

WITHDRAWAL OF PAPERS.

Mr. LAPHAM, by unanimous consent, obtained leave to withdraw from the files of the Fifty-second Congress papers in the case of Francis A. Field.

Mr. CAMPBELL. I ask the gentleman from Texas [Mr. SAYERS] to withdraw his motion to adjourn that I may ask consideration of a little local bill.

Mr. SAYERS. I insist on my motion to adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 45 minutes p. m.) the House adjourned till 12 o'clock m. to-morrow.

REPORTS OF COMMITTEES ON PRIVATE BILLS.

Under clause 2 of Rule XIII, private bills and resolutions were severally reported from committees, delivered to the clerk, and referred to the Committee of the Whole House, as follows:

By Mr. CAMPBELL, from the Committee on Claims: A bill (H. R. 8651) for the relief of the personal representatives of James Rhodes, deceased. (Report No. 1953.)

By Mr. RUSK, from the Committee on Accounts: Miscellaneous document for the relief of John W. Almarode. (Report No. 1955.)

By Mr. BUNN, from the Committee on Claims: A bill (H. R. 8070) for the relief of Henry A. Webb. (Report No. 1956.)

PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

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

By Mr. CAMINETTI: A bill (H. R. 8961) to provide for the location and sale of certain lands, and for other purposes—to the Committee on the Public Lands.

Also, a bill (H. R. 8963) to add a new section to an act entitled "An act to provide for the examination and classification of certain mineral lands in the States of Montana and Idaho," approved February 26, 1895, to be known as section 9.

By Mr. HOUK: A bill (H. R. 8962) to authorize the improvement of the water power of the Holston River at Armstrong Mill Shoals, Tennessee—to the Committee on Rivers and Harbors.

By Mr. MERCER: Resolution of the house of representatives of the Nebraska legislature, requesting the Government to cede to Nebraska the site of Fort Omaha, to be used for a military training school—to the Committee on Military Affairs.

By Mr. HERMANN, from the Committee on the Territories: Memorial of the legislature of Oregon, to protect the wild fowl of Alaska.

By Mr. MORSE: Resolution passed by the legislature of Massachusetts, asking that the Government build a new and larger dry dock at Boston or enlarge the present one—to the Committee on Naval Affairs.

PRIVATE BILLS, ETC.

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

By Mr. BARTLETT: A bill (H. R. 8965) for the relief of the next of kin of Christian Reimers—to the Committee on Claims.

Also, a bill (H. R. 8966) for the relief of Tobias E. Lamb—to the Committee on Claims.

By Mr. DOOLITTLE: A bill (H. R. 8967) for relief of Marshall R. Hathaway—to the Committee on Pensions.

By Mr. THOMAS: A bill (H. R. 8968) granting a pension to Stephen L. Stone—to the Committee on Invalid Pensions.

Also, a bill (H. R. 8969) granting a pension to Rebecca P. McCullough—to the Committee on Invalid 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. BARTHOLDT: Petition of Typographia No. 3, in favor of the so-called Maguire bill for the better protection of American seamen—to the Committee on Merchant Marine and Fisheries.

Also, petition of 60 citizens of St. Louis, in favor of a constitutional amendment restricting the right of suffrage to actual citizens of the United States—to the Committee on the Judiciary.

Also, petition of 60 citizens of St. Louis, in favor of a constitutional amendment providing for the complete separation of church and state—to the Committee on the Judiciary.

By Mr. CAMINETTI: Petition of Rev. Amanda Deyo and 56 others, for the passage of House bill of January 19, 1895, for a permanent treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. COUSINS: Petition of 27 citizens of Tama County, Iowa, favoring (1) the restoration of silver to its "old position" on a ratio of 16 to 1; (2) that the Government alone be invested with power to issue currency—gold, silver, and paper; (3) that the law under which the Secretary of the Treasury is permitted to sell interest-bearing bonds be at once repealed, and that no more be

issued or sold except in pursuance of special act of Congress—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the State board of health of the State of Iowa, favoring House bill 8481—to the Committee on Interstate and Foreign Commerce.

By Mr. DALZELL: Resolution of 54 citizens of Pittsburg, Pa., in favor of an amendment to the Constitution that no State shall grant the right of franchise to any person who is not a citizen of the United States—to the Committee on the Judiciary.

By Mr. GARDNER: Petitions of 199 citizens of Burlington, 175 of Trenton, 150 of Mount Holly, 128 of Vincentown, 106 of Cassville, 100 of Hammonton, 82 of Yardville, and 64 of Crosswicks, all of New Jersey, against appropriating public money and in favor of a law prohibiting an establishment of religion—to the Committee on the Judiciary.

Also, petitions of 199 citizens of Burlington, 175 of Trenton, 150 of Mount Holly, 128 of Vincentown, 100 of Hammonton, 82 of Yardville, and 64 of Crosswicks, all of New Jersey, against granting the right of franchise to persons not citizens of the United States—to the Committee on the Judiciary.

By Mr. LOUDENSLAGER: Petition of citizens of Lindenwald, N. J., against Government support of sectarian institutions—to the Committee on the Judiciary.

By Mr. McCLEARY of Minnesota: Resolution by the Minnesota Agricultural Society, favoring legislation for the destruction of the Russian thistle—to the Committee on Agriculture.

By Mr. MAHON: Resolutions of a meeting of citizens of Clear Ridge, Pa., in favor of an amendment to the Constitution of the United States prohibiting any legislation for sectarian purposes, or appropriations—to the Committee on the Judiciary.

Also, resolutions of a meeting of citizens of Clear Ridge, Pa., in favor of an amendment to the Constitution of the United States prohibiting any State from granting the right of franchise to any person not a citizen of the United States—to the Committee on the Judiciary.

By Mr. MEREDITH (by request): Petition of A. Coleman Cis-mont and others, of Virginia and elsewhere, for the passage of House resolution of January 19, 1895, for the ratification of a permanent treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. REED: Petition of 150 member of the National Council of Women, asking for the passage of House resolution of January 19, 1895, for the ratification of a permanent treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. REILLY: Petition of citizens of Schuylkill County, Pa., in favor of the proposed sixteenth and seventeenth amendments to the Constitution—to the Committee on the Judiciary.

By Mr. SAYERS (by request): Protest from the Federation of Labor of the District of Columbia against the seizure of property by condemnation—to the Committee on Labor.

By Mr. TAYLOR of Indiana (by request): Petition of citizens of Elkhart, Ind., for the passage of House resolution of January 19, 1895, for the ratification of a permanent treaty of arbitration between the United States and Great Britain—to the Committee on Foreign Affairs.

By Mr. WHEELER of Alabama: Petition of Lorenzo D. Armstrong, of Marshall County, Ala., for relief—to the Committee on War Claims.

SENATE.

FRIDAY, March 1, 1895.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

EULOGIES ON THE LATE SENATOR STOCKBRIDGE.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution of the House of Representatives:

Resolved by the House of Representatives (the Senate concurring), That the eulogies delivered in Congress upon Hon. Francis B. Stockbridge, late a Senator from the State of Michigan, be printed as required by law.

Mr. McMILLAN. I ask that the resolution be put on its passage.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed the bill (S. 1921) for the removal of snow and ice from the sidewalks, cross walks, and gutters in the cities of Washington and Georgetown, and for other purposes, with an amendment; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R.

8093) 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.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8518) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. SAYERS, Mr. O'NEIL of Massachusetts, and Mr. CANNON managers at the conference on the part of the House.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8767) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes; agreed to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. DOCKERY, Mr. COOMBS, and Mr. DINGLEY managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the Vice-President:

A bill (S. 2790) to amend section 1 of chapter 398 of the laws of 1882, entitled "An act to provide for deductions from the gross tonnage of vessels of the United States;"

A bill (H. R. 5062) to grant the Gainesville, McAlester and St. Louis Railway Company the right to build two branch lines, and to grant the right of way therefor through the Indian Territory, and for other purposes;

A bill (H. R. 5580) to protect the insignia and the name of the Red Cross;

A bill (H. R. 6078) to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River;

A bill (H. R. 6956) to grant to railroad companies in the Indian Territory additional powers to secure right of way, depot grounds, etc.;

A bill (H. R. 7177) for the relief of Barzilla C. Hudson;

A bill (H. R. 8604) for the relief of the heirs and devisees of Jonathan Kirkwood, deceased;

A bill (H. R. 8698) to authorize the Washington and Marlboro Electric Railway Company, of Maryland, to extend its line of road into and within the District of Columbia; and

A joint resolution (S. R. 140) authorizing Second Lieut. F. D. Rockenbach, of the Tenth Cavalry, United States Army, to accept the position of commandant of cadets at the Virginia Military Academy, Lexington, Va.

PETITIONS AND MEMORIALS.

Mr. SHERMAN presented a petition of 60 citizens of Attica, Ohio, praying for the adoption of an amendment to the Constitution of the United States, providing that "no State shall grant the right of franchise to any person who is not a citizen of the United States;" which was referred to the Committee on the Judiciary.

He also presented petitions of 54 citizens of Cincinnati, of sundry citizens of Middleport, and of 60 citizens of Attica, all in the State of Ohio, praying for the adoption of an amendment to the Constitution of the United States, prohibiting the appropriation of moneys for sectarian institutions; which were referred to the Committee on the Judiciary.

Mr. McMILLAN presented a petition of the Chamber of Commerce of Detroit, Mich., praying for the establishment of branch hydrographic offices at each of the principal lake ports, especially at the port of Detroit, Mich.; which was referred to the Committee on Naval Affairs.

Mr. ALLEN presented petitions of sundry citizens of Calhoun, Jefferson, Bullock, Clark, Henry, and Bibb counties, all in the State of Alabama, praying for a republican form of government in that State; which were referred to the Committee on Privileges and Elections.

Mr. CULLOM presented a resolution of the general assembly of the State of Illinois; which was ordered to lie on the table, and be printed in the RECORD, as follows:

Senate joint resolution No. 12.

Whereas there is now pending in the Congress of the United States a bill known as House bill 8405, granting 5 per cent of the land sales on military land warrants to the public-land States; and

Whereas this bill is of great interest to the people of this State, and if enacted into a law will benefit the people of this State: Therefore, be it

Resolved by the senate of the State of Illinois (the house of representatives concurring therein), That our Senators in Congress are hereby instructed and our Representatives requested to vote for said bill and to use all honorable means to secure its passage.

Resolved further, That the secretary of the senate and clerk of the house furnish to each Senator and Member of Congress an authenticated copy of these resolutions.

We hereby certify that the foregoing is a true copy of preamble and resolutions adopted by the thirty-ninth general assembly of the State of Illinois.

J. H. PADDOCK,
Secretary of Senate.
JNO. A. REEVE,

Clerk of the House of Representatives.

SPRINGFIELD, ILL., February 27, 1895.

Mr. CULLOM presented a resolution of the general assembly of the State of Illinois; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

Senate joint resolution No. 14.

Whereas it is of paramount importance to the people of this State that the river and lake advantages within and adjacent to its boundaries be kept in proper condition for the carrying on of commercial enterprises between the citizens of this State and other States and countries; and

Whereas the harbor at Waukegan, Ill., has been partially improved by the United States Government, but is yet in need of further improvement in order to fully meet the needs of lake shipping at that point: Therefore, be it

Resolved by the senate (the house of representatives concurring herein), That our Senators in Congress be instructed and our Representatives be requested to obtain from the General Government an appropriation for the completion of the improvements begun in the harbor at Waukegan, Ill.

Resolved further, That the secretary of the senate and clerk of the house are hereby instructed to send certified copies of these resolutions to each of our Senators and Representatives in Congress assembled.

We hereby certify that the foregoing is a true copy of preamble and resolution adopted by the thirty-ninth general assembly of the State of Illinois.

J. H. PADDOCK,
Secretary of the Senate.
JNO. A. REEVE,

Clerk of the House of Representatives.

SPRINGFIELD, ILL., February 27, 1895.

Mr. CULLOM presented a resolution of the general assembly of the State of Illinois; which was referred to the Committee on Public Lands, and ordered to be printed in the RECORD, as follows:

Senate joint resolution No. 13.

Whereas the claim of this State against the Government of the United States for indemnity due the State under the swamp-land grant has never been adjusted or paid, but has been withheld for nearly half of a century upon one pretext and another; and

Whereas a bill is now pending before the Senate of the United States known as Senate bill No. 1777, providing for the settlement of the claims of this and other States arising under the several acts of Congress relating to swamp lands; and

Whereas said bill, as printed, contains clauses and amendments which, if not eliminated by amendment, will defeat and render nugatory the purpose of said bill, as stated in the title thereof: Therefore, be it

Resolved by the senate (the house of representatives concurring herein), That said bill, except lines 27 to 40, inclusive, of section 1, and that part of section 2 beginning with the word "and," in line 8 of said section, down to and including the word "investigation," in line 26 of said section 2, meets with our approval, and that said bill, if the above-designated portions are stricken out, will, if it becomes a law, result in a fair, just, and equitable settlement of the aforesaid claims.

Resolved further, That our Senators and Representatives in Congress be, and they are hereby, requested to use all honorable means to secure the passage of said bill, amended in the manner and form above set forth.

We hereby certify that the foregoing is a true copy of preamble and resolutions adopted by the thirty-ninth general assembly of the State of Illinois.

J. H. PADDOCK,
Secretary of Senate.
JNO. A. REEVE,

Clerk of the House of Representatives.

SPRINGFIELD, ILL., February 27, 1895.

Mr. WALSH presented a petition of the National Council of Women of Somerton, Philadelphia, Pa., praying for the enactment of legislation providing for an exhibit of the best methods of domestic science; which was referred to the Committee on Education and Labor.

INCREASE OF WAGES.

Mr. KYLE. I present a paper prepared by W. A. Croffut, Ph. D., of Washington, D. C., on the labor question, and having for its purpose the increase of wages.

I move that the memorial be printed as a document and referred to the Committee on Education and Labor. I have consulted with the members of the Committee on Printing.

The motion was agreed to.

Mr. GORDON. I wish to ask the Senate to give a few moments to pass a bill—

Mr. HALE. Let us have the regular order.

Mr. McMILLAN. Is morning business concluded?

The VICE-PRESIDENT. Morning business is not concluded.

Mr. GORDON. Of course, if there is morning business yet to be transacted I shall not insist on my motion; but I shall do so as soon as the morning business is over.

REPORTS OF COMMITTEES.

Mr. McMILLAN, from the Committee on the District of Columbia, reported an amendment intended to be proposed to the bill (H. R. 6816) to amend the charter of the District of Columbia Suburban Railway, and submitted a report thereon.

Mr. MITCHELL of Wisconsin, from the Committee on Military Affairs, to whom was referred the bill (H. R. 6851) for the relief of James Berry Duckett, reported it without an amendment.

Mr. BLANCHARD, from the Committee on Public Buildings and Grounds, to whom was referred an amendment submitted by Mr. GIBSON on the 28th ultimo, intended to be proposed to the general deficiency appropriation bill, reported favorably thereon.

Mr. QUAY, from the Committee on Pensions, to whom was referred the bill (H. R. 6565) granting a pension to Mary Jane Lynn, the daughter of John R. Lynn, who served as a private soldier from Pennsylvania in the war of the Revolution, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (H. R. 7671) granting a pension to Elizabeth L. Markham, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (H. R. 5301) to pension David H. Sexton for services in Oregon Indian wars, reported it without amendment, and submitted a report thereon.

SETTLERS ON FORFEITED RAILROAD LANDS.

Mr. BERRY. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 2355) to amend an act entitled "An act to amend an act entitled 'An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes,' approved September 29, 1890, and the several acts amendatory thereof," to report it favorably with an amendment. I will state that the other House has passed a bill in precisely the same words as the bill unanimously reported by the Committee on Public Lands. I should like to have the House bill substituted for the Senate bill.

Mr. MITCHELL of Oregon. As this relates to a matter in which settlers are very much interested in certain sections of the country, I ask that the House bill be put on its passage now, if it is agreeable to the Senate.

Mr. BERRY. The House bill and the Senate bill are precisely alike. It is a bill to which there is no objection in either House, and I hope the request of the Senator from Oregon will be complied with.

The VICE-PRESIDENT. The Chair lays before the Senate the bill received from the House of Representatives, which now on the table.

The bill (H. R. 8097) to amend an act entitled "An act to amend an act entitled 'An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes,' approved September 29, 1890, and the several acts amendatory thereof," was read twice by its title.

Mr. PLATT. What is the request?

The VICE-PRESIDENT. The Senator from Oregon requests the immediate consideration of the House bill just laid before the Senate.

Mr. HALE. It is a general act.

Mr. HOAR. I do not think such an important measure should be passed upon now.

Mr. MITCHELL of Oregon. I hope the Senators will hear me for about two minutes in regard to this proposed act.

Mr. PLATT. I was going to ask the Senator from Oregon to make an explanation.

Mr. MITCHELL of Oregon. I am not quite sure—

Mr. HOAR. I hope the Senator will at least make good grammar out of the bill.

Mr. MITCHELL of Oregon. Now, if I can have the attention of the Senate for a few moments I think I can satisfy every member of the Senate that this bill ought to pass.

In the forfeiture act, passed in 1890, provision was made for the protection of two classes of persons who were claiming lands from the railroad companies. One class was composed of persons who had written contracts with or licenses from the railroad company. This bill does not refer to that class at all. Another class was composed of persons who were in possession of railroad lands, cultivating the same. Each of those classes was entitled to purchase not exceeding 320 acres of land thus in their possession and being cultivated by them by paying \$2.50 an acre.

The Land Department for over a couple of years or more held that it was not necessary in the latter class that the persons should be in actual possession, but held it was sufficient if they had fenced in the land and were cultivating it. Along the Columbia River, in the State of Oregon, where these lands were mainly forfeited, a great many persons have been in possession of the lands for years, cultivating them and having them fenced in, but they do not reside on them. Recently the Secretary of the Interior held that in his judgment a fair construction of that act required actual residence on the land.

A great many patents have issued to persons who are in possession by having the same fenced and cultivating the same, but who never resided on the land, while others of the same class can not now get patents, simply from the fact that they do not actually reside on the land. Yet they have been in possession of the same, many of them, for twenty years, cultivating and raising crops on the same, and the only purpose of this proposed act is to allow persons who have fenced in lands and cultivated the same, in other words, who are in possession of the same, to obtain their patents by paying \$2.50 an acre, although they do not actually reside on the land.

Now, that is all there is in this bill. It does not extend the time; it does not reduce the amount; it does not do anything except what I state.

The VICE-PRESIDENT. Is there objection to the present consideration of the bill?

Mr. PLATT. I dislike very much to make any suggestions that a bill is not being fairly considered. I know that this is an important bill. I know that the act of 1890 was a very necessary measure. I know that it was passed in order to relieve cases of hardship. But I do not know how this bill will operate. If the Committee on Public Lands have carefully considered the bill, and say it is all

right, I should not take it upon myself to make an objection at this time.

I notice that the bill is ungrammatical as it was read, and I could not, in the brief reading of it, gather what the effects would be. I wish to inquire of the chairman of the Committee on Public Lands whether this measure has been before the committee in the regular way, and has received careful consideration.

Mr. BERRY. I will state to the Senator from Connecticut, in answer to his question, that the bill was for quite a time before the committee, and was talked about frequently, but on account of the absence of the Senator from Oregon [Mr. DOLPH] it had not been reported, until the other House, after a thorough consideration and a full investigation, passed identically the same bill, except there was one little mistake in the Senate bill, where "not" should have been inserted and was left out accidentally. The other House passed, after thorough consideration, the same bill. We had considered it, but it was not agreed by the committee to be reported yesterday when we found that the House had passed the bill.

The bill is all right; there is no job in it; and the parties have got to pay \$2.50 an acre for the lands which are already fenced and cultivated. That is better for the Government. I do not think that there is any wrong in it in any way. There is no objection from any quarter that I have heard of.

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

Mr. PLATT. I should like to know just what this means, for here is the real meat of the bill:

Provided, That actual residence upon the lands by persons claiming the right to purchase the same shall not be required where such lands have been fenced, cultivated, or otherwise improved by such claimant.

Mr. BERRY. I will state to the Senator, if he will permit me—

Mr. PLATT. Let me make my inquiry. How could there be a class of claimants who had "fenced, cultivated, or otherwise improved" the land who did not reside on it? What character of people are they?

Mr. BERRY. I will state to the Senator from Connecticut that I do not know the character of the people who are residing on the lands, because I am not acquainted with them. The first ruling of the Department was that if the land was in actual cultivation, although the owner might have resided on another tract or might have resided in Walla Walla, if he was actually cultivating and fencing the land it fell under the act of 1890. But Secretary Smith thought that a strict construction of the act of 1890 only applied to those whose residence was on the land, and denied other parties the right to purchase where they had been authorized to do so under a former ruling.

By the words "provided he fenced it and cultivated it," it is meant simply to say that although his residence might not be on that 160 or 320 acres, still he should have the right to purchase it at \$2.50 an acre.

Mr. PLATT. Are these parties persons who in all instances acquired their lands from the railroad companies before the grant was forfeited?

Mr. MITCHELL of Oregon. Every one of them.

Mr. PLATT. They do not in any instance embrace people who have gone upon the lands as homesteaders or under the old pre-emption law?

Mr. BERRY. They were protected under the other act.

Mr. MITCHELL of Oregon. And they are protected under this bill.

Mr. BERRY. Like those who have bought—both classes.

Mr. PLATT. There was great complaint that people had made fraudulent entries on land.

Mr. BERRY. They were protected in 1890. Whether the entries were fraudulent or not, we passed an act allowing them to purchase the land at \$2.50 an acre.

Mr. HALE. As this is clearly a change of the general fundamental law in relation to the occupation and title to lands, and must be passed without the Senate knowing much about it, let me ask the Senator from Oregon or the Senator from Arkansas what is the particular need of pressing it now without giving the Senate an opportunity to look into it and investigate it and discuss it? What is the particular need of its passing now, as it has been allowed to run along until the end of the session?

Mr. MITCHELL of Oregon. I will answer the Senator from Maine. In the first place, the Senator is under a misapprehension when he states that this is a proposition to change the fundamental law. In my judgment, the bill does not change a thing. There has been a difference of opinion as to what the present law means. The Secretary of the Interior and the Commissioner of the General Land Office held for a long time that the law as it stands to-day means precisely what this bill will make it mean beyond all question. The present Commissioner of the General Land Office holds still that the law does not require actual residence on the land; that if the party who has purchased the land has fenced it and is cultivating it, it is not necessary to reside on the land. However, the Secretary of the Interior recently, without I think much consideration perhaps, has held that in his judgment the correct interpretation of the law requires actual residence on the land.

Mr. HALE. Now that is essentially—

Mr. MITCHELL of Oregon. I do not believe that is a correct interpretation; neither does the Commissioner of the General Land Office.

Mr. HALE. I ask the Senator why is it that this is not a change of the fundamental law? Is it not a fundamental proposition generally that residents must go on the land? Has not that been the theory? I will say to the Senator I have not the familiarity with this subject that he has, because my constituents are not interested and I do not follow it up.

I only know that in all the time I have been in Congress there has been constant complaint of the results following from hasty legislation upon the public lands—that at the time when such bills were pushed through nobody understood or knew about them. I predict that this very bill (and I get that impression from the discussion that has taken place) will give rise to trouble hereafter; that it will be claimed it was not understood what its provisions were; that it will be found to be much more sweeping and extensive than is either admitted or understood; and that it will come back to plague us.

I say that on a matter changing the fundamental law with reference to residence going with occupation of land to maintain title, where it is admitted by the Senators that two Secretaries of the Interior have taken different grounds, Congress ought not now to interpose with no more consideration than the Senate is capable of giving this bill. There I am going to leave it.

Mr. President, it has got to be the fashion here, when a Senator believes that a bill ought to be kept for discussion and considered, that he is importuned personally not to make an objection, and we give way rather than to have the appearance of needlessly interposing; but it is a bad practice. It is one that gives rise to trouble hereafter, and it prevents the full consideration of great bills that ought to be debated at length. There I leave this subject, predicting that it will come back and plague us after the bill becomes a law.

Mr. MITCHELL of Oregon. Never in the world.

Mr. MANDERSON. I should like to ask the Senator from Oregon a question for my own satisfaction. Of course, we all understand that residence upon the land is a feature of the purchase of land or the homesteading of land that belongs to the Government. This measure, I understand, applies only to lands that have been purchased from land-grant railroads.

Mr. MITCHELL of Oregon. That is all.

Mr. HALE. A large class of purchasers.

Mr. MANDERSON. Certainly, a large class of purchasers; but has it ever been held that a purchaser of land from a railroad company shall make it his home and occupy it?

Mr. MITCHELL of Oregon. Never.

Mr. MANDERSON. That is what I understand.

Mr. MITCHELL of Oregon. That is the distinction.

Mr. HALE. Yet the Secretary of the Interior seems to have ruled—I judge from what has been said here—that that is necessary. Mr. BERRY. He simply construed the law that way. The former Secretary held that it was not necessary.

Mr. MITCHELL of Oregon. The present Secretary simply held that the word "possession" meant actual occupation.

Mr. HALE. He has so ruled. You may phrase it as you please. The present Secretary has ruled that occupation and residence are needed. That is a very distinctive thing.

Mr. BERRY. If the Senator will permit me I will state that it was the intention of the committee when they had the bill of 1890 passed to apply the act to this kind of cases, but using the word "possession," the Secretary since construed it in the way the committee did not intend. The object of this bill is to correct the construction given by the Secretary of the Interior.

Mr. MANDERSON. I understand the distinction is that where land is taken under the homestead laws of the United States, occupancy, actual residence—

Mr. MITCHELL of Oregon. And under the preemption law.

Mr. MANDERSON. Which gives ownership.

Mr. MITCHELL of Oregon. Always.

Mr. MANDERSON. But where purchase is made from a land-grant road then it is the same as though the purchase was made from a private individual.

Mr. MITCHELL of Oregon. Precisely.

Mr. MANDERSON. And the man can hold it for sale or hold it for occupancy, as he pleases.

Mr. MITCHELL of Oregon. Precisely.

Mr. MANDERSON. As I understand the object of the bill, it is to construe a statute to show that occupation means legal and not actual possession.

Mr. HALE. It is a construing statute to get over the attitude taken by the present Secretary of the Interior.

Mr. MANDERSON. That is as I understand it.

Mr. HALE. That is undoubtedly so.

Mr. MANDERSON. If I may continue a moment longer—I simply want a little light on this subject to see if I properly understand it—I should like to have the Senator from Oregon state to what States this legislation will probably apply.

Mr. MITCHELL of Oregon. Mainly to the State of Oregon.

Mr. CULLOM. To the land-grant States alone?

Mr. MITCHELL of Oregon. Alone.

Mr. CULLOM. And to nothing else?

Mr. MITCHELL of Oregon. To nothing else.

Mr. MANDERSON. I should like to know, would it apply to lands adjoining the Central and Union Pacific railroads and other roads in the States of Nebraska, Wyoming, etc.?

Mr. MITCHELL of Oregon. It applies to no lands whatever in the United States except to those railroad lands which have been declared forfeited by Congress on account of failure to comply with the conditions of the grant. This bill is solely in the interest of a very meritorious class of farmers.

I hope we may have a vote now, Mr. President. I do not wish to occupy time.

Mr. CAREY. Mr. President, I only want to say a word. This bill comes from the Committee on Public Lands. It does not materially change the existing law, the law of 1890, which provided for the disposition of unearned lands within railroad grants, and that they should be subject to purchase at \$1.25 an acre by actual settlers within two years. Now the time has been extended to 1897, two years longer. The other provision simply changes the construction as to what is meant by being in possession of the land; it does not confer any extra authority upon anybody, or any extra rights so far as the purchase of land is concerned. There is no reason why the bill should not pass.

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

Mr. BERRY. I move that the bill (S. 2355) to amend an act entitled "An act to amend an act entitled 'An act to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes,' approved September 29, 1890, and the several acts amendatory thereof," be postponed indefinitely.

The motion was agreed to.

CIRCUIT AND DISTRICT COURTS IN TEXAS.

Mr. COKE. I am directed by the Committee on the Judiciary to report favorably, with an amendment, the bill (H. R. 7150) to provide for terms of the circuit and district courts of the western judicial district of the State of Texas, to be held at the city of Laredo, and for other purposes. I ask for its immediate consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The amendment reported by the Committee on the Judiciary was, in section 1, line 4, before the word "Monday," to strike out "second" and insert "third;" so as to make the section read:

That there shall be two terms of the circuit and district courts of the western district of Texas held on the third Monday in March and the first Monday in December in each year, at the city of Laredo.

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.

SPECIE RESUMPTION AND REFUNDING OF THE NATIONAL DEBT.

Mr. MANDERSON, from the Committee on Printing, reported the following resolution, and it was considered by unanimous consent and agreed to:

Resolved, That House Ex. Doc. No. 9, second session, Forty-sixth Congress, entitled "Specie resumption and refunding of the national debt," be reprinted for the use of the Senate.

HISTORY OF RED-CROSS SOCIETIES.

Mr. MANDERSON, from the Committee on Printing, reported the following resolution; and it was considered by unanimous consent, and agreed to:

Resolved, That the history of the societies of the Red Cross authorized to be prepared and printed under joint resolution of Congress, approved August 3, 1882, and thereafter printed under the direction of the Secretary of State, be printed in the usual number, and that such additional number as can be printed for the sum of \$500 shall be printed for the use of the Senate, and there shall be added to said publication, under the direction of the Committee on Printing, the history of said societies of the Red Cross after 1882, to be prepared by Clara Barton, said additional matter not to exceed 100 pages.

PRINTING OF NICARAGUAN CANAL REPORT.

Mr. GORMAN. I am instructed by the Committee on Printing, to whom was referred the resolution submitted by the Senator from Alabama [Mr. MORGAN] on the 9th ultimo, to report an amendment to the resolution in the nature of a substitute, and ask that the substitute may be read and acted upon.

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

Resolved, That 3,000 copies of Senate Report No. 331, Fifty-third Congress, second session, with index thereto, be printed, of which 1,000 copies shall be for the use of the Committee on Foreign Relations and 2,000 copies for the use of the Senate.

Mr. GORMAN. I submit a report on the expenses of the printing, to accompany the resolution.

The VICE-PRESIDENT. The report will be printed under the rule.

EMPLOYEES AT MALBY BUILDING.

Mr. JONES of Arkansas, from the Committee to Audit and Control the Contingent Expenses of the Senate, to whom was referred the resolution submitted by Mr. LINDSAY on the 25th ultimo,

reported it without amendment, and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That the Sergeant-at-Arms of the Senate be, and he is hereby, authorized to continue the present session employees at the Maltby Building, authorized under resolution of July 26, 1892, during the coming recess of Congress.

BILL INTRODUCED.

Mr. MARTIN introduced a bill (S. 2808) to authorize the Oklahoma Central Railroad to construct and operate a railway through the Indian and Oklahoma Territories, and for other purposes; which was read twice by its title, and referred to the Committee on Indian Affairs.

AMENDMENTS TO BILLS.

Mr. VOORHEES submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which was referred to the Committee on Appropriations.

He also submitted an amendment intended to be proposed by him to the general deficiency appropriation bill; which, with the accompanying paper, was referred to the Committee on Appropriations.

Mr. DANIEL submitted an amendment intended to be proposed by him to the naval appropriation bill; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. DAVIS submitted an amendment intended to be proposed by him to the bill (S. 2297) to provide for the restatement, readjustment, settlement, and payment of dues to army officers in certain cases; which was ordered to lie on the table.

WESTERN CHEROKEE INDIANS.

Mr. TELLER submitted the following resolution; which was referred to the Committee on Indian Affairs:

Resolved, etc., That the Secretary of the Interior be, and he is hereby, directed to withhold any further distribution and payment out of the money derived from 85 per cent of the judgment in favor of the "Old Settler" or Western Cherokee Indians against the United States in the sum of \$800,386.31, set apart for the payment of expenses and for legal services justly and equitably payable on account of the prosecution of said claim, until otherwise authorized by law, except allowances already made for legal services, and to report to the Senate any and all payments and distributions from said fund already made, with copies of all papers in any manner connected with said payments and distributions filed in the Interior Department and the office of the Commissioner of Indian Affairs, and the action had thereon.

INVESTIGATION BY COMMITTEE ON COMMERCE.

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

Whereas the Senate did heretofore, on the 17th day of August, 1894, duly authorize the Committee on Commerce to sit during the recess of Congress and to visit and examine the Pacific Coast between Points Duma and Capistrano, with a view to determining the best location for the construction of a deep-water harbor, and did authorize said committee to visit and examine such other works of river and harbor improvements on the Pacific Coast existing or proposed as in their judgment the interests of commerce may demand, giving said committee the power to subpoena witnesses, to administer oaths, to take testimony, to employ a stenographer, and to appoint a sergeant-at-arms from the messengers of the Senate: Therefore, be it

Resolved, That Senators VEST, FRYE, JONES of Nevada, GORMAN, CULLOM, QUAY, WHITE, MURPHY, and BERRY, members of the Committee on Commerce, be, and they are hereby, authorized and directed to sit as a committee of the Senate during the present year, with the same powers and duties so conferred on and assigned to said Committee on Commerce, and that the actual necessary expenses of said committee properly incurred shall be paid out of the contingent fund of the Senate.

BRITISH BERING SEA CLAIMS.

Mr. MORGAN. I offer a resolution, for which I ask present consideration.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read, as follows:

Resolved, That the message of the President received by the Senate on February 13, 1895, relating to the payment by the United States of the claims of Great Britain arising out of the Bering Sea controversy, is referred to the Committee on Foreign Relations, with instruction that such committee examine into the question of such liability to Great Britain and the amount thereof, if any, and of any liability on the part of Great Britain or Canada arising out of said controversy, and that said committee shall have authority to report by bill or otherwise; and, in making such examination, may sit in the vacation of the Senate.

The VICE-PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SHERMAN. I wish to ask the Senator from Alabama whether it would be wise to pass this resolution pending the controversy between the two Houses with respect to an appropriation of four hundred and some odd thousand dollars?

Mr. MORGAN. There is no such controversy.

Mr. SHERMAN. I think that matter is now in conference between the two Houses.

Mr. MORGAN. No; I beg pardon. There is no report in either House in favor of any money to go to Great Britain, as the case now stands.

Mr. HALE. Such an appropriation was stricken out in the House of Representatives.

Mr. MORGAN. Yes; that was stricken out.

Mr. HALE. And the Senate committee has not put it in; so it is not in conference.

Mr. MORGAN. There is no controversy. I wish to make this statement: The British Parliament seems to be acting upon this subject now by anticipation. I see by the morning papers that Sir George Baden-Powell says that he wants to pay to the Canadians and

to the recalcitrant and rascally Americans who hired themselves out to the British flag to rob the Government of the United States and to violate its laws and dishonor the country, and to pay them in advance, so as to have a moral claim on the United States for this \$425,000, not one shilling of which is due.

I propose that the Committee on Foreign Relations shall investigate that matter. There has been enough of falsehood and misrepresentation about that in official documents and in newspapers to require, for the vindication of the honor of this country, that that investigation should be made; it makes no difference what any committee of this body may do.

Mr. SHERMAN. I have no objection to the resolution.

Mr. TURPIE. I should like to ask the Senator from Alabama whether the text of this resolution does not propose a revision of the Bering Sea arbitration.

Mr. MORGAN. Not by any means. It is merely to ascertain what are the obligations of the respective Governments under it.

Mr. TURPIE. It seems to me that the text of the resolution, as I heard it read, proposes to review the proceedings of the international arbitration.

Mr. MORGAN. Not at all. It is merely to ascertain what are the liabilities of the respective Governments under it.

Mr. TURPIE. The liabilities spoken of are certainly *res adjudicata*.

Mr. MORGAN. I quoted from the language of the President of the United States in sending his message to the Senate.

Mr. TURPIE. I ask that the resolution be printed and go over.

The VICE-PRESIDENT. Objection being interposed, the resolution will go over and be printed.

SENATE ELECTION CASES.

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

Resolved by the Senate (the House of Representatives concurring), That of the document (—) "Senate election cases and precedents relating to privileges of the Senate," compiled by George P. Furber, and by the Senate ordered to be printed by a concurrent resolution March 21, 1894, 100 additional copies be printed for the use of the compiler.

DOMESTIC ARTS.

Mr. GALLINGER submitted the following resolution; which was referred to the Committee on Education and Labor:

Whereas the industrial education of women in household arts is of national importance and a potent element in the labor problem; and

Whereas a complete presentation of the best methods and appliances in household arts would tend toward a solution of this phase of the labor problem;

Be it enacted, etc., That in connection with some exhibit already undertaken by the Government, a special department shall be provided for making an effective presentation of these best methods and appliances in domestic arts.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice-President:

A bill (S. 328) granting an increase of pension to Mrs. Martha Custis Carter, widow of the late Rear-Admiral S. P. Carter;

A bill (S. 1535) to correct the naval history of John C. Dull;

A bill (S. 1539) granting a pension to Josephine Foote Fairfax;

A bill (S. 2032) to grant a pension to Ida C. Martin;

A bill (S. 2173) to provide for the appointment of additional judges of the United States court in the Indian Territory, and for other purposes; and

A bill (S. 2351) granting a pension to Charles E. Jones.

JOINT COMMITTEE OF NECROLOGY.

Mr. MANDERSON. I ask that the resolution presented by me yesterday, and now on the table of the Vice-President, may be considered.

The VICE-PRESIDENT. The Chair lays before the Senate the resolution yesterday submitted by the Senator from Nebraska, which will be read.

The Secretary read the resolution, as follows:

Resolved, That the Committee on Rules be directed to consider the propriety of reporting to the Senate a joint rule of the two Houses providing for a joint committee of necrology, whose duty it shall be to report to Congress after the death of a Senator, Representative, or Delegate upon the life and services of the deceased member; and all reports of said joint committee to be printed and bound at the conclusion of each Congress in one volume, to be entitled "Necrology of — Congress," together with such written contributions as may be made and submitted by the colleagues of the deceased member to the joint committee, such rule to take effect with the beginning of the Fifty-fourth Congress.

Mr. MANDERSON. I simply desire to say that I think the experience of Congress with reference to this subject-matter has been of such a character that the wisdom of some such rule as that to which the resolution refers is apparent without argument. I hope that the resolution will be adopted, and that the Committee on Rules will give attention to the subject.

The VICE-PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to.

LABOR ARBITRATION.

Mr. BUTLER. I find in the RECORD of yesterday's proceedings that the Senator from South Dakota [MR. KYLE] moved to refer

the bill (H. R. 8556) concerning carriers engaged in interstate commerce, and their employees, to the Committee on Education and Labor. I desire to enter a motion to reconsider the vote by which that reference was made.

Mr. GORMAN. I suggest to the Senator to make the motion now. The bill properly belongs to the Interstate Commerce Committee.

Mr. BUTLER. It properly belongs to the Interstate Commerce Committee, and I move that the vote by which the bill was referred to the Committee on Education and Labor be reconsidered, and that it be referred to the Committee on Interstate Commerce.

Mr. PLATT. Is that the arbitration bill?

Mr. BUTLER. It is.

Mr. KYLE. I will state that that bill originated in the House of Representatives; that it was drawn by the Attorney-General and furnished to the Committee on Labor of the House, and not to the Committee on Commerce; it was considered by the Committee on Labor, reported favorably by that committee to the House, and engineered through the House by that committee. Upon coming to the Senate the bill should properly go to the Committee on Labor, and nowhere else, as it deals with the problems of labor as related to the railway carrying service of the United States. It is just as much in order that the bill should be considered by that committee as by any other committee of the United States Senate, and, inasmuch as the bill has been considered by the Committee on Labor of the other House, and it was desired that it should go to the Committee on Labor here, I think that reference was proper and should not be changed.

Mr. BUTLER. I enter the motion to reconsider the vote by which the bill was referred to the Committee on Education and Labor. Is it in order to act upon that motion now, Mr. President?

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

The VICE-PRESIDENT. The question is on the motion of the Senator from Wisconsin to proceed to the consideration of executive business. The motion submitted by the Senator from South Carolina will be entered.

Mr. BUTLER. I give notice that I shall call it up as soon as I can get the opportunity.

GRAND ARMY ENCAMPMENT AT LOUISVILLE, KY.

Mr. LINDSAY. I ask the Senator from Wisconsin to withhold his motion for a moment, that I may ask unanimous consent for the consideration of a joint resolution which it is important should be passed at once.

Mr. VILAS. I yield to the Senator for that purpose.

Mr. LINDSAY. I ask unanimous consent for the present consideration of the joint resolution (S. R. 139) authorizing the Secretary of War to deliver to citizens' general committee on twenty-ninth annual encampment Grand Army of the Republic, to be held at Louisville, September, 1895, condemned cannon.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution, which was reported by the Committee on Military Affairs with an amendment, in line 6, after the word "Kentucky," to insert "such;" and in line 7, after the word "cannon," to insert "as is necessary;" so as to make the joint resolution read:

Resolved by the Senate and House of Representatives, etc., That the Secretary of War is hereby authorized to deliver to the order of Thomas H. Sherley, general chairman twenty-ninth annual national encampment Grand Army of the Republic citizens' committee, Louisville, Ky., such condemned cannon as is necessary for the purpose of furnishing badges to the Grand Army delegates at said encampment: Provided, That no expense shall be caused the United States through the delivery of said condemned cannon.

The amendment was agreed to.

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

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

EXECUTIVE SESSION.

Mr. VILAS. I move that the Senate proceed to the consideration of executive business. A short session, I suppose, is all that will be necessary.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After two hours and seven minutes spent in executive session the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. JAMES KERR, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 684) for the relief of the heirs of the late Mrs. Catherine P. Culver.

ORDER OF BUSINESS.

Mr. GORMAN. I move that the Senate proceed to the consideration of the naval appropriation bill.

Mr. COCKRELL. The Senator from Maryland was not here last night when we closed at half after 12 o'clock. The Senate then took up, on my motion, the general deficiency appropriation bill. That is the pending unfinished business, and I must insist upon precedence being given to that bill. It is absolutely necessary for the final disposal of work on the appropriation bills that the de-

ciency bill shall be considered first. Then the naval appropriation bill can be taken up, and while that is being considered the conferees on the sundry civil bill and the legislative bill can dispose of them and be ready to report by the time the naval bill is disposed of. Unless the deficiency appropriation bill is disposed of now it will be impossible for us to do that. I must insist upon the regular order.

Mr. GORMAN. As a matter of course, if the chairman of the Committee on Appropriations desires to have that order followed I shall not object. Ordinarily the deficiency appropriation bill is considered last; but I appreciate what the Senator says. He is on the conference upon two or three great appropriation bills. I therefore can not press my motion.

The PRESIDING OFFICER (Mr. BLACKBURN in the chair). The Senator from Maryland withdraws his motion.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. GORMAN. During my temporary absence from the Chamber last night, I suppose in the confusion, when the Chair appointed the conferees on the legislative, executive, and judicial appropriation bill, he appointed Mr. COCKRELL, Mr. GORMAN, and Mr. ALLISON. I ask to be excused from service on that conference committee, and that the Senator from Florida [Mr. CALL], who is a member of the subcommittee, be substituted in my place.

Mr. COCKRELL. It was an oversight in making the announcement.

Mr. GORMAN. I also ask that the House be notified of the change, as I understand the notice has gone over to the other House.

The PRESIDING OFFICER. Without objection, the Senator from Maryland will be excused from service upon the committee of conference indicated, and the Chair will appoint the Senator from Florida [Mr. CALL]. The other House will be notified of the change.

ORDER OF BUSINESS.

Mr. ALDRICH. I suggest to the chairman of the Committee on Appropriations that before the appropriation bill is taken up we try to reach some understanding about the order of business during the day. We had a very late session last night, and we shall probably have to remain in session all night to-morrow night. It seems to me it is desirable to have an early adjournment to-night if the state of the public business will permit, and I suggest to the Senator from Missouri that we have an understanding that the deficiency appropriation bill be disposed of to-day and that no other business, except, perhaps, unobjected pension cases, shall be entered upon—

Mr. FAULKNER. And conference reports.

Mr. ALDRICH. And conference reports; and that when that is done the Senate will adjourn, unless there is some executive business to be transacted.

Mr. CULLOM. Let me suggest to the Senator that memorial services are expected to take place some time.

Mr. FRYE. That ought to be done on Sunday.

Mr. COCKRELL. It can not be done Sunday, because the Senate will take an adjournment at the conclusion of the services.

Mr. ALDRICH. Can it not be done at the close of Saturday's session?

Mr. CULLOM. Saturday's session will run over Sunday.

Mr. GORMAN. It would in all probability require an adjournment, and for that reason it can not be done on Saturday.

