

No. 202, Marine Engineers' Union No. 41, Typographical Union No. 58, Hard Wood Finishers' Union No. 187, and Division No. 50, Order of Railway Telegraphers, all of Portland, Oreg.—favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. NAPHEN: Resolution of Bricklayers' Union No. 3, Boston, Mass., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers in cities of first class to \$1,200, and in cities of the second class to \$1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. NEVILLE: Papers to accompany House bill 12617, granting a pension to William H. Pettit—to the Committee on Invalid Pensions.

By Mr. OTJEN: Petition of Division 405, Brotherhood of Locomotive Engineers, favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RAY of New York: Resolutions of Brotherhood of Locomotive Engineers of Elmira, N. Y., urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Paysons Lodge, Railroad Trainmen, Walton, N. Y., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Barbers' Union, Locomotive Engineers, and Association of Machinists, of Binghamton, N. Y.; Woodworkers' Union, of Waverly, N. Y., and Bricklayers' Union, of Ithaca, N. Y., favoring restrictive immigration—to the Committee on Immigration and Naturalization.

By Mr. ROBERTS: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. ROBINSON of Indiana: Petition of C. Tresselt & Sons, Fort Wayne, Ind., in favor of the passage of House bill 8337—to the Committee on Interstate and Foreign Commerce.

By Mr. RUCKER: Resolution of Southern Lodge, No. 20, Railroad Trainmen, of Trenton, Mo., for an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. RUMPLE: Resolutions of Typographical Union of Clinton, Iowa, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. RYAN: Resolution of the United Retail Grocers' Association of Brooklyn, N. Y., favoring the passage of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Marine Cooks' Benevolent Association No. 54, Buffalo, N. Y., in favor of House bill 9053, to enforce law of domicile—to the Committee on Labor.

Also, resolution of the American Leather Company, in favor of the establishment of a department of commerce and industries—to the Committee on Interstate and Foreign Commerce.

By Mr. SELBY: Resolutions of Carpenters' Union No. 904 and Team Drivers' Union No. 336, of Jacksonville, Ill., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. SHERMAN: Petitions of labor organizations in the Twenty-fifth Congressional district of New York, favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SLAYDEN: Petition of Plumbers' Union No. 142, of San Antonio, Tex., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SMITH of Kentucky: Papers of D. J. K. Maddox, in relation to war claim—to the Committee on War Claims.

By Mr. SPERRY: Petition of Painters and Decorators' Union No. 99, of Derby, Conn., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. STEWART of New York: Petitions of various labor organizations in the Twenty-first Congressional district of New York, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULLOWAY: Petition of Woman's Christian Temperance Union of Jefferson, N. H., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. THAYER: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, Worcester, Mass., asking for the passage of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. THOMAS of Iowa: Resolutions of Division 38, Order of Railway Conductors, Des Moines, Iowa, and Division 125, Rail-

road Engineers, Clinton, Iowa, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

Also, resolution of Union No. 51, Sheet Metal Workers, of Sioux City, Iowa, urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. WADSWORTH: Resolutions of Journeymen Stonecutters of Rock Glen; Retail Clerks' Union No. 146, of Lockport; Railroad Telegraphers, Order No. 20; Carpenters' Union No. 322, of Niagara Falls, and Lock City Lodge, No. 439, Association of Machinists, of Lockport, N. Y., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WILLIAMS of Illinois: Resolutions of Division 127, Locomotive Engineers, Flora, Ill., asking for a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Resolutions of Stockton ———, No. 56, Stockton, Cal., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

Also, petition of officers of the California National Guard, favoring House bill 11654, increasing the efficiency of the militia—to the Committee on Militia.

By Mr. WRIGHT: Resolutions of Junior Machinists' Apprentices, Federal Labor Union, No. 9008, Susquehanna, Pa., favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

By Mr. YOUNG: Resolutions of West Philadelphia Division, No. 162, Order of Railway Conductors, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, petition of Henry E. Billerbeck, Philadelphia, Pa., in favor of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, petition of Philadelphia Printing Pressmen's Union, No. 4, protesting against the passage of Senate bill No. 2894 and House bill 5777, amending the copyright law—to the Committee on Patents.

