAL APPRENTICES.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Navy, transmitting, in response to a resolution of the 26th instant, a letter from the Chief of the Bureau of Navigation, containing a statement of the number of naval apprentices who have taken the course of instruction at the naval training schools during the past six years, etc.; which, with the accompanying papers, was referred to the Committee on Naval Affairs, and ordered to be printed.

FRENCH SPOILATION CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the Assistant Clerk of the Court of Claims, transmitting the conclusions of fact and of law filed by the court under the act of January 20, 1885, in the French spoliation claims, relating to the vessel brig *Hannah*, Samuel Cox, master; which, with the accompanying papers, was referred to the Committee on Claims, and ordered to be printed.

COUNTING OF ELECTORAL VOTES.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the concurrent resolution of the Senate relative to the counting of the electoral vote.

The amendment of the House of Representatives was to strike out all after the resolving clause and insert:

That the two Houses of Congress shall assemble in the Hall of the House of Representatives on Wednesday, the 13th day of February, 1901, at 1 o'clock in the afternoon, pursuant to the requirement of the Constitution and laws relating to the election of President and Vice-President of the United States, and the President of the Senate shall be their presiding officer; that two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented, and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted in the manner and according to the rules by law provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the person, if any, elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the Journals of the two Houses.

Mr. CHANDLER. I move that the Senate agree to the House amendment.

The motion was agreed to.

On motion of Mr. CHANDLER, it was

Ordered, That the tellers on the part of the Senate authorized by the concurrent resolution of the two Houses relating to the counting of the electoral votes for President and Vice-President of the United States be appointed by the President pro tempore.

CREDENTIALS.

Mr. KEAN presented the credentials of WILLIAM J. SEWELL, chosen by the legislature of the State of New Jersey a Senator

from that State for the term beginning March 4, 1901; which were read and ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 13822) making appropriations for fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes; in which it requested the concurrence of the Senate.

The message also announced that the President of the United States, having returned to the House, in compliance with its request, the bill (H. R. 5048) to confirm in trust to the city of Albuquerque, in the Territory of New Mexico, the town of Albuquerque grant, and for other purposes, the House has reconsidered its vote on the passage of the bill and has passed it again with an amendment; in which it requested the concurrence of the Senate.

IMPROVEMENT OF SAN JUAN HARBOR, PORTO RICO.

The PRESIDENT pro tempore. The Chair lays before the Senate a joint resolution of the legislature of Porto Rico relative to the improvement of San Juan Harbor, which will be read.

The Secretary proceeded to read the memorial.

Mr. HALE. What is the Clerk reading?

The PRESIDENT pro tempore. A resolution of the legislature of Porto Rico asking for the improvement of a harbor.

Mr. HALE. I suppose under the practice—

The PRESIDENT pro tempore. The Chair ordered it read under the custom of the Senate.

Mr. HALE. I suppose that under the custom of the Senate, resolutions coming from a State or Territorial legislature are read. I do not know whether the practice applies to Territories as well as States, but I suppose it does.

Mr. SPOONER. It may as well.

Mr. HALE. So there is nothing for us to do but to listen to it.

The PRESIDENT pro tempore. The reading is nearly finished.

Mr. FORAKER. May I ask what it is?

Mr. HALE. A resolution from the legislature of Porto Rico.

Mr. FORAKER. Has it been read?

The PRESIDENT pro tempore. The reading has been nearly completed.

Mr. HOAR. It asks for the improvement of a harbor.

Mr. FORAKER. We have that general subject under consideration now in the Committee on Pacific Islands and Porto Rico—that is, the general subject as to what should be done about it, whether by the United States Government or by the local legislature, and I ask that the memorial be referred to our committee.

Mr. MONEY. Mr. President, I should like to hear what is going on.

The PRESIDENT pro tempore. The Secretary was reading a memorial from the legislature of the Territory of Porto Rico addressed to the Congress of the United States.

Mr. MONEY. I failed to catch a single word that was said by the Senator from Maine or the Senator from Ohio, and I only wanted to hear what they were saying.

Mr. HALE. I can not hear the Senator.

Mr. MONEY. Will the Senator from Ohio be good enough to repeat what he said?

Mr. FORAKER. I only heard that something was being read from Porto Rico, and I made inquiry as to what it was. I have learned that it is a set of resolutions adopted by the legislature of Porto Rico relating to the improvement of harbors. I asked that when the reading was completed it might be referred to our committee. I would not have made the request at that time if I had known that the reading had not been completed.

Mr. HOAR. Mr. President, I desire to say what I am sure every Senator on the floor will agree to, that this being the first communication from the legislature of this people in an official way to Congress it ought to be received with peculiar respect. I do not know whether the custom of reading the resolutions of State legislatures at length extends to Territorial legislatures, but I hope it does, and if it did not I should hope it would be adopted in this case. I believe every Senator desires to listen with peculiar care to an expression of its wish from this people so newly and recently brought into relations with us.

The PRESIDENT pro tempore. The Secretary will continue the reading of the memorial.

The Secretary resumed and concluded the reading of the memorial, which is as follows:

Joint resolution concerning San Juan Harbor.

Be it resolved by the legislative assembly of Porto Rico: That the honorable the Senate of the United States and the House of Representatives, Washington, D. C.:

Your memorialists set forth:

That the harbor of San Juan, Porto Rico, is of vast importance both to the commercial as well as the naval interests of the United States. That the value of imports to Porto Rico from May 1 to December 31, 1900,