Mr. CULLOM. It is not expected to call up those resolutions until late in the evening.

Mr. COCKRELL. I think we can very readily get through with the deficiency appropriation bill by 5 o'clock. That is my judgment. Then the pension bills can be disposed of, and they ought to be disposed of, and then the eulogies can be had, and we will adjourn.

Mr. ALDRICH. If it can be understood that no other business is to be transacted, it is not necessary to have a quorum to listen to the eulogies.

Mr. FAULKNER. There may be conference reports to be made.

Mr. COCKRELL. Conference reports are always in order.

Mr. ALDRICH. They are always in order, of course. It is a great strain on all members of the Senate to stay here very late three nights in succession, and if we can avoid a session to-night in view of what is before us I think it is extremely desirable. I think an understanding can be had now by the Senate. I suggest to the Senator from Missouri that he ask for a unanimous agreement.

Mr. COCKRELL. It would be a decided relief to a number of members of the Committee on Appropriations to have to-night to dispose of appropriation bills in conference. We have already arranged for the consideration of the sundry civil appropriation bill in conference to-night.

Mr. FRYE. If the Senator should obtain unanimous consent that the deficiency appropriation bill might be considered under the five-minute rule there is no question but that we could get through with it.

Mr. ALDRICH. I do not think that would be necessary.

Mr. COCKRELL. I ask unanimous consent that the bill may be considered under the five-minute rule.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent that the pending business, which is the general

deficiency appropriation bill, shall be considered from this time forth under the five-minute rule. Is there objection? The Chair hears none.

Mr. ALDRICH. Now, I suggest that the Senator ask for the agreement which I indicated a few moments ago.

Mr. COCKRELL. I ask unanimous consent that when the deficiency appropriation bill is disposed of private pension bills and similar bills, as was specified yesterday evening, mere matters of the correction of military record, where there is no objection, and there are some few of those, may be considered.

Mr. GEORGE. And that the memorial services be had.

Mr. COCKRELL. And that the memorial services be had this evening, and that then the Senate adjourn.

Mr. ALDRICH. And that no other business shall be considered.

Mr. COCKRELL. And that no other business shall be transacted.

Mr. GEORGE. That is all right.

The PRESIDING OFFICER. Does the Chair understand that conference reports are included in the request of the Senator from Missouri?

Mr. COCKRELL. They will be received; but I shall ask that any conference report, unless a very short one, be printed and laid on the table.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

DEFICIENCY APPROPRIATION BILL.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 8892) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1895, and for prior years, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. COCKRELL. I ask that the amendments may be acted upon as they are reached in the reading of the bill, and that they be disposed of before other amendments are offered.

The PRESIDING OFFICER. Without objection the request of the Senator from Missouri will be considered as agreed to.

The Secretary proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 3, after line 3, to insert:

Convention between the United States and Ecuador: To carry into effect the convention concluded at Quito, February 28, 1893, between the United States and Ecuador, providing for a reference to arbitration of the claim of Julio R. Santos against the Government of Ecuador, \$5,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 9, to insert:

International bureau at Brussels for repression of African slave trade: To meet the share of the United States in the expenses of the special bureau created by article 82 of the general act concluded at Brussels July 2, 1890, for the repression of the African slave trade and the restriction of the importation into and sale in a certain defined zone of the African continent of firearms, ammunition, and spirituous liquors, for the year 1893, \$93,09.

The amendment was agreed to.

The reading of the bill was continued to line 24, on page 9.

Mr. COCKRELL. In line 18, on page 9, before the word "thousand," I move to strike out "five" and insert "ten," so as to increase the appropriation for expenses incurred in suppressing counterfeiting and other crimes from \$5,000 to \$10,000 and to correspond with the amount appropriated for the next fiscal year.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, at the top of page 10, to insert:

Payment to Joseph Redfern and Eliza J. Redfern: To enable the Secretary of the Treasury to pay to Joseph Redfern and Eliza J. Redfern, of the District of Columbia, the sum of \$2,738.40, being the amount stated to be due by the War Department for injuries to and rent of buildings Nos. 1719 and 1721 G street N.W., in the city of Washington, D. C.

The next amendment was, on page 15, after line 22, to insert:

UNDER THE SMITHSONIAN INSTITUTION.

National Zoological Park: For repairs to the Holt Mansion, to make the same suitable for occupancy, and for office furniture, including the accounts set forth hereunder in House Ex. Doc. No. 258 of this session, \$426.57.

The amendment was agreed to.

The next amendment was, on page 16, after line 4, to insert:

To reimburse the Smithsonian fund for assuming the expenses of labor and materials for repairs urgently necessary for the preservation of the Holt Mansion, including the accounts set forth hereunder in House Ex. Doc. No. 258 of this session, \$499.45.

The amendment was agreed to.

The next amendment was, on page 18, line 2, before the word "thousand," to strike out "three" and insert "four," so as to make the clause read:

Board of children's guardians: For care of feeble-minded children; care of children under 3 years of age, white and colored; board and care of all children over 3 years of age, and for the temporary care of children pending investigation or while being transferred from place to place, \$4,000.

The amendment was agreed to.

The next amendment was, on page 23, line 16, after the word "make," to strike out "the said Charles Cowles Tucker within six months after the passage of this act, settle his account as adminis-

trator of David Patterson, and pay over to the Commissioners of the District of Columbia, for the benefit of the police relief fund, any balance that may be due from him as administrator aforesaid," and insert "said judgment payable out of the revenues of the District of Columbia: And provided further, That the said Charles Cowles Tucker shall, within six months after the passage of this act, settle his account as administrator of David Patterson, and pay over to the Commissioners of the District of Columbia, for the benefit of the police relief fund, any balance that may be due from him as administrator aforesaid;" so as to make the clause read:

Provided, That the act of August 23, 1894, directing the payment of judgment in favor of Charles Cowles Tucker, administrator of David Patterson, out of police relief fund, be, and is hereby, amended so as to make said judgment payable out of the revenues of the District of Columbia: And provided further, That the said Charles Cowles Tucker shall, within six months after the passage of this act, settle his account as administrator of David Patterson, and pay over to the Commissioners of the District of Columbia, for the benefit of the police relief fund, any balance that may be due from him as administrator aforesaid.

The amendment was agreed to.

The next amendment was, on page 27, after line 7, to insert:

Improvement and care of public grounds: For removing snow and ice, \$500.

The amendment was agreed to.

The next amendment was, on page 35, after line 11, to insert:

Payment to North American Commercial Company: To compensate the North American Commercial Company for the loss of one bidarrah, or skin boat, which was sunk while engaged in lightening the U. S. S. *Adams*, when aground on St. Paul Island, Pribilof Group, Bering sea, on August 2, 1894, and which could not be raised, \$454.

The amendment was agreed to.

The next amendment was, on page 35, after line 20, to strike out:

To pay William E. Brandt, late a qualified surgeon in the Pension Office, for expenses incurred while detailed as a special examiner of the Pension Office during the fiscal year 1886, \$153.

The amendment was agreed to.

The next amendment was, on page 36, after line 7, to strike out:

To pay John H. Cradlebaugh, of Hood River, Oreg., for publishing in 1892, pursuant to instructions from the local land office at Vancouver, Wash., eleven notices of intention of final homestead proof to be made by Indians, \$55, or so much thereof as the Secretary of the Interior may ascertain to be due and certify for payment.

The amendment was agreed to.

Mr. MITCHELL, of Oregon, subsequently said: I was called from the Senate a few moments ago when the amendment of the committee to strike out the clause on page 36, which provides for the payment of a small claim to John H. Cradlebaugh, amounting to only \$55, was agreed to. I desire to appeal to the Senator from Missouri to allow that provision to remain in the bill as it came from the House of Representatives.

Mr. COCKRELL. I suggest to the Senator that he wait until we have concluded the committee amendments, and then he can call the matter up.

Mr. MITCHELL, of Oregon. Very well; I shall call it up later on.

The reading of the bill was resumed.

Mr. PLATT. There is something about the next paragraph relating to photolithographing, or otherwise producing copies of drawings of the weekly issues of patents, that I wish might be explained by the chairman of the committee. I call his attention to what was done in the legislative bill, where the following words, which appear in this paragraph, were stricken out:

To be done under the supervision of the Commissioner of Patents, and in the city of Washington, or within such a reasonable distance therefrom as the Secretary of the Interior may consider to be not disadvantageous to the Department.

If this is simply a provision to pay for something which has already been done, I submit that that language should not be in the paragraph; but if it is to pay \$12,000 for something which is contracted for and not done, perhaps it is not improper. I do not understand the provision.

Mr. COCKRELL. Will the Senator please read the paragraph as it was passed in the legislative appropriation bill?

Mr. PLATT. The provision in the legislative appropriation bill is as follows:

For producing copies of drawings of the weekly issues of patents, for producing copies of designs, trade-marks, and pending applications, and for the reproduction of exhausted copies of drawings and specifications; said work referred to in this and the preceding paragraph—

Then several lines appear to have been stricken out and these words inserted:

as provided by the act providing for the public printing and binding and for the distribution of public documents.

I do not consider this a very important matter, but I think the Senator from Missouri, in charge of the bill, had better consent to the striking out of the language I have read on page 36, and then the matter can be inquired into in conference.

Mr. COCKRELL. I have no objection to that.

Mr. PLATT. I move to strike out, on page 36, line 20, after the words "referred to," all down to and including the word "Department" in line 24. I think if the words I have indicated are stricken out the matter can be examined in conference.

The PRESIDING OFFICER. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. On page 36, line 20, after the words "referred

to," it is proposed to strike out "to be done under the supervision of the Commissioner of Patents, and in the city of Washington, or within such a reasonable distance therefrom as the Secretary of the Interior may consider to be not disadvantageous to the Department," so as to make the clause read:

Patent Office: For photolithographing or otherwise producing copies of drawings of the weekly issues of patents, for producing copies of designs, trade-marks, and pending applications, and for the reproduction of exhausted copies of drawings and specifications, said photolithographing or otherwise producing plates and copies referred to, \$12,500.

Mr. COCKRELL. I have no objection to that amendment.

Mr. PLATT. If the Senator finds the provision as it came from the House of Representatives is all right, I shall not object to it being restored in conference.

The PRESIDING OFFICER (Mr. PASCO in the chair). The question is on the amendment submitted by the Senator from Connecticut.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 38, line 9, before the word "dollars," to insert "five hundred;" so as to make the clause read:

That the unpublished work of the Eleventh Census shall be completed in the office of the Secretary of the Interior, to whom the records and other property of the Census Office shall be transferred; and the Secretary of the Interior is authorized to employ, from the date specified in this act, from the force of the Census Office then employed, a chief of division, at a salary of \$2,000 per annum; three special agents, and such other employees, not to exceed 90, as he may deem necessary for closing up and completing the work of the Eleventh Census, such employees to be paid according to the classification set forth in an act to provide for the taking of the Eleventh and subsequent censuses, approved March 1, 1889; and the Secretary of the Interior is further authorized to rent necessary rooms in the city of Washington to carry out the provisions of this act, at a cost not exceeding the rate of \$6,500 per annum; and he is also authorized to continue the services of the Commissioner of Labor in charge of the completion of the Eleventh Census, in accordance with an act to extend the time for completing the work of the Eleventh Census, and for other purposes, approved October 3, 1893.

The amendment was agreed to.

The next amendment was, on page 40, after line 3, to insert:

To reimburse John L. Bullis, captain Twenty-fourth Infantry and acting Indian agent at San Carlos Agency, Ariz., for expenses incurred by him in the United States district courts of Globe and Solomonsville, Ariz., in a suit brought against him by one E. W. Kingsbury, an ex-Indian trader at said agency in 1891, \$600.15.

The amendment was agreed to.

The next amendment was, on page 40, after line 10, to insert:

For payment to Henry L. Fitch in full compensation of amounts found due him by the Interior Department, for survey of the Quinalt Indian Reservation, in the State of Washington, under contract with the surveyor-general of said State, dated May 23, 1892, \$604.10.

The amendment was agreed to.

The next amendment was, on page 41, after line 23, to strike out:

To pay Allen R. English, of Arizona, for services as attorney rendered in defending five certain Indians charged with murder, under orders of the judge of the United States court in Arizona, \$750.

The amendment was agreed to.

The next amendment was, on page 43, line 4, before the word "dollars," to strike out "thirty-three" and insert "seventy-one;" so as to make the clause read:

For 1894, \$71.20.

The amendment was agreed to.

The next amendment was, on page 43, line 7, after the word "dollars," to insert "which sum, in connection with the amount appropriated August 23, 1894, for the defense of Indian deprecation claims and the investigation and examination of judgments of the Court of Claims in said cases, shall continue available until expended for the payment of salaries and expenses in the defense of said claims, whether pending or reduced to judgment;" so as to make the clause read:

Defense in Indian deprecation claims: For salaries and expenses in defense of the Indian deprecation claims, \$5,000, which sum, in connection with the amount appropriated August 23, 1894, for the defense of Indian deprecation claims and the investigation and examination of judgments of the Court of Claims in said cases, shall continue available until expended for the payment of salaries and expenses in the defense of said claims, whether pending or reduced to judgment.

The amendment was agreed to.

The next amendment was, on page 44, after line 3, to insert:

Expenses of Territorial courts in Utah Territory: For defraying the contingent expenses of the courts, including fees of the United States district attorney and his assistants, the fees and per diems of the United States commissioners and clerks of the court, and the fees, per diems, and traveling expenses of the United States marshal for the Territory of Utah, with the expenses of summoning jurors, subpoenaing witnesses, of arresting, guarding, and transporting prisoners, to be approved by the courts, the expense of hiring and feeding guards, and of supplying and caring for the penitentiary, to be paid under the direction and approval of the Attorney-General, upon accounts duly verified and certified, \$30,000.

The amendment was agreed to.

The next amendment was, on page 45, line 19, before the word "thousand," to strike out "three" and insert "eleven;" so as to read:

For 1893, \$11,000.

Mr. PLATT. May I ask a question? Are not the expenses of marshals and jurors appropriated for in advance? Are these merely deficiencies to supply what has not been appropriated for? It is a very large amount.

Mr. COCKRELL. Yes; it has always been very large. We have never in any year been able to appropriate anything like the amount; frequently not over half of it. The Attorney-General, since the bill was reported, sent me a letter, in which he suggests a reduction in certain amounts here. I am not sure that I have it now, but I will see that it is attended to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The next amendment was, on page 46, line 6, before the word "thousand," to strike out "one hundred and fifty-six" and insert "eighty;" so as to read:

For 1895, \$80,000.

The amendment was agreed to.

The next amendment was, on page 46, line 7, after the word "ninety-four," to strike out "seventy-five thousand seven hundred dollars and sixty-four cents" and insert "eighty-two thousand eight hundred dollars;" so as to make the clause read:

For 1894, \$82,800.

The amendment was agreed to.

The next amendment was, on page 46, after line 15, to insert:

For 1888, \$2.50.

The amendment was agreed to.

Mr. COCKRELL. There was one mistake made in the printing of the bill which I should like to have corrected before we go any further. On page 20, after line 3, is an amendment which we have passed over. The language is right, but it ought to be in italics. It should be treated as an amendment. It is, "For fuel, \$6,000." It is not a part of the bill as it came from the other House, and it appears now as a part of the bill. I desire that it shall be put in italics and treated as an amendment.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 20, after line 3, insert:

For fuel, \$6,000.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 46, line 19, before the word "dollars," to strike out "fifty-three" and insert "fifty-six;" so as to make the clause read:

For 1883, \$105.

The amendment was agreed to.

The next amendment was, on page 46, line 21, before the word "dollars," to strike out "eighty-four" and insert "one hundred and five;" so as to read:

For 1883, \$105.

The amendment was agreed to.

The next amendment was, on page 47, line 8, before the word "thousand," to strike out "seventy-six" and insert "seventy-eight;" so as to read:

For 1894, \$78,000.

The amendment was agreed to.

The next amendment was, on page 47, after line 16, to insert:

For 1887, \$3.

The amendment was agreed to.

The next amendment was, on page 50, after line 13, to insert:

Refund to Noble C. Butler, clerk United States court: To refund to Noble C. Butler, clerk of United States court, Indianapolis, Ind., the sum of \$49.30, costs in the case of *The United States vs. Nettie Williams*, inadvertently turned over to the United States and covered into the Treasury.

The amendment was agreed to.

The reading of the bill was continued to the end of line 6, on page 53.

Mr. COCKRELL. After line 6, on page 53, I ask for the adoption of the amendments that I offer, which we did not have ready when the bill was reported.

The PRESIDING OFFICER. The first amendment submitted by the Senator from Missouri will be stated.

The SECRETARY. After line 6, on page 53, insert:

Mail transportation: To pay amounts set forth in Senate Ex. Doc. No. 99, of this session, for inland mail transportation by railroad routes, being deficiencies, as follows: For 1893, exclusive of Pacific Railroad, \$15,794.86.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the Senator from Missouri will be stated.

The SECRETARY. On page 53, after the amendment just adopted, insert:

Miscellaneous: For rent, light, and fuel, first and second class offices, fiscal year 1893, \$1,684.68.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment submitted by the Senator from Missouri will be stated.

The SECRETARY. On page 53, after the amendment just adopted, insert:

Compensation of postmasters: For amounts to reimburse the postal revenues, being the amount retained by postmasters in excess of the appropriations, including the amount set forth in Senate Ex. Doc. No. 99, of this session, for the fiscal years as follows:

For 1894, \$1,775.46.

For 1893, \$830.16.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, on page 53, after the amendment just adopted, to insert:

To enable the Postmaster-General to refund to Volley P. Hart, postmaster at Sedalia, Mo., the balance of the \$9,000 received by him on the 13th day of April, 1894, from the Post Office Department to pay postal clerks and office force for the months of April, May, and June, 1894, and deposited by him in the First National Bank of Sedalia, which remained in said bank at the date of its failure, on May 4, 1891, not to exceed \$5,000: *Provided*, That before said balance shall be so refunded the said Volley P. Hart shall assign and transfer to the Postmaster-General his claim against said First National Bank of Sedalia for the said balance of the said \$9,000 and all dividends thereon.

The amendment was agreed to.

The next amendment was, on page 54, line 3, after the word "House," to strike out "and including the clerks to members of the House of Representatives now in Congress, to be certified to by the members as now prescribed by law;" so as to make the clause read:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House, borne on the annual and session rolls on the 1st day of February, 1895, including the Capitol police and official reporters of the Senate and House, for extra services during the Fifty-third Congress, a sum equal to one month's pay at the compensation then paid them by law, the same to be immediately available.

Mr. COCKRELL. We do not intend to interfere in any shape or form with the business of the other House. We have been requested by the Representative who offered this clause in the House, and at whose instance it was adopted and put in the bill, to strike it out, in order that it may be placed in conference, as it does not convey the meaning and intention they desired. At his solicitation, and at the instance also of the chairman of the subcommittee in charge of the deficiency appropriation bill, we have stricken out the clause, and leave it entirely to the House to make their own provisions for their own employees.

Mr. PEPPER. I wish to ask the Senator from Missouri what is the meaning and operation of the remainder of the paragraph. I see it provides for the payment of "a sum equal to one month's pay at the compensation then paid them by law" to certain officers and employees of the Senate and House. Does this not mean extra compensation over and above the regular salaries of these persons provided by law?

Mr. COCKRELL. I do not see how it could possibly mean anything else on earth. I think it means exactly what it says.

Mr. PEPPER. How long has this been the practice of the Senate?

Mr. COCKRELL. I have not been in the Senate long enough to tell when it originated.

Mr. PEPPER. I submit, and that is my object in asking the question, that it is a vicious practice, one that ought never to have been started, and one that ought to be abandoned just as soon as it can be done with propriety. I shall not object to the paragraph, but I give notice to the Senate that when we come to another bill of this kind and another year I shall make it a part of my business not only to call the attention of the Senate to what I think of the vicious character of such legislation, but to trace the history of this practice.

If the officers and employees referred to are not receiving sufficient salary I would cheerfully vote to give them enough, and I have no doubt that every other Senator would vote for it; but after we have given what we regard as sufficient out of the public Treasury, then to give them, in addition to that, one month's salary is a custom that is not in practice anywhere in private affairs among the people of this country or any other, and it ought not to be adopted here. I hope that when the next deficiency appropriation bill is prepared this matter will be looked at.

The amendment was agreed to.

Mr. COCKRELL. I have been requested to add to the clause, in order to put it into conference, after the word "House," in line 3, the words:

and W. A. Smith, CONGRESSIONAL RECORD clerk.

The amendment was agreed to.

Mr. COCKRELL. At the end of the paragraph, after line 8, I move to insert:

And to enable the Librarian of Congress to pay the employees in the law department of the Library of Congress one month's extra pay, the sum of \$400, or so much thereof as may be necessary, is hereby appropriated.

The amendment was agreed to.

Mr. MITCHELL of Oregon. Does the chairman of the committee understand that by striking out lines 4, 5, and 6, page 54, as recommended by the committee, the provision as it stands will give an extra allowance to the clerks of the members of the other House?

Mr. COCKRELL. I have not pretended to fathom what it means. We simply struck it out, as I said before, at the instance and solicitation of members of the House of Representatives, who desire to have it in conference, so that they may make such changes as they desire.

Mr. MITCHELL of Oregon. Then one other question. Does the clause, as it now stands with the amendment of the committee adopted, make provision for an extra month's allowance for Senators' clerks?

Mr. COCKRELL. Will the Senator just read it? I do not see how I can explain it so as to make it any plainer than it is. It says:

To enable the Secretary of the Senate and the Clerk of the House of Representatives to pay to the officers and employees of the Senate and House borne on the annual and session rolls.

Mr. MITCHELL of Oregon. Simply as one member of the Senate—

Mr. COCKRELL. There is no question about it. It certainly includes the clerks of Senators. It can not mean anything else. If the Senator has appointed a clerk and his name is on the roll he must be included.

Mr. MITCHELL of Oregon. I have no doubt about that.

Mr. COCKRELL. There is no question about it.

Mr. MITCHELL of Oregon. As one member of the Senate I should feel disposed, inasmuch as the House of Representatives sent that provision here providing for clerks of members of the House, to agree to it. I do not think we ought to strike it out.

Mr. WILSON of Washington. On page 54, line 1, I move to strike out the word "February" and insert "first day of March," and I hope the chairman of the committee will agree to the amendment. It is a very small matter. As the clause reads at the present time it leaves the clerks of three Senators on this floor without the benefit of this allowance. I think they ought all to stand on an equality.

The VICE-PRESIDENT. The Chair will recognize the Senator from Washington, for the purpose of moving the amendment he has indicated, when the committee amendments are disposed of.

Mr. WILSON of Washington. Very well.

The next amendment of the Committee on Appropriations was, on page 54, after line 8, to insert:

SENATE.

For compensation of the officers, clerks, messengers, and others in the service of the Senate, \$1,025.17, as follows: For clerk to the Committee on Civil Service and Retrenchment, and clerk to the conference minority of the Senate, \$162.46 each; for clerk to the Committee on Woman Suffrage, and clerk to the Committee on Mines and Mining, \$172.60 each; three clerks to committees, \$118.25 each; salary for the above-mentioned employees, from July 1, 1894, to June 30, 1895, in accordance with the provisions of the act of July 31, 1894, making appropriations for the legislative, executive, and judicial expenses of the Government.

The amendment was agreed to.

Mr. MANDERSON. I thought we were still considering the paragraph on page 54, ending at line 8. I desire to ask what has become of the committee's amendment striking out certain words in lines 3, 4, and 5 in that paragraph?

The VICE-PRESIDENT. The amendment was agreed to.

Mr. MANDERSON. Before passing from that, as the committee has amended the provision, I propose an amendment upon which I hope no point of order will be made by the Senator in charge of the bill. I move to insert at the end of line 8 what I send to the desk.

The SECRETARY. After line 8 insert:

And hereafter wives and children of Senators, Representatives, and Delegates shall not be carried on or paid upon the rolls of either House of Congress as clerks of committees or clerks of Members of Congress.

Mr. MANDERSON. I call the attention of the Senator from Missouri to this amendment, and I hope it will meet with his approval. I think that this evil should be remedied.

Mr. COCKRELL. I could not hear a word. Let the amendment be again read.

The Secretary again read the amendment.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Nebraska.

Mr. HOAR. Mr. President, I do not agree to the amendment. I have never to my knowledge done anything to promote the holding of political or public office of any kind by any relative of my own, and never expect to do so. I have no personal interest in this matter. But the newspapers have, I see, criticised some members of this or the other House because they have employed their sons as clerks.

Mr. MANDERSON. And wives.

Mr. HOAR. It is the employment of sons as clerks that I am talking about. It is a highly confidential relation. The clerk of the committee acts, and is expected to act, and always has acted, as the confidential private secretary of the Senator or Representative. He opens his mail as if it were his own; at least that has been my arrangement about it. He attends to it in the absence of the Senator or the Representative; he has the opportunity of knowing his closest and most intimate secrets.

There are plenty of reasons against nepotism or against appointing to public offices for the discharge of purely public duties the near kindred of public men. I entirely sympathize with the objections that have been raised to having judges of courts appoint their sons or nephews or brothers as clerks; although that has been done. But I think if I had a son who was willing to undertake the duty and was competent, he is the man of all others whom I should want to appoint, whom I should have a right to appoint, and whom I ought to appoint. It is a very great mistake on the part of those members of the press who attack the members of this body or of the other House on that account.

The question of the appointment of the wife is one which I do not care to discuss. I am, as everybody knows, in favor of having women employed in all public duties, legislative or other; but whether you would have any women for the particular function of clerk of a committee of this body, which requires the clerk to be up late at night, to be going around the galleries and corridors of the Capitol, and going into places that are not very attractive down in the basement where my committee room is, at any rate, is

a question that stands by itself. I will not discuss that at all; but if my son would take the office I would appoint him the clerk of my committee sooner than I would appoint any other man alive, and I would stand by the action. I do not see why we should undertake to interfere with the discretion of Senators in that matter.

Mr. MANDERSON. As the Senator from Massachusetts suggests in his few remarks, much can be said against nepotism. Nepotism, when carried to an extreme, shocks, as it seems to me, the best sense and the better judgment of the citizens of the United States.

The clerks of committees and the clerks of Senators are not supposed to be carried upon the pay rolls of the Senate and House of Representatives that they may attend to the private business of Senators and Representatives. They are in the public employ. They are appointed for the purpose of doing the best they know how, being qualified for the public service, and when they are used to the exclusion and the damage of the public service for the private purpose of Senators they are not performing their full duty to the public that pays them.

Mr. President, it is the rule, and I think a very safe and proper rule, in a great many mercantile and banking institutions of this country, that the immediate relatives of the heads of those great institutions shall not have places within the institution of which their relative—their parent frequently—is the head. I would have no objection if I cared but little for the future welfare of a son of mine (if I were so fortunate as to have one) in having him take a place as my clerk or as the clerk of a committee of which I was the chairman. I would hope that he was cut out for better service than that. But I believe it to be an evil that clerks of committees and private clerks of Senators should be their wives or their female children. I do not understand the Senator from Massachusetts to think that it is desirable that females should act in that capacity when they are related to the one who has the designation of the clerk.

The reasons for this are obvious. It is a little difficult for a man to occupy his position as chairman of a committee, or one who occupies the position of a member of the House of Representatives or of the Senate of the United States to make that removal which is frequently essential for a better service when the removal shall appeal to him in his capacity as parent, having regard, perhaps, to the comfort and welfare of those who may be dependent upon him.

The Senator from Kansas [Mr. PEPPER] yesterday introduced an amendment to the bill then pending proposing to cut down the mileage of Senators, and he gave to the Senate an estimate as to what it costs him to come from Kansas. I am glad to know that the Senator from Kansas never comes to the capital of the nation without having his wife and members of his family accompany him. I believe that the wives of members of Congress should be here during the term of office of those who fill places in Congress; but I do not believe it is desirable that those wives and children, particularly the female children, should fill places of this character. I think this sort of nepotism should be done away with, if it exists, as is sometimes charged.

Mr. GRAY. Mr. President, I do not think any of the reasons, the so-called reasons, given by the Senator from Nebraska amount to objections to appointing the son of a Senator or a member of the other House a clerk to a committee. I have nothing to say about the matter, as the Senator from Massachusetts had none, of employing the daughters or the wives. I do not think there is any necessity for considering that aspect of the question. I do not believe it is ever likely to assume proportions that will attract the attention of either the press, or the public, or the Senate. But the Senator from Nebraska has said that it is shocking—I have failed to learn on what account it is shocking—that his son, if he had one, shall be employed either on his own committee or on my committee, if I chose to appoint the son of the Senator from Nebraska the clerk of the committee of which I had the honor to be chairman, for this amendment would prevent me from exercising my choice in that respect quite as much as in appointing my own son.

There is no reason in the world, unless, indeed, it be true that appointments made by Senators of clerks of committees and private secretaries are meant for the benefit of the clerks. If this is considered as a mere distribution of benefaction by the Senate to the appointees there might be some reason for the objection urged by the Senator from Nebraska; but on no other ground whatever is it possible to see an objection. On the contrary, as the Senator from Massachusetts said, there is every reason why the choice should not be limited.

I therefore move to lay the amendment of the Senator from Nebraska upon the table.

The motion to lay on the table was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 55, after line 2, to insert:

For five annual clerks to Senators who are not chairmen to committees, from March 4, 1895, to June 30, 1895, at \$1,200 each, \$1,968.65.

The amendment was agreed to.

The next amendment was, on page 55, after line 7, to insert:

For miscellaneous items, exclusive of labor, \$89.09, fiscal year 1894.

The amendment was agreed to.

The next amendment was, on page 55, after line 10, to insert:

For rent of warehouse for storage of public documents formerly in the Maltby Building, from January 1 to June 30, 1895, \$945, fiscal year 1895.

The amendment was agreed to.

The next amendment was, on page 55, after line 15, to insert:

To enable the Secretary of the Senate to pay George H. Walker for services as skilled laborer in the Senate from and including the 1st day of June to the 22d day of June, 1892, \$60.44.

The amendment was agreed to.

The next amendment was, on page 55, after line 20, to insert:

To reimburse the Official Reporter of the Senate for moneys paid by him for clerk hire and extra clerical services during the third session of the Fifty-third Congress, \$1,750.

The amendment was agreed to.

The next amendment was, on page 57, after line 11, to insert:

To reimburse ROBERT A. CHILDS for expenses necessarily incurred in defense of his title to his seat as a member of the House of Representatives, Fifty-third Congress, \$2,500.

Mr. COCKRELL. That amendment is put in at the special instance and request of members of the House Committee on Appropriations, and it is because under their gag rules they are not able to insert such a provision. We will leave it entirely to them when we get into conference as to whether they want it retained or not. It will depend entirely upon their wish. We put it in in order that they may have an opportunity of passing upon it.

Mr. ALLISON. I understand there is another case in the other House similarly situated, and later in the day I think the Senator from Maine [Mr. HALE] will offer an amendment to come in at this point.

The amendment was agreed to.

The next amendment was, on page 61, after line 14, to insert:

To pay George Smart for services rendered in pursuance of a resolution of the House of Representatives directing an investigation of charges against Augustus J. Ricks, judge of the United States district court for the northern district of Ohio, \$56.

Mr. COCKRELL. That amendment has been proposed by the Committee on Appropriations at the special request of members of the House of Representatives. I have another, which I wish to offer immediately after that is acted upon.

The amendment was agreed to.

Mr. COCKRELL. I offer an amendment, at the instance of the Committee on Appropriations of the House of Representatives, to come in after line 19, on page 61.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. It is proposed to add after the amendment just adopted the following:

To pay James Kerr, Clerk of the House of Representatives of the Fifty-second Congress, balance due for services in compiling and arranging for the printer and indexing testimony used in contested-election cases, as authorized by an act entitled "An act relating to contested elections," approved March 2, 1887, the sum of \$500, and an additional sum of \$700 to such employees as were actually engaged in the work designated by the said James Kerr, and in such proportion as he may deem just, for assistance rendered in the work; in all, \$1,200.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of the following clause, beginning on page 61, line 20:

GOVERNMENT PRINTING OFFICE.

To make the daily wages of Stephen Caldwell, laborer, from July 1 to August 28, 1894, inclusive, and of Samuel Robinson and William Madden, messengers on night duty, from July 1, 1894, to August 28, 1894, inclusive, and from December 3, 1894, to March 4, 1895, \$3.60 per day each, \$400, or so much thereof as may be necessary.

Mr. PLATT. Mr. President, the mysteries of this bill are past finding out; I do not know that it is important that any Senator should be able to find them out; but as to the item which the Secretary has just read, I should like to ask the chairman of the committee if the committee knows what it means or what is the reason for it? It is proposed to make the daily wages of a laborer, Stephen Caldwell by name, and of two messengers, who are named, for a certain time from the 1st of July to August 28, 1894, \$3.60 a day each.

Mr. COCKRELL. That has been the identical provision in appropriation bills for years.

Mr. PLATT. Why is it?

Mr. COCKRELL. It is simply to pay the persons named that amount.

Mr. PLATT. Do the other laborers receive that amount?

Mr. COCKRELL. I suppose some of them do; some receive more and some less, probably.

Mr. PLATT. Does the chairman of the Committee on Appropriations mean that this same provision in behalf of the same persons named here has been in all of the appropriation bills of the past?

Mr. COCKRELL. Not in all appropriation bills, but in those for several years past. If the Senator desires it, I can get the last bill and show him the same provision.

Mr. PLATT. I do not suppose it is of enough importance to take up the time of the Senate to do that.

Mr. GALLINGER. It seems to be an extra allowance to the persons named while on night duty, and the dates are given from one month to another month, and they are paid, I think, extra compensation while they are performing that service.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, on page 62, after line 15, to insert:

For printing and binding for the Treasury Department, \$120,000.

The amendment was agreed to.

The reading of the bill was resumed and continued to the end of the clause providing for the payment of final judgments and decrees of United States courts, on page 63, beginning with line 13.

Mr. COCKRELL. Some of the reports from the Department had not been received when this bill was sent to the Printer, and I move to add after the word "fifty-nine," in line 20, the words "and Senate Executive Document numbered one hundred;" and then to strike out "\$7,037.79" and insert "\$49,001.14."

Senate Executive Document No. 100 is a letter of the Attorney-General, in response to a Senate resolution of February 26, 1895, transmitting a list of judgments rendered against the United States by circuit and district courts, under an act to provide for the bringing of suits against the United States, which require an appropriation, and which have not heretofore been reported to Congress.

The VICE-PRESIDENT. The amendment submitted by the Senator from Missouri will be stated.

The SECRETARY. After the word "fifty-nine," in line 20, page 63, it is proposed to insert "in Senate Executive Document numbered one hundred;" and in line 20, to strike out the words "seven thousand and thirty-seven dollars and seventy-nine cents" and insert "forty-nine thousand and one dollars and fourteen cents."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 64, after line 10, to insert:

For payment of the judgment rendered by the Court of Claims in favor of the Southern Pacific Company, \$1,809,539.70.

Mr. BUTLER. Mr. President, before that amendment is acted upon I should like to offer an amendment to it. I will state to the Senator from Missouri that the amendment I propose to offer provides for a certain percentage of the judgments to pay the French spoliation claims and the findings of the Court of Claims under the Bowman Act. The amendment I offered some days ago I have modified. I send it to the desk, and ask the Secretary to read the modification. I suggest that it come in after line 14, on page 64. It simply reduces the amount contemplated in the original amendment to about one-half.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 64, after line 14, it is proposed to add to the amendment reported by the Committee on Appropriations the following—

Mr. COCKRELL. Mr. President, it is not worth while to read the amendment; it is a very long one, and we all know what it is. I believe it includes the Bowman-law claims, does it not?

Mr. BUTLER. Part of them.

Mr. COCKRELL. And it includes the French spoliation claims. I make the point of order that those are claims pure and simple which have not been adjudicated.

I hold in my hand a report of the Committee on Claims, submitted by its chairman to the Senate on the 16th day of February, 1895, on the French spoliation claims and the so-called Bowman-law claims. The very claims included in the amendment were referred to the Committee on Claims, thus admitting that they were claims pure and simple, and the Committee on Claims has refused to report them as amendments to the pending appropriation bill. I read what that report says:

The adoption of the amendment would take from Congress all opportunity to examine and pass upon the findings and would give them the force and effect of judgments. This was not the intention of the law known as the Bowman Act, nor of the act referring the French spoliation claims to the Court of Claims.

The former act in section 1—

That is the Bowman Act—

provides as follows:

"When the facts shall have been found, the courts shall not enter judgment thereon, but shall report the same to the committee or to the House by which the case was transmitted for its consideration."

The title of the act indicates its purpose to be not to give the court full power to hear and determine this class of cases, but to afford assistance and relief in the investigation of claims and demands against the Government.

The latter act—

That is, the act relating to the French spoliation claims—

provides as follows in section 6:

"The court shall report to Congress"—

Mark the language—

"for final action, the facts found by it, and its conclusions in all cases which it has disposed of and not previously reported. Such finding and report of the court shall be taken to be merely advisory as to the law and facts found, and shall not conclude either the claimant or Congress."

Mr. HARRIS. Mr. President, nobody, I imagine, pretends that the findings of the Court of Claims in respect to claims has ripened into a judicial judgment against the Government; but the statute provided a means of much more thorough investigation of claims against the Government by authorizing them to be referred to that court for examination and report. The court

has all the machinery for taking testimony pro and con, while the committees of Congress from time immemorial have considered claims almost invariably upon ex parte affidavits. Investigation in the court is vastly more thorough and its machinery is better adapted to this kind of investigation than the methods that have been adopted or can be adopted by a committee of Congress.

When a claim has been sent to that court, has been investigated by that judicial tribunal, and it has reported the facts it has found after careful and judicial investigation, it is a mockery if we are to sit here by our committees and undertake to overrule or override its finding of facts with our machinery and our means of ascertaining what the facts are. The act authorizing such references should be repealed or the court abolished if we are to give no more credit to its findings. If we are to give any credit to its findings of fact, we should act upon them as facts.

As to the propriety of putting these items upon this bill, I know nothing about the French spoliation claims, but I do know a great deal about that class of claims in respect to which this amendment is proposed.

Mr. BUTLER. Mr. President, I submit that the point of order made by the Senator from Missouri is not well taken. I offered this amendment to a provision in the bill inserted by the committee, the provision which reads:

For payment of the judgment rendered by the Court of Claims in favor of the Southern Pacific Company, \$1,809,539.70.

Some Senator on my left suggests that that is a judgment of the Court of Claims. That may be true; but, as suggested by the Senator from Tennessee [Mr. HARRIS], the finding of the Court of Claims in respect to the French spoliation claims and those under the Bowman Act ought to be as binding as a judgment of that court.

Is it now proposed, after referring these claims to the Court of Claims, where, as the Senator from Tennessee has suggested, they have all the machinery to investigate, to inquire, to reject incompetent evidence, etc., that the committees of this body are going to supervise the action of the Court of Claims? Mr. President, if that be true, the act under which they are referred to that court is an absolute mockery.

Sir, I have in my possession the findings of the Court of Claims known as the French spoliation claims and those under the Bowman Act. The court has found so much due each individual claimant. The time has expired when there could be an appeal from that finding, and no appeal has been taken. Is it now proposed that this Government shall repudiate those claims by refusing to put them on this bill and pay them? That is the practical effect of the opposition to my amendment.

These claimants have been before Congress session after session, year after year, to get a recognition of these claims found by the court appointed by Congress. Now, the Senator from Missouri comes in and makes the point of order against them.

I submit that they are not subject to a point of order, because if that provision in this bill is in order, and a number of others similar to it, I submit that this amendment is in order, and that this provision should be inserted in the bill, which reduces the amount in the original amendment by one-half, and allow these people to receive the money which is justly and honestly due them under the law of the country.

The VICE-PRESIDENT. Will the Senator from Missouri state his point of order?

Mr. COCKRELL. The point of order is that the amendment proposes to provide for private claims, and the claims were referred to the Committee on Claims, and that committee has refused to report them favorably to be placed on a general appropriation bill.

Mr. BUTLER. If the Senator will allow me, I will inform him—

Mr. COCKRELL. I am making the point of order, and I insist that the point of order is not debatable. I have said—

Mr. BUTLER. The Senator is debating it.

The VICE-PRESIDENT. The Chair desires to hear the suggestion of the Senator from Missouri.

Mr. COCKRELL. I am stating the point of order. I have not said a word about the merits or the demerits of the claims, but I may have something to say on that subject if the point of order is not sustained.

Mr. BUTLER. I insist, the Senator having stated his view of the case on the point of order, that it is but fair to me that I should be permitted to state mine.

The VICE-PRESIDENT. The Chair will hear the Senator from South Carolina.

Mr. BUTLER. I do not understand that the Committee on Claims have reported against these claims. They simply have said that the claims are meritorious, but they have made no recommendation in regard to them. The claims come to the Senate from a regularly organized court of the Government, and I submit that they are entitled to as much consideration, and a great deal more, than the action of any committee.

The VICE-PRESIDENT. The Chair will submit to the Senate the question. Is the proposed amendment in order?

Mr. COCKRELL. Let us have the yeas and nays on that question.

The yeas and nays were ordered.

Mr. COCKRELL. Just a word. The Senator from South Carolina said that the Committee on Claims had not passed upon these claims. It is so plain a proposition, it seems to me, that no one can doubt it. Here is the report of the Committee on Claims, made by the chairman of that committee:

The Committee on Claims, to whom was referred an amendment, introduced by Mr. HARRIS of Tennessee, to the bill (H. R. 8518) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1896, and for other purposes, have given the same careful examination and submit the following report thereon—

Mr. BUTLER. I understood the Senator from Missouri to state that the question of order was not debatable, and I object to debate.

The VICE-PRESIDENT. The Chair sustains the point of order made by the Senator from South Carolina.

Mr. COCKRELL. Then I hope the Chair will hereafter, when a point of order is made, decide the same way in every case.

The VICE-PRESIDENT. The question submitted to the Senate by the Chair is, Is the proposed amendment in order? The Secretary will call the roll.

Mr. DUBOIS (when his name was called). I am paired with the junior Senator from New Jersey [Mr. SMITH], and therefore withhold my vote.

The roll call was concluded.

Mr. BURROWS. I am paired with the junior Senator from Maryland [Mr. GIBSON], but I transfer that pair to the Senator from Nevada [Mr. JONES], and vote. I vote "yea."

Mr. GALLINGER (after voting in the affirmative). I inquire if the junior Senator from Texas [Mr. MILLS] has voted.

The VICE-PRESIDENT. He has not voted.

Mr. GALLINGER. I am paired with that Senator, and withhold my vote.

Mr. WASHBURN. I inquire if the Senator from Missouri [Mr. VEST] has voted.

The VICE-PRESIDENT. The Senator from Missouri has not voted.

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

Mr. DUBOIS. I observe that the Senator with whom I am paired is present, and therefore I record my vote. I vote "yea."

The result was announced—yeas 35, nays 24; as follows:

YEAS—35.

Aldrich,	Davis,	Hunton,	Proctor,
Brice,	Dixon,	Irby,	Pugh,
Burrows,	Dubois,	Lodge,	Roach,
Butler,	Faulkner,	Manderson,	Stewart,
Cameron,	Frye,	Mantle,	Voorhees,
Carey,	Gibson,	Mitchell of Oreg.	Walsh,
Chandler,	Hale,	Murphy,	Wilson of Wash.
Clark,	Hawley,	Perkins,	Wolcott.
Daniel,	Hoar,	Platt.	

NAYS—24.

Allen.	Cullom,	McLaurin,	Peffer,
Allison,	George,	McMillan,	Quay,
Bate,	Gray,	Mitchell of Wis.	Sherman,
Berry,	Jones of Ark.	Morgan,	Teller,
Call,	Kyle,	Palmer,	Turpie,
Cockrell,	Lindsay,	Pasco,	Vilas.

NOT VOTING—23.

Blackburn,	Gorman,	Mills,	Squire,
Blanchard,	Hansbrough,	Morrill,	Vest,
Caffery,	Harris,	Pettigrew,	Washburn,
Camden,	Higgins,	Power,	White,
Coke,	Hill,	Pritchard,	Wilson of Iowa.
Dolph,	Jones of Nev.	Ransom,	
Gallinger,	McPherson,	Shoup,	
Gordon,	Martin,	Smith,	

The VICE-PRESIDENT. The point of order is overruled, and the question now is on agreeing to the amendment proposed by the Senator from South Carolina to the amendment of the committee.

Mr. COCKRELL. Why not put all the claims in, Mr. President? I think the Senator had better move to insert them all in the bill.

Mr. BUTLER. I thank the Senator for his suggestion, but I shall stand on the amendment I have offered.