Also, paper to accompany House bill No. 12635, granting a pension to Albert L. Du Puget—to the Committee on Invalid Pensions.

SENATE.

MONDAY, *March 17, 1902.*

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

Prayer by Rev. HENRY N. COUDEN, D. D., Chaplain of the House of Representatives.

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

The PRESIDENT pro tempore. The Journal, without objection, will stand approved.

MISSION INDIANS OF SOUTHERN CALIFORNIA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a letter from the Commissioner of Indian Affairs recommending the appointment of a commission of five citizens, to serve without compensation, to investigate the condition and needs of the Mission Indians of Southern California, and submitting an item to be incorporated in the Indian appropriation bill, appropriating \$2,500 for the expenses of that commission; which, with the accompanying papers, was referred to the Committee on Indian Affairs, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented a petition of the Woman's Christian Temperance Union of Jefferson, N. H., praying for the adoption of an amendment to the Constitution to prohibit polygamy; which was referred to the Committee on the Judiciary.

He also presented a petition of Coopers' Local Union No. 120, American Federation of Labor, of Nashua, N. H., praying for the enactment of legislation providing an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented a petition of Rumford Grange, Patrons of Husbandry, of Concord, N. H., praying for the establishment of reciprocal trade relations with Cuba; which was referred to the Committee on Relations with Cuba.

He also presented a petition of Granite Cutters' Local Union, American Federation of Labor, of Fitzwilliam, N. H., and a petition of Coopers' Local Union No. 120, American Federation of Labor, of Nashua, N. H., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of Rumney, Wentworth, Peterboro, and Plymouth, all in the State of New Hampshire, praying for the passage of the so-called Grout bill, to

regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. DILLINGHAM presented a petition of sundry citizens of Montpelier, Vt., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of sundry citizens of Springfield, Vt., and a petition of sundry citizens of Wheelock, Vt., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

Mr. QUARLES presented a petition of the Chamber of Commerce of Milwaukee, Wis., praying for the adoption of certain amendments to the interstate-commerce law; which was referred to the Committee on Interstate Commerce.

He also presented the petition of James E. Clark and 47 other citizens of Greenleaf, Wis., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented the petition of F. H. Hillyer and 278 other citizens of Lincoln County, Wis., praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which was referred to the Committee on Privileges and Elections.

Mr. KITTREDGE presented petitions of A. J. Berdahl and 27 other citizens of Garretson, of N. Smith and 24 other citizens of Lennox, of E. G. Johnson and 46 other citizens of Hartford, of the Dell Rapids Creamery Company and 21 citizens of Dell Rapids, of J. P. Thorp and 48 other citizens of Forestburg, of F. P. Melvin and 47 other citizens of Avon, of Fred J. McArthur and 16 other citizens of Aberdeen, of A. Nolting & Son and 93 other citizens of Armour, of Alex Gustavson and 47 other citizens of Greenfield, of A. P. Rugger and 47 other citizens of Millbank, of Lars Berglund and 46 other citizens of Frank, of D. E. A. Lundquist and 40 other citizens of Irene, of John Mareesh and 40 other citizens of Eagle, of A. Nolting & Son and 37 other citizens of Joubert, of C. B. Thompson and 36 other citizens of Alsen, of A. G. McGilvera and 26 other citizens of Harrison, of Charles F. Stiles and 20 other citizens of Corsona, of the Brandon Creamery Company and 56 citizens of Brandon, and of Emil Erickson and 45 other citizens of Hanson, all in the State of South Dakota, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. FOSTER of Washington presented a petition of sundry citizens of Everett, Wash., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

He also presented a petition of Typographical Union No. 193, of Spokane Falls, Wash., praying for the enactment of legislation restricting the immigration of illiterate persons; which was ordered to lie on the table.