Mr. COCKRELL. I move that all the cases which have been reported to the Senate under the Bowman Act be included in the list proposed to be inserted. The clerks can get the lists and insert them. It is not right that one class should be put in and not another, and there is quite a large number of these claims. I move that they be inserted as a portion of the amendment. Justice, equity, and fair dealing require that all claims of that class should be placed on the same footing.

Mr. BUTLER. Very well, Mr. President.

Mr. ALLISON. I hope the Senator will not press that amendment.

Mr. FRYE. If the Senator makes that motion, he may as well move to include all the French spoliation claims.

Mr. COCKRELL. I say they all ought to be included.

Mr. VILAS. Including the insurance claims as well?

Mr. COCKRELL. Yes, all of them.

Mr. CULLOM. If that were done, it would load this bill down so that it would sink in spite of anything that could be done to save it.

The VICE-PRESIDENT. The pending question is on the amendment proposed by the Senator from South Carolina to the amendment of the Committee on Appropriations.

Mr. PALMER. Let me call the attention of the Senator from Missouri—

Mr. GORMAN. I rise to a parliamentary inquiry.

Mr. COCKRELL. Just one moment. I wish to know if the modification, in line 7 of page 64, which I proposed, has been disposed of.

Mr. GORMAN. That was passed over.

Mr. HOAR. I understood the rule requires the committee amendments to be first considered.

Mr. COCKRELL. That was the understanding, but I supposed when this question was called up that we could dispose of it very quickly, and therefore I made no point about it.

Mr. FRYE. It was disposed of.

Mr. COCKRELL. I know it was disposed of very quickly.

Mr. HOAR. Mr. President—

Mr. COCKRELL. I wish to have a committee amendment put in there and agreed to.

Mr. GORMAN. Will the Senator from Missouri permit me on this particular amendment? I understood the Senator from South Carolina to offer an amendment to come in at the end of the amendment in line 14, appropriating \$1,809,539.70 to the Southern Pacific Company. Only the amendment to the amendment was adopted. Now the question comes up on the whole proposition.

The VICE-PRESIDENT. That is the pending question.

Mr. GORMAN. Yes.

The VICE-PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. SHERMAN. I should like to have that read.

The VICE-PRESIDENT. The amendment will again be stated.

The SECRETARY. After line 10, on page 64, add the following:

For payment of the judgment rendered by the Court of Claims in favor of the Southern Pacific Company. \$1,809,539.70.

Mr. SHERMAN. I should like to have a statement made in regard to that judgment. What is it for?

Mr. BUTLER. The amendment I offered simply provides that there shall be appropriated three hundred and odd thousand dollars—I do not remember the exact amount—to pay the French spoliation claims, and three hundred and odd thousand dollars for claims under the Bowman Act. The original amendment which I offered provided for \$1,408,342.29. I have modified the amendment, and I do not remember the amount stated, but it is six hundred and odd thousand dollars instead of one million four hundred thousand; and that sum is to be divided up between the two classes of claims.

Mr. FRYE. That amendment has been adopted.

Mr. BUTLER. It has been adopted.

Mr. SHERMAN. Mr. President—

Mr. GORMAN. As an amendment to the amendment.

Mr. BUTLER. As an amendment to the amendment of the committee.

Mr. COCKRELL. I understand the amendment in lines 11 to 14, on page 64, has already been agreed to.

Mr. GORMAN. Nobody knows.

The VICE-PRESIDENT. It has not been agreed to, the Chair will state.

The amendment of the Senator from South Carolina [Mr. BUTLER] to the amendment of the committee was agreed to.

Mr. COCKRELL. Was not the committee amendment agreed to before the amendment to it was offered?

The VICE-PRESIDENT. The question on the amendment as amended has not been submitted to the Senate.

Mr. HARRIS. I should like to ask the Senator from South Carolina a question, so that I may understand his amendment. In respect to the payment of the French spoliation and Bowman Act claims, does the Senator provide for paying one-half of each claim, as found by the court, or does his amendment appropriate a specific sum to pay the whole of certain claims, paying nothing on others?

Mr. BUTLER. That is it.

Mr. FRYE. Question!

Mr. SHERMAN. The amendment just read at the desk relates to an entirely different subject-matter. I want to know what we are voting upon.

Mr. COCKRELL. I ask for a division of the two propositions. They are separate and distinct questions, and I desire to have a separate vote.

Mr. FRYE. The Senator from Ohio [Mr. SHERMAN] asks the Senator from Missouri [Mr. COCKRELL] what the Southern Pacific Company judgment is.

Mr. COCKRELL. It is a judgment of the Court of Claims which was rendered some years ago. It is not connected in any shape, manner, or form with any of the Government obligations, and I think it is as honest and just a debt as any judgment which the Court of Claims has rendered upon a full hearing on both sides. I have no sympathy—

Mr. FRYE. It is drawing 4 per cent interest.

Mr. COCKRELL. It is drawing 4 per cent interest, and it will continue to do so until it is paid. I can see no reason on earth, except a mere sentimental one, because it is a railroad company, why the judgment ought not to be paid.

Mr. SHERMAN. There are great and I believe just claims on the part of the United States due from this railroad company, if it is the one I speak of, the Southern Pacific Company; and although the judgment may be rendered for a particular claim, I think there are counterclaims to be made by the United States against the company in connection with the Central Pacific Railroad. I do not think it is right for us to appropriate money to pay this large sum of money when these claims on the part of the United States are still pending and in controversy. That is the way it seems to me. I suppose it is for that reason that the delay has occurred.

Mr. COCKRELL. There is no controversy about the matter at all.

Mr. FRYE. Can the Senator from Ohio name a claim of the United States against the Southern Pacific Company?

Mr. SHERMAN. I think the Southern Pacific Company is responsible for a large portion of the claim that will be made by the United States.

Mr. FRYE. Not a single dollar, in any way.

Mr. SHERMAN. That is a question.

Mr. FRYE. I had the honor of investigating that question very thoroughly. The Southern Pacific Company owes the United States nothing. The Central Pacific does. It is simply leased by the Southern Pacific.

Mr. SHERMAN. The Southern Pacific is a mere offshoot of the Central Pacific, and when the question comes to be determined I have no doubt the Southern Pacific will be made responsible for a large part of the losses which the Government has sustained through the Central Pacific.

Mr. FRYE. Does the Senator from Ohio give it as his opinion as a matter of law that the Southern Pacific Company can be held responsible for any debt of the Central Pacific?

Mr. SHERMAN. My impression is it can be.

Mr. FRYE. That is utterly impossible.

Mr. SHERMAN. Therefore I ask—

Mr. HOAR. I should like to ask the Senator from Maine—

Mr. PALMER. I hope the Senator from Massachusetts—

The VICE-PRESIDENT. The Senator from Illinois is entitled to the floor.

Mr. PALMER. I hope the Senator from Massachusetts will give me the benefit of the recognition I had.

Mr. HOAR. I did not know that the Senator from Illinois was entitled to the floor.

Mr. PALMER. I desire to say that I think the claim in favor of the railroad ought to wait a final adjustment of the matters between those roads and the United States. I protest that there is a large number of claims against the United States under the Bowman Act and other acts, including judgments of the Court of Claims, and there ought to be some general arrangement for their settlement. I can think of nothing more unjust than the selection of certain of these claims for immediate payment, and I am somewhat surprised that the Senator from Missouri, who is usually so cautious and just, should favor the selection of particular claims of these various classes and appropriation for their present payment. They ought to be disposed of by some general scheme of adjustment. I insist that the selection of particular claims—

Mr. COCKRELL. Will the Senator from Illinois let me say one word right here?

Mr. PALMER. With great pleasure.

Mr. COCKRELL. To-day, as for years past, we are paying the Southern Pacific Company every dollar on account of the same class of indebtedness as that for which the judgment was rendered. We are not pretending to dispute our liability now. We have been paying it for years. Payment was suspended for a while, and that compelled the company to sue. They have their judgment, and after they get judgment the United States goes on and pays them month by month. But we will not pay this claim. The others are drawing no interest, while this is drawing 4 per cent interest every year; and yet the Government will not pay it. We pay all other judgments of the Court of Claims. Right here

we put in a provision paying all the judgments which are rendered, where the court has jurisdiction. We have been excepting only the Pacific railroads, where we claim a right to offset their demands.

Mr. STEWART. I suggest to the Senator from Missouri that the judgment of the Court of Claims has been taken to the Supreme Court and the principle thoroughly argued and established. There is no question about it.

Mr. COCKRELL. We are not picking this claim out at all. We are trying to treat this one judgment like we treat all other judgment creditors of the United States. Unfortunately it is a railroad. If it were the Senator from Illinois [Mr. PALMER] in his individual capacity, not a Senator would say a word against it, nor would anyone else.

Mr. PALMER. The railroads have various relations with the United States. There are questions with the Southern Pacific Company which require investigation and adjustment. There will be at some time, as I hope, a thorough investigation of the relations of the United States with these aided railroads. I object to the payment of anything to any of those railroads until there is an overhauling of accounts, in order that those judgments, if there are judgments, may be very fairly set off against some one of the great number of claims of the United States.

Mr. HOAR. May I ask the Senator from Illinois a question?

Mr. PALMER. With great pleasure.

Mr. HOAR. What overhauling of accounts does the Senator contemplate other than a judgment of the Court of Claims and a decision by the Supreme Court?

Mr. PALMER. The Senator must be aware that while there may be a judgment which may determine a specific liability upon a given state of facts, yet there may exist equities between the same parties which would require that the claim should be satisfied by the equities.

Mr. HOAR. I understand the Senator from Maine [Mr. FRYE], who was chairman of the special committee on that subject appointed by the Senate, says he investigated the matter, and that there is no pretense for claiming that the United States has any debt which can be legally or equitably offset against this claim.

Now, after this case has gone to judgment, the United States having set up its offset and its legal equities, with the knowledge now that the judgment is drawing 4 per cent interest, as it has been doing for several years, and the committee of the Senate appointed to look into the matter having come to the conclusion there is not anything, what else does the Senator from Illinois want?

Mr. PALMER. I have read the report of the Senator from Maine with the greatest attention and interest. That report seems to me to amount to a mere wail of despair, a mere expression of a sort of belief that the United States is awed in the presence of these railroads.

Mr. HOAR. This company?

Mr. PALMER. Yes, and others. So I insist that these matters should stand open until there can be some thorough adjustment of the relations of all these great railroads to the United States.

Mr. MITCHELL of Oregon. Mr. President, if this were a claim against the Central Pacific or the Union Pacific Company, even though it were a judgment, as this is, affirmed by the Supreme Court of the United States, I do not suppose any Senator here would under existing circumstances care to vote to put in the bill an appropriation for its payment. But when it is a claim of a company for services rendered, which has been passed upon, first, by the Court of Claims, and, secondly, by the Supreme Court of the United States, a company against which, so far as I know, the Government has no claim, a company that received no aid from Congress, then it does seem to me that the amendment ought not, simply because the claim happens to be in favor of a railroad company, be ruled out.

I have never heard it suggested seriously by anybody that the Southern Pacific Company is to be held responsible for any claims the Government may have against the Central Pacific or the Union Pacific Company. There are matters concerning these companies and the Government requiring adjustment, of course. They are now pending, I understand, in both branches of Congress, and are being considered from time to time by the appropriate committees of the two Houses. But in no case do I understand it sought to hold some other railroad company responsible for any derelictions, if derelictions there be, upon the part of the Central Pacific Company and the Union Pacific.

As stated by the chairman of the committee, this whole question as to the duty of the Government to pay this class of compensation was up, adjudicated, passed upon first by the Court of Claims, and their decision was sanctioned, as I remember, by the Supreme Court of the United States. It was also stated by the chairman of the committee very properly that we are now paying every month to the Southern Pacific Company whatever it earns

for the same kind of service. If we refuse to pay this judgment, which by the way is drawing 4 per cent interest every year, running along, then to be logical we should pass an act or a joint resolution prohibiting the Departments from paying the road another dollar for service of this kind.

Mr. VOORHEES. Allow me to say to the Senator from Oregon that the case is stronger in his favor than he states it.

Mr. MITCHELL of Oregon. Perhaps so.

Mr. VOORHEES. If I am correctly informed, in this case judgment was taken in the Court of Claims, and the Government appealed to the Supreme Court and then dismissed its appeal there, abandoned the contest, which is very much like a judgment by confession.

Mr. STEWART. Oh, no.

Mr. VOORHEES. I understand the Supreme Court did not decide this case; that the appeal was dismissed. My information is very direct.

Mr. MITCHELL of Oregon. The Senator from Indiana is right about it.

Mr. VOORHEES. I think so. That makes the case stronger. It is like the Government confessing that the judgment below was correct, and makes it more obligatory even than otherwise. A court may finally decide against a party and not convince him that it is correct, but where a party abandons his contest before a court in advance of decision, yields the point, then he is in no situation to contest the question afterwards.

Mr. MITCHELL of Oregon. I think the Senator from Indiana states the case correctly. The Government, acting through the Department of Justice, became so well satisfied that no further resistance should be made to the judgment as rendered by the Court of Claims that it abandoned the contest, as stated by the Senator from Indiana. Of course, that resulted in an affirmation of the judgment of the Court of Claims, and besides an admission on the part of the Government that the judgment was just and should be paid.

I can see no reason why we should not pay this claim unless it be that the claim is one held by a railroad company.

The VICE-PRESIDENT rapped with his gavel.

Mr. MANDERSON. It seems to me the only way the Southern Pacific Company, which I understand is a corporation entirely distinct from the Central Pacific—

Mr. MITCHELL of Oregon. Entirely.

Mr. MANDERSON. Could be held responsible for the debt of the Central Pacific to the United States Government would be if the Government made a claim that the earnings of the Central Pacific had been diverted from the payment of the Government debt to the building of the Southern Pacific. Has any such claim ever been made by the United States?

Mr. MITCHELL of Oregon. I have never heard of it.

Mr. COCKRELL. I wish the Chair to be reminded that the five-minute rule is in order, and I hope it will be enforced.

Mr. PETTIGREW. Mr. President, I trust the committee amendment will not be agreed to, to pay this judgment in favor of the Southern Pacific Company. Next year the obligations of the Central Pacific Railroad to the Government will become due, and next winter Congress will be called upon to deal with the whole question.

These two railroad companies, the Central Pacific and the Southern Pacific, are one and the same thing. The property, earnings, money of the Central Pacific were diverted by these men to the construction of the properties of the Southern Pacific Railroad. There is an obligation on their stock, under the laws of California, against the builders of the Southern Pacific Railroad, and also a personal liability for the debts of the company. The act of Congress required that the stock of the Central Pacific should be paid in full and in money, and yet on the \$54,283,000 of stock issued they paid in but \$760,000. In order to substantiate their position and secure the bonds of the Government they made oath that they had paid in full.

After having paid enormous dividends, having diverted and converted the property of the Central Pacific Railroad to their own use and for their own purpose, and having stolen on every hand, in order to destroy the value of the property of the Central Pacific Railroad, the scoundrels organized the Southern Pacific Company and diverted its business over that line. They are the people to whom we are to give this money. The Southern Pacific Company was organized under the laws of the State of Kentucky, August 14, 1884. It is a corporation created by special charter, authorizing it, among other things, to contract for and acquire, by purchase or otherwise, stocks, bonds, or securities of any company, corporation, or association.

The capital stock by the charter was fixed at \$10,000,000, with power to increase from time to time, as might be determined by the board of directors, with the approval of at least two-thirds in interest of the stockholders. In 1888 the capital stock was increased to \$150,000,000. This company leased the Central Pacific Railroad April 1, 1885, and also all the lines controlled by Stan-

ford, Huntington, Crocker, and Hopkins. The lease by this company of the Central Pacific Railroad was, in my opinion, illegal and fraudulent in every respect.

Now let us see who the officers of the Southern Pacific Railroad are. The board of directors is composed of C. P. Huntington, New York City; Thomas E. Stillman, New York City; Thomas H. Hubbard, New York City; J. C. Stubbs, San Francisco, Cal.; Russell J. Wilson, San Francisco, Cal.; N. T. Smith, San Francisco, Cal.; Charles F. Crocker, San Francisco, Cal.; A. N. Towne, San Francisco, Cal.; S. T. Gage, San Francisco, Cal.; H. E. Huntington, San Francisco, Cal.; William H. Crocker, San Francisco, Cal. C. P. Huntington is president, Charles F. Crocker vice-president, and A. N. Towne second vice-president.

This company has no property whatever. All its income is from the lease of other companies. I believe when we come to make this settlement we will find a way to recover in a measure some of the money out of which these men have swindled the Government of the United States.

Mr. STEWART. It is very easy to call people hard names. For many years the Government of the United States contracted with the Southern Pacific Railroad, running through Texas and the Territories up to San Francisco, to carry the mail, and it paid the company for it. On the argument now advanced by the Senator from South Dakota [Mr. PETTIGREW] the Department undertook to refuse to comply with those contracts. A suit was brought to enforce the payment, and judgment has been obtained, sanctioned by the Supreme Court. Since that time payments have gone on.

Now, as to any money having been diverted to build other railroads, there is no evidence of it. On the contrary, the evidence is all the other way. The Southern Pacific Company was built by bonds. The bondholders have a lien upon it to a very large extent, some of it as high as \$40,000 a mile. It is bonded for about the cost of construction.

I do not think anyone can show that any other money has gone into it than the money of private parties. It is a bonded road. If you assault it you assault the men who hold the bonds. If you undertake to break that up, and the railroads are all having a hard time to run, you strike the men who put the money in and hold the bonds. It is their property, and it does not belong to anyone else. If you will examine the books you will find that none of the money of the Central Pacific has gone into the Southern Pacific. The stock is comparatively valueless. It sells for but little, very little, in the market in these hard times, but the bonds are held good because the railroad has paid its interest. In times like these the company wants the money to pay interest, and if you strike at this road and break it up and throw it into the hands of receivers you will strike nobody but the bondholders who paid their money in to build the road, which has not been built by anything else.

I can show the records of it if it were necessary. The court held, when the question was brought in court, that this was an entirely independent company. It was built with money borrowed, and the record will show that there was ample money borrowed to build the road. Now, to say that the persons who invested in the bonds shall be robbed, when the matter has gone before the courts, when it is finally determined, when the Government is bound to pay 4 per cent interest on its indebtedness, and when this is not different from any other judgment, is not right. There can be no possibility of tracing the money of the Central Pacific to the Southern Pacific Company, because the bonds show with what it was built. The bondholders are watching this proceeding very carefully.

Mr. WHITE. Mr. President, I shall detain the Senate for but a moment. I shall vote against the amendment. The Senator from Nebraska [Mr. MANDERSON] asked the question whether there was any claim made by the Government of the United States that the moneys of the Central Pacific have been diverted into the coffers of the Southern Pacific. Such a claim is made. Whether it is well or ill founded is not now to be considered. Of course, we can not investigate the subject and determine. I think myself there was such diversion, notwithstanding the statement of the Senator from Nevada [Mr. STEWART]. It is certain, among other things, that the Central Pacific was leased for a nominal sum to the Southern Pacific. The amount received by the Central Pacific as rental was exceedingly small.

When the Government of the United States finally adjusts the dispute now pending between these various parties who are interested in the Pacific railroads there will be an opportunity to do justice by everybody and for a full and fair settlement, and we can then determine whether or not the Government has any offset against this item. Hence I think we are hasty in proposing to appropriate this money to pay the claim under the prevailing circumstances.

Mr. MANDERSON. Will the Senator from California allow me to interrupt him for a question, for, so far as I am concerned, I know nothing about this matter except as I am obtaining light under this discussion?

Mr. WHITE. I yield to the Senator from Nebraska.

Mr. MANDERSON. What was the original cause of action in the Court of Claims for which the judgment was rendered—transportation of the mails?

Mr. WHITE. Yes, sir.

Mr. MANDERSON. And troops?

Mr. STEWART. On a contract.

Mr. MANDERSON. Was there a counter claim or set-off, or call it what you please, a defense by the United States, showing a wrongful diversion to the Southern Pacific Company?

Mr. STEWART. It could not be stated.

Mr. WHITE. I will state to the Senator from Nebraska that I do not understand from the nature of the litigation that the court could have considered any such offset.

Mr. MANDERSON. Would it not have been a legitimate defense in that action?

Mr. WHITE. I do not think in that proceeding it could have been litigated. But it makes no difference to me whether it could have been litigated or not. We are not trying this case upon any technical ground whatever, I understand; and if the Government, in the final adjustment of this matter, shall be able to trace the funds and property of the Central Pacific, there will be an opportunity for an entire settlement, as I said before, upon a just basis to all concerned.

Mr. FAULKNER. I should like to ask the Senator from California a question. Is there any proceeding or any bill or joint resolution before either House of Congress which contemplates in the settlement of the entire matter between the Government of the United States and the Union Pacific and Central Pacific railroads any mixing up whatever of the Southern Pacific in that settlement?

Mr. STEWART. No.

Mr. FAULKNER. I understand there is not. Being a member of the Committee on Pacific Railroads, I have had to investigate this question, and there certainly has been no action upon the part of either branch of Congress which claims that there is any combination between those roads, or that there is any interest affecting the Southern Pacific in any way whatever in connection with the Central Pacific Railroad.

Mr. WHITE. Mr. President, happily or unhappily, Congress has nothing to do with the question I am now discussing regarding the settlement in courts. There is a proceeding pending in the California courts in which this matter will be litigated by the Government of the United States. Special counsel have been employed, and they will proceed no doubt without any joint resolution, and will not require any, to represent the claims of the United States.

Mr. FAULKNER. The Senator did not understand me. I understand the suit he speaks of is a personal suit against certain parties who may be interested in the roads. There is no suit, I understand, against the Southern Pacific Company, even in California.

Mr. WHITE. There are two questions with reference to the claim of the United States upon the bonded indebtedness. First, it is claimed that there is a personal liability. Secondly, the Government is seeking to trace the funds of the Central Pacific into the Southern Pacific and there obtain the money which it believes belongs to the Government. Whether, as I said before, this claim is to be found in fact or not (I may have an opinion, but it is immaterial to this discussion), I do not believe that we should take any steps toward setting apart any money for the use of this corporation until the whole matter has been thoroughly investigated and probed to the bottom.

Mr. BRICE. Mr. President, I think Senators should not make statements calculated to produce a false impression upon the public mind in such a grave matter as this. It is alleged here that by means of a lease the revenues of the Southern Pacific road of California and the other Southern Pacific roads of Arizona and New Mexico are being taken out of the place where they properly should go and put into the Southern Pacific Company, a corporation of Kentucky, which, under a nominal lease, operates all those roads. If that were true, the Southern Pacific Company, the operating company, would have been able to pay dividends upon its stocks or interest upon its bonds. As a matter of fact, in the eight years during which the lease has continued they have not made one single dollar of money. They have not taken anything out, because they have nothing in their own treasury, nor is their stock of any value. They have no bonds upon which to pay interest, and they have been able to pay no dividends upon their stock.

So far as this particular claim is concerned, it is by a company which has no relations whatever with the Southern Pacific Company of California or the Southern Pacific Company of New Mexico or Arizona except that of lessee; and, as I say, its lease has proven so far, at least, to be valueless to the people who invested their money in the Southern Pacific Company's stock, paying many, many millions of dollars for what is utterly worthless and

has so far been unremunerative and unprofitable. That company has obtained a judgment in the court of last resort which bears 4 per cent interest, and will until it is paid; and, in my opinion, it is our duty to pay that debt.

Mr. WHITE. I have only a word to say in response to the Senator from Ohio. I believe he does not deny that there has been a lease made for a nominal sum. I understand that the returns now given in since the time for the maturity of the debt has approached are not very great. I understand that according to the reports there is no profit in transacting the railroad business. The last corporation mentioned by the Senator, it is true, has a different name from the other, but substantially the stockholders are the same. There is no dispute, I take it, as to that. As far as the personal liability is concerned, of course that is quite another matter. This corporate affair, as exemplified in the Pacific Railway, furnishes another instance where corporations are insolvent and those who have conducted them are otherwise.

Mr. PASCO. I should like to ask if the amendment to the amendment offered by the Senator from South Carolina, which is now a part of the amendment, has been read to the Senate. If not, I ask that it be read.

Mr. BUTLER. If the Senator from Florida will permit me, I can explain the whole object of the amendment in less than five minutes. A large part of the reading will simply relate to the correction of names of claimants, but the essential parts of it can be disposed of in two minutes.

Mr. MITCHELL of Oregon. It would take an hour to read it.

Mr. PASCO. Then I hope an hour will be taken, and it will be well spent. I think the Senate ought to know to whom the amounts are to be paid.

The original amendment as printed covered two or three times as much as that now before the Senate. Some names have been cut out and some have been kept in, perhaps others have been inserted, and I think before the Senate undertakes to vote nearly a million dollars it ought to know to whom the million dollars or six or eight hundred thousand dollars, whatever the amount is, is to be paid. These are not the judgments of any court. They are mere findings of the Court of Claims. It has been customary hitherto that these findings should be submitted to some committee, in order that it may be ascertained whether they are correct or not. Some weeks ago—

Mr. HIGGINS. I should like to ask the Senator from Florida a question. Does he mean to state that the names of any have been substituted for names found by the Court of Claims as the persons entitled to be paid?

Mr. PASCO. I do not know what names are there.

Mr. HIGGINS. Are they not names of those found to be entitled by the Court of Claims?

Mr. PASCO. The names that are included in this large amendment are, I presume, names of some of those whose cases have been reported by the court in its findings. Some of the names have been taken out of the amendment as printed, and these in the amendment as it now stands are made the recipients of the benefits to be obtained if the proposition of the Senator from South Carolina prevails. Why some names were cut out and others allowed to remain in I do not know. Whether there was any rule followed, or why the selection was made, or by whom it was made, I do not know. It certainly had not been made by any committee of the Senate, unless the Committee on Appropriations, to whom the amendment was referred, has made the selection, and I understand that this committee has not acted upon it at all.

I was going on to state that some weeks ago an amendment similar to this but without any names to it was proposed by the Senator from Tennessee [Mr. HARRIS] and referred to the Committee on Claims. The Committee on Claims gave it careful and deliberate consideration; but there were no names of recipients in the matter as it was referred to the Committee on Claims. After deliberate consideration the Committee on Claims reported it back and asked to be excused from its further consideration. I ask that the Secretary read the report which was then offered.

The VICE-PRESIDENT. The Secretary will read as indicated.

The Secretary read the report submitted by Mr. PASCO, from the Committee on Claims, February 16, 1895, as follows:

The purpose of the proposed amendment is to appropriate from the Treasury \$1,000,000 in all, one-half of the amount to be paid on the findings of the Court of Claims in what are known as the French spoliation claims, in the order in which the findings were made, and the other half on the findings in store and supply cases under the act of March 3, 1883, known as the Bowman Act, and the subsequent act of March 3, 1887, known as the Tucker Act, these latter cases being included in what are known as the Southern war claims.

The committee are fully satisfied that there are many meritorious claims in both of the above classes, but they are not all of that character, and there are some in each class which the committee have heretofore been unable, after giving them proper investigation, to report for the favorable consideration of the Senate. Whether any of these rejected claims would be included in those preferred by the terms of the amendment can not be ascertained. No list of them has been furnished to the committee, nor is it possible to make such a list, for no one can tell in advance the order in which they will be certified by the clerk of the Court of Claims to the Secretary of the Treasury.

The adoption of the amendment would take from Congress all opportunity

to examine and pass upon the findings and would give them the force and effect of judgments. This was not the intention of the law known as the Bowman Act, nor of the act referring the French spoliation claims to the Court of Claims.

The former act, in section 1, provides as follows: "When the facts shall have been found, the court shall not enter judgment thereon, but shall report the same to the committee or to the House by which the case was transmitted for its consideration."

The title of the act indicates its purpose to be not to give the court full power to hear and determine this class of cases but to afford assistance and relief in the investigation of claims and demands against the Government.

The latter act provides as follows in section 6: "The court shall report to Congress, for final action, the facts found by it, and its conclusions in all cases which it has disposed of and not previously reported. Such finding and report of the court shall be taken to be merely advisory as to the law and facts found, and shall not conclude either the claimant or Congress."

The facts when found, in each class of cases, may be demurrable and not a proper basis for any pecuniary relief.

The committee do not feel that they would be justified under the law or the practice that has hitherto prevailed in recommending the payment of a lot of unknown claims and reporting them with no knowledge of their merits or demerits, to be covered by a large appropriation in a general appropriation bill for the sundry civil expenses of the Government. They are without any basis for intelligent action, and the consideration which the law casts upon Congress as a duty after the court has found the facts is not possible in the absence of the claims and the reports of the court upon them.

Under these circumstances your committee ask to be excused from the further consideration of the proposed amendment.

Mr. PASCO. Now, the amendment has been modified so as to put in a lot of names of recipients of money to be paid by this amendment, but who selected the names I do not know. Who passed upon these findings of the Court of Claims I do not know. I understood that all of these claims, with perhaps one or two exceptions, went from the House of Representatives to the Court of Claims and not from the Senate; and it does seem to me—

The VICE-PRESIDENT. The Senator's time has expired.

Mr. PASCO. This is an important subject, and I hope I shall be allowed, as I am chairman of the Committee on Claims and have a responsibility in the matter, to present the case fully to the Senate.

The VICE-PRESIDENT. Is there objection? The Chair hears none, and the Senator from Florida will proceed.

Mr. PASCO. These claims were not sent to the court from the Senate, except perhaps a few of them; most of the claims went from the House of Representatives to the Court of Claims; and when the findings of the court come back here they go properly to the House in which they originated, and there they should be first passed upon.

Mr. FRYE. That is not true of the French spoliation claims.

Mr. PASCO. I am speaking mainly of the others. I shall come to the French spoliation claims presently. I am referring mainly to these findings of the Southern war claims under the Bowman Act and under the Tucker Act. These claims properly go back to the House of Representatives that sent them to the court. Here is a proposition to pay some three or four hundred thousand dollars on the claims that went from the House of Representatives to the Court of Claims, and now the proposition is made without action there to insert them in this bill in the Senate.

This report which has been read was the action of the Committee on Claims of the Senate when the amount of the appropriation was given them, without mentioning the names of the beneficiaries; but, as I have said, I do not know who has selected these names in the amendment now before us. The matter in its present shape has not been before any committee of the Senate. These claims have not been examined by any committee. If the Senate sees fit to put them into the bill I wish it distinctly understood that the responsibility for the correctness of the finding does not rest with the Committee on Claims.

The French spoliation claims stand on a different footing. They went to the Court of Claims under another law. The Senate is familiar with the merits of the French spoliation claims. I understand that about an equal amount of this appropriation goes to those claimants as goes to the Southern war claimants, but the names of the beneficiaries are placed before us in a similar way, and I think before the Senate passes upon them we should know who are to be the recipients of this large amount of money.

It does seem to me that it is an unsafe way to appropriate eight or nine hundred thousand dollars, or seven or eight hundred thousand dollars, whichever it is—I do not know the exact amount—without some preliminary examination of these findings by some committee either of the House or the Senate.

I have felt it my duty as the chairman of the Committee on Claims, particularly as this matter has been once referred to us, to call the same to the attention of the Senate, and that duty has now been discharged.

Mr. BUTLER. I have not the slightest objection to having the amendment read. The amendment was modified by a member of the House of Representatives and brought over to me with the names in as they appear in the amendment. I do not know who the claimants are. I never heard of them before. The names were taken from the original amendment, which I have in my hand, and the amount has simply been reduced.

But the Senator from Florida is not altogether accurate when he says these claims have never been before a committee of this body. He can not help but recall the fact that I introduced this amendment February 25, and it went to the Committee on Appropriations, I think. Therefore his statement is not entirely accurate.

Mr. PASCO. Allow me to correct the Senator. I said, or meant to say, that they had been examined by no committee unless they had been examined by the Committee on Appropriations, and my understanding was that they had not been examined by that committee.

Mr. COCKRELL. The committee never looked at them.

Mr. PASCO. The chairman of the committee is here to speak for himself upon that question.

Mr. COCKRELL. We never looked at them, as a matter of course.

Mr. BUTLER. If the Committee on Appropriations neglects its duty and the Committee on Claims neglects its duty, I think it is pretty hard on these claimants against the United States that they should be made to suffer because the committees of this body have neglected to discharge their duty. That is what it amounts to.

Mr. PASCO. May I ask the Senator from South Carolina a question?

Mr. BUTLER. Certainly.

Mr. PASCO. I will ask the Senator from South Carolina (though I think I have already heard him state that he knows nothing about these claims) whether he has examined them himself, and whether he can state upon his word as a Senator that they are just and proper claims and ought to be paid.

Mr. BUTLER. I have the certificate here of the clerk of the Court of Claims.

Mr. PASCO. Those are mere findings.

Mr. BUTLER. They are findings. I have not had time, and the Senator from Florida has not, and would not have in twenty-five years, time to go through the facts that were inquired into by that court, and the Senator from Florida knows perfectly well that the Committee on Claims could never do such a thing.

Mr. HALE. There is another answer the Senator from South Carolina might make to the Senator from Florida, and that is that the Senate twice has put on the appropriation bill the same kind of claims, and they have passed both branches.

Mr. BUTLER. Exactly.

Mr. HIGGINS. If the Senator will allow me, I will suggest—

Mr. PASCO. The Senator from Maine is certainly mistaken in that statement.

Mr. HALE. No; I am not mistaken.

Mr. PASCO. He may be correct so far as the French spoliation claims are concerned.

Mr. HALE. I am referring to the French spoliation claims.

Mr. PASCO. I was not referring entirely to those.

Mr. HALE. The Senate has twice put on the appropriation bill the French spoliation claims, and thereby recommended their payment. The only reason why the committee did not put them on this year was because it believed that in the condition of the Treasury it was not a safe thing to do; and some of us who were in favor of the claims could not get them on in committee.

Mr. BUTLER. I appreciate—

Mr. HIGGINS. Will the Senator allow me just a word?

Mr. BUTLER. Yes, sir.

Mr. HIGGINS. I understand that the Senator from Florida was not speaking derisively of the spoliation claims when he spoke of them as mere findings of the Court of Claims. The fact is that by the statute of 1855 all those claims were referred to the Court of Claims to ascertain what, if anything, was due. In the nature of the case it was a judicial matter, to be investigated and determined judicially. It could be done nowhere else, and it has been done there. Consequently any Committee on Claims or other committee would simply accept the findings of that court as they would the findings of any other court, unless the whole matter is brought before them as before a court on appeal, with counsel on both sides.

Mr. BUTLER. Now let me read—

Mr. PASCO. Allow me one moment.

Mr. BUTLER. In one moment.

Mr. PASCO. Reference was made to the law. I should like to have—

Mr. FRYE. The law has been read.

Mr. BUTLER. I have here the certificate of the Court of Claims to this effect:

COURT OF CLAIMS.

I hereby certify that the annexed findings by the Court of Claims for stores and supplies taken or furnished to the military forces of the United States for their use during the war of the rebellion are identical with the cases covered by the proposed amendment to the general deficiency bill presented in the United States Senate by Hon. M. C. BUTLER on February 25, 1895; that in each case the court found claimant loyal during the entire war and that claimant did not give any aid or comfort to the rebellion; that in each case the claimant or legal representative was properly before the court, and that

in each case the court found a specific sum for stores and supplies taken or furnished.

In testimony whereof I have hereunto set my hand and affixed the seal of said court at Washington, this 26th day of February, A. D. 1895.

[SEAL.] ARCHIBALD HOPKINS, Chief Clerk.

Mr. SHERMAN. I should like to ask the Senator from South Carolina whether the amendment made covers the whole of those claims.

Mr. BUTLER. It does not cover the whole of them.

Mr. SHERMAN. What part of them?

Mr. BUTLER. As I stated a while ago, the original amendment I offered did cover them all, but for some reason, I can not undertake to say what—

Mr. SHERMAN. Who will determine—

Mr. BUTLER. I was just going to state, if the Senator will permit me, that the gentlemen who have these claims in charge came to me this morning with this modification, proposing to cut down the original amount, which is one million four hundred and odd thousand dollars, to something like \$600,000, and divide that practically even between the two classes of claims.

Mr. SHERMAN. Pro rata?

Mr. BUTLER. No; not pro rata. They are given to specific persons.

Mr. HALE. According to the date of the judgment.

Mr. BUTLER. According to the date of the judgment. I have not the slightest objection to having the amendment read. I do not know by what process these names were taken out unless upon the theory suggested by the Senator from Maine, that they are paid according to the date of the judgment. I can not imagine that there is any design whatever to mislead anybody. It is a very simple proposition. Here is the certificate of the clerk of the Court of Claims, saying that they are the identical claims which have been passed upon and that the findings are as stated.

The VICE-PRESIDENT. The Senator's time has expired.

Mr. PASCO. I wish to say one word more in order to show that the Senator from Delaware was not accurate in stating the effect of the findings of the Court of Claims in the French spoliation claims. Here is the law:

The court shall report to Congress, for final action, the facts found by it, and its conclusions in all cases which it has disposed of and not previously reported. Such finding and report of the court shall be taken to be merely advisory as to the law and facts found, and shall not conclude either the claimant or Congress.

Mr. PALMER. I should like to ask the Senator from South Carolina a question if he will have the kindness to answer it.

Mr. BUTLER. With the greatest pleasure, if I can.

Mr. PALMER. I understand that these claims amount to something over a million dollars, and this proposition is to pay about \$600,000. Am I correct in that?

Mr. BUTLER. Yes, sir; something over \$600,000.

Mr. PALMER. I wish to ask the Senator whether it is proposed to give the Government the benefit of the difference between the amount now proposed to be appropriated and the whole amount paid, or whether this is a mere installment of the claim.

Mr. FRYE. We will pay the rest at the next Congress.

Mr. BUTLER. Exactly.

Mr. PALMER. And I am to understand that some of them are to be paid at this time?

Mr. FRYE. We will pay some the next time.

Mr. BUTLER. We will pay some the next time.

Mr. PALMER. Will the Senator tell me, if all these claims are just, what is the ground, what is the principle of selection?

Mr. BUTLER. As I stated a while ago, I take it upon the theory that they would pay the judgments according to their date as rendered by the Court of Claims. I am not positively informed upon that subject, but I understood the Senator from Maine to state that they are presented according to the order in which they were decided by the Court of Claims.

Mr. HALE. Perhaps I may state here that portions of these claims have been paid before upon reports of the Committee on Claims in favor of them. Undoubtedly the law that permits these claims to be considered by the Court of Claims and reported by that court turns them afterwards into Congress for appropriation. They have not the force of complete judgments. Heretofore the Committee on Claims has reported in favor of these claims, and the Committee on Appropriations, taking that guidance, has in two cases put them on the deficiency appropriation bill, and certain of them have been paid in the order that the judgments were made by the court.

In this Congress the Committee on Claims, as I think, because I am an advocate of these claims, has wrongfully reversed the action that has been taken before by the Committee on Claims and reported against them. A majority of the Committee on Appropriations took that as their rule, and therefore did not put these claims on.

Now, if the Senate does put them on (I have not read the amendment offered by the Senator from South Carolina, but it has been prepared in the view of what has been done heretofore, and I pre-

sume it recognizes that feature) the claims will be paid in the order in which the judgments are reached and rendered. That is what has been done heretofore. At any rate, that is the only fair way by which it can be done, and it ought to be done of course. I am sorry the Committee on Claims reported that way, because it was that which controlled the majority of the Committee on Appropriations.

Mr. PASCO. I will state that no list of claims was furnished to the Committee on Claims.

Mr. BUTLER. It is here in a public document.

Mr. HALE. I think the Committee on Claims ought to have got the list, because it is found in a public document sent by the court to Congress.

Mr. PASCO. The proposition referred to the Committee on Claims was to appropriate \$500,000 to pay certain findings of the Court of Claims in the French spoliation cases, without stating which findings were to be paid. If the Senate had seen fit to refer to the committee a list of the claims I can assure the Senator from Maine, whether it would have taken them one day or one week or one month, the committee would have acted and passed upon them. But it was merely a proposition to appropriate \$500,000 to pay some findings of the Court of Claims on the French spoliations and no list was furnished.

Mr. HALE. The Senator is sticking in the bark.

Mr. PASCO. That may be, but—

Mr. HALE. When the Senate referred the whole subject of the payment of these claims to that committee it was, if the Senator will allow me, his duty and the duty of that committee to probe the subject, to find what the provisions were, what the judgments were, and to report upon such as should be paid according to their order. I do not find fault with the Senator from Florida because his views have been against these claims, but heretofore the Committee on Claims has taken the whole matter in hand and investigated each judgment, and has reported in the order that they were issued. That, I think, the Senator from Florida ought to have done.

Mr. PASCO. If the Senator from Maine will allow me, I will state that the committee heretofore have had a list of these claims furnished to them and they have passed upon it; they have gone through them diligently. The Senator from Oregon [Mr. MITCHELL], not now in his seat, the former chairman of the committee, made a very elaborate report upon the claims submitted to the committee during the last Congress; but no such list as that has been furnished in the present Congress, and we have had no means of determining whether the appropriation referred to us would be paid to those whose claims the Committee had formerly passed upon or not.

Mr. HALE. Does not the Senator think when the subject-matter was referred to the committee that the committee ought to have sent for the list and got it, as it was in this public document?

Mr. PASCO. The proposition was not of that character. The proposition was simply to appropriate \$500,000 toward paying French spoliation claims, but which ones was not stated in the amendment referred to us.

Mr. HALE. I think the committee ought to have investigated the whole subject.

Mr. PASCO. If the entire subject had been referred to the committee it would have gone into that question.

Mr. HALE. I think the whole subject was so referred to the committee.

Mr. PASCO. The committee did not so understand it, and the unanimous report of the committee upon that subject already made to the Senate is upon record.

Mr. PALMER. Mr. President, I rose to obtain from the Senator from South Carolina some definite information.

Mr. BUTLER. I have given the Senator all the information I could.

Mr. PALMER. I have no complaint to make of the Senator.

Mr. BUTLER. I will state further that I was not allowed to conclude what I was stating in reply to the Senator when interrupted. He asked me why the entire amount of claims should not be paid. I say to the Senator there is no reason in equity and morals why they should not be paid. The Senator has heard the Senator from Maine state that it was thought the Treasury is not in a condition now to pay all these claims.

I will say to the Senator from Illinois that the Treasury never is in a condition to pay this class of claims, but is always in a condition to pay certain other claims. I have been here a good while, and I have known claimants with perfectly valid, legal, proper claims who have been here year after year knocking at the doors of Congress to get their claims recognized and paid, and they finally go away and die. I think myself that the entire amount ought to be put in the bill, but those who have charge of this matter seem to think that if they can get one-half it will be doing very well, and I agree with them. I would rather get one-half than not get anything.

Mr. PALMER. I understand from the Senator from South

Carolina that all of these claims are just, and a certain sum of money is to be paid on account of the claims, and I sought to ascertain, if I could, the principle of selection. I must confess that the amount of information I have now is much more indefinite than was my stock when I commenced the inquiry, because the Senator from Maine has given us some information that was very shadowy, and that after all I do not comprehend.

Mr. HAWLEY. Perhaps I can assist the Senator by a simple illustration.

Mr. PALMER. I am seeking information now.

Mr. HAWLEY. Suppose a tailor has been furnishing to the Senator two suits of clothes for ten or fifteen years and he owed for thirty or forty suits, and the tailor had presented bills for 80 suits until he got tired, we will say for ninety years; and finally he said, "If I can not get paid for 30 suits I will try to get paid for five."

Mr. BUTLER. That is about it.

Mr. HAWLEY. That is the whole story. In this case I understand he takes the earliest five suits furnished. It makes no difference, you see, which suit of clothes it was. The obligation for the payment of the French spoliation claims is just exactly as correct, equitably and morally, as the tailor's bill for the clothing. It has not been practically disputed for ninety years. Never has a Government owed a more honest debt, nor in a republic that pretends to be honorable was there ever a more shameful repudiation.

Mr. PALMER. Mr. President, the Senator's supposition is not a possible one.

Mr. HAWLEY. I based my suggestion on the idea that the Senator might refuse payment for ninety years. That was the only error in it.

Mr. PALMER. It is not possible that any tailor would trust me for ninety suits of clothes. But it must be remembered that if the Senator carries out his figure I should have bought the clothes of a great many tailors. Now, which tailor is to have the money?

Mr. HAWLEY. I will say the tailors have agreed practically, as in this case, among themselves that they will take payment in the order in which the county court gave judgment.

Mr. PALMER. Is that the fact? Does this amendment provide that?

Mr. HAWLEY. So I am told by a gentleman interested. I asked him exactly that question which some one proposed here, and he said in reply that they had given up the hope of getting a large sum or the whole of the amount due them, and they are now going to try to get three or four hundred thousand dollars. I particularly had that in mind when I asked him as to the order in which the payments were to be made, and I understood him to say that they were to be paid in the order in which the judgments were rendered.

Mr. BUTLER. In the order of the priority of the claims.

Mr. HAWLEY. In the order of the priority of the action of the Court of Claims.

Mr. BUTLER. Like any other judgments of the court, or any other set of judgments, they are to be paid according to priority.

Mr. PALMER. Mr. President—

Mr. HIGGINS. If the Senator from Illinois will allow me, I wish to state that I hold in my hand a list which has been furnished me of these respective claims, put down in the order of the day and date on which they were found by the Court of Claims.

Mr. GRAY. The French spoliation claims?

Mr. HIGGINS. Yes; the French spoliation claims, and there is attached to it the certificate of Archibald Hopkins, the chief clerk of the Court of Claims, saying:

I hereby certify that conclusions of fact and of law in the French spoliation cases on the above vessels were filed by the Court of Claims on the dates as above set forth.

It is that sequence which has been followed, as I understand, by the Senator from South Carolina in his amendment.

Mr. PALMER. Does the Senator from Delaware mean to tell me that that is the provision of the amendment, to pay the claims in a certain order?

Mr. HIGGINS. No; but the amendment includes the findings which were found in a certain order, and provides that they shall be paid.

Mr. PALMER. "Includes," but does it specify; does it indicate who are to have this money?

Mr. BUTLER. They are given by name.

Mr. PALMER. Is the rule by which the claimants are to be paid the rule of priority, the rule of merit, the rule of favoritism, or what is it?

Mr. HIGGINS. It is the rule of the date on which the findings were filed by in the Court of Claims.

Mr. PALMER. Is that specified in the amendment?

Mr. HIGGINS. I leave that to the Senator from South Carolina to answer.

Mr. STEWART. The claims are all given in the order in which the judgments were rendered, as I understand.

Mr. PALMER. It happens unfortunately, Mr. President, that nobody seems to know much about this matter; but as from the course of this discussion I can learn nothing exact, nothing precise, I must content myself with voting against the amendment.

The VICE-PRESIDENT. The Secretary will read the amendment. Mr. COCKRELL. I ask for a division on the amendment.

The VICE-PRESIDENT. The Senator from Florida [Mr. PASCO] has called for the reading of the amendment as amended.

Mr. COCKRELL. I hope that will not be done. I have it here, and it consists of an immense mass of names, and that is all.

The VICE-PRESIDENT. That is not a question for the Chair to determine.

Mr. COCKRELL. There are 64 pages of names, and I hope the Senator will not insist upon having them read. There are quite a large number of persons mentioned in the amendment similar to this, for example:

To John T. Lynch, of Houston County, Mo., \$50.

Another is:

To Charles E. Littleton, of Yell County, Ark., \$944.

Mr. PASCO. I suggest that the Senator himself do not read the list, if it is not desired to have them read.

Mr. President, I do not like to set my judgment against that of the Senate; I have never done so, and I do not propose to do so now. I felt it my duty, as this matter was referred to the Committee on Claims, to present it as fully and as well as I could to the Senate, and if the Senate desire to have so large an amount of money appropriated without the reading of the names of the persons who are to receive it, without even knowing in what order the names have been selected, or without having any statement from anybody that the findings are just and that those claims should be paid, I have nothing more to say, and shall not insist upon the reading of the amendment.

Mr. BUTLER. I have read the certificate from the clerk of the court, showing that the claims were allowed.

Mr. HIGGINS. I wish to call attention to the fact, already alluded to by the Senator from Florida, that these claims, together with a larger number, were submitted to the Committee on Claims on the 3d of February, 1893, and favorably reported from that committee by the Senator from Oregon [Mr. MITCHELL], and I have in my hand the amendment which was favorably reported by him. I have here also the alphabetical list of those various claimants, which, I take the word of the Senator from South Carolina for it, are those upon which his amendment is based. Therefore, you have the fact that these claims have been reported favorably by the Committee on Claims, and that they are put in the order of the date of their finding.

Mr. PASCO. I ask that the vote be taken by yeas and nays, Mr. President.

Mr. MITCHELL of Oregon. I understand the amendment relating to the French spoliation claims and the Southern claims has been adopted as an amendment to the amendment of the committee.

The VICE-PRESIDENT. The amendment submitted by the Senator from South Carolina to the amendment has been agreed to.

Mr. MITCHELL of Oregon. So I understand.

The amendment submitted by Mr. BUTLER is as follows:

That there be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$532,960.43 to pay the findings of the Court of Claims in the following classes of cases, viz: On the findings in the French spoliation cases under the act of January 20, 1885, entitled "An act to provide for the ascertainment of claims of American citizens for spoliations committed by the French prior to the 31st day of July, 1801," \$317,950.43; and on the findings in store and supply cases under the act of March 2, 1883, commonly known as the Bowman Act, and the act of March 3, 1887, commonly known as the Tucker Act, \$315,000; namely, to pay the findings in the French spoliation cases, as follows:

On the brig *Alert*, Robert Gray, master, namely:

Robert M. Pratt, administrator de bonis non of Joseph White, deceased, \$8,265.75;

William Parker, administrator de bonis non of William B. Parker, deceased, \$2,088.58;

Elizabeth R. Gardner, administratrix de bonis non of Jesse Richardson, deceased, \$2,617.16;

William D. Pickman, administrator de bonis non of Dudley L. Pickman, deceased, \$849.62;

Henry O., Benjamin W., and Robert Stone, executors last will, etc., Robert Stone, jr., deceased, \$4,177.16;

William A. Lander, administrator de bonis non of Pickering Dodge, deceased, \$3,132.87;

Mary F. Witherby, surviving executor of Charles Cleveland, deceased, \$783.21;

Nathaniel P. Richardson, executor of Joshua Richardson, deceased, \$2,088.58.

On the brig *Sally*, William Hampton, master, namely: Alexander Proudft, administrator de bonis non with the will annexed of the estate of Robert Ralston, deceased, \$5,734.

On the vessel *Two Sisters*, Jacob Henery, master, namely:

George W. Norris, administrator of John Garesche, deceased, \$2,043.80;

George W. Norris, administrator of Peter Bauduy, deceased, \$436.77;

William R. Lejee, surviving executor of Samuel Breck, jr., \$1,919.27.

On the vessel *Snow Fanny*, Garrett Barry, master, namely:

Dayton S. Ward, administrator de bonis non of James Barry, deceased, \$8,502.

On the schooner *Thankful*, William Ward, master, namely:

Adeline F. Alden, administratrix of James Torrey, \$1,428.40;

Adeline F. Alden, administratrix of George Torrey, \$1,428.40;

Abel H. Bellows, administrator of Thomas Geyer, \$226.80;

Stephen R. Rogers, administrator of Joseph Rogers, \$1,733.33;

Albert C. Arnold, administrator of the estate of Frederick William Geyer, deceased, \$226.80, the award in the above case having been made to Francis M. Boutwell as administrator of the estate of John Herr, assignee in bankruptcy of said Frederick William Geyer.

On the schooner *Ballahoo*, Joseph Ripley, master, namely:

James F. Breuil, administrator of Francis Breuil, deceased, \$1,568.95.

On the brig *American*, Thomas Towne, master, namely:

J. Hall Ware, administrator de bonis non of John Hall, deceased, \$4,691.

On the ship *Jane*, John Wallace, master, namely:
 Esther S. Buchanan, administratrix, representing Smith and Buchanan, \$11,600.21;
 Robert Carter Smith, administrator, representing Samuel Smith, \$6,738.21;
 Cumberland D. Hollins, administrator, representing John Hollins, \$4,922.
 On the vessel, the snow *Boston*, Dougherty, master, namely:
 J. Bayard Henry, administrator of George Latimer, deceased, \$3,025.36;
 The Real Estate Title Insurance and Trust Company of Philadelphia, administrator de bonis non cum testamento annexo of James Campbell, deceased, \$3,025.35.
 On the ship *Patapsco*, William Hill, master, namely:
 William Donnell, administrator de bonis non cum testamento annexo of the estate of John Donnell, deceased, \$6,659.99;
 George W. Brown, administrator of the estate of James A. Buchanan, deceased, \$1,609.99, being his share of vessel and freight;
 Robert Carter, administrator de bonis non cum testamento annexo of the estate of Samuel Smith, deceased, \$4,609.99, being his share of vessel and freight;
 Esther H. Buchanan, administratrix of the estate of William B. Buchanan, who was the surviving partner of the firm of S. Smith & Buchanan, deceased, \$25,056, the value of the cargo shipped by said firm;
 Cumberland D. Hollins, administrator de bonis non cum testamento annexo of the estate of John Hollins, deceased, \$7,600;
 Virgilia B. Brooke, administratrix de bonis non cum testamento annexo of the estate of John Smith, jr., deceased, \$48,466.
 On the brig *Hope*, Church, master, namely:
 John C. Parsons, as administrator of the estate of John Caldwell, deceased, \$12,412.17.
 On the brig *Confidence*, Thomas Manning, master, namely:
 Catherine M. Singleton, administratrix de bonis non of Alexander McKim, surviving partner of the firm of Robert McKim & Co., \$1,497.39.
 On the brig *Eleanor*, James Treat, master, namely:
 George H. Williams, administrator de bonis non of Samuel Williams, deceased, \$1,583.59;
 Charles J. Bonaparte, administrator de bonis non of Benjamin Williams, deceased, \$1,583.59;
 David Stewart, administrator of Francis Jehonnet, surviving partner of Francis Jehonnet & Co., \$5,723.18.
 On the schooner *Eliza*, Thomas Poulson, master, namely:
 John Merven Carrere and David Stewart, administrators, etc., \$11,744.96;
 David Stewart, administrator, etc., \$3,781.
 On the vessel *Fusileer*, Thomas Shaw, master, namely:
 George B. Chase, administrator of Stephen Chase, deceased, \$2,955;
 Albion C. Taylor, administrator de bonis non of Joseph Chase, deceased, \$2,955;
 Calvin Page, administrator of Thomas Shaw, deceased, \$1,168.55.
 On the brig *Thomas*, Mark Fernald, master, namely:
 James W. Emery, administrator de bonis non of the estate of Thomas Manning, deceased, \$6,132.
 On the schooner *Lucy*, Lewis Holmes, master, namely:
 Isaac Brewster, administrator de bonis non cum testamento annexo estate of Daniel Jackson, deceased, \$3,567;
 Charles G. Davis, administrator de bonis non of William Davis, deceased, \$992.
 On the brig *Leonard*, William Hackett, master, namely:
 Joseph A. Titcomb, administrator of estate of John Wills, otherwise called John Wells, deceased, \$3,150.
 On the brig *Vulture*, John Berry, master, namely:
 Elizabeth E. Gardner, administratrix of Jesse Richardson, \$3,618.85;
 Nathaniel P. Richardson, executor of Joshua Richardson, \$3,618.85.
 On the sloop *Fox*, Brooks, master, namely:
 Sanford J. Horton, as administrator of the estate of William Wickham, deceased, \$1,506.33;
 Melvin B. Copeland, as administrator of the estate of Nathaniel Blake, deceased, \$454.10;
 George G. Sill, as administrator of the estate of William Moore, deceased, \$2,353.33.
 On the schooner *Nancy*, Nathaniel Lincoln, master, namely:
 Charles E. Alexander, administrator of the estate of Jonathan Merry, deceased, \$808.
 On the brig *William*, Benjamin H. Rathbone, master, namely:
 Bayard Tuckerman, administrator of Walter Channing, surviving partner of Gibbs & Channing, and likewise administrator of George Gibbs, \$20,754.
 On the schooner *Alert*, Jacob Olliver, master, namely:
 Franklin Leach, administrator of William Leach, \$3,577.88;
 Edward I. Browne, administrator of Israel Thorndike, \$1,003.73.
 On the schooner *Three Friends*, James Shepherd, jr., master, namely:
 Gilbert C. Huntington, administrator of the estate of Alvan Fosdick, deceased, surviving partner of Fosdick & Lambert, \$13,517;
 Mary Souther, administratrix of the estate of Benjamin Wheeler, deceased, \$510.
 On the schooner *Union*, Samuel Larrabee, master, namely:
 Cornelia S. Jackson, administratrix of Levi Cutter, \$1,833.50;
 Seth L. Milliken, administrator of John Milliken, \$1,833.50.
 On the schooner *Betsy and Nancy*, Samuel Leis, master, namely:
 Samuel R. Eels, administrator of the estate of Samuel Eels, deceased, \$2,504.25.
 On the vessel *Georgia Packet*, John McKeever, master, namely:
 The Pennsylvania Company for Insurance on Lives and Granting Annuities, administrator of Thomas M. Willing, deceased, \$6,246;
 Richard F. Flickwir, administrator of Richard Flower, deceased, \$1,055;
 Richard F. Flickwir, administrator of John Flower, deceased, \$1,055;
 Richard F. Flickwir, administrator of Reese Wall, deceased, \$1,055;
 Edward S. McKeever, administrator of John McKeever, deceased, \$1,055.
 On the brig *Betsy*, William Witmarsh, master, namely:
 Mary Souther, administratrix of the estate of Benjamin Wheeler, deceased, \$6,048.06.
 In all, \$317,960.43.
 Provided, That in all cases where the original sufferers were adjudicated bankrupt or insolvents, or made voluntary assignments for the benefit of creditors, awards shall hereafter be made on behalf of the living next of kin or to those entitled under the wills of the original sufferers instead of to voluntary assignees or to assignees in bankruptcy; and the awards in the cases of individual claimants herein appropriated for shall not be paid until the Court of Claims shall certify to the Secretary of the Treasury that the personal representative on whose behalf the award is made represents the next of kin, or legatees as aforesaid, and the courts which granted the administrations, respectively, shall have certified that the legal representatives have given adequate security for the legal disbursement of the awards.
 And to pay for the findings of the Court of Claims in the cases for stores and supplies when certified to the Secretary of the Treasury on its findings, for stores and supplies taken by the military forces of the United States for their use during the late war, as found by the Court of Claims under the acts of March 3, 1883, commonly known as the Bowman Act, and the act of March 3, 1887, commonly known as the Tucker Act, the sum of \$315,000 hereof, shall be paid to the several persons in this act named in the order in which their names appear herein,

the several sums mentioned herein, to the said amount of \$315,000, the same being in full for, and the receipt of the same to be taken and accepted in each case as a full and final discharge of the several claims for stores and supplies examined, investigated, and reported favorably by the Court of Claims of the United States, under the provisions of the aforesaid acts: Provided, That the Court of Claims shall certify on its findings in each case herein named to the Secretary of the Treasury for payment, and no case shall be certified for payment or paid under this act unless the findings shall show that the proper parties were before the court, and that they were found to have given no aid or comfort to the rebellion, and were loyal to the Government of the United States throughout the war, and a specific amount found in value of stores and supplies taken or furnished, namely:
 To John W. Alexander, administrator of James S. Williams, deceased, late of Williamson County, Tenn., \$1,060.
 To Thomas J. Anderson, administrator of David B. Anderson, deceased, late of Fulton County, Ga., \$704.
 To Franklin A. Ash, administrator of John Ash, deceased, late of Washington County, Md., \$750.
 To A. M. Appiewhite, administrator of Andrew J. Newsom, deceased, late of Fayette County, Tenn., \$600.
 To Lotfin D. Allen, of Henrico County, Va., \$1,651.
 To Bettie L. Abington, administratrix de bonis non of James B. Abington, deceased, and E. A. Reid, administrator of Joseph H. Abington, deceased, late of Shelby County, Tenn., \$6,000.
 To Nannie A. Badley, administratrix of Henry Badley, deceased, late of Baton Rouge, La., \$3,442.
 To Samuel Bagnell, administrator of Ignatius G. Flowers, deceased, late of Claiborne County, Miss., \$7,935.
 To John C. Bailey, of Marshall County, Miss., \$1,587.
 To John C. Bailey, administrator of Andrew Nichols, late of Marshall County, Miss., \$1,067.
 To Mary E. Bates, administratrix of James K. Bates, deceased, late of Shelby County, Tenn., \$900.
 To Thomas M. Beeler, administrator of David Standiford, deceased, late of Jefferson County, Ky., \$85.
 To Daniel P. Belcher, of Cass County, Mo., \$100.
 To Nicholas J. Bigley, of Pittsburg, Pa., \$21,211.50.
 To William M. Blackford, of Washington County, Md., \$6,206.
 To Rebecca L. Bolling, of Warren County, Miss., \$845.
 To Jefferson Brownfield, of Larue County, Ky., \$97.
 To William J. Bishop, of Fayette County, Tenn., \$388.
 To John O. Buford, of Fayette County, Tenn., \$150.
 To Mary J. McCall, administratrix of James Bridgman, deceased, late of Crawford County, Ark., \$1,575.
 To George W. Beasley, of Fayette County, Tenn., \$618.
 To A. B. Cannon, administrator of Jane W. Cannon, late of Jefferson County, Tenn., \$150.
 To Hugh Carothers, of Lawrence County, Tenn., \$720.
 To Margaret Carter, administratrix of Thomas Carter, deceased, late of Marion County, Ky., \$1,780.
 To Preston Chavis, of Warren County, Miss., \$820.
 To Calvin Cheairs, of Benton County, Miss., \$5,545.
 To Joseph A. Clark, of Madison County, Ala., \$590.
 To Thaddeus Collard, of Missouri, \$150.
 To Henry H. Coulson, of Jackson County, Ala., \$250.
 To A. B. Crenshaw, of Gibson County, Tenn., \$390.
 To William Crews, of Gibson County, Tenn., \$125.
 To Sarah M. Carlisle, administratrix of George A. Carlisle, deceased, late of Iron County, Mo., \$150.
 To Thomas Corbett, of Washington County, Md., \$315.
 To Isaiah Curry, of Kanawha County, W. Va., \$591.
 To Elias Cooper, of Loudoun County, Va., \$324.
 To F. L. Crafton, administrator of Paul C. Crafton, deceased, late of Gibson County, Tenn., \$258.
 To Sarah J. Cofer, administratrix of Alfred H. Kennedy, deceased, late of Hardin County, Ky., \$831.85.
 To Thomas W. Campbell, assignee of Miles Kelly, of Warren County, Ky., \$5,142.
 To K. D. Wright, administratrix of Lucy Cordell, deceased, late of Hinds County, Miss., \$684.
 To M. V. Dalton, administratrix of Corson R. Dalton, deceased, late of Shelby County, Tenn., \$630.
 To Ezra Daub, of Washington County, Md., \$248.
 To Edward V. Dickens, of Panola County, Miss., \$4,280.
 To P. E. Dye and W. S. Hoge, administrators of David Shoemaker, deceased, late of the District of Columbia, \$1,255.
 To James Doolin, of Pulaski County, Ky., \$218.
 To John Loague, administrator of Patrick Dwyer, deceased, late of Shelby County, Tenn., \$350.
 To the estate of Thomas O. Davis, deceased, late of Hinds County, Miss., \$1,012.
 To Phil Davis, of Woodruff County, Ark., \$450.
 To James G. Ferguson, of Warren County, Miss., \$15,063.
 To E. M. Ford, administrator de bonis non of Richard L. Ford, deceased, of Phillips County, Ark., \$3,159.
 To Eveline Fries, sole heir of John Snyder, deceased, late of Washington County, Md., \$233.
 To Alexander Garrett, administrator of William Garrett, deceased, late of Montgomery County, Md., \$894.
 To Samuel D. Piper, administrator of Elias S. Grove, deceased, late of Washington County, Md., \$809.
 To Samuel W. George, sr., of Loudoun County, Va., \$642.
 To T. S. Galloway, administrator of Darling Allen, deceased, late of Fayette County, Tenn., \$1,880.
 To M. A. Gober, administrator of Joseph T. Abernathy, deceased, late of Fayette County, Tenn., \$2,455.
 To John Grice, of Washington County, Md., \$240.
 To Isaac Gruber, executor of John Cowton, deceased, late of Washington County, Md., \$295.
 To Eliza Green, of Warren County, Miss., \$17,848.
 To S. E. Green, executor of A. P. Green, deceased, late of Hamilton County, Tenn., \$1,041.
 To George C. Harper, of Scott County, Miss., \$3,068.
 To Abram A. Harvey, guardian, etc., of Washington Parish, La., \$1,990.
 To Anna Hunt, administratrix of George F. Hunt, late of Jefferson County, Miss., \$19,445.
 To Mira M. Harbin, administratrix of Nathaniel P. Harbin, deceased, late of Whitfield County, Ga., \$12,400.
 To John A. Harmon, of Putnam County, W. Va., \$523.
 To Josiah Hill, of Washington County, Md., \$237.
 To Frisby Hildebrand, of Washington County, Md., \$301.
 To Thomas Hilliary (or Hilleary), of Frederick County, Md., \$627.

- To Jacob A. Hutzell and Edward E. Hutzell, administrators of Adam Hutzell, deceased, late of Washington County, Md., \$411.
- To P. N. Harris, administrator of William Harris, deceased, late of Tishomingo County, Miss., \$1,125.
- To Warren Holtzclaw, administrator of Elijah Holtzclaw, deceased, late of Phillips County, Ark., \$600.
- To C. C. Howard, administrator of George W. Smith, deceased, late of Larue County, Ky., \$20.
- To James M. Harding, administrator of James H. Maury, deceased, late of Claiborne County, Miss., \$1,950.
- To F. M. Joplin, administrator of Thomas B. Munford, deceased, late of Hardin County, Ky., \$140.
- To Henry E. Jenkins, of Warren County, Ky., \$96.
- To William Johnson, administrator of Thomas I. Johnson, deceased, late of Fayette County, Tenn., \$13,378.
- To Caty Jones, administratrix of William Irwin, deceased, late of Hawkins County, Tenn., \$125.
- To Ann Kannell, administratrix of John Kannell, deceased, late of Memphis, Tenn., \$841.
- To C. M. Keedy and others, executors of John J. Keedy, late of Washington County, Md., \$462.
- To Fredonia Knight, administratrix of Joseph T. Knight, deceased, late of Hardeman County, Tenn., \$260.
- To H. H. Keedy and Charles W. Adams, administrators of John Miller, deceased, late of Washington County, Md., \$475.
- To Benjamin R. Keaton, of Washington Parish, La., \$739.
- To Aaron Langley, of Hinds County, Miss., \$380.
- To Mary T. Leake, of Warren County, Miss., \$225.
- To R. B. Carl Lee, administrator of Charlotte C. Bancroft, deceased, late of Phillips County, Ark., \$9,970.
- To John Loague, administrator of John N. Stephens, deceased, late of Shelby County, Tenn., \$500.
- To L. M. Lowenberg, administrator of Seth R. and C. W. Strong, deceased, late of Warren County, Miss., \$720.
- To John C. Lummis, of Kenton County, Ky., \$150.
- To George Leonhart, of Campbell County, Ky., \$410.
- To Andrew J. McAllister, of Washington County, Md., \$50.
- To Lemuel S. McHenry, of Davies County, Ky., \$150.
- To Luke Madden, administrator of Patrick Madden, deceased, late of Madison Parish, La., \$845.
- To J. Harvey Mathes, administrator of Benjamin Cash, deceased, late of Shelby County, Tenn., \$1,225.
- To Furneyfield Mercer, of Jones County, N. C., \$747.
- To Samuel B. Merrifield, of Nelson County, Ky., \$404.
- To Daniel N. and Levi Middlekauff, administrators of John C. Middlekauff, deceased, late of Washington County, Md., \$160.
- To Jacob F. Miller, of Washington County, Md., \$323.
- To Mrs. E. P. Molloy, of Memphis, Tenn., \$1,200.
- To T. S. Mayes, administrator of Mary A. E. Smith, deceased, late of Washington County, Ky., \$234.
- To William H. Mathias, administrator of Lutton Speight (or Spikes), of Gates County, N. C., \$125.
- To Judith McKinney, administratrix of Wilson McKinney, deceased, late of Tishomingo County, Miss., \$425.
- To John L. Murphy, of White County, Ark., \$1,240.
- To E. W. Miller, administrator of Elizabeth A. Palmer, deceased, late of Walker County, Ala., \$605.
- To Victor Miller, administrator of Joshua Newcomer, deceased, late of Washington County, Md., \$880.
- To Susan E. Miller, in her own right and as widow of and administratrix of Jacob M. Miller, deceased, late of Marion County, Ky., \$910.
- To Henry C. Mumma and others, executors of Samuel Mumma, deceased, late of Sharpsburg, Md., \$853.
- To Sarah L. McLemore, administratrix of John C. McLemore, deceased, late of Shelby County, Tenn., \$2,830.
- To John G. Mussen, administrator of Susan Mussen, deceased, late of Marion County, Ky., \$438.50.
- To Benjamin F. Middlekauff, administrator of Henry J. Lowman, deceased, late of Washington County, Md., \$350.
- To the Nazareth Benevolent Institution, of Nelson County, Ky., \$319.
- To Allie V. Askew, administratrix de bonis non of W. W. Neeley, deceased, late of Warren County, Miss., \$8,540.
- To Henry C. Nichols, of Marshall County, Miss., \$980.
- To John L. Nicodemus, of Washington County, Md., \$130.
- To W. O. Anderson, administrator of Walter L. Otey, deceased, late of Phillips County, Ark., \$4,047.
- To Mary Orendorf, of Breckinridge County, Ky., \$250.
- To Joseph U. Orr, of Greene County, Tenn., \$255.
- To Pleasant Owen, of Knox County, Tenn., \$311.
- To J. A. Oubre, administrator of Eugene Oubre, deceased, late of Pointe Coupee Parish, La., \$6,683.
- To James H. Owen, of Scott County, Miss., \$825.
- To William C. Parker, administrator of Moses Trimble, late of Campbell County, Ga., \$279.
- To Thomas Patrick, administrator of Marion Patrick, deceased, late of Jefferson County, Tenn., \$150.
- To John A. Porche, of Pointe Coupee Parish, La., \$550.
- To Lawson W. Poffinberger, executor of Joseph Poffinberger, deceased, late of Washington County, Md., \$1,918.
- To Fayette J. Pulliam, of Fayette County, Tenn., \$92.
- To Benedict Pash, of Nelson County, Ky., \$350.
- To William Pickett, administrator of Jesse Pickett, deceased, late of Sequatchie County, Tenn., \$4,730.
- To Dent S. Pash, of Nelson County, Ky., \$480.
- To Andrew B. Phillips, of Maury County, Tenn., \$585.
- To Abijah T. Phelan, of Washington County, Ark., \$235.
- To William A. Quarles, administrator of Mary Quarles, deceased, late of Jefferson County, Tenn., \$243.
- To Fanny B. Randolph and Dora L. Stark, of Avoyelles Parish, La., \$16,560.
- To M. K. Redwine, administratrix of James A. Redwine, deceased, of Lafayette County, Miss., \$545.
- To James Resley, of Washington County, Md., \$514.50.
- To Jehu Robinson, of Webster County, Mo., \$176.
- To P. B. Robinson, administrator of William R. Collier, deceased, late of Madison County, Tenn., \$171.
- To J. W. B. Robinson, administrator of Andrew Park, deceased, late of Monroe County, Ark., \$830.
- To John A. Roe, of Gibson County, Tenn., \$2,763.
- To Aaron Royston, of Marshall County, Miss., \$250.
- To W. T. Ratliff, administrator of Willis Cotton, deceased, late of Hinds County, Miss., \$270.
- To W. T. Ratliff, administrator of Peter Dunbar, deceased, late of Hinds County, Miss., \$320.
- To Juber Russell, of Crawford County, Ark., \$435.
- To Joseph L. Roberts, of Jefferson County, W. Va., \$395.
- To Benjamin F. Raiff, late a private in Company H, Fifth Regiment Kansas Volunteer Cavalry, \$260.
- To W. T. Smith, administrator of Willis Robinson, deceased, late of Hardman County, Tenn., \$225.
- To George W. Roberts, of Morgan County, Ala., \$150.
- To A. J. Schwartz, administrator of M. Schwartz, late of Adams County, Pa., \$622.
- To A. M. Scott, administrator of Sarah Slate, of Phillips County, Ark., \$910.
- To Patrick Sheehan, of Warren County, Tenn., \$976.
- To Claudius L. Shipp, administrator of Felix G. Shipp, deceased, late of Lafayette County, Miss., \$1,895.
- To H. B. Snively and A. G. Lovell, executors of George Snively, deceased, late of Washington County, Md., \$174.
- To Albert H. Sprich, of Amite County, Miss., \$750.
- To Mrs. J. A. Sorrell, administratrix of E. F. Sorrell, deceased, late of Alcorn County, Miss., \$1,443.
- To Martha J. Stewart, of Jefferson County, Miss., \$2,317.
- To James W. Smith, administrator of Miles H. Thomas, deceased, late of Hardin County, Ky., \$235.
- To George W. Smith, of Hardin County, Ky., \$667.
- To Robert Talley, of Haywood County, Tenn., \$175.
- To James C. Tappan, administrator of Samuel J. Sutton, deceased, late of Phillips County, Ark., \$2,105.
- To James H. Taylor, administrator of Thomas W. Taylor, deceased, late of Nelson County, Ky., \$99.
- To Wilkin Thomas, of Shelby County, Tenn., \$210.
- To Abel A. Thompson, of Marion County, Ky., \$124.
- To Lewis Trone, of Washington County, Md., \$555.50.
- To James A. Tennant, of Washington County, Md., \$421.
- To Commodore P. Thompson, of Harbour County, W. Va., \$480.
- To A. T. Terrill, late of Henderson County, Tenn., \$275.
- To William B. Taylor, administrator of John E. Taylor, deceased, late of DeKalb County, Ala., \$637.
- To H. L. Thomas, administrator of B. R. Thomas, deceased, late of Shelby County, Tenn., \$5,876.
- To Emily Thrift, administratrix of S. B. Thrift, deceased, late of Warren County, Miss., \$1,505.
- To Daniel K. Tenney, of Cook County, Ill., \$546.87.
- To Eliza H. Tenge, administratrix of Charles A. Tenge, deceased, late of Landerdale County, Ala., \$501.
- To Mary Unsel, administratrix of John Unsel, deceased, late of Nelson County, Ky., \$250.
- To Alfred B. Vernon, of Hardin County, Ky., \$82.25.
- To Osborn Walker, of Wayne County, Tenn., \$625.
- To A. V. Warr, administrator of N. H. Isbell, surviving partner of Isbell & Johnson, of Fayette County, Tenn., \$411.25.
- To Thomas H. Webb, of Lenoke County, Ark., \$542.
- To John W. Wesson, of DeKalb County, Ala., \$441.
- To Mattie S. Whitney, administratrix of Franklin S. Whitney, deceased, late of Claiborne County, Miss., \$22,224.
- To Samuel W. Wysong, executor of James Wysong, deceased, late of Jefferson County, W. Va., \$3,585.
- To Martha Walker, administratrix of Sandy Walker, deceased, late of Marshall County, Miss., \$550.
- To William R. Welborn, of Morgan County, Ga., \$250.
- To Mary M. White, administratrix of Owen (or Orrin) White, deceased, late of Shelby County, Tenn., \$457.
- To Alfred A. Young, executor of Joseph Young, deceased, \$375.
- To Fanny Young, of Giles County, Tenn., \$125.
- To D. C. York, administrator of William York, deceased, late of Woodruff County, Ark., \$798.

The VICE-PRESIDENT. The question is on agreeing to the amendment as amended.

Mr. PASCO. On which the Senator from Florida has already asked for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HIGGINS (when his name was called). I am generally paired with the senior Senator from New Jersey [Mr. McPHERSON]. The Senator from Florida [Mr. PASCO], however, suggests that I may transfer my pair to his pair, who is the Senator from North Carolina [Mr. PRITCHARD]. I will accept that suggestion, and under those circumstances will vote "yea."

Mr. LODGE (when his name was called). I am paired with the senior Senator from New York [Mr. HILL]. As I do not know how he would vote I withhold my vote.

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "nay."

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHoup], but I will transfer that pair to the Senator from New Jersey [Mr. SMITH], which will enable the Senator from Idaho [Mr. DUBOIS] and me to vote. I vote "nay."

Mr. WILSON of Washington (when his name was called). I am paired with the junior Senator from Montana [Mr. MANTLE].

The roll-call was concluded.

Mr. GALLINGER. I announce my pair with the junior Senator from Texas [Mr. MILLS].

Mr. McMILLAN (after having voted in the affirmative). I am paired with the Senator from Louisiana [Mr. BLANCHARD]. He not being present, I withdraw my vote.

Mr. FRYE. The junior Senator from Minnesota [Mr. WASHBURN] is paired with the junior Senator from Missouri [Mr. VEST].

Mr. MITCHELL of Oregon (after having voted in the affirmative). I am paired with the Senator from Wisconsin [Mr. VILAS], and inquire if that Senator has voted?

The VICE-PRESIDENT. He has not voted.

Mr. MITCHELL of Oregon. Then I withdraw my vote.

The result was announced—yeas 32, nays 24; as follows:

YEAS—32.

Aldrich,	Clark,	Hale,	Platt,
Allison,	Daniel,	Harris,	Proctor,
Brice,	Davis,	Hawley,	Pugh,
Burrows,	Dixon,	Higgins,	Quay,
Butler,	Dubois,	Hoar,	Squire,
Cameron,	Faulkner,	Hunton,	Stewart,
Carey,	Frye,	Jones of Nev.	Voorhees,
Chandler,	Gibson,	Morrill,	Walsh.

NAYS—24.

Allen,	George,	McLaurin,	Power,
Bate,	Gray,	Martin,	Roach,
Berry,	Hansbrough,	Palmer,	Sherman,
Blackburn,	Irby,	Pasco,	Teller,
Cockrell,	Kyle,	Peffer,	Turpie,
Cullom,	Lindsay,	Perkins,	White.

NOT VOTING—32.

Blanchard,	Gorman,	Mills,	Shoup,
Caffery,	Hill,	Mitchell of Wis.	Smith,
Call,	Jones of Ark.	Mitchell of Oreg.	Vest,
Camden,	Lodge,	Morgan,	Vilas,
Coke,	McMillan,	Murphy,	Washburn,
Dolph,	McPherson,	Pettigrew,	Wilson of Iowa,
Gallinger,	Manderson,	Pritchard,	Wilson of Wash.
Gordon,	Mantle,	Ransom,	Wolcott.

So the amendment as amended was agreed to.

Mr. COCKRELL. I hope that I shall now be permitted to offer some amendments. On page 64, line 7, after the word "eighty-three," I move to insert "and Senate Executive Document No. 283;" and in the same line to strike out "\$716,093.39," and insert "\$937,343.94," so as to make the clause read—

For payment of the judgments rendered by the Court of Claims, certified to Congress at its present session in House Executive Document No. 283, and Senate Executive Document No. 201, \$937,343.94.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in section 2, in the appropriations for the claims allowed by the Comptroller of the Treasury, to strike out the clause from line 1 to line 4, on page 70, as follows:

To pay Peter Martin \$77.88, the amount allowed by Third Auditor of the Treasury Department under act of July 4, 1864.

The amendment was agreed to.

Mr. COCKRELL. After section 2 I offer an amendment as a new section to the bill, which I send to the desk. It is a list of claims which were certified on the 27th ultimo. The document has not yet come back from the Printing Office, but we have all the claims which are in it.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 77 it is proposed to insert as a new section the following:

SEC. 2. That for the payment of the following claims certified to be due by the several accounting officers of the Treasury Department under appropriations, the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1892 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in House Ex. Doc. No. 234, Fifty-third Congress, third session, there is appropriated as follows:

CLAIMS REPORTED BY THE AUDITOR FOR THE TREASURY DEPARTMENT.

For contingent expenses, Treasury Department, freight, telegrams, etc., \$2,996.09.

For collecting the revenue from customs, \$209.61.

For repayment to importers excess of deposits, \$1,121.63.

For quarantine service, \$77.80.

For refunding taxes illegally collected (internal revenue), \$35.14.

For repairs and preservation of public buildings, \$335.04.

CLAIMS REPORTED BY THE AUDITOR FOR THE WAR DEPARTMENT.

For pay, etc., of the Army, \$1,681.91.

For expenses of recruiting, \$3.15.

For transportation of the Army and its supplies, \$4.78.

For medical and hospital department, \$260.

For barracks and quarters, \$46.66.

For horses and other property lost in the military service, \$519.59.

CLAIMS REPORTED BY THE AUDITOR FOR THE NAVY DEPARTMENT.

For pay of the Navy, \$2,232.85.

For mileage, Navy, Graham decision: For the payment of claims for difference between actual expenses and mileage allowed under the decision of the United States Supreme Court in the case of Graham vs. The United States, \$2,445.13.

For pay, Marine Corps, \$95.25.

For contingent, Bureau of Ordnance (except for service over Pacific railroads), \$7.46.

For contingent, Bureau of Equipment (except for service over Pacific railroads), \$85.50.

For contingent, Bureau of Medicine and Surgery (except for service over Pacific railroads), \$241.59.

For contingent, Bureau of Supplies and Accounts (except for service over Pacific railroads), \$759.75.

For destruction of clothing and bedding for sanitary reasons, \$23.90.

For bounty for destruction of enemies' vessels, \$2.38.

For enlistment bounties to seamen, \$554.

CLAIMS REPORTED BY THE AUDITOR FOR THE INTERIOR DEPARTMENT.

Public Land Service: For surveying the public lands, \$10,032.01.

Indian Affairs: For pay of Indian agents, \$36.08.

For telegraphing and purchase of Indian supplies, \$18.85.

For transportation of Indian supplies, \$2.55.

For support of Indians in Arizona and New Mexico, \$645.53.

For Indian schools, support, \$20.

For Indian school transportation, \$116.75.

For incidentals in Arizona, including support and civilization, \$2.

CLAIMS REPORTED BY THE AUDITOR FOR THE STATE AND OTHER DEPARTMENTS.

Foreign intercourse: For contingent expenses, foreign missions, \$65.16.

For contingent expenses, United States consulates, \$136.33.

For loss by exchange, consular service, \$93.53.

Department of Agriculture: For botanical investigations and experiments, \$15.30.

Department of Justice: For fees and expenses of marshals, United States courts, \$857.70.

For fees of commissioners, United States courts, \$173.05.

For fees of witnesses, United States courts, \$188.59.

For pay of bailiffs, etc., United States courts, \$15.

Excess of deposits by N. R. Peckinpaugh, clerk of United States courts, 10 cents.

CLAIMS REPORTED BY THE AUDITOR FOR THE POST-OFFICE DEPARTMENT.

For inland mail transportation, railroad, \$11,510.06.

For inland mail transportation, special facilities, \$40.

For inland mail transportation, star, \$2.21.

For compensation of postmasters, \$491.01.

For clerk hire, \$155.70.

For rent, light, and fuel, \$10.16; in all, \$12,209.14, payable from the appropriation "deficiency in the postal revenues."

The amendment was agreed to.

Mr. COCKRELL. On page 13, in line 22, after the words "six hundred," I wish to insert "and eighty-five." I hold in my hand a letter from the Acting Secretary of the Treasury, dated February 28, in which he states that it is absolutely necessary to have the additional \$85,000 added to \$600,000 provided in the bill for the customs service. I ask that the letter may be printed in the RECORD.

The letter was ordered to be printed, as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 28, 1895.

SIR: The Department submitted an estimate of \$685,000 for expenses of collecting the revenue from customs for the remainder of the current fiscal year (House Ex. Doc. No. 258, page 4). The House of Representatives has allowed only \$600,000 of this sum in the general deficiency bill now pending in your committee, on the assumption that the increase of appraisers' salaries asked for in the same document was included in the Department's estimate. The additional amount that would be required for increased salaries of appraisers, if allowed, was not considered when the estimate submitted by the Department was made up, and unless the full amount (\$685,000) is appropriated at this session many of the employees at the various ports throughout the country will go without their salaries until such time as Congress shall provide the necessary appropriation therefor.

Respectfully, yours,

C. S. HAMLIN, Acting Secretary,

Hon. F. M. COCKRELL,
Chairman Committee on Appropriations, United States Senate.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The question is on agreeing to the amendment of the Senator from Missouri.

The amendment was agreed to.

Mr. COCKRELL. On page 4, after line 15, I move to insert what I send to the desk.

The SECRETARY. On page 4, after line 15, it is proposed to insert:

INTERNATIONAL COMMISSION OF ARBITRATION.

To defray the share of the United States, until the meeting of the next Congress, in the expenses of an international commission of arbitration between the United States and Great Britain, for the adjustment of claims for damages against the United States growing out of the controversy between the two Governments as to the fur seals in Bering Sea, \$50,000.

Mr. COCKRELL. A moment ago I received a letter from the Secretary of the Treasury transmitting a communication from the Secretary of State, saying that this is absolutely necessary. The Secretary of State says:

DEPARTMENT OF STATE, Washington, March 1, 1895.

SIR: I have the honor to request that you will, with all convenient promptness, submit to Congress a formal estimate for the appropriation of \$50,000 to defray the share of the United States, until the meeting of the next Congress, in the expenses of an international commission of arbitration between the United States and Great Britain for the adjustment of claims for damages against the United States growing out of the controversy between the two governments as to the fur seals in Bering Sea.

I have the honor to be, sir, your obedient servant,

W. Q. GRESHAM.

The honorable The SECRETARY OF THE TREASURY.

I ask that the letter of the Acting Secretary of the Treasury be printed in the RECORD.

The letter was ordered to be printed in the RECORD, as follows:

TREASURY DEPARTMENT, March 1, 1895.

SIR: I have the honor to transmit herewith, for the consideration of Congress, an estimate of appropriation, submitted by the Secretary of State, under date of to-day, to defray the share of the United States, until the meeting of the next Congress, in the expenses of an international commission of arbitration between the United States and Great Britain for the adjustment of claims for damages against the United States, growing out of the controversy between the two governments as to the fur seals in Bering Sea, \$50,000.

Respectfully, yours,

C. S. HAMLIN,
Acting Secretary.

The PRESIDING OFFICER OF THE SENATE.

Mr. SHERMAN. I desire to say something on the amendment. Mr. HIGGINS. Before the amendment is adopted I should like to ask a question.

Mr. SHERMAN. I suppose Senators are familiar with the history of this matter. By the Bering Sea treaty between Great Britain and the United States, in respect to the fur seals, there was an award that the United States were in the wrong as to certain seiz-

ures of British vessels or Canadian vessels under British ownership. The award was against the United States, but no amount of damages was fixed by the award. But it was agreed that the matter should be submitted first to the ordinary negotiations, and in case negotiations between the two powers should fail in fixing the amount of damages—it is a matter of account—that it should be settled by arbitration.

Now it appears that an effort was made to settle the matter by an agreement, and after considerable controversy, the British Government asking something over \$560,000 in the way of damages, the Secretary of State, with the sanction of the President, proposed to give the sum of \$425,000, in full satisfaction of all claims which may be made by Great Britain for damages growing out of the controversy as to fur seals in Bering Sea, or the seizure of British vessels engaged in taking seal in those waters.

The President of the United States communicated this fact to Congress in his annual message, and advised and requested Congress to make an appropriation of that amount of money in order to settle this important controversy forever. Both Houses of Congress thus far have taken no action in regard to the matter, and now, the money not being paid, and the agreement of the executive branch of the governments of Great Britain and the United States not being carried out, we are called upon to appropriate \$50,000 to enter into another arbitration. In my judgment it is the most unwise thing that could possibly have been devised, and I feel called upon to say that Congress has been derelict in a public duty in not meeting this negotiation by the prompt appropriation of the money.

I have a right to allude to what has occurred in the other House. The House of Representatives did not sanction the agreement made by this Administration, nor has the Senate taken action upon the subject, although I believe the Committee on Foreign Relations, a majority of it at least, is very decidedly in favor of the acceptance of the proposition made by the Secretary of State. My impression is that was the general feeling, but it being refused in the other House, it was scarcely worth while, it was thought, to present the subject-matter upon the pending bill or any bill of this kind.

I rise simply to express my opinion that the Government of the United States has not acted wisely in not closing this difficulty promptly by paying the money. I believe the arbitration that is provided for by the amendment will lead to a cost much greater than the amount proposed to be paid to settle this matter, and that the refusal of the United States to carry out an agreement made between the executive authorities of the United States and the executive authorities of Great Britain will do more to weaken the power of arbitration or to increase the dangers and difficulties of arbitration than any other event that has happened in recent years.

Mr. PLATT. Mr. President—

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

Mr. SHERMAN. I believe I have stated all I desire to say. I can not oppose the proposition, because we have agreed that in case the two parties can not agree upon the amount of damages we shall refer the matter to arbitration. The executive authorities have agreed, and if both Houses of Congress or either House of Congress shall refuse to carry the agreement into execution, that is the end of it. There is nothing for us to do but to go on and enter into another arbitration, where, just as sure as fate, we will probably meet a very significant judgment, and will be compelled to pay a much larger sum than has been proposed between the executive authorities of the two Governments.

Mr. PLATT. What is the necessity for a provision to enter into this arbitration?

Mr. COCKRELL. I hope the Senator from Ohio will answer the question.

Mr. PLATT. If I understand the matter—

Mr. SHERMAN. Mr. President—

Mr. PLATT. If the Senator from Ohio will permit me to express my idea, I will state that the executive branch of this Government agreed with the representatives of Great Britain upon the sum of \$425,000 for the settlement of these damages. That agreement stands as between the executive branch of this Government and the representatives of Great Britain. It has not been ratified by Congress, but another Congress may ratify it.

I am very much inclined to think that another Congress should ratify it. If there is a pressing necessity and haste which compels us to provide for an international arbitration in the mean time in order to save the honor of this Government, I am for this amendment; but if it can be left open until the next Congress can come together again, I hope not till December, where the matter can be taken up at the commencement of a Congress and not at its close. I believe the good sense of Congress, upon a full investigation and discussion of this subject, would ratify the proposed agreement. I think, perhaps, that \$425,000 is a little more money than we ought to pay for damages; but I have not the slightest doubt that this international arbitration will result in a judgment against us for much more, saying nothing about the expenses and trouble of the arbitration. If this can be left over until the next Congress I should very much prefer it.

Mr. SHERMAN. The agreement embraces the legislative depart-

ment of the Government, because the executive department has no money to pay out except as appropriated by Congress. Congress would express a disagreement by its neglect to make an appropriation during the whole of the present session of Congress. This information was brought to us by the President's message at the beginning of Congress. The other House has refused to grant the amount. The Senate has virtually refused by its neglect to do it. Probably a proposition of that kind might pass the Senate of the United States, but it is supposed to be impossible to carry it out.

Now, ought we to ask further time? Is it within the policy of the United States to refuse the payment of this sum of money until next December?

On the other hand, the Government of Great Britain is proposing now to pay the private claims of the Canadians and the British subjects, and also, it is said, some Americans, the amount of their damages. In the meantime this process of arbitration will go on. This \$50,000 will be expended for a junketing expedition. The arbitrators will probably disagree, and then under the language of the treaty some arbiter, who we can not tell, will be called in to settle the question between the United States and Great Britain, because the treaty itself provides, I believe, that Great Britain shall have two and the United States shall select two, and if they fail to agree that they in some way or other should have an arbiter selected as a disinterested person, probably a person of some other country, to settle the controversy between these two great and powerful nations.

Mr. HIGGINS. I suggest to the Senator from Ohio if it would not be well for him to present his views in the shape of a substitute for this amendment and give the Senate an opportunity to pass its judgment as to whether, in the opinion of the Senate, we should pay the \$425,000, and let that go to the other House for them to act upon that.

Mr. SHERMAN. I have prepared such an amendment; but I know very well that my friend from Alabama [Mr. MORGAN], for whom I have great respect, who is a member of this arbitration, is opposed to my view. He thinks that we ought to appropriate this sum of money and have another arbitration. I do not wish in his absence to offer the amendment. That is the only reason I can give. However, I have the amendment here, and I can read it.

Mr. HIGGINS. It does seem pretty hard that we should be forced into voting on this amendment as a matter of compulsion when it may not meet the views of the Senate. I am sorry the Senator from Alabama is not here to maintain his side of the controversy; but I shall feel constrained to vote against the amendment, because we have the option left open to us to pay the lump sum. There can be no doubt that by the time all the poachers, made possible by unwise acts on our part heretofore, come forward with their claims, and their sailors swearing them through, owing to the expense of this suggested arbitration in their behalf, we shall have a very much larger sum to pay.

Mr. HOAR. Mr. President, I hope that the Senate will either adopt such an amendment as is suggested by the Senator from Ohio—that is, paying the lump sum—or will let the matter go over until next winter. I think it is very clear that if the matter were to go to the other House for reconsideration, so that the opinion of the President would be reinforced by the opinion of the Senate, the House would be taking a very grave responsibility indeed to enter upon an arbitration with all its risks.

But if this is not to be done and we are to have an arbitration in the future, it seems to me that it would be much better to have it after Great Britain has executed her purpose of paying the individual losses. She will scrutinize those losses pretty carefully before she makes the payment out of her treasury with the mere chance of having them established by a board of arbitration. We shall then enter upon the arbitration with the security that at any rate we can not be compelled to pay more than Great Britain has paid out of her treasury for these individual losses, which will be a very great protection.

Mr. President, if we go to arbitration now without any payment by Great Britain in the first place, and without any limit upon the claims of the Canadian poachers, we are in great danger of having another Halifax performance, and we are in great danger of bringing the principle of international arbitration itself into contempt and making it impossible to be resorted to for the future. In that case all Canada will be let loose to inflame these demands, and they will regard it as a triumph, as they did in the fishery award at Halifax, to get some vast sum out of the United States. They got, I think, \$4,500,000 or \$5,000,000 out of us (I have forgotten now which of these sums it was) as a payment for a right we did not want to take as a gift and which we abandoned after we had paid for it.

When two great nations like the United States and Great Britain summon the representatives of foreign countries to assess international damages there is a great tendency on the part of the referees to inflame them even if they are just and honorable men, as, of course, they will be. They do not like to be summoned for a small matter. They regard the fact that the nation makes a claim as a good deal of evidence of its importance and good faith. We got the benefit of that principle at Geneva, so that after we had paid all the individual claims we had a sum left which some peo-

ple thought we ought to pay back to Great Britain. I never shared that view myself.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Massachusetts to the fact that he has spoken five minutes.

Mr. HOAR. If I may be permitted to finish my sentence by unanimous consent, I hope we shall let the whole matter go over. Let Great Britain show her good faith in the matter of the claims by first paying the individual claims she proposes, and then we shall have a check.

Mr. SHERMAN. The Senator from Alabama being now present, I will offer the amendment.

The PRESIDING OFFICER. The amendment offered as a substitute for the amendment of the Senator from Missouri will be reported.

The SECRETARY. Insert the following in lieu of the amendment: For the payment by the United States, in full satisfaction of all claims which may be made by Great Britain for damages growing out of the controversy as to fur seals in Bering Sea, or the seizure of British vessels engaged in taking seal in those waters, the sum of \$425,000.

Mr. MORGAN. Mr. President—

Mr. MANDERSON. I ask the Senator from Alabama to allow me to present an amendment which will take but a moment, to come in at the end of page 55.

The PRESIDING OFFICER. The Chair will state that the amendments of the committee are not yet through.

Mr. COCKRELL. Let the amendment remain on the table until we get through with the committee amendments.

Mr. MANDERSON. Very well. I thought the committee amendments were through.

Mr. MORGAN. Mr. President, in five minutes' time no man in the world can even state the question presented by the amendment of the Senator from Ohio. The Senator from Ohio evidently wants to lump off in a round sum the honor, integrity, and rights of the people of the United States to Great Britain. This is the same proposition which is contained in the message of the President of the United States to us. It was debated in the other House, and the House voted it down after an earnest, faithful, and full debate. The gentleman from Illinois [Mr. HITT] presented there a statement of the reasons why it was impossible for us, with any sense of self-respect or honor, to pay that demand in the form in which it has been made upon us.

The Government of Great Britain have in various ways contrived, by the assistance of members of the administration now here, to evade, break up, and destroy the effect of the award made at Paris. They have enabled the poachers and sealers from Canada to go into the waters of the North Pacific Ocean and into Bering Sea with arms aboard their ships, sealed up, in violation of the award, in violation of all the principles contained in it, to traverse those seas at pleasure; and when they would get outside of the supervision of an American armed ship of course they had not anything to do but to uncover their guns and go to work and inflict upon the seal herds those disastrous butcheries which caused the whole trouble between the United States and Great Britain.

I will state the purpose of those gentlemen who are called neutral arbitrators upon the Bering Sea commission. It was to break and avoid the taking of the outfit of the sealer in January. For instance, they can seal to some extent along the coast of the United States and the British Possessions from January until the 1st of May, but not profitably. When they would outfit for that excursion they were then met with the close season, and the seals by that time had not got further north than 80 or 82 degrees, according to the regular fixed method of their run along those coasts. Then they would have to go in under the close season and wait until the last of August before they could enter Bering Sea.

But they availed themselves of the opportunity to make this outfit for sealing in the month of January, and when the close season would commence at 35° north latitude, on the 1st day of May, they would then cross over to the herds of Japanese and Russians in the vicinity of the Commander Islands, and they would poach and seal there during the close season in the North Pacific Ocean. Then they would return with their arms sealed up, as it was said, on board of the ships, with a full supply of ammunition, and they would enter Bering Sea, where it was against every provision of the award and against the statute of both countries that a gun could be fired or a net used in the capture of a seal. They would go in there armed and equipped with all the supply of guns and ammunition and slaughter the seals at will and pleasure. The 60-mile limit that we put around the Pribilof Islands was of no protection in the world to the seals because our Government consented that these men might go in there without arms and ammunition.

Mr. HIGGINS. I should like to ask the Senator whether the poachers thus entered the Bering Sea before or after the end of the close season.

Mr. MORGAN. Would they?

Mr. HIGGINS. The Senator says they go into Bering Sea and slaughter the seals. I ask whether they get into there coming from the Asiatic side before or after the end of the close season?

Mr. MORGAN. The close season north of 35°, except in Bering Sea, extends through the whole of the year after the 1st day of May. But when you get to Bering Sea it is an open season from the 1st day of September to the close of the season, which is about a month and a half. There they have the right to hunt and fish for seals, but not to use nets or firearms.

The PRESIDING OFFICER rapped with his gavel.

Mr. COCKRELL. Mr. President—

Mr. MORGAN. Of course I understand. I just wish to say—

Mr. HIGGINS. I ask unanimous consent that the Senator from Alabama may be permitted to continue his remarks.

Mr. GEORGE. How long?

Mr. MORGAN. I wish to say if this amendment is passed and this money is paid to Great Britain the Government of the United States and this Administration is disgraced.

Mr. COCKRELL. I felt that it was my duty to present the matter to the Senate, not anticipating that it would lead to the discussion that it has and the contrariety of views which have been expressed. No great harm can come by delaying this matter, and I withdraw the amendment.

The PRESIDING OFFICER. The amendment of the Senator from Missouri is withdrawn.

Mr. COCKRELL. Now I want to offer two or three amendments and then I shall be through.

The PRESIDING OFFICER. Does the Chair understand the Senator from Ohio to withdraw the substitute?

Mr. SHERMAN. I only offered it as a substitute.

The PRESIDING OFFICER. The amendment now proposed by the Senator from Missouri will be stated.

Mr. COCKRELL. On page 17, after line 6, I offer an amendment made necessary by reason of the law creating the office of surveyor having been approved and being now in effect. This is for the balance of the year.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 6, on page 17, insert:

Surveyor's office: For the salaries of the surveyor and assistant surveyor of the District of Columbia and for such employees as may be required in accordance with the provisions of the act of Congress making the surveyor of the District of Columbia a salaried officer, approved February 28, 1895, \$3,500, or so much thereof as may be necessary, to be available from the passage of this act, for the remainder of the present fiscal year.

For surveying instruments and implements for the surveyor's office, drawing material, stationery, copying and binding plats and records, and necessary transportation, \$500.

The amendment was agreed to.

Mr. COCKRELL. I now offer some amendments that were placed upon the diplomatic and consular appropriation bill and were rejected because they were deficiencies. On page 4, after line 15, I move to insert:

To pay for expenses incurred by order of the Department of State, at the request of the Committee on Agriculture and Forestry of the United States Senate, in making investigation into the consumption and production of cotton in their respective consular districts, as follows: J. W. Pepper, United States consul at Milan, \$9.65; R. W. Hemick, United States consul at Geneva, \$24.12; Alton Angier, United States consul at Rheims, \$38.70; A. H. Lowrie, commercial agent at Freiburg, \$10.75; A. J. Bensusan, vice-consul at Cadiz, \$5; and to Thomas E. Heenan, consul at Odessa, for loss of salary occasioned by his absence, under orders of the State Department, in investigating cotton culture in Asiatic Russia, his report thereon having been furnished by the said Department to said committee, \$526.96.

The amendment was agreed to.

Mr. COCKRELL. I offer the following amendment, to come in on page 61, after line 19:

To pay to Annie E. Thompson, mother of J. A. Thompson, deceased, late a member of the Capitol police force, the sum of \$450, being an amount equal to six months' pay as such policeman, same to be in lieu of all other allowances or funeral expenses, and to be immediately available.

This is in consequence of the death of a policeman yesterday.

The amendment was agreed to.

Mr. COCKRELL. On page 40, after line 16, I move to insert:

To pay to Ebenezer Douglass, late Indian agent at White Earth Indian Agency, State of Minnesota, for money paid out and services performed by said Douglass at the request of the Commissioner of Indian Affairs, in closing his accounts with said agency, \$566.66.

The amendment was agreed to.

Mr. COCKRELL. On page 36, after line 14, I move to insert:

To enable the Secretary of the Interior to have published 20,000 copies each of histories of higher education in the States of Missouri, Louisiana, and New Hampshire, for distribution by the Commissioner of Education to libraries in the United States and foreign countries, \$5,000.

The amendment was agreed to.

Mr. COCKRELL. On page 39, after line 12, I move to insert:

To enable the Director of the Geological Survey to complete report on the mineral resources of the United States, the sum of \$2,000, which shall be immediately available.

The amendment was agreed to.

Mr. HALE. I offer an amendment on page 57, in place of lines 12, 13, 14, and 15. It is another House case. It goes on all fours with the case of ROBERT A. CHILDS. The chairman of the Com-

mittee on Appropriations of the House has requested that it be put in with the other.

The VICE-PRESIDENT. The amendment will be stated.

The SECRETARY. On page 57 strike out lines 12, 13, 14, and 15, in the following words:

To reimburse ROBERT A. CHILDS for expenses necessarily incurred in defense of his title to his seat as a member of the House of Representatives, Fifty-third Congress, \$2,500.

And insert:

To reimburse ROBERT A. CHILDS and THOMAS SETTLE for expenses necessarily incurred in defense of their title to seats as members of the House of Representatives, Fifty-third Congress, \$2,500 each; in all, \$5,000.

Mr. COCKRELL. That is put in at the special request of members of the House and it is not interfering with the prerogatives of the House.

The amendment was agreed to.

Mr. TELLER. On page 64, after the word "session" in the twenty-fourth line, I move to add:

Including final judgments rendered since the date of those included in the last-named executive document.

So as to read:

For payment of judgments of the Court of Claims in Indian depredation cases in the order in which they are certified to Congress in Senate Executive Documents No. 7, parts 1 and 2, Nos. 82 and 123, and Senate Miscellaneous Document No. 249 of the Fifty-third Congress, second session, and House Executive Document No. 143 and Senate Executive Document No. 86 of this session, including final judgments rendered since the date of those included in the last-named executive document, \$300,000.

The amendment was agreed to.

Mr. GORMAN. On behalf of the committee I offer the following amendment, to come in on page 55, at the end of line 24:

To pay to Solomon J. Fague for services and disbursements in making measurements and estimates of work on the post-office and court-house in New York City, at the request of the Secretary of the Treasury, and afterwards by direction of the Committee on Claims of the United States Senate, \$2,500.

The amendment was agreed to.

Mr. GORMAN. I offer the following amendment, to come in on page 77, after line 2:

That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of money reported to the Senate in the letter of the Secretary of the Treasury dated December 17, 1890, and printed in Executive Document No. 17, second session, Fifty-second Congress, to be due to the State hereinafter mentioned, to wit:

To the State of Delaware, the sum of \$6,341.99, with interest thereon from the 26th day of December, 1826.

The amendment was agreed to.

Mr. MANDERSON. I sent an amendment to the desk a few minutes ago which I ask may be acted on.

The PRESIDING OFFICER. The amendment will be read.

The SECRETARY. At the end of page 55 insert:

To pay Kimball E. Valentine \$340, and T. B. Kirby \$200, being balance due for making inventory of public documents in the Senate wing of the Capitol in 1893, \$540.

The amendment was agreed to.

Mr. PLATT. I offer the following amendment, to come in after line 23, page 70:

For payment on account of transportation of the Army for 1881 and prior years the following-numbered Treasury settlements, heretofore allowed and certified by the proper accounting officers of the Treasury under appropriations, the balances of which have been exhausted or carried to the surplus fund, and enumerated and described in Executive Documents Nos. 53 and 153, Forty-eighth Congress, first and second sessions, and House Miscellaneous Document No. 56, Fifty-third Congress, third session, namely, Nos. 174, 161, 176, 331, 162, 210, 333, 332, 543, 544, 701, 711, 805, 944, 1206, 1536, 1538, 1715, 939, amounting to the sum of \$37,313.44.

The amendment was agreed to.

Mr. HOAR. I move, on page 17, after line 6, to insert the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 17, after the word "dollars," in line 6, it is proposed to insert:

To pay Dr. Edward M. Schaeffer for services as assistant to the coroner from March 3, 1893, to June 30, 1893, both inclusive, at the rate of \$600 per annum, \$198.35.

The amendment was agreed to.

Mr. CAREY. I offer an amendment, to be inserted on page 53, after line 21.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 53, after line 21, it is proposed to insert:

That the Postmaster-General is hereby authorized to credit H. F. Menough, late postmaster at Rock Springs, Wyo., with \$171, the amount contained in a registered package placed in the mail for transmission to the Post-Office Department by said H. F. Menough, while postmaster, as aforesaid, and which was lost during transmission.

The amendment was agreed to.

Mr. CAREY. On page 54, at the end of line 8, I move to insert the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. At the end of line 8, on page 54, it is proposed to insert:

This provision shall apply to the clerks of the junior Senators of Washington, Montana, and Wyoming, respectively, though such clerks were not borne on the annual and session rolls on the date named.

The amendment was agreed to.

Mr. QUAY. On page 72, after line 2, I move to insert the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 2, on page 72, it is proposed to insert:

For payment to the Pennsylvania Railroad Company amount of certified claim heretofore reported to Congress and reexamined, reported in Senate Executive Document No. 8, Fifty-third Congress, third session, \$14,878.93.

The amendment was agreed to.

Mr. QUAY. The next amendment I offer comes in on page 27, between lines 9 and 10, and is an appropriation of \$15,000 for the Indian River, Florida, a bill for which has already passed the Senate and is pending in the House of Representatives. I believe neither of them are objected to by the committee.

The PRESIDING OFFICER. The amendment proposed by the Senator from Pennsylvania will be stated.

The SECRETARY. After line 9, on page 27, it is proposed to insert:

That in addition to the amount heretofore appropriated the sum of \$15,000 shall be, and the same is hereby, appropriated, out of any money in the Treasury not otherwise appropriated, for dredging the channel at the Indian River Inlet, the same to be expended under the direction of the Secretary of War.

The amendment was agreed to.

Mr. MARTIN. I offer an amendment, which I send to the desk, to come in on page 39, after line 24.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 24, on page 39, it is proposed to insert:

To pay the State Capital Printing Company of Guthrie, Okla., in full for publishing said list of lands in the Oklahoma State capital, agreeably with the President's proclamation of April 19, 1892, \$750.

To pay William T. Thompson, of Guthrie, Okla., in full, agreeably with the President's proclamation of April 19, 1892, \$750.

To pay Joseph B. Campbell, of Hennessey, Okla., in full, agreeably with the President's proclamation of April 19, 1892, for publishing said list of land in the Hennessey Clipper, \$316.

The amendment was agreed to.

Mr. MARTIN. I have one other amendment to offer, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. It is proposed to add the following paragraph at the end of page 55:

To pay Lucy A. Hughes for services as stenographer to the Committee on Pensions during first, second, and third sessions of Fifty-third Congress, the sum of \$500.

Mr. COCKRELL. I hope that amendment will not be insisted on.

Mr. MARTIN. I want simply to say that this young lady for the last three years has performed very faithful service as stenographer to the Committee on Pensions, and she has had no compensation for it except such as has been paid her by the clerk himself. His compensation is not sufficient to justify such payment by him, and I think this sum ought to be paid.

Mr. COCKRELL. We have officers of the Senate, the Sergeant-at-Arms and the Secretary, and they make no report of this. We can not afford to be increasing the employees of the Senate simply at the will and pleasure of this, that, and the other person who may be in its employ.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was rejected.

Mr. WHITE. I offer an amendment, which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 7, after line 14, it is proposed to insert:

That the unexpended balance (\$8,362.16) of the California Indian war debt appropriation made by Congress under its act, approved August 5, 1854 (10 United States Statutes, page 582), modified under its act approved August 18, 1856 (11 United States Statutes, page 91), and reappropriated under its act of July 23, 1860 (12 United States Statutes, page 104), and of July 25, 1868 (15 United States Statutes, page 175), and of March 3, 1881 (21 United States Statutes, page 510), be, and the same is hereby, reappropriated and made available for the purpose of enabling the Secretary of the Treasury (the authority to do which is hereby given him) to pay therefrom any outstanding unpaid Indian war bonds issued under the acts of the legislature of California approved February 15, 1851, and May 3, 1852, respectively, or any outstanding unpaid coupons pertaining to any bonds issued under said two acts representing interest thereon between January 1, 1854, and September 1, 1856; and if said Secretary shall be satisfied that any of said bonds or said coupons have been lost or destroyed and never paid by or presented to the United States for payment, he is hereby authorized to pay the owners thereof, or their heirs, administrators, or legal representatives, out of said unexpended balance, upon their application made to him therefor, and thereafter delivering to said Secretary a bond sufficient, in his opinion, to indemnify the United States against all possible loss therein; and after such payment shall have been made by said Secretary he shall report his action in the premises to the governor of the State of California.

The amendment was agreed to.

Mr. WHITE. I have another amendment, which I send to the desk and desire to have stated.

The PRESIDING OFFICER. The amendment will be stated. The SECRETARY. At the end of page 39 it is proposed to insert:

That the Secretary of the Interior be, and he is hereby, authorized and empowered, under general regulations to be fixed by him, to permit the use of the right of way to the extent of 25 feet, together with the use of necessary grounds, not exceeding 40 acres, upon the public lands and forest reservations of the United States, by any citizen or association of citizens of the United States for the purposes of generating, manufacturing, or distributing electric power.

Mr. WHITE. I will state that that amendment was prepared in the Interior Department as a substitute for a bill offered here, and designed to enable parties to use water power which now can not be used under an act of Congress.

The amendment was agreed to.

Mr. DUBOIS. I offer an amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the words "said judgment," in line 5, page 66, it is proposed to insert:

Provided further. That in the absence of actual fraud no motion for a new trial in any of said cases in which judgment has been rendered shall be granted, and no claim in any Indian deprecation case shall be defeated on the ground of the want of citizenship if at the date of the deprecation the laws then in force provided for recovery by inhabitants as well as by citizens, nor on account of alleged want of amity, if the Interior Department, in the cases examined by it in which judgments have already been rendered by the Court of Claims, has found that the Indians were chargeable under any treaty or existing law, or in any other cases, if the Court of Claims shall so find.

Mr. DUBOIS. Mr. President, the general deficiency bill approved August 23, 1894 (Public No. 202), contained a provision identical with the provision in the present general deficiency bill (H. R. 8892), page 58, line 23, to page 59, line 11, and appropriated \$10,000, to be expended under the direction of the Attorney-General, for making the examination and investigation therein referred to, and directed that officer "to report to Congress at its next regular session all of said judgments concerning which, in his opinion, after such investigation and examination, there is no evidence, cumulative and otherwise, that any fraud, wrong, or injustice has been done to the United States."

First of all, the proposed amendment, as is apparent on its face, has no effect on cases of actual fraud, if there are any such.

In order to understand the situation it is important to bear in mind under what circumstances these judgments that the present Attorney-General was called upon to investigate had been given. They were judgments rendered by the Court of Claims in accordance with the mandatory provision of the sixth paragraph of section 4 of an act approved March 3, 1891 (1 Sup. to Rev. Stat., second edition, page 913), which provides that in certain cases that had been examined and allowed by the Interior Department pursuant to the direction of Congress "judgments for the amounts therein found due shall be rendered unless either the claimant or the United States shall elect to reopen the case and try the same before the court," with the further provision that the party electing to reopen should assume the burden of proof.

Not only did neither the claimant nor the United States elect to reopen any one of these cases, but in all of them both parties after examination joined in a formal stipulation for judgment.

There are several hundred of these unpaid judgments in which the former Attorney-General had stipulated for judgment. The present Attorney-General now comes and moves for a new trial in about 165 of them, on the ground of "fraud, wrong, and injustice" to the United States. But, so far as we are aware, he does not allege a single instance of actual fraud, but bases his motions for new trials on doubtful questions of law and an alleged want of citizenship and amity, supported by meager and unsatisfactory evidence, in the face of the fact that the preceding Attorney-General after examination had formally admitted the existence both of citizenship and amity, while the Interior Department had found that the deprecations had been committed and that the claimants were entitled to recover under the laws. The general form used by the Attorney-General in making these motions for a new trial is appended.

In view of the facts above stated, it does not seem that any case of "fraud, wrong, or injustice" to the United States is made out, or that it is in the interest of justice that these new trials should be had, or that it was in such cases that Congress intended that new trials should be asked for.

On page 11 of the accompanying printed brief will be found a statement of fact in one of the cases in which a new trial was asked for. There is certainly nothing in that case that looks like fraud, wrong, or injustice. In another case a motion for new trial was made on the ground of the alleged want of citizenship of the claimant. The evidence produced in support of the motion is a statement of the claimant's wife that claimant, who is now dead, was born in Canada, and that she does not know that he was ever naturalized.

The facts show that the claimant came to this country when

very young (a minor, it is said), and that he resided here continuously for a long period—until his death, I believe. Since the motion for new trial was made evidence from the records of the Land Office has been filed in the case showing that the claimant received a patent for land. In order to obtain such patent proof of citizenship is required, and this proof was made prior to the date of the deprecation. Nevertheless, it is claimed that evidence of naturalization must be shown in order to have the motion for a new trial dismissed. It is, of course, impossible in most cases to get such proof at this late day, and it seems a great hardship that anything of the kind should be thought necessary, particularly as the laws in force at the time the proof of the deprecation was filed in the Interior Department and at the date of the deprecation did not require proof of citizenship, but only that the claimant was an inhabitant.

There is, however, another reason why some action by Congress is almost absolutely necessary to prevent a complete denial of justice. The delay in getting a trial in these cases is simply intolerable. The act of 1891 contemplates a speedy trial, but during the eighteen months in which the present Assistant Attorney-General has been in office he has actually tried, I think, only about 50 new cases on their merits, and now motions for new trials are made in 165 cases that had been disposed of by his predecessor. There are about 10,000 cases undisposed of on the docket, and certainly the outlook for the claimant is not a cheerful one. We desire emphatically to disclaim any suggestion that the present Assistant Attorney-General is not conscientiously doing his duty, but we do submit that it is impossible for him to go over all the work of his predecessor and at the same time do the work that rightfully belongs to his office during his term.

The amendment proposed affords a speedy remedy in the case of most of the motions for a new trial without affecting any question of actual fraud. And it also extends a similar rule in regard to citizenship to other cases, many of which are specially meritorious, as, for instance, the case of old soldiers who are entitled to citizenship, but never took out their papers. It will also prevent miscarriage of justice where the proof of citizenship which was not required to be made has now perished.

There is appended a letter from the Assistant Attorney-General to the Hon. BINGER HERMANN, dated June 13, 1894, showing the then state of these claims. The number of the claims filed is 10,841, and besides the preferred cases, namely, those upon which judgments had been rendered on the award of the Interior Department, there appears to be only 68 cases that have been tried on their merits in three years and a half.

I also append brief showing some of the legal aspects of the case and the difficulties the claimants have to contend with.

The act of 1885 simply made an appropriation to put in operation the act of 1872; and the latter act provided for certain cases to be investigated. The certain cases were, as provided in the act of 1872, for violations of laws or treaty stipulations.

Laws here meant the general statutory intercourse laws as applicable to Indians and whites. Treaties applied to the violation of any treaty, no matter what the cause.

DEPARTMENT OF JUSTICE, Washington, D. C., June 13, 1894.

SIR: I have the honor to reply to your letter of June 7, inquiring for certain information from the records of this office, as follows:

1. Under the Indian deprecation act of March 3, 1891, there have been filed in the Court of Claims 10,841 petitions, aggregating \$43,515,867. The time for filing such petitions has expired.

2. Judgments have been rendered by the Court of Claims in 895 cases. In 498 cases judgments have been rendered in favor of claimants, aggregating \$1,030,509.34. Of this amount, \$932,759.55, in 470 cases, is in claims which are of the class denominated "preferred," in which an allowance in the amount for which judgment is rendered had been previously made by the Secretary of the Interior under the act of March 3, 1885.

3. The amount originally claimed in the cases in which judgment has been rendered in favor of the claimants was \$1,933,286.64.

4. Judgments have been rendered in favor of the United States, including cases dismissed by motion and those decided on merits in 397 cases, aggregating \$1,763,021.33.

It will be seen that in the 895 cases heretofore adjudicated the total amount claimed was \$3,696,307.97, of which \$1,030,509.34, or a percentage of 27.88, has passed into judgment in favor of claimants.

It will also be observed that by far the greater number of the judgments for claimants have been rendered in preferred cases, which have been previously allowed by the Secretary of the Interior. Very few cases of this kind remain to be adjudicated except those in which a want of amity on the part of the defendant Indians can be interposed as a defense.

Final judgments have been rendered in 68 cases which were not "preferred;" the aggregate amount claimed in all these cases was \$470,817.55; out of this amount judgments were rendered for the claimants in 28 cases, aggregating \$97,749.79, or 20.76 per cent of the total amount claimed. This percentage would be further reduced by including in the figures above given the nonpreferred cases which have been dismissed on motion; the records of the office do not, however, afford a ready means of discriminating between preferred and nonpreferred cases which have been dismissed on motion.

The facts stated may be summarized as follows:

In all cases adjudicated:	
Amount claimed (895 cases).....	\$3,696,307.97
Judgments for claimants (498 cases).....	\$1,030,509.34
Percentage of judgments.....	27.88
In nonpreferred cases:	
Amount claimed (68 cases).....	\$470,817.55
Judgments for claimants (28 cases).....	\$97,749.79
Percentage of judgments.....	20.76

Many of the cases in which judgment has been rendered in favor of the defendants were test cases, which apply directly to large numbers of cases still pending and indirectly to still greater numbers. Examples of these are the cases of Marks et al. vs. The Bannock and Pi-Ute Indians, Samuel C. Daniel vs. The Creek Indians, James S. Valk vs. The Rogue River Indians, and Alfred Wolverton vs. The Nez Percé Indians, each of which is directly applicable to some hundreds of claims still pending arising out of depredations by the Indians.

The general question of the validity of the defense of the want of amity on the part of the defendant Indians is also settled in favor of the defendants by the decisions in these cases. The decision in Valk's case on the question of citizenship and in Johnson's case on the same question, the Johnson case being also in the Supreme Court, will affect a large number of cases. By a recent decision in the cases of Cox and Love the defense of a want of amity is made applicable to "preferred" cases; this will enable the Government to interpose a successful defense in the greater number of the cases of that class which are yet undisposed of if the Supreme Court shall sustain the ruling of the Court of Claims upon the question. * * *

Respectfully,

Assistant Attorney-General.

In this connection I beg to state that there are a number of cases awaiting trial where the defendants are ready and the claimants are not. I have made application to the Court of Claims to so amend the rules of court as to enable the defendants to place a case upon the trial calendar where the proof is closed to the parties to the suit.

Respectfully,

CHAS. B. HOWRY,
Assistant Attorney-General.

Hon. BINGER HERMANN,
House of Representatives, Washington, D. C.

[Copy showing form and character of motion for new trial.]

IN THE COURT OF CLAIMS.—INDIAN DEPREDACTIONS.

Jose M. Montoyé, administrator of Miguel Montoya, deceased, vs. The United States and the Kiowa and Comanche Indians. No. 2551.
Motion for new trial on behalf of defendants.

In this cause, wherein judgment was rendered on January 4, 1893, for the sum of \$830, comes the Assistant Attorney-General, for and on behalf of the defendants, and moves the court for a new trial thereof, in accordance with the provisions of section 1088 of the Revised Statutes of the United States, for the reason that in the award of said judgment wrong and injustice were done the United States in this, that—

1. The record does not show and the evidence does not prove that the claimant's decedent, Miguel Montoya, was a citizen of the United States at the date of the alleged depredation.
2. The deceased, Miguel Montoya, was not a citizen of the United States at the date of the alleged depredation.
3. The defendant Indians were not at the time of the alleged depredation in amity with the United States.
4. The Secretary of the Interior was without authority to allow said claim.
5. The stipulation for judgment was without authority of law.
6. In entering the judgment pro forma the court was without jurisdiction, and said judgment operates as a wrong and injustice to the United States and the other defendants.

Wherefore the said judgment should be set aside and vacated and a new hearing thereof ordered by the court.

CHARLES B. HOWRY,
Assistant Attorney-General.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Idaho.

The amendment was agreed to.

Mr. DUBOIS. On page 64, line 25, before the word "hundred," I move to strike out "two" and insert "four," so that \$400,000 will be appropriated to pay these Indian depredation claims.

Mr. COCKRELL. I make the point of order on that amendment that it is not estimated for. That is going too far.

The PRESIDING OFFICER. The point of order is well taken, and the Chair rules that the amendment is not in order.

Mr. COCKRELL. The Attorney-General says that the appropriation already made is larger than the Department can pay out by that time.

Mr. DUBOIS. One word, if the Senator will allow me to make a statement.

Mr. COCKRELL. I withdraw the point of order to enable the Senator to do so.

Mr. DUBOIS. Mr. President, there are judgments from the Court of Claims for more than \$400,000 to pay these men on the frontier who suffered from the Indian wars. In response to a resolution of mine a few days ago, the Attorney-General certifies to \$100,000 which has been allowed since the last session of Congress.

Mr. MANDERSON. From \$600,000 to \$700,000.

Mr. DUBOIS. If there are any claims which should be paid, these are the ones. All that I ask is that the judgments which have been rendered by the courts be paid. I do not think it is fair to rule me out on a point of order.

Mr. COCKRELL. When the Attorney-General tells us that we can not go further than that the Senator ought not to ask us to do so. I now renew my point of order.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. HAWLEY. I present, to be placed after line 16 on page 67, under the subhead of "Claims allowed by the Comptroller of the Treasury," the amendment which I send to the desk, which was duly presented to the Senate on the 26th of February and referred to the Committee on Appropriations.

The PRESIDING OFFICER. The amendment proposed by the Senator from Connecticut will be stated.

The SECRETARY. After line 16, on page 67, it is proposed to insert:

For payment of certain Treasury settlements heretofore certified to Congress, Fifty-third Congress, second session, and reexamined and reported in Senate Executive Document No. 33, Fifty-third Congress, second session, amounting to the sum of \$19,000.

Mr. HAWLEY. These claims are presented here in a letter from the Acting Secretary of the Treasury in Executive Document No. 33, and again at some length indorsed emphatically by the Comptroller and by each of the Auditors, and they have passed the Court of Claims.

The amendment was agreed to.

Mr. COCKRELL. In connection with the same thing I offer a similar amendment, which is another executive document, 133.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. Following the amendment just adopted it is proposed to insert:

For payment of the claims reexamined and certified to Congress in Senate Executive Document No. 133, Fifty-third Congress, second session, \$18,661.07.

The amendment was agreed to.

Mr. VOORHEES. I move an amendment which I send to the desk, to come in at the end of line 22, on page 30.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 22, on page 30, it is proposed to insert:

Provided, That the sum heretofore appropriated for certified claims for sea pay on receiving ships, in accordance with the decision of the Supreme Court in the case of United States vs. Strong (125 United States Reports, page 656), but payment of which remains suspended because of provisos prohibiting payment of such claims as accrued more than six years prior to the filing of the petition in said case, may be used for the payment of any claims for sea pay for service on such ships, in accordance with said decision, although said claims may have accrued more than six years prior to said date.

The amendment was agreed to.

Mr. VOORHEES. I offer another amendment, which I send to the desk, to come in at the end of line 24, on page 55. I will say that the amendment has the approval of the Committee on Finance, and I think there will be no objection to it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the amendment just adopted, on page 55, it is proposed to insert:

To P. J. McHenry, for translating, proof reading, and editing the proceedings of the Berlin Silver Commission, by authority of Senate resolution of June 19, 1894, \$3,900.

The amendment was agreed to.

Mr. MITCHELL of Oregon. I move an amendment, to come in after line 2, on page 77.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 2, on page 77, it is proposed to insert:

To pay the legal representatives of George K. Otis, as compensation for the extraordinary increase of service performed by him on route 6771, contract term ended June 30, 1885, \$31,600.

The amendment was agreed to.

Mr. MITCHELL of Oregon. I offer also an amendment, to come in after line 25, on page 69.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After line 25, on page 69, it is proposed to insert:

For the purpose of reimbursing Dick Emmons, late inspector of customs for the District of Alaska, for moneys paid out by him for traveling expenses from Portland, Oreg., to Unalaska as such inspector, under orders of the Department, in the months of August and September, 1889, as found to be due by the accounting officers of the Treasury, \$208.50.

Also, to reimburse Dick Emmons, formerly deputy collector of customs at Unalaska, in the District of Alaska, for moneys actually paid out by him for the services of a janitor at the custom-house at Unalaska, Alaska, during the period from September 20, 1889, to August 31, 1893, \$473.33.

Mr. MITCHELL of Oregon. This claim has been allowed by the Department.

The amendment was agreed to.

Mr. MITCHELL of Oregon. I have one other amendment, and that is all I have to offer. I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. After the amendment on page 64, it is proposed to insert:

To the State of California the sum of \$3,951,915.42, being the amount of money by her paid as costs, charges, and expenses in the suppression of the rebellion, as shown by the report of the Secretary of War in Senate Executive Document No. 11, Fifty-first Congress, first session.

To the State of Oregon the sum of \$35,152.88, being the amount of money by her paid as costs, charges, and expenses in the suppression of the rebellion, as shown by the report of the Secretary of War in Senate Executive Document No. 17, Fifty-first Congress, first session.

To the State of Nevada the sum of \$404,040.70, being the amount of money by her paid as costs, charges, and expenses in the suppression of the rebellion, as shown by the report of the Secretary of War in Senate Executive Document No. 10, Fifty-first Congress, first session: *Provided*, That the amounts appropriated shall be paid to each of said States of California, Oregon, and Nevada, in five equal annual installments, the first installment to be paid on or before June 30, 1895, and each of the other four installments on or before the end of each fiscal year thereafter until the whole is paid.

Mr. FRYE. The Senator neglected to include interest in that.

Mr. ALLISON. Nearly all of it is interest.

Mr. MITCHELL of Oregon. That sum has been allowed by the War Department, no more and no less.

Mr. COCKRELL. I make the point of order on the amendment.

The PRESIDING OFFICER. The point is well taken, and the amendment is ruled out of order.

Mr. MITCHELL of Oregon. Will the Senator withdraw his point of order for a moment?

Mr. HARRIS. Too late.

Mr. MITCHELL of Oregon. Mr. President, the Senate has this afternoon, on this very same page, provided for an appropriation of nearly \$400,000 for Southern war claims and for nearly \$400,000 for French spoliation claims, and there is not a claim in connection with either of them which is any more meritorious than the claims of those three States of California, Oregon, and Nevada; and it seems to me as entirely appropriate that these claims should be put on the same bill as the others and let the whole thing go into conference. Then let the conferees deal with the whole matter as they think right and proper. Under these circumstances I hope the Senator from Missouri will withdraw his point of order.

Mr. COCKRELL. The Senator will bear me out that I made a point of order on the other case, the plainest case that was ever submitted to the Senate, but the Senate decided it against me, and I am not responsible for it.

Mr. MITCHELL of Oregon. I hope the amendment will not be ruled out.

The PRESIDING OFFICER. The Chair has sustained the point of order.

Mr. POWER. I offer an amendment, to come in on page 39, after line 24.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 39, after line 24, it is proposed to insert:

Additional appropriations required for the office of the United States surveyor-general of Montana, \$6,000, as follows: For compensation of clerks, \$5,000; for contingent expenses, \$1,000.

The amendment was agreed to.

Mr. HARRIS. On page 17, after line 11, I ask that the amendment which I send to the desk may be inserted.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 17, after line 11, it is proposed to insert:

That the Secretary of the Treasury be, and he is hereby, directed to pay the outstanding certificates issued by the Commissioners of the District of Columbia, under an act of Congress approved July 14, 1892, for the cost of improvements upon the street connecting Columbia road with Connecticut avenue extended, and thence along said avenue to the District line, which certificates have been declared illegally issued by the supreme court of the District of Columbia, and the sum of \$37,208.73 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay said certificates, with interest thereon, from the date of their issue, the same to be paid one-half out of the revenues of the District of Columbia.

Mr. COCKRELL. Is that amendment reported by a committee?

Mr. HARRIS. The Committee on the District of Columbia reported that amendment as an amendment to the District appropriation bill, but the Committee on Appropriations decided that it would more properly go upon the deficiency bill.

The facts are simply these: The owners of the land dedicated the right of way without cost, and at their own expense graded the street at a cost of \$230,043.17, and constructed bridges amounting to \$173,894.10. The District government entered into a contract with certain parties to gravel these streets, and issued special assessment certificates for the payment of the work. The work has been done, and these special assessment certificates have been issued and paid to the parties for the materials furnished and the work actually performed, but the courts have decided that the special assessment certificates are illegally issued and void. So the people who have performed these duties and furnished these materials are without pay. This amendment is intended to remedy that evil.

Mr. PALMER. Am I to understand that this is a proposition to pay certain certificates which have been declared to be illegal?

Mr. HARRIS. If the Senator will allow me, I will state to him that this is a proposition to pay for materials furnished and for work actually done. The District Commissioners undertook to pay for it by issuing special assessment certificates. The courts have decided that the District Commissioners had no right to levy these special assessments.

Mr. PALMER. Am I to understand that the authorities of this District were compelled to issue certificates to pay for this work?

Mr. HARRIS. Absolutely.

Mr. PALMER. If that is the fact—

Mr. HARRIS. I say that the District government has received this work and the material; it has received the benefit, and the men who furnished the material and performed the work have received no pay.

Mr. PALMER. Then I am for the amendment.

The amendment was agreed to.

Mr. PERKINS. I offer an amendment, to come in on page 64,

after line 10. The amendment is self-explanatory. I will only say that it has been referred to the Committee on Indian Affairs and favorably reported by that committee.

The SECRETARY. After line 10, on page 54, insert:

The amounts found due by the Court of Claims for supplies furnished the Indian service in 1873 and 1874, and reported to Congress by Senate Miscellaneous Document No. 165, Fifty-first Congress, first session, to wit:

To Edward N. Fish & Co., \$1,800.

To Edward N. Fish & Co., assignees of W. B. Hugus, \$2,400.20.

To Bowers and Richards, assignees of James M. Burney, \$3,534.76.

To Sutro & Co., assignees of William B. Hooper & Co., \$3,479.32.

The payments to the assignees in each case being at the request of the original claimants as found by the Court of Claims.

The amendment was agreed to.

Mr. BUTLER. I offer an amendment, to come in after line 11, on page 63.

The SECRETARY. On page 63, after line 11, insert:

That the Secretary of the Treasury be, and he is hereby, empowered and directed to acquire, in the name of the United States, for the site of a Government Printing Office plant, including the needed storage and distributing warehouses necessary to the economical and efficient conduct of such establishment, and the more orderly and prompt distribution of public documents, the certain real estate situate in the south half of square 673, and bounded as follows: Beginning at the northeast intersection of North Capitol and L streets, thence north along the eastern boundary of North Capitol street for 303 feet, thence east in a line practically parallel with the northern boundary of L street to the western boundary of First street northeast, thence southward along the western boundary of said street for 303 feet to the intersection of such boundary with the north boundary of L street, and thence west along the said boundary of L street to the point of beginning, including on the north boundary of such described area 30 feet in width for one-half of Pierce street, to be extended through the said square; or, failing to secure such described property by direct negotiation with the owners thereof, or a satisfactory title thereto as may be approved by the Attorney-General of the United States, he is hereby empowered and directed to secure the same by condemnation proceedings as provided in the act approved June 25, 1890, to authorize the acquisition of certain parcels of real estate embraced in square No. 323 of the city of Washington, to provide an eligible site for a city post-office, and the money necessary to so acquire the property described is hereby appropriated out of any money in the Treasury not otherwise appropriated; and the Treasurer of the United States is hereby authorized and directed, upon the requisition of the said Secretary, to pay the purchase or into court the condemnation price of the aforesaid described property.

SEC. 2. That as soon as such site aforesaid shall have been acquired and the title thereto secured to the Government, there shall be erected thereon, under the supervision and direction of the officer now in charge of the construction of the building for the Library of Congress, the fireproof building or buildings and works necessary to compose a complete printing establishment, including storage and distributing warehouses, which shall be fully equal to the prompt and efficient performance of the present demands upon such establishment; and the plans for such plant shall be so arranged as to admit of progressive enlargement as the growing demands upon the same from time to time may come to require; and on account of the construction of such portion of the plant as shall be deemed now necessary, including the cost of the preparation of necessary plans and specifications, the appropriation made "to provide accommodations for the Government Printing Office and the construction of the needed storage and distribution warehouses in connection therewith," in the act making appropriation for sundry civil expenses of the Government, approved August 30, 1890, and suspended by act making appropriation for sundry civil expenses of the Government for the fiscal year ending June 30, 1892, approved March 3, 1891, is hereby reappropriated and made available for each and every purpose connected therewith: *Provided*, That in order that the construction of such plant may be prosecuted with energy and its completion reached at the earliest day, contracts for materials and work may be made within the limits of cost prescribed by this act for the proposed plant and subject to appropriations to be hereafter made by Congress.

SEC. 3. That before any steps are taken toward the construction of such plant the officer in charge of the construction of the building for the Library of Congress shall obtain one or more designs for such plant, comprising elevations, floor plans, sections, methods of communication, and every detail, and the aggregate cost thereof, which, when approved by the Public Printer and the chairmen of the Committee on Printing of the Senate and House of Representatives, or a majority of them, including the officer in charge of the construction of the building for the Library of Congress, shall be adopted as the plan or plans on which such plant shall be constructed, and the estimated cost thereof so ascertained shall be taken as the probable cost of the same.

SEC. 4. That all employments, contracts, expenditures, and disbursements of every kind for the procurement of such plans and the erection of the plant shall be made by and under the supervision and control of the officer in charge of the construction of the building for the Library of Congress and in accordance with the laws governing the disbursement of the appropriation for the Library building of Congress; and such officer shall annually make report to Congress of his proceedings under this act: *Provided*, That while the said officer is engaged upon the active duty of the construction of public buildings his army pay and allowance shall be the same for officers of his grade on the active list.

Mr. HARRIS. I raise the question of order that this is not estimated for; it is not recommended by any committee, standing or select; it is general legislation upon a general appropriation bill; and in no sense can it be regarded as a deficiency.

Mr. BUTLER. Mr. President—

The PRESIDING OFFICER. The question of order is not debatable.

Mr. BUTLER. Will the Senator from Tennessee withdraw the point of order while I make a brief statement?

The PRESIDING OFFICER. Does the Senator from Tennessee withdraw the point of order?

Mr. HARRIS. There are very few things which the Senator from South Carolina could ask of me that I would not do with pleasure, but this is one which I decline to do.

Mr. BUTLER. I am not surprised at that.

The PRESIDING OFFICER. The point of order is not debatable. The Chair is of opinion that the point of order is well taken.

Mr. BUTLER. I appeal, with great reluctance, from the decision of the Chair.

The PRESIDING OFFICER. The question is, Shall the decision of the Chair stand as the judgment of the Senate?

Mr. BUTLER. On that I ask for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CULLOM (when his name was called). I am paired with the senior Senator from Delaware [Mr. GRAY]. Not knowing how he would vote, I withhold my vote.

Mr. HIGGINS (when his name was called). I have a general pair with the senior Senator from New Jersey [Mr. McPHERSON], but as this is in no sense a political question I take the liberty of voting. I vote "nay."

Mr. PALMER (when his name was called). The Senator from North Dakota [Mr. HANSBROUGH], with whom I am paired, is not present. I am told that if he were present he would vote "nay," and I should vote "yea," to sustain the ruling of the Chair. There has been a suggestion made to me, however, to transfer my pair to the Senator from Arkansas [Mr. JONES], which I do, and vote "yea."

Mr. PETTIGREW (when his name was called). I am paired with the junior Senator from West Virginia [Mr. CAMDEN]. If he were present I should vote "nay."

Mr. POWER (when his name was called). I am paired with the Senator from Louisiana [Mr. CAFFERY]. I do not know how he would vote. I should vote "nay."

Mr. PASCO (when Mr. WALSH's name was called). The Senator from Georgia [Mr. WALSH] is paired with the Senator from North Carolina [Mr. PRITCHARD].

Mr. WHITE (when his name was called). I am paired with the Senator from Idaho [Mr. SHOUP]. If he were present I should vote "nay."

The roll call was concluded.

Mr. GALLINGER. I inquire whether the junior Senator from Texas [Mr. MILLS] has voted.

The PRESIDING OFFICER. He has not voted.

Mr. GALLINGER. I am paired with the junior Senator from Texas [Mr. MILLS]. If he were present I should vote "yea."

Mr. PETTIGREW. I transfer my pair with the Senator from West Virginia [Mr. CAMDEN] to the Senator from Idaho [Mr. SHOUP], and will vote. That will also allow the Senator from California [Mr. WHITE] to vote. I vote "nay."

Mr. WHITE. I vote "nay."

Mr. GALLINGER. I am informed that the junior Senator from Texas [Mr. MILLS] would vote as I would on this question. In addition to that my pair with the Senator from Texas permits me to vote on matters of this kind if I see fit to do so, and I shall therefore vote. I vote "yea."

Mr. LODGE. I announce that my colleague [Mr. HOAR], who is absent from the Chamber, is paired with the Senator from Alabama [Mr. PUGH].

Mr. MITCHELL of Oregon. I am paired on this question with the senior Senator from Wisconsin [Mr. VILAS].

The result was announced—yeas 23, nays 28; as follows:

YEAS—23.

Allison,	Daniel,	Hawley,	Palmer,
Bate,	Frye,	Hill,	Pasco,
Berry,	Gallinger,	Irby,	Peffer,
Blackburn,	George,	Lindsay,	Roach,
Chandler,	Gibson,	Manderson,	Turpie.
Cockrell,	Harris,	Morgan,	

NAYS—28.

Aldrich,	Clark,	Lodge,	Sherman,
Allen,	Davis,	Mantle,	Smith,
Brice,	Dubois,	Murphy,	Squire,
Burrows,	Gray,	Perkins,	Stewart,
Butler,	Higgins,	Pettigrew,	Teller,
Cameron,	Jones of Nev.	Quay,	White,
Carey,	Kyle,	Ransom,	Wolcott.

NOT VOTING—37.

Blanchard,	Gorman,	Mills,	Vest,
Caffery,	Hale,	Mitchell of Oreg.	Vilas,
Call,	Hansbrough,	Mitchell of Wis.	Voorhees,
Camden,	Hoar,	Morrill,	Walsh,
Coke,	Hunton,	Platt,	Washburn,
Cullom,	Jones of Ark.	Power,	Wilson of Iowa,
Dixon,	McLaurin,	Pritchard,	Wilson of Wash.
Dolph,	McMillan,	Proctor,	
Faulkner,	McPherson,	Pugh,	
Gordon,	Martin,	Shoup,	

The PRESIDING OFFICER. The amendment is declared by the Senate to be in order. The question is on the adoption of the amendment.

Mr. MANDERSON. I ask that the amendment be read.

Mr. BUTLER. It has been read.

Mr. MANDERSON. I was not so fortunate as to learn exactly what it is; so I should like to have it read, or at least stated.

Mr. BUTLER. It is for the purchase of what is known as the Mahone lot.

Mr. MANDERSON. What is the amount of the appropriation? Mr. BUTLER. The old appropriation of \$250,000.

Mr. PALMER. I ask that the amendment be read.

The PRESIDING OFFICER. The amendment will be read.

The Secretary proceeded to read the amendment; and having read the first section—

Mr. MANDERSON. I have been unable to hear the reading on account of the solicitation that I might withdraw my request for the reading.

The PRESIDING OFFICER. The Senator from Illinois has demanded that the amendment be read.

Mr. MANDERSON. I submit to the solicitation and do not ask that the amendment be read further.

Mr. PALMER. I ask that the amendment be read.

Mr. BUTLER. It has been read.

The PRESIDING OFFICER. The reading of the amendment will proceed.

The Secretary resumed and concluded the reading of the amendment.

Mr. PALMER. I understand that the amendment proposes the purchase of what is known as the Mahone lot. Of course there is nothing in that beyond the fact that it involves a very large cost. I should like to have the author of the amendment state what would be the probable expense; what the lot would probably cost, and what would be the probable amount involved of all that is intended by the amendment. I confess that it seems to involve the expenditure of a very large amount of money. Is there no precise limit for the expenditure and no method prescribed by which the amount can be determined or limited?

Mr. BUTLER. Oh, yes; the amendment distinctly provides that this property shall be condemned under condemnation—

Mr. PALMER. I understand, so far as the mere property is concerned—

Mr. BUTLER. Under condemnation proceedings. Then, I take it, the character of the building will be determined after the ground is secured. I do not know what the building will cost. That will depend upon the action of Congress hereafter; but it is the cheapest property, I think, that has been presented for this purpose. Whatever it is condemned at of course the Government will pay. Two hundred and fifty thousand dollars has been appropriated and is made available for this purpose.

Mr. PALMER. It has been or is proposed to be appropriated? Mr. BUTLER. It has been, and was not used because Congress intervened; but that amount has been made available.

Mr. PALMER. Mr. President, I deplore the fact that this important question is to be determined by an amendment to an appropriation bill. It is unfortunate that those who are interested in this matter could not have found some method by which the subject should have been brought distinctly before the Senate wholly disassociated from other appropriations. It is a misfortune, I think, that a great expenditure like this in the purchase of ground for a Public Printing Office and the expenditure involved can not be presented to the Senate in a separate and distinct form unembarrassed by association with other expenditures. I think it is a mistake on the part of the Senator who offered this amendment, whether it is in order or not. Of course I understand it has been settled that it is in order. It is not in order according to my interpretation of the rules, and that interpretation I have showed as far as I could by my vote.

Mr. STEWART. It is in order.

Mr. PALMER. I understand the Senate has settled that it is in order. I deprecate the act of the Senate in engaging in an enterprise like this, involving so much money, in connection with an important appropriation bill.

The PRESIDING OFFICER. The Senator's time has expired. Mr. BERRY. I move to lay the amendment of the Senator from South Carolina on the table.

Mr. QUAY and Mr. BUTLER called for the yeas and nays.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague [Mr. JONES], by arrangement with the Senator from Illinois [Mr. PALMER], has been paired with the Senator from North Dakota [Mr. HANSBROUGH]. If my colleague were here he would vote "yea."

Mr. GEORGE (when Mr. McLAURIN's name was called). My colleague [Mr. McLAURIN] is paired with the Senator from Rhode Island [Mr. DIXON]. If my colleague were here he would vote "yea."

Mr. MITCHELL of Oregon (when his name was called). I am paired with the senior Senator from Wisconsin [Mr. VILAS]. If he were here I should vote "nay" and he would vote "yea."

Mr. PETTIGREW (when his name was called). I transfer my pair with the junior Senator from West Virginia [Mr. CAMDEN] to the Senator from Idaho [Mr. SHOUP]. I vote "nay."

Mr. PASCO (when Mr. WALSH's name was called). The Sena-

ter from Georgia [Mr. WALSH] is paired with the Senator from North Carolina [Mr. PRITCHARD].

The roll call was concluded.

Mr. HARRIS (after having voted in the affirmative). I ask if the Senator from Vermont [Mr. MORRILL] has voted.

The PRESIDING OFFICER. The Senator from Vermont has not voted, the Chair is informed.

Mr. HARRIS. I am paired with that Senator and I have voted. I will transfer my pair to the Senator from Indiana [Mr. VOORHEES] and allow my vote to stand.

The result was announced—yeas 20, nays 31; as follows:

YEAS—20.			
Bate,	Faulkner,	Hill,	Palmer,
Berry,	Gallinger,	Irby,	Pasco,
Blackburn,	George,	Lindsay,	Peffer,
Cockrell,	Harris,	Manderson,	Roach,
Daniel,	Hawley,	Morgan,	Turpie.
NAYS—31.			
Aldrich,	Clark,	Kyle,	Sherman,
Allen,	Cullom,	Lodge,	Smith,
Allison,	Davis,	Mantle,	Squire,
Brice,	Dubois,	Murphy,	Stewart,
Burrows,	Frye,	Perkins,	Teller,
Butler,	Gray,	Pettigrew,	White,
Cameron,	Higgins,	Quay,	Wolcott.
Chandler,	Jones of Nev.	Ransom,	
NOT VOTING—37.			
Blanchard,	Gorman,	Mills,	Vest,
Caffery,	Hale,	Mitchell of Oreg.	Vilas,
Call,	Hansbrough,	Mitchell of Wis.	Voorhees,
Camden,	Hoar,	Morrill,	Walsh,
Carey,	Hunton,	Platt,	Washburn,
Coke,	Jones of Ark.	Power,	Wilson of Iowa
Dixon,	McLaurin,	Pritchard,	Wilson of Wash.
Dolph,	McMillan,	Proctor,	
Gibson,	McPherson,	Pugh,	
Gordon,	Martin,	Shoup,	

So the Senate refused to lay the amendment on the table.

The PRESIDING OFFICER. The question recurs on agreeing to the amendment of the Senator from South Carolina.

Mr. GALLINGER. Mr. President, my views on the question of the so-called Mahone site are so well known that I will not weary the Senate with a repetition of them. I do not believe that the Printing Office will ever be built on that site. I sincerely trust that it will not.

I rise simply for the purpose of asking permission to incorporate in the RECORD as a portion of my remarks certain affidavits made by reputable citizens of the city of Washington regarding the character of soil of the Mahone lot. I shall not take time to read them, but will ask that they be printed as a part of my remarks.

The PRESIDING OFFICER. Such will be the order if there be no objection. The Chair hears none, and it is so ordered.

The affidavits referred to are as follows:

WASHINGTON, D. C., January 15, 1895.

SIR: I have been requested to make a statement as to my knowledge of the condition of square No. 673, in this city, now known, I believe, as the "Mahone square." I have been acquainted with that section of the city many years, having owned all of square No. 674 from about 1850 to 1874, and have taken a deep interest in everything concerning it and the vicinity. A portion of that section was low and swampy. There were deep holes where, it is said, catfish were caught in the squares No. 673 and No. 674 aforesaid. The square 673 was for years a dumping place for street sweepings and rubbish of all kinds. The old Tiber Creek ran through the east end of the square. In my opinion a good substantial foundation can not be had for a Government Printing Office unless at a very great expense on that square or in proximity to it. Besides, it is otherwise unsuitable for such an establishment in my opinion.

I further state that I do not own any property in that vicinity; neither have I any interest in any other site.

SAYLES J. BOWEN,
Late Mayor of Washington, D. C.

Hon. JO. ABBOTT,
Of Committee on Public Buildings, etc.

In the matter of square 673.

DISTRICT OF COLUMBIA, ss:

Personally came before me, a notary public in and for the District aforesaid, John F. Kelly, of lawful age, who, being duly sworn, declared in relation to the aforesaid matter as follows: I have resided within a few blocks of the so-called "Mahone square" for more than twenty-five years. That I have been during that time connected with the police force of this city, and that this square, 673, until a few years back was within the bounds of the police district under my charge. I know that this square, or a large part of the same, has been a dumping ground for many years, until it was finally graded and filled up. Tiber Creek ran across the eastern part of the square, and the ground was low and swampy, and even after the sewer was built there, in times of heavy rains, I have seen the square flooded with backwater from the sewer.

JOHN F. KELLY,
Lieutenant Sixth Precinct, 31 G Street Northwest.

Subscribed and sworn to before me this 16th day of January, A. D. 1895.
[SEAL.] CHARLES W. FLOECKHER,
Notary Public.

In the matter of the square 673, called the "Mahone lot."

DISTRICT OF COLUMBIA, ss:

Personally came before me, a notary public in and for the county and State aforesaid, Stephen Caldwell, 407 Tenth street N.W., person of lawful age, who,

being duly sworn, declared in relation to the aforesaid claim as follows: That he has had personal knowledge of the aforesaid square for a period of thirty-two years; that during most of that time it was a common dumping ground for garbage, street sweepings, and trash of all kinds; that the east end and south side, on L street, was swampy, boggy, low ground, and the old Tiber Creek ran through it; there was a large pool on the part where it is proposed to put the Government Printing Office, in which affiant fished and went swimming and skating. The filling with trash, garbage, etc., was from 10 to 30 feet. I do not believe that it will be possible, except at very great expense, to make a foundation on that portion of the lot which will carry a large, heavy building.

Affiant has no interest whatever in any site offered or proposed for a Government Printing Office; and also that he knows that from the amount of night soil, garbage, ashes, and other refuse dumped into this lot that he considers the place unhealthy and unfit to be used as a place where people shall work.

STEPHEN CALDWELL,
ERNEST G. THOMPSON,
Notary Public.

In the matter of square 673, known as the "Mahone square."

DISTRICT OF COLUMBIA, County of Washington, ss:

Personally came before me, a notary public in and for the county and State aforesaid, Andrew Gleeson, person of lawful age, who, being duly sworn, declares in relation to the aforesaid as follows:

That he has known this square for a period of forty years. The southeast corner of the square which is proposed as a site for the Government Printing Office was a marsh and swamp. The bed of the Tiber Creek runs through it. It was for many years a public dumping ground. It has been filled to a depth of 25 feet in certain parts.

It will be difficult, if not impossible, to secure a safe foundation for a large building carrying heavy machinery except at very great cost.

The names of many well-known citizens can be furnished to testify to the foregoing facts.

ANDREW GLEESON.

Sworn to and subscribed before me this 15th day of January, 1895.

[SEAL.] W. C. PRENTISS, Notary Public.

In the matter of the square 673, called the "Mahone lot."

WASHINGTON CITY, District of Columbia, ss:

Personally came before me, a notary public in and for the District of Columbia, Adolph J. Schafhirt, of North Capitol and H streets N.W., person of lawful age, who, being duly sworn, declares in relation to the aforesaid claim as follows: That he has had personal knowledge of the aforesaid square since 1861; that Tiber Creek ran through it in the eastern portion; that there was a large, deep pool of water in which the boys of the vicinity were in the habit of fishing and swimming. The filling of this square will average from 5 to 30 feet. For years the North Capitol side of the square was used by George Yeabower and William Clark as a stock yard. From his knowledge of the ground, the old Tiber Creek, and the amount of filling and character of the filling—having for years been used as a public dumping place for all kinds of refuse—he believes that the cost of securing an adequate foundation for a heavy building would be very great; and further affiant says he has no interest in any site offered or suggested for the Government Printing Office.

ADOLPH J. SCHAFHIRT.

Subscribed and sworn to before me this 16th day of January, A. D. 1895.

[SEAL.] CHARLES W. FLOECKHER,
Notary Public.

In the matter of square 673.

DISTRICT OF COLUMBIA, ss:

Personally came before me, a notary public in and for the District aforesaid, Dennis Connell, of lawful age, who, being duly sworn, declares in relation to the aforesaid matter as follows:

That he has known the Mahone square, No. 673, for about thirty-five years; that the southeast portion of said square was low and swampy ground, and was a common dumping place for street sweepings and garbage and other trash. The fillings on this portion of the square was from 15 to 25 feet. Many places on this portion on the east side was boggy, and there were pools, in which the boys went swimming. The square is in no respect suitable for a large, heavy building, and I believe that the cost in getting a foundation would be very great.

DENNIS CONNELL,
741 First street N.W.

Subscribed and sworn to by Dennis Connell. The affiant is to me well known, and is apparently respectable and worthy of full credit; and I fully certify that I have no interest, direct or indirect, in the prosecution of this claim.

[SEAL.] LOUIS I. O'NEAL,
Notary Public, District of Columbia.

In the matter of square 673, the "Mahone lot."

DISTRICT OF COLUMBIA, City of Washington, ss:

Personally came before me, a notary public in and for the city and District aforesaid, John Raedy, of lawful age, who, being duly sworn, declares in relation to the aforesaid matter as follows:

That he has known square 673, called the Mahone square, for the last thirty years; that the eastern portion has been a general dumping place. This part was swampy, boggy, and low land. There was a large pool of water, in which the boys went fishing and swimming. The filling is from 5 to 30 feet deep, and in my opinion it will be impossible to secure a foundation there for a large, heavy building. It can not be done except at very great expense. I have no interest in any property offered for a site for the Government Printing Office.

JOHN RAEDY.

Subscribed and sworn to before me this 16th day of January, A. D. 1895.

[SEAL.] CHARLES W. FLOECKHER,
Notary Public.

In the matter of square 673, called the "Mahone lot."

DISTRICT OF COLUMBIA, City of Washington, ss:

Personally came before me, a notary public in and for the city and District aforesaid, Thomas A. Rover, of lawful age, who, being duly sworn, declares in relation to the aforesaid matter as follows:

That he has been personally acquainted with the locality of square 673, called the Mahone square, since 1850; that it was for many years a common dumping ground; that he dumped upon it general rubbish taken from a truck garden; that the southeast corner and end of this square was swampy and boggy, and there were deep holes, where the boys of the neighborhood fished and swam. The filling on this part of the square is from 15 to 30 feet. I am

satisfied that no secure foundation can be secured for a large, heavy building except at very great expense.
I have no interest whatever in any site offered for the Government Printing Office.

T. A. ROVER.
Subscribed and sworn to before me this 16th day of January, A. D. 1895.
[SEAL.] CHARLES W. FLOECKHER,
Notary Public.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from South Carolina.

The amendment was agreed to.

Mr. CAMERON. I offer an amendment, to come in on line 19, page 35. After the word "dollars" I move to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the estate of George C. Foulk, deceased, late a Lieutenant of the junior grade in the Navy of the United States, for the benefit of the widow of the said George C. Foulk, out of any money in the Treasury not otherwise appropriated, the sum of \$2,630.14, salary as such lieutenant at the rate of \$1,500 per annum for the period embraced between the 22d day of December, A. D. 1884, and the 12th day of June, A. D. 1886, inclusive, and for the additional period embraced between the 1st day of September to the 11th day of December, A. D. 1886, inclusive, said sum not having heretofore been paid.

The amendment was agreed to.

Mr. PETTIGREW. I move, at the end of line 16, page 40, to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Treasurer of the Chapter of Calvary Cathedral in the city of Sioux Falls, S. Dak., the sum of \$2,430, being the amount due for two quarters ending, respectively, December 13, 1891, and March 13, 1892, for board and tuition for Indian pupils at the Hope Indian Boarding School at Springfield, S. Dak., as per contract duly executed with the Commissioner of Indian Affairs.

This amendment is exactly a copy of the bill which passed the Senate a few days ago, having been reported from the Committee on Indian Affairs unanimously.

The amendment was agreed to.

Mr. GALLINGER. I submit an amendment to come in on page 67, under the head of Treasury Department, to follow an amendment adopted which was submitted by the Senator from Missouri. At that point I move to insert:

For payment of certain Treasury settlements heretofore reported to Congress and reexamined and reported in Senate Executive Document No. 98, Fifty-third Congress, second session, and in House Miscellaneous Document No. 56, Fifty-third Congress, third session, the sum of \$73,105.11: *Provided*, That no part of the money appropriated by this paragraph shall be paid to any one of the claimants until the Court of Claims shall have heard and determined all of the questions involved, and the liability of the United States Government therefor, in at least one test case, which case shall be preferred in the order of the docket of said court. Full and complete jurisdiction is hereby conferred on the Court of Claims for the purposes above named. If the determination of the Court of Claims shall be in favor of the claimants they shall be paid; otherwise not. The Attorney-General shall see to it that the interest of the Government is protected in said suit or suits.

The amendment was agreed to.

Mr. HAWLEY. I wish to invite the attention of the Senator from Missouri in charge of the bill to the paragraphs concerning the Eleventh Census, beginning with page 37, line 9. I submitted an amendment, which was matter of form printed and referred, striking out all that pertains to the census and reenacting it with some minor amendments. My easier way is, I think, to move the individual amendments. One of them is on line 18, page 37. It is mere verbal change and makes better sense. Instead of "the unpublished work of the Eleventh Census" I suggest "the unfinished work." That is what is meant, because some of the revision is not finished. I move to strike out "unpublished" and insert "unfinished," in line 18.

The amendment was agreed to.

Mr. HAWLEY. I move to strike out, in line 25, page 37, and line 1, on the next page, page 38, the words "not to exceed ninety." I have a reason for that. Not to exceed 90 clerks is what it refers to. My reason is that I wish to see the work of the Eleventh Census closed one year from next Monday, or thereabouts. If it will take more than 90 clerks at any time during the year, if it takes 120 or 130, I want to see that work finished. It is a mortification, it seems to me, that we should now be very nearly five years without the results of that census, and perhaps it is to go another year fully. That is one reason.

The amendment was agreed to.

Mr. HAWLEY. I now call attention to a more important amendment, on page 38. Beginning with the words "and he," in line 9, I move to strike out down to and including "ninety-three," in line 14; that is to say, to strike out the following words:

And he is also authorized—

The Secretary of the Interior—

and he is also authorized to continue the services of the Commissioner of Labor in charge of the completion of the Eleventh Census, in accordance with an act to extend the time for completing the work of the Eleventh Census, and for other purposes, approved October 3, 1893.

That mentions nobody, but it continues in office, of course, the gentleman who has been in charge of both of those offices, with two salaries, \$5,000 and \$3,000. It continues him indefinitely in charge of both offices; but in the meantime there is work mentioned in the bill to which I will now call attention.

That the unfinished—

As we have it now—

work of the Eleventh Census shall be completed—

It should have said "continued"—

in the office of the Secretary of the Interior, to whom the records and other property of the Census Office shall be transferred; and the Secretary of the Interior is authorized to employ, from the date specified in this act, from the force of the Census Office then employed, a chief of division, at a salary of \$2,000 per annum; three special agents, and such other employees as he may deem necessary—

To close it up. That puts the Census Bureau nominally in the Interior Department and makes it a division, and puts a clerk of the division at the head of it, but keeps at the head of it the Commissioner of Labor, at a salary of \$3,000, as the old act provided, I think. If this Bureau is going into the Department of the Interior let us have a chief of division capable of conducting and finishing up that work. I presume the quarters are not to be changed. I see the rent is adapted to about what the rent of the present quarters is, and the change is practically only in name. If Mr. Wright is continued in charge, what is the use of calling it a division of the Department of the Interior? Why give it a new name? Why merely drop the name? The bill provides that the office of the Eleventh Census shall be abolished, and then that the work shall go on with a chief of division and 90 employees, about what I suppose he has now. The word "ninety" the Senate has stricken out. I do object to an officer undertaking to do two such pieces of work of such importance. I admit Mr. Wright's qualifications to be the Commissioner of Labor and to collect those statistics. He is a good deal of a philosopher and a gentleman of education and ability.

Mr. TELLER. I should like to inquire of the Senator if we did not provide by statute that he should take charge of the Census Office.

Mr. HAWLEY. I was about to say that the statute provided it; and the statute is continued here practically, though one would not think so perhaps at first. He is one of the very, very few officers in this general class of labor who are beyond the reach of a President. If the statute establishes him there in charge of that office indefinitely, as it does here, he is beyond the reach of the President. The President can not make a change. Is it our practice to legislate that way? I think not.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. HAWLEY. I beg pardon. I move to strike out the lines I indicated, beginning with "and he," in line 9, on page 38, down to "ninety-three," inclusive.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 38, after the words "per annum," line 9, strike out down to and including the word "ninety-three," in line 14, in the following words:

And he is also authorized to continue the services of the Commissioner of Labor in charge of the completion of the Eleventh Census, in accordance with an act to extend the time for completing the work of the Eleventh Census, and for other purposes, approved October 3, 1893.

The amendment was agreed to.

Mr. HAWLEY. In line 20—this is a verbal matter—after the words "for the" where they occur the first time, I move to strike out down to "work," in line 21, so as to read:

expended under the direction of the Secretary of the Interior, for the work necessary for the completion of the Eleventh Census.

It reads here:

for the purpose of preparing for the Printer, revising, proof reading, and for other, etc.

The amendment was agreed to.

Mr. HAWLEY. Now, I wish to call attention to the language here. I am not moving to strike out now, but I should like a construction of the following, beginning in line 23, page 38:

That unexpended balances for printing the final reports of the Eleventh Census shall be applied as provided for in the several acts making such appropriations, and all appropriations heretofore made for continuing and completing the Eleventh Census shall continue until exhausted.

I suppose some of those purposes indicated have been fulfilled, but I do not know. Unexpended balances have been saved in each successive appropriation act. If the chairman has any information I should really be glad to know how many hundreds of thousands of dollars are on hand or whether it is one hundred, or twenty, or what it is.

Mr. COCKRELL. I have not the exact estimate of that. The bill came to us at a late day. There are some balances; I do not know how much they amount to. Some have been expended and some have not. This clause is simply to throw them all together for the completion of the work.

Mr. HAWLEY. It is a very indefinite method.

Mr. COCKRELL. I know; and it is a thing we do not often allow to go in the Senate. We nearly always correct them, but we did not have time in this case. The bill came too late to get together the balances and make a specific appropriation.

Mr. HARRIS. I should like to inquire of the Senator from Connecticut exactly how the striking out of the language he

moved to strike out a moment since leaves the superintendency of the census.

Mr. HAWLEY. It will be in charge of the chief of a division, and he may be a man of as much ability as you please.

Mr. LINDSAY. With a salary of \$2,000?

Mr. HAWLEY. Yes; a two-thousand-dollar salary. I think the highly intellectual work has been to a large extent done in selecting and condensing, so far as I am capable of judging. On line 6, page 39, I move to insert:

And all of said work shall be completed and the employees discharged on or before July 1, 1896.

By striking out the limitation of 90 clerks, and giving what I think to be an exceedingly liberal appropriation, I believe that work could be driven through in one year.

Mr. TELLER. I inquire of the Senator from Connecticut, suppose the work can not be done, would he stop it?

Mr. HAWLEY. I judge that Congress would exercise good sense about it, and the appropriation runs into the next year. At any rate they will make an effort in the direction of finishing the work if this appropriation goes in the bill.

Mr. COCKRELL. No harm will be done by it.

Mr. HAWLEY. As the Senator from Missouri says, no harm will be done by it.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 39, line 6, after the word "dollars," it is proposed to insert:

All of said work shall be completed and the employees discharged on or before July 1, 1896.

The amendment was agreed to.

Mr. HAWLEY subsequently said: I beg leave to make a correction in the amendment which was adopted on my motion. The amendment as adopted reads thus:

And all of said work shall be completed and the employees discharged on or before July 1, 1896.

I wish to amend the amendment, after the word "discharged," by inserting the words "from that work," for they may be detailed clerks from elsewhere, and they may be people whom it is desirable to retain in the service.

The PRESIDING OFFICER. The amendment of the Senator from Connecticut to the amendment will be regarded as agreed to, in the absence of objection. The Chair hears no objection.

Mr. SQUIRE. I offer an amendment at the request of the Senator from Louisiana [Mr. BLANCHARD], my associate on the Committee on Public Buildings and Grounds. It is a small item, and I offer it on account of his unavoidable absence. It has been favorably reported from the Committee on Public Buildings and Grounds to-day and referred to the Committee on Appropriations.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 54, after line 10, it is proposed to insert:

For placing automatic temperature regulators in the 24 committee rooms in the terraces of the Capitol, \$1,440.

Mr. SQUIRE. I have a letter from the Architect of the Capitol, in which he states that these automatic temperature regulators are required for the rooms in the terraces of the Capitol.

Mr. COCKRELL. Let the letter be printed.

Mr. SQUIRE. I submit the letter and ask that it be printed in the RECORD.

The PRESIDING OFFICER. It will be so ordered in the absence of objection.

The letter referred to is as follows:

ARCHITECT'S OFFICE, UNITED STATES CAPITOL,
Washington, D. C., February 21, 1895.

DEAR SIR: I have the honor to inform you that the number of automatic temperature regulators required for the rooms of the terraces of the Capitol is 24, which at \$60 equals \$1,440.

Some have been attached to the radiators in terrace rooms experimentally, and proved efficient in preventing the heat of a room becoming greater than desired by the occupant.

Very respectfully, yours,

EDWARD CLARK,
Architect United States Capitol.

Hon. N. C. BLANCHARD,
United States Senate.

The PRESIDING OFFICER. The question is on the amendment.

The amendment was agreed to.

Mr. GRAY. I offer an amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The SECRETARY. On page 22, after line 24, it is proposed to insert:

That the unexpended balance of appropriation made by the act of the 1st of May, 1882, for the relief of the captain, owners, officers, and crew of the United States brig of war *General Armstrong*, their heirs, executors, administrators, agents, or assigns, now under the control of the Department of State, shall be applied to the liquidation and settlement of the claim of Samuel C. Reid according to the vouchers now on file in said Department.

Mr. GRAY. That requires no appropriation, and it is to carry out existing law.

The amendment was agreed to.

Mr. TURPIE. I offer an amendment to come in on page 16, after line 24.

The PRESIDING OFFICER. The amendment will be stated.
The SECRETARY. On page 16, after line 24, it is proposed to insert:

For the protection of the salmon fisheries of Alaska by an inspector and two assistant inspectors, under the direction of the Secretary of the Treasury, \$10,000; and the Secretary of the Treasury is hereby authorized to order investigation and report by the inspector or assistant inspectors aforesaid of the salmon fisheries of Alaska, of the alleged taking and destruction of the eggs of the game and wild fowl in said Territory, as well also as to the alleged wanton destruction of game birds, deer, foxes, and other animals, and also as to the advisability of adopting suitable regulations as to close seasons as in his judgment may be necessary to prevent such destruction in future.

Mr. TURPIE. That amendment was drafted by the Acting Secretary of the Treasury, and I have a letter of his asking for its adoption, which I ask may be printed in the RECORD.

The PRESIDING OFFICER. It will be so ordered, in the absence of objection.

The letter referred to is as follows:

TREASURY DEPARTMENT, OFFICE OF THE SECRETARY,
Washington, D. C., February 23, 1895.

SIR: In the pending sundry civil appropriation bill no provision is made for the appointment of assistant inspectors to aid in the protection of the salmon fisheries of Alaska. I regard the services of these officials as being necessary, and have the honor to submit draft of a proposed amendment to said bill and to request favorable consideration thereof.

Respectfully, yours,

C. S. HAMLIN, Acting Secretary.

Hon. A. E. STEVENSON, Vice-President.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Indiana.

The amendment was agreed to.

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

Mr. MITCHELL of Oregon. I venture to renew the amendment I offered some time ago, and I hope the point of order will not be made against it. It is to come in after the amendments already adopted on page 64.

The SECRETARY. After the amendments already adopted on page 64 it is proposed to insert:

To the State of California the sum of \$3,951,915.42, being the amount of money by her paid as costs, charges, and expenses in the suppression of the rebellion, as shown by the report of the Secretary of War in Senate Executive Document No. 11, Fifty-first Congress, first session.

To the State of Oregon the sum of \$335,152.88, being the amount of money by her paid as costs, charges, and expenses in the suppression of the rebellion, as shown by the report of the Secretary of War in Senate Executive Document No. 17, Fifty-first Congress, first session.

To the State of Nevada the sum of \$404,040.70, being the amount of money by her paid as costs, charges, and expenses in the suppression of the rebellion, as shown by the report of the Secretary of War in Senate Executive Document No. 10, Fifty-first Congress, first session.

Mr. BERRY. Mr. President, I simply want to place upon record the statement that I am opposed to the amendment. It is useless to call for the yeas and nays on its adoption, however, but I am not willing to have it go by unanimous consent.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Oregon.

The amendment was agreed to.

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

The bill was read the third time, and passed.

Mr. COCKRELL. I move that the Senate ask for a conference with the House of Representatives on the bill and amendments, and I also move that the bill as amended be printed, with the amendments numbered.

The motion was agreed to.

By unanimous consent, the Vice-President was authorized to appoint the conferees on the part of the Senate, and Mr. COCKRELL, Mr. BRICE, and Mr. HALE were appointed.

SALE OF MILK IN THE DISTRICT OF COLUMBIA.

Mr. FAULKNER submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 8231) to regulate the sale of milk in the District of Columbia, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 19, 21, and 22, and agree to the same;

That the Senate recede from its amendments numbered 10, 13, 14, 15, and 20; and

That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with the following amendment: In line 5, amend by striking out the word "fair," before the word "sampling;" and that the Senate agree to the same.

CHAS. J. FAULKNER,
ISHAM G. HARRIS,
J. H. GALLINGER,
Conferees on the part of the Senate.
GEO. W. COOPER,
J. A. T. HULL,
Conferees on the part of the House.

The report was concurred in.

BUSINESS OF THE DEPARTMENTS.

Mr. COCKRELL, from the Joint Commission of Congress to Inquire into the Status of the Laws Organizing the Executive Departments, submitted a report relative to the method of collecting the customs and rendering the accounts thereof to the Auditor of the Treasury; which was ordered to be printed.

He also, from the Joint Commission of Congress to Inquire into the Status of the Laws Organizing the Executive Departments, submitted a report relative to preserving the copies of letters written in the various Departments of the Government; which was ordered to be printed.

He also, from the Joint Commission of Congress to Inquire into the Status of the Laws Organizing the Executive Departments, submitted a report relative to checking paid money orders against the reports of issue; which was ordered to be printed.

CONSIDERATION OF PENSION AND MILITARY-RECORD BILLS.

Mr. COCKRELL. I desire to say that under the agreement made this morning, after the passage of the appropriation bill, nothing else was to be done but the consideration of unobjected pension bills, bills relating to military records, and eulogies on deceased members of the House of Representatives.

Mr. PALMER. I ask unanimous consent to have the pension bills on the Calendar considered.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). Under the unanimous consent already given, the bills referred to by the Senator from Missouri [Mr. COCKRELL] will now be considered.

ORIN R. M'DANIEL.

The bill (S. 707) for the relief of Orin R. McDaniel was considered as in Committee of the Whole. It proposes to place the name of Orin R. McDaniel, late an enrolled soldier of Company H, Sixty-fourth Regiment Illinois Volunteers, upon the records of that company as enrolled December 26, 1863, and discharged February 14, 1864, for disability, and to grant him an honorable discharge accordingly, as of date February 14, 1864, for disability.

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

JAMES P. M'GEE.

The bill (H. R. 1819) to correct the military record of James P. McGee was considered as in Committee of the Whole.

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

EDWARD CHASTAIN.

The bill (H. R. 4724) for the relief of Edward Chastain was considered as in Committee of the Whole. It proposes to recognize Edward Chastain as a private of Company C, Eighty-seventh Regiment Illinois Volunteers, and to place his name on the rolls of that organization as having been enrolled September 22, 1862, and discharged the service of the United States March 12, 1863.

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

JOHN H. SKINNER.

The bill (S. 2647) to amend the military record of John H. Skinner was considered as in Committee of the Whole.

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

LANDS IN ALABAMA AND MISSISSIPPI.

Mr. McLAURIN. I ask unanimous consent for the present consideration of the bill (H. R. 8414) to authorize the Secretary of the Navy to certify to the Secretary of the Interior, for restoration to the public domain, lands in the States of Alabama and Mississippi not needed for naval purposes. It will take but a minute.

Mr. BATE. I think we had better go on regularly, Mr. President, as we are carrying out an agreement.

The PRESIDING OFFICER. Under a unanimous agreement of the Senate, nothing can be taken up at this time but pension bills and bills to correct military records.

MARY CLARE KELLY.

The bill (S. 1027) granting a pension to Mary Clare Kelly was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 7, before the word "dollars," to strike out "seventy-five" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, directed to place upon the pension roll the name of Mary Clare Kelly, widow of the late Benjamin F. Kelly, brevet major-general of volunteers, United States Army, and pay her a pension at the rate of \$50 a month, in lieu of the pension she is now receiving.

The amendment was agreed to.

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

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

BRIDGET DEVINE.

The bill (H. R. 1229) granting a pension to Bridget Devine was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Bridget Devine, widow of William P. Devine, late of Company B, Third Rhode Island Volunteer Cavalry; but the pension under this act shall cease in case it be shown that the soldier is alive.

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

ROBERT GAMBLE.

The bill (S. 1684) granting a pension to Robert Gamble was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Robert Gamble, a soldier in the Florida Seminole war of 1836.

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

SIMON RICE.

The bill (H. R. 3194) to amend the record of Simon Rice, of Company A, Sixth Maryland Volunteers, was considered as in Committee of the Whole.

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

WILLIAM BROWN.

The bill (S. 2732) granting a pension to William Brown was considered as in Committee of the Whole. It proposes to place on the pension roll the name of William Brown, late of Company D, Eighth Regiment Michigan Cavalry, at the rate of \$20 a month, in lieu of the pension he is now receiving, from and after the passage of this act.

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

The title was amended so as to read: "A bill granting an increase of pension to William Brown."

JESSE C. PINNEY.

The bill (H. R. 6430) granting increase of pension to Jesse C. Pinney was considered as in Committee of the Whole. It proposes to place on the pension roll, at \$50 per month, the name of Jesse C. Pinney, late a private of Company B, Ninth Kansas Volunteer Infantry, of the late war of the rebellion, in lieu of the pension now received by him.

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

FRENCH W. THORNHILL.

The bill (H. R. 1581) granting a pension to French W. Thornhill was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, after the word "rate," to strike out "proportionate to the degree of disability from gunshot wound of right hip, received at the battle of Corinth," and insert "of thirty dollars per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension roll the name of Dr. French W. Thornhill, of Spring Valley, Minn., at the rate of \$30 per month.

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.

MATTHEW T. LEWIS.

The bill (H. R. 6923) for the relief of Matthew T. Lewis was considered as in Committee of the Whole. It proposes to grant an honorable discharge to Matthew T. Lewis, late of Company K, Third Michigan Cavalry; but no pay, bounty, or emolument shall become due by virtue of this act.

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

JOHN B. LEACH.

The bill (H. R. 2118) to pension John B. Leach was considered as in Committee of the Whole. It proposes to place on the pension roll the name of John B. Leach, father of John R. Leach, who was formerly a member of Company A, Fifty-ninth New York Infantry, and to pay him the pension of a dependent father.

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

CHARITY ANN SMITH.

The bill (H. R. 575) granting a pension to Charity Ann Smith was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 5, after the words "of the," to strike out "pension laws" and insert "act of June 27, 1890;" and in line 9, after the word "Infantry," to strike out "and pay her a pension at the rate of \$12 per month from the approval of this act;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby authorized and directed to place on the pension roll, subject to the provisions and

Limitations of the act of June 27, 1890, the name of Charity Ann Smith, mother of R. Monroe Wiley, late a private in Company G, Thirteenth Regiment West Virginia Volunteer Infantry.

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.

Mr. GALLINGER subsequently said: I move to reconsider the votes by which the Senate ordered to a third reading and passed the bill (H. R. 575) granting a pension to Charity Ann Smith. I meant to ask the Senate to reject the amendment reported by the committee.

The motion to reconsider was agreed to.

Mr. GALLINGER. I desire that the amendment reported by the committee shall be rejected, and that the bill shall be passed in the shape in which it came from the House of Representatives. Under the House bill it is proposed to give the beneficiary a specific rate. We struck that out and made it subject to the limitations of the act of June 30, 1890. But it is so late in the session that we desire not to insist upon our amendment and that the bill shall pass as it came from the other House.

The PRESIDING OFFICER. If there be no objection the vote by which the amendment was agreed to will be reconsidered. The Chair hears none, and it is so ordered. The question is on agreeing to the amendment.

The amendment was rejected.

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

ALEXANDER WILLIAMSON.

The bill (H. R. 8099) to increase the pension of Alexander Williamson was considered as in Committee of the Whole. It proposes to increase the pension paid to Alexander Williamson, a private in Company H, Second Regiment Kentucky Infantry, during the war with Mexico, to \$25 per month.

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

JOSEPH R. BROOKS.

The bill (H. R. 5565) granting a pension to Joseph R. Brooks, father, by adoption, of Henry M. Brooks, was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Joseph R. Brooks, father, by adoption, of Henry M. Brooks, late of Company C, One hundred and sixth Regiment New York Volunteers, at \$12 per month.

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

CAPT. ISAAC D. TOLL.

The bill (H. R. 6659) to increase the pension of Capt. Isaac D. Toll was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "dollars," to strike out "twelve" and insert "twenty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to increase the pension of Capt. Isaac D. Toll, late of Company E, Fifteenth United States Infantry, in the war with Mexico, from \$8 to \$20 per month.

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.

ALBERT MUNSON.

The bill (H. R. 6646) to pension Albert Munson was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Albert Munson, imbecile son of Jacob H. Munson, late a member Company I, First Regiment Iowa Cavalry.

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

MAJ. GEN. JULIUS H. STAHEL.

The bill (H. R. 6901) to increase the pension of Maj. Gen. Julius H. Stahel was considered as in Committee of the Whole. It proposes to increase the pension of Julius H. Stahel, late major-general of volunteers in the Union Army, to \$50 per month.

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

ELLEN CARNEY.

The bill (H. R. 1716) granting a pension to Ellen Carney was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Ellen Carney, dependent mother of Patrick Carney, late a second lieutenant of Company H, Sixty-ninth New York Volunteer Infantry, in the war of the rebellion, and allow her a pension of \$12 per month.

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

JAMES JONES.

The bill (H. R. 8811) granting a pension to James Jones was considered as in Committee of the Whole. It proposes to place on the pension roll the name of James Jones, a soldier of the war of 1836, and pay him \$12 per month.

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

H. K. PALMER.

The bill (S. 2731) for the relief of H. K. Palmer was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 6, before the word "dollars," to strike out "fifty" and insert "forty;" and in line 7, after the word "act," to insert "in lieu of that he is now receiving;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension roll the name of H. K. Palmer, late private of Company D, Seventh Illinois Infantry, and pay him a pension at the rate of \$40 per month from the passage of this act, in lieu of that he is now receiving.

The amendment was agreed to.

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

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

ADELAIDE MORRIS.

The bill (S. 2519) granting an increase of pension to Adelaide Morris was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "fifty" and insert "twenty-five;" and in the same line, after the words "rate of," to strike out "fifty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Adelaide Morris, widow of the late Arthur Morris, formerly captain of the Fourth United States Artillery, at the rate of \$25 per month, which rate of \$25 per month shall be in lieu of the pension she is now receiving.

The amendment was agreed to.

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

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

CAROLINE REED.

The bill (S. 1707) granting a pension to Caroline Reed was considered as in Committee of the Whole.

The Committee on Pensions reported the bill with an amendment, in line 9, before the word "dollars," to strike out "twenty" and insert "twelve;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Caroline Reed, widow of Richard Reed, a soldier of the Florida Indian Seminole war of 1836 and 1842, at the rate of \$12 a month.

The amendment was agreed to.

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

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

HOSEA BROWN.

The bill (H. R. 8127) to provide increase of pension to Hosea Brown, of the war of 1812, was considered as in Committee of the Whole.

The bill was reported by the Committee on Pensions with an amendment, in line 8, before the word "dollars," to strike out "sixty" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Hosea Brown, formerly a member of Capt. Edward Burgess's company of New York militia, and who was in the military service in the war of 1812, to \$50 per month, in lieu of the pension he is now receiving.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JANE WEBSTER.

The bill (H. R. 3977) to pension Jane Webster was considered as in Committee of the Whole. It proposes to place on the pension roll the name of Jane Webster, widow of Joel Webster, a former wagon master in the volunteer militia service during the war of the rebellion, at the rate of \$12 per month.

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

SUSANNAH KEPFORD.

The bill (H. R. 6651) to pension Susannah Kepford, of Noble County, Ind., was considered as in Committee of the Whole. It

proposes to place upon the pension roll the name of Susannah Keppel, of Noble County, Ind., as former widow of Joel Clark, deceased, late a private in Company D, One hundred and forty-second Regiment of Indiana Volunteers, in the war of the rebellion, at the rate of \$12 per month.

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

CATHERINE CAINE.

The bill (H. R. 952) for the relief of Catherine Caine was considered as in Committee of the Whole. It proposes to pay to Mrs. Catherine Caine, widow of the late Rev. Charles Caine, the pay and allowances of a chaplain in the volunteer service from the 1st day of January, 1862, to the 1st day of August, 1862, Charles Caine having served as such chaplain in the organization known as Yates's Sharpshooters, Illinois Volunteers, during the time mentioned.

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

SAMUEL BURRELL.

The bill (H. R. 3128) for the relief of Samuel Burrell was considered as in Committee of the Whole. It proposes to remove the charge of desertion now on the records of the War Department against Samuel Burrell, late first lieutenant of Company M, Fifth Illinois Cavalry Volunteers, and grant him an honorable discharge, to date from November 26, 1862.

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

MRS. MARY BUTTON.

The bill (H. R. 6461) to grant a pension to Mrs. Mary Button, of Arkansas, widow of Asa Button, deceased, was considered as in Committee of the Whole. It proposes to place on the pension roll, at the rate of \$8 per month, the name of Mary Button, widow of Asa Button, deceased, private in Capt. M. W. Reinhart's company of Arkansas Volunteers, under General Gaines, in the "Sabine disturbance."

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

SALOMA MANGOLD.

The bill (H. R. 8264) granting a pension to Saloma Mangold was considered as in Committee of the Whole. It proposes to place upon the pension rolls, subject to the provisions and limitations of the act approved June 27, 1890, the name of Saloma Mangold, of Carbonale, State of Kansas, widow of Philip Mangold, deceased, late of Company F, Eighty-second Illinois.

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

NAPOLEON B. BREEDLOVE.

The bill (S. 2746) granting an increase of pension to Napoleon B. Breedlove was considered as in Committee of the Whole. The bill was reported from the Committee on Pensions with an amendment, in line 8, to strike out "fifty" and insert "thirty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll as entitled to increase of pension, subject to the provisions and limitations of the pension laws, the name of Napoleon B. Breedlove, late of Company G, Fourth Louisiana Volunteers, Mexican war, and pay him a pension at the rate of \$30 per month.

The amendment was agreed to.

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

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

ROBERT B. TUBBS.

The bill (H. R. 5206) for the relief of Robert B. Tubbs was considered as in Committee of the Whole. It proposes to relieve Robert B. Tubbs, lieutenant of Company I of the Eighth Regiment of Michigan Cavalry, from a dishonorable dismissal from the service of the United States.

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

ABRAHAM O. WAUCOP.

The bill (H. R. 2130) for the relief of Abraham O. Waucop was considered as in Committee of the Whole. It proposes to correct the military record of Abraham O. Waucop, late captain Company F, One hundred and eighteenth Regiment Ohio Volunteer Infantry, by removing the charge of absence without leave and dishonorable dismissal from the service, and to grant him an honorable discharge as of the date of May 15, 1865.

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

GEORGE P. CORTS.

The bill (S. 2612) for correction of muster of George P. Cortis, late an adjutant-general, United States volunteers, was considered as in Committee of the Whole. It proposes to amend the records of the War Department so as to show that George P. Cortis mustered into the service of the United States on June 28, 1863, as major and assist-

ant adjutant-general of volunteers, and as mustered out of service with that rank June 22, 1865.

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

WILSON KALE.

The bill (H. R. 3147) granting an honorable discharge to Wilson Kale was considered as in Committee of the Whole. It authorizes the Secretary of War to correct the military record of and grant an honorable discharge to Wilson Kale, of Truro, Iowa, late a private of Company G, Sixth Regiment of California Infantry Volunteers.

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

WEAR CRAWFORD.

The bill (H. R. 6928) to remove the charge of desertion from the military record of Wear Crawford was considered as in Committee of the Whole. It authorizes the Secretary of War to remove the charge of desertion from the military record of Wear Crawford, late of Company G, Fifty-second Regiment of Indiana Infantry Veteran Volunteers, and issues to Crawford an honorable discharge from that service.

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

ANGUS V. WILSON.

The bill (H. R. 7997) to amend the military record of Angus V. Wilson was considered as in Committee of the Whole. It authorizes the Secretary of War to amend the records of the War Department so as to show Angus V. Wilson mustered into the service of the United States on the 15th day of June, 1863, as first lieutenant and adjutant of the Forty-fifth Kentucky Mounted Infantry.

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

ANDREW MARTIN.

The bill (S. 2451) to remove the charge of desertion from the military record of Andrew Martin was considered as in Committee of the Whole. It proposes to remove the charge of desertion from the military record of Andrew Martin, late a private in Company A, Forty-ninth Regiment Pennsylvania Infantry Volunteers, and late a private in Company F, Seventy-sixth Regiment Pennsylvania Infantry Volunteers, and that an honorable discharge be issued in lieu thereof.

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

JAMES P. VEACH.

The joint resolution (S. R. 49) for the relief of James P. Veach was considered as in Committee of the Whole. It directs the Secretary of War to cause record to be made in the military history of James P. Veach, a private of Company I of the One hundred and nineteenth (Seventh Cavalry) Regiment of Indiana Volunteers in the service of the United States, that James P. Veach, having received from the President of the United States a full and unconditional pardon of all military offenses for which he was tried and convicted by court-martial, is thereby absolved from said offenses and from all the penalties of such offenses and sentences, and is therefore entitled to an honorable discharge.

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

AUGUSTUS BOYD.

The bill (S. 1287) for the relief of Augustus Boyd was announced as next in order.

Mr. PALMER. I desire to state that the Calendar of these cases is exhausted, and that any other measure that may be called up—

The PRESIDING OFFICER. Does the Chair understand the Senator to make the point that the bill the title of which has been read does not come under the unanimous-consent agreement?

Mr. PALMER. I merely state that the Calendar contemplated in the agreement is exhausted.

The PRESIDING OFFICER. Does it include the bill which has just been reported?

Mr. PALMER. There may be other matters over which I have no control.

The PRESIDING OFFICER. The question is whether objection is made that the bill the title of which has been stated does not come within the unanimous-consent agreement.

Mr. CAMERON. The bill was reported favorably from the Committee on Military Affairs.

Mr. MANDERSON. I ask that the bill be read.

The Secretary read the bill.

Mr. MANDERSON. I have no objection to the bill.

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

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the President to nominate and, by and with the advice and consent of the Senate, to appoint and place on the list of retired officers of the United States Army the name of Augustus Boyd, with the rank of captain of staff.

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

Mr. QUAY. I hope we may take up the pension bills reported to-day.

Mr. GALLINGER. I ask unanimous consent to consider the pension cases reported to-day.

Mr. QUAY. There are only three or four of them.

The PRESIDING OFFICER. If there be no objection—

Mr. BATE. That will be outside of the agreement, I reckon.

The PRESIDING OFFICER. The Chair would hold that it would not be outside of the agreement to act on pension cases.

Mr. BATE. I think if the Chair will turn to the Calendar he will find that those bills are not on it.

The PRESIDING OFFICER. A bill is on the Calendar as soon as it is reported.

Mr. BATE. How many of these bills are there?

Mr. QUAY. Three or four of them.

Mr. BATE. I have no objection.

Mr. CULLOM. Let us pass them.

The PRESIDING OFFICER. If there be no objection that will be the order.

JAMES BERRY DUCKETT.

The bill (H. R. 6851) for the relief of James Berry Duckett was considered as in Committee of the Whole. It authorizes the Secretary of War to muster James Berry Duckett, of North Carolina, as of Company E, Ninth Regiment of Tennessee Cavalry, the muster to date from the 16th of June, 1864, and to issue to James Berry Duckett an honorable discharge from that service, to date from the mustering out of his regiment.

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

MARY JANE LYNN.

The bill (H. R. 6565) granting a pension to Mary Jane Lynn, the daughter of John R. Lynn, who served as a private soldier from Pennsylvania in the war of the Revolution, was announced as next in order.

Mr. PALMER. I do not wish the Pension Committee of this body to be held responsible for this bill.

Mr. CULLOM. Have not these bills been referred to the Committee on Pensions and reported by that committee?

Mr. GALLINGER. They have been.

The PRESIDING OFFICER. All the bills that are being now considered have been reported by the Committee on Pensions and are now on the Calendar.

Mr. PALMER. The bill proposes to pension the daughter of a Revolutionary soldier.

Mr. GALLINGER. Let it be passed over.

The PRESIDING OFFICER. It will be passed over.

DAVID H. SEXTON.

The bill (H. R. 5301) to pension David H. Sexton for services in the Oregon Indian war was considered as in Committee of the Whole. It proposes to place on the pension roll at the rate of \$12 per month the name of David H. Sexton, of Capt. Robert Williams's Company E, Second Regiment Oregon Volunteers, for service in the Oregon Indian war of 1855 and 1856.

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

ELIZABETH L. MARKHAM.

The bill (H. R. 7671) granting a pension to Elizabeth L. Markham was considered as in Committee of the Whole. It proposes to place upon the pension roll the name of Elizabeth L. Markham, widow of Rufus A. Markham, late of Company G, Fiftieth Regiment Pennsylvania Infantry, and pay her a pension of \$8 per month.

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

GILMAN L. JOHNSON.

Mr. MARTIN. I ask the Senate to consider the bill (H. R. 840) to correct the muster of Lieut. Gilman L. Johnson.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It authorizes the Secretary of War to correct the record of Second Lieut. Gilman L. Johnson, late of the One hundred and forty-second Regiment of New York Infantry, so as to make his muster as said lieutenant date from the date of his enlistment in that regiment.

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

WARREN C. BEACH.

Mr. HILL. I ask unanimous consent to call up the bill (H. R. 8715) to place Warren C. Beach on the retired list of the Army.

Mr. HAWLEY. I object. It is not within the agreement. It is not a bill to correct the record of a soldier.

Mr. HILL. We have to-night passed two or three bills like it.

Mr. HAWLEY. We may have passed one, but it is contrary to the agreement. The bill can not pass to-night. It will provoke long debate. It is not within the agreement.

Mr. BUTLER. May I ask the Senator from Connecticut to withdraw his objection to the bill?

Mr. HAWLEY. I can not do it with my belief of what is right.

Mr. BUTLER. I understand this gentleman proposes to get on the retired list without pay.

Mr. HAWLEY. I can not make a speech now. That is exactly what he proposes. He wants to get on with Grant and Pleasanton and all those great men, when he never saw a battle in the war; and I object.

Mr. BATE. I wish to state in this connection that the majority of the Committee on Military Affairs favored the bill, but there was a division in the committee in reference to it, and it was agreed to be reported in the form in which it was reported.

Mr. HAWLEY. It is reported without recommendation from the committee. It is not reported favorably by the committee.

Mr. HILL. I suggest to the Senator from Connecticut whether the bill is not entitled to consideration.

Mr. HAWLEY. No; I do not wish it to be considered to-night, because I shall have to speak upon it for a half hour, probably. I have my brief ready.

Mr. BUTLER. We will give the Senator from Connecticut a half hour.

Mr. HAWLEY. It is something that ought not to be done.

Mr. HILL. That is a question for us to determine.

The PRESIDING OFFICER. The Chair will state that it has no power to enforce a unanimous-consent agreement; but if there is objection made—

Mr. BUTLER. I am inclined to think my good friend from Connecticut will withdraw his objection.

Mr. HAWLEY. Never.

Mr. PALMER. It will do no good in the world, for I fully indorse the Senator from Connecticut in his objection.

Mr. HILL. We do not ask Senators to vote for the bill. All we ask is that you let us hear what you have to say, and we will answer it if we can, and if we can not, defeat the bill.

Mr. HARRIS. Let the unanimous-consent agreement be read. Let us understand what it is.

Mr. HAWLEY. There should be a full Senate for the consideration of this bill.

The PRESIDING OFFICER. The Senator from Tennessee asks for the reading of the agreement made this morning. The Secretary will read it.

The Secretary read as follows:

Mr. COCKRELL. I ask unanimous consent that the bill may be considered under the five-minute rule.

The PRESIDING OFFICER. The Senator from Missouri asks unanimous consent that the pending business, which is the general deficiency appropriation bill, shall be considered from this time forth under the five-minute rule. Is there objection? The Chair hears none.

Mr. ALDRICH. Now I suggest that the Senator ask for the agreement which I indicated a few moments ago.

Mr. COCKRELL. I ask unanimous consent that when the deficiency appropriation bill is disposed of, private pension bills and similar bills, as was specified yesterday evening, mere matters of the correction of military record, where there is no objection, and there are some few of those, may be considered.

Mr. GEORGE. And that the memorial services be had.

Mr. COCKRELL. And that the memorial services be had this evening, and that then the Senate adjourn.

Mr. ALDRICH. And that no other business shall be considered.

Mr. COCKRELL. And that no other business shall be transacted.

Mr. GEORGE. That is all right.

The PRESIDING OFFICER. Does the Chair understand that conference reports are included in the request of the Senator from Missouri?

Mr. COCKRELL. They will be received; but I shall ask that any conference report, unless a very short one, be printed and laid on the table.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Missouri? The Chair hears none, and it is so ordered.

Mr. HARRIS. May I ask the Senator from New York if the bill is for the correction of a military record?

Mr. HILL. Not strictly so.

Mr. HAWLEY. Not at all.

Mr. HILL. But it is a bill to place a soldier on the retired list of the Army, and it comes within the spirit of the agreement, it seems to me.

Mr. BUTLER. Without pay?

Mr. HILL. Yes. We passed one or two bills of that kind here, and nobody objected. I do not, of course, want to be persistent about it.

Mr. HAWLEY. I object.

Mr. HARRIS. Under the agreement I beg to appeal to the Senator from New York not to press his demand, because I do not think the bill falls quite within the agreement.

Mr. HILL. Any Senator who wishes to defeat a bill at this stage of the session can do so by objecting.

Mr. PALMER. I desire to say what was said by a distinguished statesman—"me too." I object.

OFFICERS ON RECEIVING AND TRAINING SHIPS.

The PRESIDING OFFICER. The Chair lays before the Senate a communication from the Secretary of the Navy, which will be read.

The Secretary proceeded to read the communication.

Mr. HILL. How does this get before the Senate?

The PRESIDING OFFICER. It comes before the Senate under the rule, which says that under all circumstances and at any time the Chair may lay before the Senate for reference business on the Presiding Officer's table.

The Secretary resumed the reading of the communication. Mr. CHANDLER. There is no necessity for reading the communication. I ask that it be printed and laid upon the table.

The communication from the Secretary of the Navy, transmitting, in response to a resolution of the 19th ultimo, certain information as to whether or not during the past four years officers of the Navy attached to the ships *Richmond* and *Constellation* stationed at Newport, R. I., and drawing pay, etc., have been furnished and assigned quarters on shore, was ordered to lie on the table and be printed.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE LISLE.

Mr. LINDSAY. Mr. President, notice was given a day or two since that to-day I should call up certain resolutions of the House of Representatives in respect to the Hon. Marcus C. Lisle. I now ask to have those resolutions read.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The Chair lays before the Senate the resolutions of the House of Representatives.

The Secretary read as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. Marcus C. Lisle, late a Representative from the State of Kentucky.

Resolved, That as a mark of respect to the memory of the deceased the business of the House be now suspended, that his associates may be able to pay proper tribute to his high character and distinguished service.

Resolved, That as an additional mark of respect the House shall at the conclusion of these ceremonies adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. LINDSAY. Mr. President, I desire to offer the resolutions which I send to the desk.

The resolutions were read, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Marcus C. Lisle, late a Representative from the State of Kentucky.

Resolved, That the business of the Senate be now suspended, in order that fitting tribute be paid to his memory.

Resolved, That the sympathies of the members of the Senate be tendered to the family of Mr. Lisle in this bereavement, and that the Secretary of the Senate transmit to them a copy of these resolutions.

Mr. LINDSAY. Mr. President, Hon. Marcus Claiborne Lisle, late a member of the House of Representatives from the State of Kentucky, was born in the year 1862. He was born in the midst of the civil war, and he grew from childhood into manhood during that period of time in which old things were giving way to the new. He ripened into manhood well rounded, a man capable and anxious to take his part in the duties of life. Educated first at the common schools and then at the University of Kentucky, he graduated in the law department of Columbia University, and in 1887 commenced the practice of the law. He never lived in any other county than that in which he was born.

In 1890 he was made the county judge of that county, and in 1892 he was elected a member of the other branch of Congress. He was a success as a lawyer, and his short career as judge was characterized by ability and that high sense of justice which commended him in a very eminent degree to the consideration of his people. Almost a stranger to the district in which he lived, because it was made up in the main of the mountain portion of Kentucky, he was taken up and elected to Congress by a most flattering majority. He came here full of hope and expectation, but disease took its hold upon him, and his expectations of usefulness were disappointed, because almost within a year after his service commenced he had passed to the other side.

His health was such that he could not take an active part in legislation, but the zeal, the ardor, and the fidelity he displayed gave evidence of the fact that under happier circumstances he would have made that mark in public life which was expected of him by his people. He clung to his duties to the very last, and died almost in his seat in the Hall of the other House.

Mr. Lisle was an upright, honest, and courageous man. He had the confidence, esteem, and affection of the people among whom he lived, and although cut short in early manhood he has left behind him a memory which will linger with those people so long as this generation shall last.

Mr. MITCHELL of Oregon. Mr. President—

"What is time?" I asked an aged man, a man of cares,
Weary and worn and white with hoary hairs.

"Time is the warp of life," he said.

"Oh, tell the young, the fair, the gay, to weave it well."

Such was the reflection of one who wrote more than a century ago. But how different in length, how unequal in strength, is this warp of life, thus allotted by Providence to the children of men! To some it is but a fleeting moment; to others it marks the passing of an hundred years. In some cases the life and death of the infant are separated by but a single breath, while in others the span between the two is often marked by a busy, a fruitful, a useful life of fourscore years and more. But these extremes by no means measure fitly the average duration or strength of this warp of human life. Almost as different are these as are the number of the children of the human family.

That all must die sooner or later is a fact beyond successful disputation. Just when each must die is a question no human in-

telligence can answer. This great problem is one wisely reserved for solution to Him alone by whose generosity we were permitted to be born, and by whose sufferance we are permitted to live. At most, however, life is a most unsubstantial thing. The very fact of the absolute uncertainty of its tenure is conclusive as to this.

The peopled cemeteries of departed centuries, where lie the speechless generations of the dead, remind us we are but transients upon the stage of life and that very soon we, too, must give place to the unborn generations and take up our abode also in the gloomy chambers of the silent city. To-day we may with the living few seek the acclaim of men; to-morrow our names may be enrolled on the roster of that mightiest in number of all armies—that of the dead of all past ages.

Too infrequent, perhaps, are these thoughts pressed upon us. Absorbed as we are with duties, public and private, we are not prone to consider questions other than those which relate to the present, and which concern only our temporal welfare. But occasionally, yes, frequently, our attention is arrested, a halt is called, as it has been in the case under consideration, by the great Director of the universe.

A young man and chosen Representative of the people of a great State, in the very morning of his existence as such Representative, with what seemed to be a bright and beckoning future, full of promise, full of reward, before him, is suddenly stricken down. The bell has been rung, the curtain lowered, and the light of a life full of hope, full of promise, has suddenly been extinguished. And we, as his associates, gather about his tomb, speak words of condolence to those whom he loved and those who loved him, and place upon his bier the benediction of the hearts of his late representative associates.

We are glad, however, in this testimonial to record the fact that Marcus C. Lisle has left behind him a record of personal integrity, of individual worth, of which his late constituents, as well as his countrymen at large, may well be proud. He has left a stainless character, a reputation without a scar. This indeed is to him, as it is to anyone, an enduring monument of great worth. But although this is all so, it was destined that he should fall in the prime of life; yes, even—

Like as the damask rose you see;
Like as the blossom on the tree;
Like as the leafy flower of May;
Like as the morning of the day;
Like as the sun; like as the shade;
Like as the gourd which Jonah had—
Even such is man, whose thread is spun,
Drawn out and cut, and so 'tis done.
Withers the rose; the blossom blasts;
The flower fades; the morning wastes;
The sun is set; the shadows fly;
The gourd's consumed, and mortals die.

Mr. BLACKBURN. Mr. President, in the midst of the bustling lives that we lead it may not be amiss that from time to time a halt is called, coming, as it does in this case, from the hand of Omnipotence, to remind us that in a comparatively short time those of us who to-day are charged with public duties will have rendered to us or to our memories the friendly service that we tender now to one who was almost unknown in the council chambers of his country.

It is hard indeed to do justice to an occasion such as this. A young man, as you have been told by my colleague, born and reared in the center of the most cultivated, polished, intelligent communities within the limits of my State, from his earliest boyhood he was never known to cherish but one political ambition, and that an honorable one, to be a member of the Federal councils of his country, and was cut off ere he had but barely passed the age of 30, having already entitled himself to the confidence of his people by the devotion he had shown and the ability he had displayed, whether as editor conducting an influential and potent journal in that section of Kentucky, or whether upon the bench discharging judicial duties with such impartial hand and with such ability and fidelity as to commend him to still further advancement at the hands of his people.

At last the chance came to him, young as he was, to reach up and pluck the object of his long-cherished ambition. In that district which had been famed for a hundred years by reason of the ability of those men whom it had commissioned to the Congress of this country, when but little past 30 years of age, he was nominated, selected from a host of able and brilliant men, and sent to the other House of the Federal Congress, freighted with the hopes and the ambitions of his people. Who will undertake to paint the warm and glowing pictures that dwelt before his mind when he contemplated the approach of the 4th of March, 1893, when, amidst the booming of cannon and the waving of flags and the shouts of assembled thousands, his party was to be reinstated in power and he to enter upon the discharge of his duties as a lawmaker of this country?

And yet, Mr. President, that 4th of March to which he had looked forward with such yearning was the black-letter day in his young life, for it was upon that day that the pathetic portion of his story is to be told. While the inaugural ceremonies were

going on in this city, in the very hour in his career that promised so much of usefulness to his country and of satisfaction to his friends, the lovable, the loving, the worshiped wife was snatched from him and died upon that fatal day.

He followed quickly to join her upon the other side. The pageant and the pomp had lost their attractions for him. No more allurements of ambition could hold him to his moorings, battling as steadfastly and heroically as he had against the invidious disease that fastened upon his vitals. Though his courage survived, his love of life seemed to have faded out, and dread disease with steady and rapid progress moved on to the opening grave.

What he might have accomplished it is not for us to say. We can only claim on his behalf that, short as his life was, into the few years that were given him to live he had crowded more of success and of achievement than usually falls to the lot of even gifted men.

We can not follow him further than the grave, where loving hands consigned his mortal remains upon the 9th day of last July. Human vision is not permitted to look beyond its narrow and darkened confines; but, recalling the splendid virtues that illustrated his life, remembering the generous and unselfish attributes that characterized his every act, not failing to remember that that life in all of its ambitions and aspirations had been devoted to the betterment of his kind, we can safely rest with abiding faith in the conviction that beyond that veil and in that other and unknown world, under the application of the eternal justice that rules within the kingdom of the Almighty, his soul freed stood fearless amidst the scenes of its creation, ready and prepared to receive the judgment to be pronounced by the lips of its God. Believing as we do, as a Christian people, that immutable and eternal justice constitutes the rule in that domain, his friends, his people rest assured that no harm has come to him.

The PRESIDING OFFICER. The question is on the adoption of the resolutions submitted by the junior Senator from Kentucky.

The resolutions were unanimously agreed to.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE WRIGHT.

Mr. CAMERON. Mr. President, I ask that the resolutions from the House of Representatives on the death of my late colleague, Hon. Myron B. Wright, be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the resolutions of the House of Representatives, and they were read, as follows:

IN THE HOUSE OF REPRESENTATIVES, February 9, 1895.

Resolved, That the House has heard with profound sorrow of the death of the Hon. Myron B. Wright, late a Representative from the State of Pennsylvania.

Resolved, That as a mark of respect to the memory of the deceased the business be now suspended, that his associates may be able to pay proper tribute to his high character and distinguished services.

Resolved, That as an additional mark of respect the House shall, at the close of these ceremonies, stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. CAMERON. Mr. President, I submit the resolutions which I send to the desk, and ask for their adoption.

The PRESIDING OFFICER. The resolutions submitted by the Senator from Pennsylvania will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. Myron B. Wright, late a Representative from the Fifteenth district of the State of Pennsylvania.

Resolved, That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

Mr. CAMERON. Mr. President, eleven times since the assembling of the Fifty-third Congress has death entered the other body of the National Legislature, and four times this Senate. Four honored sons of my State, Representatives Mutchler, Lilly, O'Neill, and Wright, have been amongst those summoned to render final account.

It is with feelings of sadness that I am called upon to ask the Senate to again suspend its business in these closing days of its session to pay fitting tribute to the memory of my late colleague, Hon. Myron B. Wright, of Susquehanna, Pa., late Representative from the Fifteenth Congressional district of Pennsylvania, who died at Trenton, Ontario, Tuesday, November 13, 1894, at 9.45 in the morning, in the forty-seventh year of his age. For some time previous to his death he had been troubled with throat disease, and after the adjournment of the last session of Congress, accompanied by his family, he went to Canada, where he had a cottage among the Thousand Islands of the St. Lawrence, to seek that rest and quiet which he needed so much after undergoing the laborious work which that long session entailed upon him. He, however, contracted a severe cold, which greatly aggravated his throat trouble. This was followed by typhoid pneumonia, which culminated in his death. While it had been known that he was very ill, it was reported that he was out of danger and steadily convalescing, and the sudden and sad announcement of his death was a great shock to his many friends and admirers, not only in

his district but throughout the entire State, and it cast a gloom over the entire community in which he had lived.

Myron B. Wright was born on the 12th day of June, 1847, at Forest Lake, Susquehanna County, Pa. He received his education at the public schools of his county and at Montrose Academy. He taught school in the town of Jessup in the winter of 1865-66. In the spring of 1866 he moved to Susquehanna, where he obtained a clerkship in the First National Bank, of which his uncle, Mr. George A. Guernsey, was founder and cashier. He was elected assistant cashier of this bank in 1867, and in 1869, upon the retirement of his uncle, he was elected cashier, which position he held until his death.

Mr. Wright was successful in all his undertakings and by his untiring energy and financial business tact he succeeded in putting the bank on a solid foundation, making it one of the staunchest financial institutions in northern Pennsylvania. He was also largely interested in the manufacture of wood alcohol and acids, and was prominently identified with many other enterprises in his county, from which he amassed a comfortable fortune.

Before Mr. Wright was elected to Congress he had never held public office except that of school director.

The Fifteenth Congressional district of Pennsylvania, commonly known as the old Wilmot district and lately represented by Mr. Wright, is composed of the four counties of Bradford, Susquehanna, Wayne, and Wyoming, containing a population of 174,375.

In 1886, being the nominee of the Republican party of his district to represent them in the Fifty-first Congress, he was elected by a handsome majority, running many hundred votes ahead of his ticket. He was successively elected by large majorities to the Fifty-second Congress, the Fifty-third Congress, and to the next, the Fifty-fourth Congress. His last election, to the Fifty-fourth Congress, a few days before his death, and while away from home, attests his popularity among his constituents and the esteem in which he was held. The increased majority which he received in his last election over that of 1892 was a deserving compliment, and it indorsed emphatically his splendid record in the National House of Representatives. For instance, in 1892 he received 4,586 votes, and in 1894, 8,171 votes, a gain of 3,585 votes in two years.

In the Fifty-first Congress, which was Republican, Mr. Wright served on the important Committees on Banking and Currency and Public Lands; in the Fifty-second Congress, which was Democratic, he served on the Committees on Ventilation and Acoustics and Immigration and Naturalization, and in the Fifty-third Congress, which was also Democratic, on the Committees on Public Buildings and Grounds and Militia.

Mr. Wright possessed many noble traits of character—open-hearted, courteous, and generous to a fault, and kindly, cordial, and extremely obliging to everyone. All requests from his constituents, no matter how trivial or insignificant, received prompt and cheerful attention. Said one who knew him well: "One of the strongest characteristics of Myron B. Wright was his friendship. When he did you a favor it was with so much grace that it almost seemed that you had conferred a favor upon him in permitting him to do it."

He was indefatigable and energetic as a true representative of the interests of not only his immediate constituents but those of the whole State, and unselfishly displayed more zeal in their behalf than he did for his own private interests. Especially were the old veterans of his district devotedly attached to him by reason of his unflinching, persevering, and untiring services in their behalf. It was his proud title to be known as the "soldiers' friend." He was a hard-working and persistent man. I remember personally instances where he had, at different times, on his motion, passed through the House of Representatives bills for the relief of certain soldier constituents. They were hardly engrossed in the other body when he came to my seat in the Senate and requested me to use my very best efforts to have prompt and speedy action taken upon them in this body, and, although some months intervened before they were reported from the committee to which they had been referred, seldom did he allow a day to pass in the interval without either seeing me personally or writing me a letter urging action on those bills.

Mr. Wright was in the prime of manhood when he was called hence. When I had the pleasure of seeing him at the adjournment of the last session of Congress he seemed to be in robust health, and had, as far as human eye could judge, many long and useful years before him. The old proverb that "misfortunes never come singly" proved to be too true in this particular instance. The family of Mr. Wright, it is sad to relate, were doubly afflicted at the time of his death. While Mr. Wright was lying upon his sick bed in Canada with typhoid fever, with hardly a hope of recovery, his eldest son, Albert H. Wright, a bright and promising young man of 18 years, was also stricken with the same disease and survived his father only one day. Such a sad scene had never before been witnessed in Susquehanna County as when both father and son were buried together side by side.

Mr. President, I can not conclude these remarks more fittingly

than by quoting the following well-deserved eulogium upon my late colleague, which appeared in the editorial columns of the *Hallstead Herald*, of Susquehanna County, written by a personal friend of Mr. Wright, who had a high regard for him, and which I am sure echoes the sentiments of the heart of every man, woman, and child in the old Wilnot district:

He is no more; his chair is vacant; his brain is still; his voice is hushed. How strange and weird those words applied to him! As the sun sank behind the hills he loved so well, the warm rays lighted the pitiful scene of final parting. The mysterious grave is about to close; the mantle drawn forever. The human soul cries out: "O Death, where is thy pity?" Death, thy lessons seem stern and cruel. Vain hope; reason will not explain; the veil can not be drawn. The end has come, and bowed in sorrow we cast a simple flower, a tear upon his casket ere it is hidden from our sight forever. We kneel beside his grave and thereon gently place the chaplet. Across the headstone a garland lay. Never did we feel like feebleness in attempting to give full justice to a life and character. If but for a moment to possess a soul of superior thought, that we might choose sublimest words in language, might command fulsome praise of the eloquent; in another's thought, that we might dip our pen in sunshine and write in words of living light that all the world could read. The task is beyond us.

As well we might attempt to chisel the rarest grace in form or paint the gem in the picture world; and yet how little avails all plaudits and words of praise when he in truth is gone. His death is deplored as a personal bereavement, a state of national affliction. In the grand panorama of existence, on the great stage of life, none acted better his part or left greater impress of life wherever known.

Hero worship is thought by some to be a glaring fault. To see the grand intellect grasping at questions of state and social problems, at a glance to solve the mystery of complicated financial knots, and thus while stupidity stands mute and stalks the earth—who would not be a hero worshiper? Ignorance alone will fail to worship such God-given gifts in the mind of man. Myron B. Wright possessed those elements which made him tower above his fellow-men. His life, from the cradle to the grave, is marked by genius. From a poor boy in a few years he rose to be a millionaire, while tens of thousands in the same county sat like monuments of pity and mourned their bitter lot. Yea, a prince among men has been cut off in the morning of his life. All the bright jewels that make man great in the eyes of his fellow-men flashed in the crown of his character. To meet him was to be his friend. To know him well was to love him much. Generosity, frankness, and friendship were the predominating graces of his character. His acts of kindness and charity will be the theme of old and young for years to come. His generous heart and elegant entertainment is the gossip of our national capital. No man can stand up to-day and say in truth that Myron Wright deceived him. To his frankness and candor all can testify. He despised deception and fawning, but admired manly expressions of conviction, were they for or against him.

His strong friendship was proverbial, as fixed as the sun, as certain as day and night. He clung to his friends and they were drawn to him in an unusual degree. Before us lies the last letter we received from him, but a short time before his death. The final sentence speaks his heart: "Believe me, I depend upon your friendship and that of every other friend I have more and more as the years pass by, and friendship to my mind means something more than the word; it means loyalty, kindness, constancy, and liberal good feeling; and a thousand other virtues combined to make it perfect." The practice of his life lies in that thought. The soul of honor; a man whom the people loved to honor. To the stricken wife and son we would that we could bear some pearl of thought, some tender word of solace to ease the anguish of a moment. But not words count for naught in times like these; there is but One who can give comfort. To the brother, whom the deceased loved so well that many times we have seen tears start to his eyes while he spoke in praise of his virtues as he saw them—to him our hearts go out, for now he bears it all. This county never witnessed such a scene—father and son side by side, shining marks for death almost the same day. Strange are God's plans to us! An hundred times in life we have seen that father and son arm in arm, companions in thought, in study, in business, and on the field of sport.

We stood in the crowded church and heard the good divine preach. We saw many beautiful flowers and heard heavenly song, and strong men standing bowed in tears, and then there came a burst of sunshine through the stained windows that cast fitful and weird shadows across the church. And in front of the altar were father and son, companions still, even to the end.

Mr. DANIEL. Mr. President, the Fifty-third Congress is now drawing to an end. In a few more days its record will have been made up and it will have passed away as a tale that is told. Amidst its closing hours the Senate has paused from the press of its labors to take official notice of the death of Myron B. Wright, a Representative of the State of Pennsylvania, who died at Trenton, in Canada, on the 18th day of November, 1894, in the forty-eighth year of his age.

The event which commands silence in this Hall and bows every head is not a rare one in its nature. It has been all too frequent during the Congress which is about to end, and all too frequent in its visits to the good people of our sister State of Pennsylvania. Eleven of the Representatives and four of the Senators who assembled here when this Congress began have passed beyond this theater of contention and beyond the voices of praise or blame.

The Representative to whom we pay this last parting tribute of our respect was in the prime of his life and of his usefulness, and if we may judge by the voice of his own people and by the voice of those colleagues and associates who were his most intimate collaborators, he earned the tribute of having been a faithful representative of the people whose agent he was.

We read and we hear of men who pass long lives in the accumulation of riches, and who spend their last years in building some splendid mausoleum of marble in order to preserve their dust from the dissolution of time. I envy them not. Better the humble grave and better the simple epitaph which this honest gentleman has won from the testimony of those around him: "Here lies one who accepted a public trust and was faithful to it."

Mr. President, the people of this country know the political opin-

ions of their public servants. They take up the CONGRESSIONAL RECORD in order to ascertain something of the nature and extent of their public services as their agents. But while that RECORD may be a true indicator of what the Congress has done, it is in very imperfect measure a mirror of what its members did toward the accomplishment of that result which affects the whole people. Some imagine that those who have filled those pages with the longest and most frequent speeches have been the most important factors in obtaining the results that followed them.

There could not be a greater mistake. Washington and Jefferson were members of deliberative bodies. Yet if we were to judge by speaking they would long since have been forgotten by mankind. The RECORD of Congress, like the dial of the watch, may indicate the time of day, but it discloses nothing of the secret and delicate workings of the machinery which have enabled the hands so to indicate.

The dead Representative whom we mourn and to whom we pay tribute to-night was not of those who, if we were to look at the RECORD, were most conspicuous or loudest in their demonstrations. He seemed to have conceived the idea when he came here that to work for the interests of his people was the highest duty and calling of a Representative, and he spent the days and years of his service in fulfilling that ideal. In the conferences of the committee room, in the long night sessions, in the deliberations and studies over public questions, in the refining of judgments, in the power of self-repression, in the training of one's self not to give way to selfish and sectional interests—in these things are summed up the character of that Representative whose death caused regret among his colleagues and to his country a loss which can be ill supplied.

Mr. Myron B. Wright, of Pennsylvania, was a business man. He dedicated his life to practical affairs. He was the cashier of a bank, never suspected of any delinquency. He was a manufacturer who succeeded in his business. He had the honorable and high ambition—and I wish it were one more indulged in by those who are successful in business and in great affairs—to serve his countrymen in Congress. They appreciated the sturdy and excellent abilities which he displayed at home. They sent him here; they reelected him; they broke the record of their own district and section to reelect him a second time; and he died in their service with his harness on.

Death, Mr. President, is an inconvenient guest. It has no herald to ride before it and announce its coming; it needs no footman or groom to wait upon its footsteps; it strides through the darkness in the majesty of its loneliness and of its own imperious power, and only announces its presence by its effect. Whether the hand lifted in labor falls or whether the idler, loafing upon the sunny side of life, is stricken, when it comes all must bow to it and respect it and wait upon it. So it has come and has stricken down this strong man in the midst of his useful career.

We may say of him that he has those virtues which make a people great. He was industrious; he had a purpose in life which he set out to accomplish and from which he was never diverted. He was hospitable, and rejoiced in the possession of an ample home where he might entertain those who were his neighbors and friends. He was generous and kind, and appreciated the opportunity to show it. He is dead. It is difficult to fill the place of such a man; and we pay him the best tribute to one departed from our sight when we say that we regret that he has gone and that a faithful representative of the people who trusted him is no more.

Mr. PEPPER. Mr. President, within fifty hours from this time the Fifty-third Congress will have passed into history. During the two years of its life no fewer than 15 of its members have passed away. There went from this Chamber Mr. Stanford of California, Mr. Colquitt of Georgia, Mr. Vance of North Carolina, and Mr. Stockbridge of Michigan. From the House of Representatives, J. L. Chipman of Michigan; William Mutchler, Charles O'Neill, and William Lilly, of Pennsylvania; G. W. Houk of Ohio, William H. Enochs of Ohio, R. F. Bratton of Maryland, M. C. Lisle of Kentucky, G. B. Shaw of Wisconsin, Myron B. Wright of Pennsylvania, and Philip S. Post of Illinois all passed to the other side.

These facts, Mr. President, remind us not only of the uncertainty of human life and the certainty of the death of men and of women, but that death comes alike to all classes of men. The most distinguished honors which could be conferred upon many citizens, according to their own estimation of honors, is to serve their country in the Hall of the House of Representatives; others prefer this body, which moves somewhat slower, perhaps at times with somewhat more dignity and decorum, and that is the measure of their ambition. But we find that the greatest as well as the least amongst us are liable to this summons, and always when least expected.

The lesson this teaches us, as it seems to me, is the importance of a clean life on the part of every public man, to live before his fellow-men just as he would live before his own family, to dis-

charge the trusts which the people impose upon him the same as he would discharge obligations from his own wife, his mother, or his child. Here men move in a wider sphere than in their own homes; they are moving in the presence of the public, in the presence of a critical world, and upon them are centered the eyes of the little people.

What a grand achievement it is in a man's life to have fathers and mothers point to him as a model that their children may safely follow, the life of a public man so clean that a mother can point to him and say to her boy, "Look at that man, follow him; observe the cleanliness of his life, the uprightness of his purposes, the height of his aims, the breadth of his views, the ambition of his nature to be useful—he is the man whose example you may safely follow." The father takes his boy to a public meeting, where thousands of men are gathered together to do honor to a public man or to hear his utterances from the public platform. How encouraging it is when he can say to his boy, "Follow the record of that man."

In the case of Mr. Wright, whose virtues we are commemorating here this evening, I was among those who attended his funeral services. His home was upon the banks of the beautiful Susquehanna, in the midst of that grand and picturesque scenery of old Pennsylvania. It happened that his boy, his firstborn, and himself lay, not side by side, but one just beyond the other, in coffins in the same room at the same time. I found in the small town—small compared with Washington or with New York or with Chicago—where his family resided this man was beloved by not only the elder persons in the community, the fathers and the mothers and the brothers and the sisters, but by the boys and the girls, the children, the sweet ones, the jewels of the home, numbering perhaps in all 15,000 to 20,000.

This man, it was stated then, as is said here to-night, was a successful man in business. Mr. President, he was successful in a higher sense and in a better sense than in business, for, while it requires a high order of talent to rise and to continue rising in the world of affairs, yet there is a grander success even than that; it is to win and retain the respect of your fellow-men. Here was a multitude of people which had come to pay honor to this man's memory, and it was not because he was a successful man in business; that was not the reason of this multitude of worshippers; but it was because he had been kind to the poor, because he remembered the needy. He visited the widow and the fatherless children, and wherever this man's footprints were traced it was found that they led to the houses of the poor and the dwellings of the common people.

It was from them the praises came; and, Mr. President, that is a broad field of usefulness. The highest ambition of mortal man is to be useful among his fellow-men. The heart that warms the hovels of the poor and cheers and comforts the common people is the heart that lives and grows during all the coming ages.

That leads me to the afterthought not only of the immortality of good deeds, but of the immortality of a life that is capable of performing good deeds. What a cold, cheerless wilderness of life it would be, Mr. President, if there were no hope beyond this, if there were no gleamings of the future life coming to us as the years come and go. Tell me that such characters are to be cut off in the midst of their usefulness, and nothing that they have done shall live after them! If the soul that is capable of these great deeds is to be cut off from all further human associations and to pass into air, as the elements of the body pass into the earth, life would not be worth living. But it is because of the success that attends the steps of men and women as they move onward toward the beautiful future which adds courage and stimulus to life, and though we slip at times, though we fail occasionally, yet the hope that is beyond is a constant reward and an inspiration.

More than that, Mr. President, those of our own families who have gone before us—what a cheerless and dreary wilderness of life it would be when our little ones are taken away from us, had we no hope beyond this life!

Mr. President, it was not my good fortune to be personally acquainted with Mr. Wright. I speak of him as a Pennsylvanian; I speak of him as a man, as a father, as a son, as a citizen, as a benefactor. I have heard nothing but good of him. Quoting from one of the newspapers in his neighborhood the day after his death:

A more generous or noble-hearted man never lived—

Says his friend and companion, the editor of this paper—
nor a more just, faithful, honorable one. Every trust confided to him was performed with conscientious fidelity. Those who knew him best loved him most. In his friendships he was true as steel, steadfast, and unfailing in every emergency. He was never known to make a promise that he did not sacredly redeem, no pledge that he did not manfully fulfill.

Another friend wrote of him:

He was the soul of generosity, and no good cause ever appealed to him in vain for aid, and hundreds of the recipients of his big-heartedness will forever cherish his memory. Wealth and success in life never turned his head, and he was always the same approachable, genial, companionable gentleman, best liked where he was the best known, and respected and honored by all.

What a eulogy that is upon a man's character! He had accumulated a vast fortune, and yet the children of the poor esteemed him; all classes of the community honored him. May it be so with us all, Mr. President.

The PRESIDING OFFICER. The question is on the adoption of the resolutions submitted by the Senator from Pennsylvania [Mr. CAMERON].

The resolutions were agreed to unanimously.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE POST.

Mr. CULLOM. I ask that the resolutions of the House of Representatives in relation to the death of my late colleague in that body, General Post, be now laid before the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read as follows:

Resolved, That the House have heard with profound sorrow of the death of Hon. Philip Sidney Post, a Representative from the State of Illinois.

Resolved, That as a mark of respect to the memory of the deceased the business of the House be now suspended that his associates may be able to pay tribute to his high character and distinguished services.

Resolved, That as an additional mark of respect the House shall, at the conclusion of these ceremonies, adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. CULLOM. Mr. President, I offer the resolutions which I send to the desk.

The PRESIDING OFFICER. The resolutions offered by the Senator from Illinois will be read.

The Secretary read as follows:

Resolved, That the Senate has heard with deep sorrow the announcement of the death of Hon. Philip Sidney Post, late a Representative in Congress from the Tenth district of the State of Illinois.

Resolved, That the business of the Senate be now suspended in order that fitting tribute be paid to his memory.

Mr. CULLOM. Mr. President, the State of Illinois has furnished to the Congress of the United States a large number of its most able and eminent members, and upon the roll of distinguished statesmen and soldiers of this country the names of those furnished by Illinois present a record of great brilliancy. Among all these patriotic names that of Philip Sidney Post will ever stand honored and revered by our people. That peculiar quality and attribute of the true American citizen by which he is enabled when duty calls to step promptly from the walks of peaceful, quiet, civil life into the very midst of the battle and the fray, and there take his place as an intelligent, patriotic, faithful soldier of his country, was preeminently manifest in the career of Gen. Philip Sidney Post.

In an instant, as it were, the whole tenor and character of his life was changed by the call to arms in the proclamation of President Lincoln in 1861. The echo of the guns which fired upon Sumter had not ceased when that call to arms was issued. Over a great portion of this country the news that an attack had been made upon the flag was read at the same time that the President's call for 75,000 men was made public. In a moment, almost, hundreds of thousands of men sprang from the silent, quiet, and steady pursuits of ordinary life into the very midst of cruel, relentless war. The best warriors of the world were they. No military education had trained them to the ways of war, but they were transformed in a day into a vast army having but one thought and one inspiration.

Of these and foremost among them was Philip S. Post. He was an ideal volunteer soldier. Logan's description of the volunteer soldier of the United States was as thoroughly fitted to General Post as to almost any man of the war period.

Over the whole great field of the West and Southwest his services were required. Badly wounded at Pea Ridge in 1862, he still continued, upon recovery, to follow the fortunes of the Army, and at Nashville, in 1864, he was again seriously wounded by a grape-shot. His military career included in its scope all the States from Missouri and Tennessee to the Mexican border.

When the painter or the sculptor shall perpetuate his image upon the canvas or in bronze, his gallant form and manly bearing will be recognized as the type of the gallant American soldier.

In the city of Alexandria yonder the friends and mourners of the Confederate dead of that city have erected a statue in bronze representing the Confederate soldier. The statue stands on a pedestal upon which is inscribed the names of the particular soldiers in whose honor and memory it was erected. I do not know the story of the statue, nor the idea and special theme of the artist, but I do know that nowhere have I ever seen an image so expressive or a story so eloquent as that simple figure tells to those who look upon it. It mutely stands in sadness, with musket at rest, the vigorous, manly head slightly bowed, as in sorrow over the death of loved comrades, and the frank, open face tinged with a shade of doubt for the future of his cause. More than once have I visited this statue, simply to observe what a volume of history it tells and what wondrous memories the work of a true artist can invoke.

When the time comes for the inspired sculptor to depict the ideal soldier of the United States in bronze or marble, and to fix the soldier of the Union in composite figure, I believe that he will come near to presenting the form of Philip Sidney Post. If he shall succeed in reviving in the statue the Union soldier as we knew him in such truth as we find in the Confederate soldier's statue at Alexandria, he will receive the merited approval of the people.

But, Mr. President, there was another noticeable feature in the character and life of General Post. As he was ready to make the great change from citizen to soldier at the demand of duty, so with equal readiness did he in 1866 lay aside his uniform and assume the responsibilities of an exacting foreign consular service. His constant attention and devotion for twelve years to his official duties in a foreign land obtained for him the high approbation of this Government. He then again entered the domain of private life at his beautiful home city in Illinois, and in due time he was sought out by the people of the district in which he lived to receive the highest honors with which they could invest him. He entered Congress, and from the very start of his legislative life in Washington he kept and maintained the highest and most creditable position, officially and personally.

Mr. President, General Post in politics was a Republican, and was sturdy and earnest in defense of his views; yet he was always ready to listen to those who differed with him and to accord equal sincerity to an opponent.

General Post became a very prominent member of the House of Representatives, and exerted great influence in that body in shaping the policy of the Government.

But, Mr. President, I did not intend to refer in detail to the many events which occurred in the striking career of General Post. I preferred rather to speak of him as a man and a citizen, and as we knew him in the daily walks of life. He was of us and with us. He was of our time and belonged to our age. He participated in our trials and our difficulties, and he was with us in our joys and our successes. His geniality and sociability made him friends everywhere and in all circles. He was the life of any gathering or society in which he mingled. He was apt and pleasant in conversation, and always ready to make manifest his friendship and sympathy for the common people.

It was not only in his public career that he acquired his highest laurels. In his social and domestic life, in his associations and relations with his neighbors and with the friends who lived near his home, were the proofs of his adaptation to the demands and requirements of ordinary life. He was an inspirer of happiness and carried with him an atmosphere of content which made everybody happy. From his early life he was always an active, energetic man, and in whatever field of duty he was placed he was earnest and sincere in his constant efforts to give his people the very best service which he could possibly render.

But death has taken him away. The seasons come and go with unflinching certainty. Day follows day and the night succeeds the morning under the absolute and definite laws of the universe. Everything, every being, every material object which has life and growth, has its beginning and its end. It is first born, it next lives, and at last it dies. Death is the cessation of life. It is a natural and a philosophical change. It is universal to all, and therefore ought not to be looked upon with dread. If the Christian theory be true, as it surely is, the passing of life is not a sad and fearful change. It is the fruition of the phenomenon of life. It is the harvest home of humanity, the season of rest. It is the glorious horizon of eternal peace, beyond whose shining drapery exists the great forever, where every soul must claim its everlasting home.

It has been said that—

It is not all of life to live, nor all of death to die.

The two conditions, life and death, complete and make perfect the economy of human existence, just as creative power designed them. Divinity controls, and ordains that death shall be and is the complement of life. Death is the state proper to follow life. Before life came, what was there? And after death, what is there?

When a child is born the thought is, "What will he be?" And when a man dies the question is, "What has he been?"

Philip Sidney Post was our brother, our friend. What has he been? God will measure him by his own just balance for time past and for eternity to come. We measure him as we knew him. We measure him by his life, which is before us, and we cherish him for his humanity and kindness in life, which we knew and which we loved.

The crisis which he has met and passed awaits us all. Can we meet it as he has done? Can we stand at the open door of an endless future and cast all doubts and fears aside? Can we ennoble our lives by the nobility with which we lay it down at last?

No traveler has returned to tell us of the night beyond. Nor ever will a message reach us to say whether the way is drear and dark, or if the stars shall shine again.

Yet, after all, why should a message come? Are we to be more favored than the countless millions gone long before? It is enough to know that God reigns.

Mr. TELLER. Mr. President, amongst the pleasant personal recollections of my public life will be the remembrance of my association with General Post. I made his acquaintance when he first came into the Fiftieth Congress. I had known of him as a public man for many years. As a soldier in the late war he had taken high rank. At the close of the war, crowned with honors that few young men bore, he was given service in a foreign land as consul to Austria-Hungary. So well did he discharge the duties of the position that in a short time he was advanced to that of consul-general, and in the latter capacity he served until 1879, when he returned to his home at Galesburg, Ill.

While abroad General Post had shown signs of great ability in politico-economic affairs. He submitted from his post as consul-general some very valuable reports, and, living in Europe at the time when great economic questions were exciting attention, General Post became a close student of such questions. He was living in Europe when Germany changed her monetary system. He was living in Europe when France closed her mints to silver. He was living in Europe when the United States demonetized silver. As a student of economic science General Post could not but be attracted by such events. He became, as I have said, a thorough student of the philosophy of money.

He returned to the United States a firm believer in the doctrine of bimetalism and went into a region of country where that doctrine was not popular. The region of the State of Illinois in which General Post lived is one of the best in that great State. The people of that section are cultivated and intelligent. There are there great wealth and enterprise and a good deal of pride. In a community hostile in sentiment General Post never hesitated to express his views on public questions, and notwithstanding the fact that when he was nominated for Congress I have no doubt that but a very small portion of his constituents were in accord with him, he was elected to the Fiftieth Congress, twice reelected, and if he had lived would have been a member of the Fifty-fourth Congress.

Not only that, but when in the course of events in that State a change was made in the district in which he lived, such was his position in the community that the added counties to his district sent their delegates instructed for his renomination, all but two, as the Senator from Illinois [Mr. CULLOM] reminds me, newly put in the district. Whether the people believed with General Post on economic questions, they recognized his great ability and his integrity.

Mr. President, General Post was a most companionable man. I shall never forget the trip I made from this city to Chicago after our adjournment last session in company with him. I had been attracted to him because of his economic views, and had become socially very closely connected with him; and I recall the pleasant hours as we traveled from this city to the great city of the lakes, and the many subjects which he discussed with the ability that had brought to him the support of the intelligent constituency in Illinois which he represented here.

General Post was one of the best illustrations of Americanism that can be produced. Born in the great State of New York, fortunate in his family relations, and enabled to receive at Union College a classical education and a legal education at Poughkeepsie, in the same State, he early went to Galesburg, which at that time, I may say, was the intellectual center of the State of Illinois. From the very first he took high rank in the community in which he lived, a rank that he maintained to the day of his death, as illustrated by his nomination and election at the last election.

Mr. President, as the Senator from Illinois [Mr. CULLOM] has said, General Post was a Republican. He was a partisan in many respects; he believed in the Republican party and its doctrines; but he had the courage of his convictions, and whenever he found his party not in accord with him he had the courage not only in the House of Representatives to declare his belief, but upon every stump in Illinois he gave forth no uncertain sound. No citizen of that great State which he represented doubted how he stood upon any public question. His honesty, his integrity, was never called in question. He made a record as a soldier in his youth, as a diplomat in middle life, and as a statesman his record is rarely excelled.

Mr. President, I do not speak of General Post in a perfunctory way. I am rarely heard upon occasions of this kind. I speak of General Post because I knew his worth. I speak of him because I know his death is a loss not only to his district but to the American people. I wish we had more men like him in public life. I wish we had more men of his stamp whom we could hold up to the American youth and say, "Here is a man who in every department of life in which he has been placed has fulfilled every duty imposed upon him in the highest possible degree."

Mr. President, the State he represented so long and so ably in Congress has suffered a great loss, but the American people also have suffered a loss. We who believe in certain economic principles felt that with his death we and through us the whole people had suffered a loss. I believe few men have ever been in public life who can be held up to the American youth as better examples of American patriotism, of a broad statesmanship, of a thorough literary culture, of painstaking duty properly discharged, than General Post. The death of such a man is greatly to be deplored, and I trust that when we to-night express our grief over his death those who listen to us or who will read the feeble words we utter will feel that they are not mere perfunctory words, but a tribute to a deserving, loyal American citizen, now no more.

Mr. PALMER. Mr. President, it is my duty to bear my testimony to the valuable service, in war and peace, of my friend and comrade, Philip Sidney Post. I saw him first in 1861 in Missouri. In the earnestness of his patriotism, his troops of the Illinois regiment having gone to Missouri and formed a regiment under the authority of the State of Missouri, called the Ninth Missouri, he joined them there. We ultimately recovered him and his regiment and made it the Fifty-ninth Illinois.

I regret, Mr. President, that I have not had time to prepare a tribute to the memory of General Post worthy of him. I must depend upon my recollection of the events to which I know he was a party and to such facts and circumstances as will serve to illustrate his military and political history.

When I first met General Post he was a young man. I was older than he. I learned that he was a man of eminent patriotism, earnestly devoted to the cause that he had espoused. I learned that he was devoted to his military duties. I learned that he had the highest and an accurate conception of the mission of the Republic. I had not known him before. I met him afterwards and learned to appreciate his worth.

During the war General Post, through the various grades that he occupied, always did his duty. Mr. President, there is no higher tribute to be paid to any man than that he did his duty. We speak of men who have distinguished themselves in public service, but the man who has done his duty is entitled to the highest consideration.

My knowledge of General Post lasted through several years. I remember distinctly on the great day at Chickamauga I heard he occupied a position on the extreme right of our army, and while I felt all those apprehensions that may properly be attributed to a doubting soldier, I felt that nothing would be wanting in Post. He was at Crawfish Springs, on the right of our army, and I felt perfectly safe so far as he was concerned that he would do his whole duty.

After the close of the war I knew General Post. I knew of his having been sent abroad in the discharge of important public duties, and I never doubted his ability, his fidelity, or his patriotism. I knew him during his successive elections and reelections as a member of Congress from the Galesburg district in our State. While I differed with him in regard to public questions, I never doubted his integrity or his fidelity to his own convictions. I have rarely known in my life a man who was more distinctly devoted to public duty. I have rarely met a man who was more unselfish than General Post. I have rarely met a man who, according to his own conceptions of duty, discharged them more faithfully.

General Post was when I first met him a remarkable specimen of manly strength and health and vigor. During the war he was wounded and no doubt his life was shortened by the wounds he received. Did he regard those wounds as being marks of honor received in the discharge of the great duties of a soldier? I have never known whether he welcomed them or regarded them as misfortunes. Mr. President, there are in military life tributes to men that men receive from the enemy. There are marks of distinction that are written in terms that admit of no other description than the fact that they have been received as the wounds of General Post were received, and would be accepted as tokens of honor.

That he was a gallant soldier no one can doubt. That he was a faithful patriot has never been questioned. That he was an upright, honorable man has never been disputed. He died in this city within a very short time, and his death seems to have been untimely.

But after all I have lived long enough to know that the man who has discharged his duties while he lives has no reason to fear the termination of life. Indeed, although I had not conversed with General Post for perhaps a month, I knew better than others that he himself regarded his life as uncertain. I knew that he felt conscious that his term of life would be shortened by conditions that need not now be mentioned.

I have learned and I know that that which we call death is a mere discharge from service. We talk about death as an enemy. Death is no enemy to the man who has discharged the duties of

life. Every means have been employed to inspire the human mind with terror of death. The painters so depict it. But there is no greater fallacy than that.

General Post had not lived as long as many others, but he had faithfully discharged the duties of the life which was given to him. He served out his term of enlistment, and when that term expired, whether he was conscious of the approach of what men mistakenly call the great enemy, or not, I do not know; but he had served his term of enlistment—he had served it faithfully.

In regard to the life to which we are passing I ask pardon for using a phrase that has been very much abused when I say that you and I, after we have served faithfully the term of our enlistment, will receive a pension from that Master who judgeth all things well, who has regard for our infirmities, who recognizes the earnestness of our purposes. That we shall receive it in that life to which we are tending can never be doubted. We will pass from the life that is to the life which is to come, as General Post has done. In the beautiful language of that legend which we all love and in which all our hopes are involved, in that condition we shall be received with the plaudit, "Well done, thou good and faithful servant."

Philip Sidney Post discharged all the duties of his life, and, as far as we can judge, in submission to the great Master of life who knows all things; and we may well understand that in that state into which he has passed, that state which may be regarded as a blessed state, that state which must be regarded as a deliverance from this condition, the patriot, the soldier, the kind husband, the good father, the faithful citizen, the man who discharged all his social duties with fidelity, who was not wanting in anything, who was depended upon by those who knew him and loved him, as all did who knew him, we may well understand that when such a man passes from the life that is to the life which is to come he shall be welcome.

Mr. President, I do not know in what language that welcome may be spoken. When you or I appear before the Master of Life I do not know in what language he will speak to the man who has fulfilled all these duties of life. I have faith to believe that the language will be, "Welcome, thou good and faithful servant." Having discharged the duties of this life, what can be expected in the next?

The PRESIDING OFFICER. The question is on agreeing to the resolutions submitted by the Senator from Illinois.

The resolutions were unanimously agreed to.

MEMORIAL ADDRESSES ON THE LATE REPRESENTATIVE HOUK.

Mr. BRICE. Mr. President, I desire to call up the resolutions of the House of Representatives concerning the death of my late colleague in that House, Hon. George W. Houk.

The PRESIDING OFFICER. The Chair lays before the Senate the resolutions of the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

IN THE HOUSE OF REPRESENTATIVES, July 14, 1894.

Resolved, That the business of the House be now suspended, that opportunity may be given for tributes to the memory of the Hon. George W. Houk, lately a Representative from the State of Ohio.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his eminent abilities as a distinguished public servant, the House, at the conclusion of these memorial proceedings, shall stand adjourned.

Resolved, That the Clerk communicate these proceedings to the Senate.

Resolved, That the Clerk be instructed to send a copy of these resolutions to the family of the deceased.

Mr. BRICE. Mr. President, I offer the resolutions which I send to the desk.

The PRESIDING OFFICER. The resolutions submitted by the Senator from Ohio will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. George W. Houk, late a Representative from the State of Ohio.

Resolved, That the business of the Senate be now suspended, in order that fitting tribute be paid to his memory.

Resolved, That as an additional mark of respect the Senate, at the conclusion of these ceremonies, do adjourn.

Mr. BRICE. Mr. President, we are again called upon to mourn the departure of an esteemed and honored Representative in another branch of Congress. It was my sad duty on a recent date to announce to this Chamber the death of Hon. George W. Houk, a Representative from Ohio, who passed from the arena of public affairs with such startling suddenness that we yet feel the painful shock of that misfortune. On this occasion I desire to address the Senate on the resolution which has just been read from the desk, in the hope that I may add a tribute, inadequate though it may be, to his merits, his manhood, and his worth.

The active duties which throw into immediate association those who are called by their communities to represent them at Washington teach us much of our fellow-men which may have previously been overlooked or only faintly observed. Friendships are strengthened, social and political ties are made more binding, and

a generous appreciation of our another established by the fact that in public life there is an interdependence among those who are the servants of the people. This is especially true in the relations which the members of a State delegation hold to each other, and it is within this circle that the loss of one of the number is most keenly felt.

George W. Houk has passed from us. It is a pleasure, Mr. President, to recall at this time the history of the deceased, who started in life with no exceptional advantages save those with which nature had provided him, and I will briefly recount some of the chief features of his career.

George W. Houk was born September 25, 1825, in Cumberland County, Pa. Three years later the family moved to Dayton, Ohio, and thereafter that community became his permanent home. He was educated in the private schools and institutions of learning located at Dayton, and his excellence in his studies was such that at the early age of 18 years he himself became an instructor in the common schools. After a successful experience in this vocation he abandoned teaching for the more ambitious profession of law. He made the usual preparations, and was admitted to the bar in 1847, devoting himself to the practice with great ability.

The surroundings in this occupation naturally drew him into politics, and he gathered his first experience in legislative affairs by being elected to the Ohio house of representatives in 1851. He fully met the expectations of his constituents in this capacity, and he was returned to the legislature for a second term. His legal talents had been so fully demonstrated that he was selected for the important position of chairman of the judiciary committee, a high compliment considering that he was quite a young man and there were many able lawyers among his older associates. The selection was not an unwise one, as the statutes of Ohio will yet show, many of the existing acts bearing evidence of his broad yet prudent and cautious treatment.

Upon the expiration of his second term in a legislative capacity Mr. Houk resumed the practice of law at Dayton, entering into a partnership with Hon. John A. McMahon. This union of interests was so satisfactory that it remained unchanged for a period embracing two decades.

As a lawyer and legislator the public had become acquainted with Mr. Houk's marked versatility and ability, and many distinctions came to him unasked and unsolicited. Twice he was called upon to represent his Democratic brethren at national conventions, the first occasion being the Charleston-Baltimore convention in 1860, and later he was made a delegate to the convention held in St. Louis in 1876. It has frequently been the case that the platforms at State Democratic conventions have been the result of his handiwork. On such occasions his good judgment and literary qualities were invariably valued and appreciated. His political views from the standpoint of his party were unmistakably sound, and he was also gifted with a wonderful facility of expression, which he had acquired in the broad fields where he had been led by his natural literary tastes. Under such circumstances his political associates cheerfully availed themselves of his services in the preparation of declarations of opinion and of future policies, a duty in the performance of which he made more evident the depth of his reasoning and the extent of his scholarship.

The confidence thus bestowed upon him was the outgrowth of his deserved reputation for integrity and manliness. Trickery and duplicity were strangers to his nature, and those who had once surveyed the sincerity of his motives never had cause for a future doubt. His views in connection with political affairs were built on the broad and substantial basis of the public welfare, and were not founded in the wavering exigencies of private ambition.

Outside of the field of politics there were many distinguished honors conferred upon him. As a public speaker he was frequently designated to address his fellow-citizens on formal occasions, his learning and his fluency combining to make him a most pleasing and effective orator, let the event be historical, memorial, or patriotic.

It was in 1890 that a reapportionment of the Congressional districts in Ohio afforded him the opportunity to become a candidate for the national House of Representatives. An active campaign resulted in his election. Returning at a mature age to the duties of a legislator, which he had abandoned in early life, he again fulfilled the confidence placed in him by the people of his district, and in 1892 accepted a renomination unanimously tendered, followed by his election to the present Congress. Unhappily, the unsparing hand of death interfered to prevent the consummation of this trust.

Concerning his career in Congress it is needless for me to dwell at length. We are all so recently familiar with his presence here within this Capitol that it is hard to convince ourselves that he is gone. Brought prominently into the service of the country at large, he carried with him to Washington the splendid endowment of education, experience, and versatility with which he was possessed. Naturally these qualities could not go unappreciated

within the body of which he was a part, and his ripe wisdom, combined with courteous personal manners, won for him the esteem which has been so eloquently voiced by his late associates since his death.

In the matter of committee work, which is most often the true test of a legislator's value to his country, he was painstaking, industrious, and thorough. His reputation for clearness and penetration caused him to be placed at the first stage of his Congressional career upon the Committee on Interstate and Foreign Commerce, a position where he would necessarily be called upon to deal with complicated and confusing questions. He was retained in this capacity when the same committee was subsequently reorganized. During the preparations for the World's Columbian Exposition he was on the committee having that enterprise in charge, and it was in the performance of duties within this sphere that he demonstrated the breadth of his patriotic character by devoting his splendid talents to assuring its success.

But there is one capacity in which he served his country that it gives me the most pleasure to recite. In the present Congress he acted as a member of the Committee on Pensions. His naturally patriotic impulses went unrestrained into the work of securing to deserving veterans the relief which the people of this great Republic desire that they shall have. In the hearts of these old soldiers there exist silent tributes more eloquent than those that we may utter. His life's history is an enduring monument that needs no embellishment by living hands.

The silent clay of the deceased is insensible to eulogy or panegyric, but he has left to us the pleasant memory of his achievements throughout an honorable and distinguished life.

THE PRESIDING OFFICER. The question is on agreeing to the resolutions submitted by the Senator from Ohio.

The resolutions were unanimously agreed to; and (at 10 o'clock and 8 minutes p. m.) the Senate adjourned until to-morrow, Saturday, March 2, 1895, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate March 1, 1895.

ASSISTANT TREASURER UNITED STATES.

George H. Small, of Missouri, to be assistant treasurer of the United States at St. Louis, Mo., vice Bernard G. Farrar, term of service expired.

POSTMASTERS.

Alfred D. Hoitt, to be postmaster at Arlington, in the county of Middlesex and State of Massachusetts, in the place of Frederick E. Fowle, whose commission expired February 14, 1895.

Frank M. Moulton, to be postmaster at Wenona, in the county of Marshall and State of Illinois, in the place of Howard L. Taylor, whose commission expired February 14, 1895.

Jonas W. Olson, to be postmaster at Galva, in the county of Henry and State of Illinois, in the place of Elmer E. Fitch, whose commission expired February 24, 1895.

Charles A. Wells, to be postmaster at Coffeyville, in the county of Montgomery and State of Kansas, in the place of Joseph McCreary, whose commission expired February 28, 1895.

Willis E. Dowell, to be postmaster at Missoula, in the county of Missoula and State of Montana, in the place of Henry C. Meyers, whose commission expires March 3, 1895.

Luther Clarke, to be postmaster at Eureka, in the county of Eureka and State of Nevada, in the place of William J. Smith, whose commission expired February 9, 1895.

Daniel A. Doyle, to be postmaster at O'Neill, in the county of Holt and State of Nebraska, in the place of James H. Riggs, whose commission expired February 27, 1895.

M. M. Huck, to be postmaster at Schuyler, in the county of Colfax and State of Nebraska, in the place of George H. Wells, whose commission expires March 3, 1895.

Jacob H. Hoffman, to be postmaster at Boonton, in the county of Morris and State of New Jersey, in the place of C. F. Hopkins, removed.

Arthur Beardsley, to be postmaster at Swarthmore, in the county of Delaware and State of Pennsylvania, the appointment of a postmaster for the said office having, by law, become vested in the President on and after January 1, 1895.

P. P. Callery, to be postmaster at Plymouth, in the county of Luzerne and State of Pennsylvania, in the place of F. H. Armstrong, whose commission expired February 24, 1895.

Frank Feyler, to be postmaster at Rochester, in the county of Beaver and State of Pennsylvania, in the place of George C. Deming, whose commission expired February 16, 1895.

John B. Patterson, to be postmaster at Corry, in the county of Erie and State of Pennsylvania, in the place of Frank H. Button, whose commission expired January 6, 1895.

J. Atwood Pyle, to be postmaster at West Grove, in the county of Chester and State of Pennsylvania, in the place of Benjamin N. Jefferis, whose commission expired December 13, 1894.

WITHDRAWAL.

Withdrawal of executive nomination of February 5, 1895.

E. C. Prescott, to be postmaster at Arlington, in the State of Massachusetts.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 1, 1895.

POSTMASTER-GENERAL.

William L. Wilson, of West Virginia, to be Postmaster-General.

CONSULS.

Julio Harmony, of New York, to be consul of the United States at Corunna, Spain.

D. B. Spagnoli, of California, to be consul of the United States at Milan, Italy.

Louis M. Buford, of Illinois, to be consul of the United States at Paso del Norte, Mexico.

COLLECTOR OF INTERNAL REVENUE.

Edmund A. Bigler, of Pennsylvania, to be collector of internal revenue for the Twenty-third district of Pennsylvania.

ASSISTANT TREASURER.

Joseph H. O'Neil, of Massachusetts, to be assistant treasurer of the United States at Boston, Mass.

CIRCUIT JUDGE.

John W. Showalter, of Illinois, to be United States circuit judge for the seventh judicial circuit.

DISTRICT JUDGE.

Olin Wellborn, of California, to be United States district judge for the southern district of California.

COLLECTOR OF CUSTOMS.

George M. Hanson, of Maine, to be collector of customs for the district of Passamaquoddy, in the State of Maine.

PROMOTIONS IN THE NAVY.

Assistant Naval Constructor Washington E. Capps, to be a naval constructor.

Commodore William A. Kirkland, to be a rear-admiral.

Capt. Francis M. Bunce, to be a commodore.

Commander Purnell F. Harrington, to be a captain.

Lieut. Commander Samuel W. Very, to be a commander.

Lieut. John A. Rodgers, to be a lieutenant-commander.

Lieut. (Junior Grade) Augustus C. Almy, to be a lieutenant.

Lieut. James R. Selfridge, to be a lieutenant-commander.

Lieut. (Junior Grade) William P. White, to be a lieutenant.

Lieut. Commander Frederick W. Crocker, to be a commander.

Lieut. Charles A. Adams, to be a lieutenant-commander.

Lieut. (Junior Grade) John H. Shiple, to be a lieutenant.

Lieut. William H. Everett, to be a lieutenant-commander.

Lieut. (Junior Grade) John E. Craven, to be a lieutenant.

Lieut. John M. Hawley, to be a lieutenant-commander.

Lieut. (Junior Grade) James H. Hetherington, to be a lieutenant.

Lieut. Commander Robert M. Berry, to be a commander.

Lieut. Thomas H. Stevens, to be a lieutenant-commander.

Lieut. (Junior Grade) John J. Knapp, to be a lieutenant.

Ensign William L. Howard, to be a lieutenant.

Ensign Wiley R. M. Field, to be a lieutenant.

Ensign Edwin A. Anderson, to be a lieutenant.

Ensign John M. Poyer, to be a lieutenant.

Ensign Charles P. Eaton, to be a lieutenant.

Ensign John M. Ellicott, to be a lieutenant.

Ensign Benjamin E. Thurston, to be a lieutenant.

Ensign Harry George, to be a lieutenant.

Ensign Frederick L. Chapin, to be a lieutenant.

APPOINTMENTS IN THE NAVY.

Washington L. Capps, a citizen of Virginia, to be an assistant naval constructor.

Lloyd Bankson, a citizen of Pennsylvania, and John G. Tawressey, a citizen of Delaware, to be assistant naval constructors.

Robert Stocker, a citizen of Minnesota; Frank W. Hibbs, a citizen of Minnesota; Elliott Snow, a citizen of Utah; Richmond P. Hobson, a citizen of Alabama, and George H. Rock, a citizen of Michigan, to be assistant naval constructors.

Thomas F. Ruhm, a citizen of Tennessee, and Lawrence Spear, a citizen of Ohio, to be assistant naval constructors.

Frank B. Zahm, a citizen of Pennsylvania; Horatio G. Gillmor, a citizen of Wisconsin; Henry G. Smith, a citizen of Ohio, and Richard M. Watt, a citizen of Pennsylvania, to be assistant naval constructors.

John D. Bueret, a citizen of Michigan; Joseph E. McDonald, a citizen of Illinois, and Homer L. Ferguson, a citizen of North Carolina, to be assistant naval constructors.

PROMOTIONS IN THE ARMY.

Maj. Theodore Schwan, assistant adjutant-general, to be assistant adjutant-general with the rank of lieutenant-colonel.

Second Lieut. Samuel John Bayard Schindel, Third Artillery, to be second lieutenant of infantry.

Second Lieut. Rogers Finch Gardner, Sixteenth Infantry, to be second lieutenant of artillery.

In accordance with the provisions of the act of Congress approved February 27, 1890, entitled "An act to authorize the President to confer brevet rank on officers of the United States Army for gallant services in Indian campaigns," I nominate the officers herein named for appointment by brevet, in the Army of the United States, to rank from February 27, 1890:

To be lieutenant-colonel by brevet.

Maj. Thaddeus Harlan Stanton, paymaster (now colonel, assistant paymaster-general), for gallant service in action against Indians under Crazy Horse, on the Powder River, Montana, March 17, 1876.

Capt. Samuel Storrow Sumner, Fifth Cavalry, brevet major United States Army (now lieutenant-colonel Sixth Cavalry), for gallant service in action against Indians at Summit Springs, Colo., July 11, 1869.

To be major by brevet.

Capt. George Hall Burton, Twenty-first Infantry (now colonel, inspector-general), for gallant service in action against Indians in the Lava Beds, California, January 17, 1873, and at the Clearwater, Idaho, July 11 and 12, 1877.

Capt. John Morrison Hamilton, Fifth Cavalry (now major First Cavalry), for gallant service in action January 16, 1873, against Tomto Apache Indians in the foothills of the Tortilla Mountains, Arizona, in connection with gallant conduct in the closing campaign against those Indians.

First Lieut. Melville Carey Wilkinson, Third Infantry, brevet captain, United States Army (now captain, Third Infantry), for gallant service in action against Indians at the Clearwater, Idaho, July 11 and 12, 1877, and at Kamiah, Idaho, July 13, 1877.

Capt. Edward Miles Heyl, Ninth Cavalry (late colonel, inspector-general, since deceased), for gallant service in action against Indians at the Rio Pecos, Texas, June 7, 1869, the Salt Fork of the Brazos River, Texas, September 16, 1869, and at the South Fork of the Llano River, Texas, November 24, 1869, in which last-named action he was severely wounded.

To be captain by brevet.

First Lieut. George William Baird, Fifth Infantry (now major, paymaster), for gallant service in action against Indians at Red River, Texas, August 30, 1874, and at Bear Paw Mountain, Montana, September 30, 1877, in which last-named action he was severely wounded.

First Lieut. Edward Mortimer Hayes, Fifth Cavalry (now major, Seventh Cavalry), for gallant service in action against Indians at Beaver Creek, Kansas, October 25 and 26, 1868.

First Lieut. William Richardson Hall, assistant surgeon (now major, surgeon), for gallant service in action against Indians in attending to his professional duties under fire at the Clearwater, Idaho, July 11 and 12, 1877.

First Lieut. Frederick Henry Ernst Ebstein, Twenty-first Infantry (now captain, Twenty-first Infantry), for gallant service in action against Indians at Cottonwood Ranch, Idaho, July 4, 1877; Camas Meadows, Idaho, August 20, 1877, and at the Umatilla Agency, Oreg., July 13, 1878.

First Lieut. Wilber Elliott Wilder, Fourth Cavalry (now captain, Fourth Cavalry), for gallant service in action against Indians, inclusive of the rescue while under heavy fire of an enlisted man who was severely wounded at Horseshoe Canyon, New Mexico, April 23, 1882.

To be first lieutenant by brevet.

Second Lieut. William Curtis Forbush, Fifth Cavalry (now captain, Fifth Cavalry), for gallant service in action against Indians at Beaver Creek, Kansas, October 25 and 26, 1868.

Second Lieut. Robert Powell Page Wainwright, First Cavalry (now captain, First Cavalry), for gallant service in action against Indians at the Umatilla Agency, Oreg., July 13, 1878.

Second Lieut. Guy Howard, Twelfth Infantry (now captain, assistant quartermaster), for gallant service in action against Indians at Camas Meadows, Idaho, August 20, 1877.

POSTMASTERS.

Thomas J. Sandford, to be postmaster at Trinidad, in the county of Las Animas and State of Colorado.

Mary I. Van Horne, to be postmaster at Muscatine, in the county of Muscatine and State of Iowa.

J. E. Petite, to be postmaster at Bellevue, in the county of Jackson and State of Iowa.

Charles H. Gove, to be postmaster at Garner, in the county of Hancock and State of Iowa.

Andrew H. Demarest, to be postmaster at Paterson, in the county of Passaic and State of New Jersey.

John W. McNamara, to be postmaster at Clinton, in the county of Worcester and State of Massachusetts.

Bettie S. Moore, to be postmaster at Cynthiana, in the county of Harrison and State of Kentucky.

Frank E. Briggs, to be postmaster at Turners Falls, in the county of Franklin and State of Massachusetts.

John E. Blake, to be postmaster at North Easton, in the county of Bristol and State of Massachusetts.

William B. Brotherton, to be postmaster at Milford, in the county of New Haven and State of Connecticut.

Arthur F. Nutting, to be postmaster at Northampton, in the county of Hampshire and State of Massachusetts.

G. Eugene Fisher, to be postmaster at North Attleboro, in the county of Bristol and State of Massachusetts.

Justin W. Clayton, to be postmaster at Athol, in the county of Worcester and State of Massachusetts.

James M. Elerick, to be postmaster at Keosauqua, in the county of Van Buren and State of Iowa.

John S. Thompson, to be postmaster at Reading, in the county of Berks and State of Pennsylvania.

George W. Wales, to be postmaster at Randolph, in the county of Norfolk and State of Massachusetts.

E. A. Child, to be postmaster at Glencoe, in the county of McLeod and State of Minnesota.

Benjamin F. Sherman, to be postmaster at Beaver Dam, in the county of Dodge and State of Wisconsin.

W. C. Bremerman, to be postmaster at Boone, in the county of Boone and State of Iowa.

Thomas Hunt, to be postmaster at Clyde, in the county of Sandusky and State of Ohio.

Hamilton Eaton, to be postmaster at Barnesville, in the county of Belmont and State of Ohio.

Mary V. Proctor, to be postmaster at Lebanon, in the county of Warren and State of Ohio.

John F. Dwyer, to be postmaster at Weymouth, in the county of Norfolk and State of Massachusetts.

Robert T. Scott, to be postmaster at Forrest City, in the county of St. Francis and State of Arkansas.

J. H. Hudson, to be postmaster at Pine Bluff, in the county of Jefferson and State of Arkansas.

John Earley, to be postmaster at Seymour, in the county of New Haven and State of Connecticut.

James Deviney, to be postmaster at Chicopee, in the county of Hampden and State of Massachusetts.

Thomas Hickey, to be postmaster at Wakefield, in the county of Middlesex and State of Massachusetts.

Albert Dornfeld, to be postmaster at North Tonawanda, in the county of Niagara and State of New York.

William W. Collins, to be postmaster at Whitney's Point, in the county of Broome and State of New York.

Fanny P. Bisgood, to be postmaster at Sag Harbor, in the county of Suffolk and State of New York.

Charles Danforth, to be postmaster at Manchester, in the county of Essex and State of Massachusetts.

Chester Johnson, to be postmaster at Thompsonville, in the county of Hartford and State of Connecticut.

John C. Marlette, to be postmaster at Fultonville, in the county of Montgomery and State of New York.

Leroy Akins, to be postmaster at Cornwall on the Hudson, in the county of Orange and State of New York.

Simeon W. A. Stevens, to be postmaster at South Gardner, in the county of Worcester and State of Massachusetts.

Gilbert W. Farrington, to be postmaster at Monson, in the county of Hampden and State of Massachusetts.

David M. Aldrich, to be postmaster at Whitefield, in the county of Coos and State of New Hampshire.

Henry C. Hall, to be postmaster at Whitehall, in the county of Washington and State of New York.

George H. Cotton, to be postmaster at Elmira, in the county of Chemung and State of New York.

J. Walter Orr, to be postmaster at New Decatur, in the county of Morgan and State of Alabama.

Jenness D. Wheeler, to be postmaster at Randolph, in the county of Orange and State of Vermont.

Andrew W. Bingham, to be postmaster at Littleton, in the county of Grafton and State of New Hampshire.

REJECTIONS.

Executive nominations rejected by the Senate March 1, 1895.

COLLECTOR OF CUSTOMS.

Henry P. Kitfield, of Massachusetts, to be collector of customs for the district of Gloucester, in the State of Massachusetts.

POSTMASTER.

Alfred D. Tinsley, to be postmaster at Sioux Falls, in the county of Minnehaha and State of South Dakota.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 1, 1895.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. E. B. BAGBY.

The Journal of the proceedings of yesterday was read and approved.

CORRECTIONS.

Mr. BUNN. Mr. Speaker, on page 2935 of the RECORD, at the conclusion of some remarks I submitted with reference to the wreck of the United States steamer *Tallapoosa*, I asked unanimous consent that the evidence taken before the Committee on Claims with reference to the loss of certain United States vessels should be printed as a part of my remarks in the RECORD. This morning I find the RECORD shows that Mr. MAHON of Pennsylvania objected to that request, and as a consequence the testimony is not printed. I am informed that that is a mistake; that the gentleman did not object to my request.

The SPEAKER. The Chair understood that there was no objection.

Mr. BUNN. That is correct. No objection was made to the request to print this testimony.

The SPEAKER. Without objection it will be printed.

Mr. RICHARDSON of Tennessee. May I ask, Mr. Speaker, what printing is authorized to be done by this request? There was so much confusion in this part of the Hall that it was not possible to hear what was said.

The SPEAKER. On yesterday the gentleman from North Carolina asked unanimous consent to append to his remarks in the RECORD certain testimony taken by the Committee on Claims in relation to the loss of the United States steamer *Tallapoosa* and other United States vessels.

Mr. RICHARDSON of Tennessee. Do I understand that the consent has been given?

The SPEAKER. The Chair understood that consent was given on yesterday.

Mr. BUNN. That is correct.

The testimony referred to by Mr. BUNN is as follows:

COMMITTEE ON CLAIMS, HOUSE OF REPRESENTATIVES.

Washington, D. C., Wednesday, December 19, 1894.

The Committee on Claims, having under consideration House bill No. 5904 and other similar bills, met at 10.30 a. m., Hon. BENJAMIN H. BUNN in the chair.

The CHAIRMAN. It was given out at a former meeting of the committee that we would consider this morning House bill No. 5904 and the other bills embracing the same subject-matter. There are five or six such. We decided that we would give these matters full and free consideration. I have requested those who are interested to be present and discuss the matter before us to-day. I have also requested the Secretary of the Navy to have a representative present for that Department, and he has consented to have present Judge-Advocate-General Lumley, of the Navy, to appear for that Department. I have also requested the Treasury Department to have a representative here, and we have one this morning in the presence of Mr. Charles B. Morton, Fourth Auditor, who is the Auditor for the Navy Department.

We will first hear a gentleman who is an attorney and who represents the claimants in this bill.

STATEMENT OF MR. BROOKS CASON.

MR. CHAIRMAN AND GENTLEMEN OF THE COMMITTEE: When a ship is lost and a man loses his clothes through no fault of his own he is only allowed \$60, or an amount equal to one month's pay. In the case of an officer he is allowed a month's pay, and that simply gives him money enough to get a new suit. Say an officer gets \$1,200 a year; that gives him \$100. When he enters the Academy as a midshipman he is allowed \$600 for clothing, and do you mean to say that \$60 or \$100 will cover the loss of a man's uniform when he gets \$600 for that purpose in the Academy? The apprentice boy is allowed \$60 for a partial outfit. Some of the men who were on board the *Kearsarge* had been sailors from ten to fifteen years, and a number on the *Despatch* had been in the service for ten years. They lost more than \$60 worth of clothing. An officer on a foreign station is required to do official duties all the time. The English and German naval officers are allowed money for this, but the American officer is not. When an officer is on a squadron and gets ashore he must look like he has just come out of a bandbox. Whenever he gives a reception aboard the ship he must have on new clothes.

Mr. COOPER. What does this bill propose to do?

The CHAIRMAN. It is to pay the officers and men of the *Kearsarge* the actual loss of personal property suffered by them.

Mr. COOPER. Is the amount established by evidence?

Mr. CASON. When the *Kearsarge* was wrecked they were allowed enough by Congress to cover everything.

Mr. COOPER. By whom is a record of that loss kept?

Mr. CASON. By the ship's officials. The officers are required to take a list of everything that is lost. That is on file in the Fourth Auditor's Office.

Mr. COOPER. Was it made before the ship went down?

Mr. CASON. It is made every three months. A list was taken of the men's clothing, and that list is filed in the Department, so that if the ship is lost in two months afterwards it can be easily referred to by seeing the report of the preceding quarter.

Mr. KIEFER. That quarterly return is always made from the ship to the quartermaster here?

Mr. CASON. Yes, sir; it is made to the Paymaster-General's Office. It includes only the navy regulation uniform.

The CHAIRMAN. That only embraces clothing.

Mr. CASON. That is clothing only. The officers are required to have citizen's clothing also, but that is not included.

The CHAIRMAN. Picture frames and watches are not included?

Mr. CASON. No, sir; only what the regulations require.

The CHAIRMAN. In the Treasury Department I saw a list including a silk quilt, \$100. That is not embraced?

Mr. CASON. No, sir.