He also presented petitions of Bricklayers' International Union No. 3, of Spokane, of Typographical Union No. 193, of Spokane Falls, and of Local Union No. 297, International Association of Machinists, of Tacoma, all in the State of Washington, praying for the enactment of the Chinese-exclusion law; which was ordered to lie on the table.

Mr. PROCTOR presented petitions of Iron Molders' Local Union No. 337, of St. Johnsbury; of United Garment Workers' Local Union No. 32, of Brattleboro; of Typographical Union No. 384, of Montpelier, and of Bricklayers and Masons' Local Union No. 1, of Rutland, all in the State of Vermont, praying for the enactment of legislation providing an educational test for immigrants to this country; which were ordered to lie on the table.

Mr. HALE presented a petition of the New York Methodist Preachers' Meeting, praying for the enactment of legislation placing the chaplains of the United States Navy in the matter of their pay and general treatment on an equal footing with the other officers of the same rank in the service; which was referred to the Committee on Naval Affairs.

He also presented petitions of Journeymen Barbers' Local Union No. 210, of Portland; of the Granite Cutters' Union of Stonington, all of the Federation of Labor, and of Local Division No. 403, Order of Railway Conductors, of Waterville, all in the State of Maine, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented petitions of sundry citizens of North Fayette, Whites Corner, Skowhegan, Dedham, Norway, North Paris, Bethel, and Corinth, and of Pomona Grange, Patrons of Husbandry, of Woolwich, all in the State of Maine, praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

Mr. BEVERIDGE presented petitions of Local Union No. 24, of Brazil; of Bricklayers' Local Union No. 30, of Washington; of Carpenters' Local Union No. 431, of Brazil; of Retail Clerks' Local Union No. 291, of Dunkirk; of Typographical Union No.

332, of Muncie; of Bricklayers' International Union No. 16, of Alexandria; of Bricklayers and Plasterers' Local Union No. 17, of Brazil; of Bricklayers' Local Union No. 8, of Anderson; of Typographical Union No. 284, of Anderson; of Local Union No. 2529, of Dunkirk, all of the American Federation of Labor, and of sundry citizens of Muncie, all in the State of Indiana, praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented the petitions of J. A. Randall and 175 other citizens of Marion County, of T. J. Bowles and 76 other citizens of Delaware County, and of Samuel D. Straw and 90 other citizens of Elkhart County, in the State of Indiana, praying for the enactment of legislation providing for the election of United States Senators by a direct vote of the people; which were referred to the Committee on Privileges and Elections.

Mr. HOAR presented the petition of Mrs. Mary Schlesinger, of Brookline, Mass., praying for the enactment of legislation to abolish the regulation of vice in our island possessions; which was referred to the Committee on the Philippines.

He also presented a petition of the Weavers' Local Union, American Federation of Labor, of Lawrence, Mass., praying for the enactment of legislation to provide an educational test for immigrants to this country; which was ordered to lie on the table.

He also presented the petition of F. R. Wright and sundry other citizens of Bondsville, Mass., and the petition of J. T. Carpenter and sundry other citizens of Lowell, Mass., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which were ordered to lie on the table.

He also presented a petition of Bartenders' Local Union No. 96, American Federation of Labor, of Milford, Mass., and a petition of Rubber Workers' Local Union No. 8622, of Cambridge, Mass., praying for the reenactment of the Chinese-exclusion law; which were ordered to lie on the table.

He also presented a petition of Boot and Shoe Workers' Local Union No. 52, American Federation of Labor, of North Grafton, Mass., praying for the enactment of legislation authorizing the construction of war vessels in the navy-yards of the country; which was referred to the Committee on Naval Affairs.

Mr. FRYE presented the petition of F. H. Skinner and 47 other citizens of Corinth, Me., praying for the passage of the so-called Grout bill, to regulate the manufacture and sale of oleomargarine; which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. WETMORE, from the Committee on the Library, to whom was referred the bill (S. 3060) appropriating \$5,000 to inclose and beautify the monument on the Moores Creek battlefield, North Carolina, reported it without amendment, and submitted a report thereon.

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

A bill (S. 4486) granting an increase of pension to Myra W. Robinson;

A bill (S. 4413) granting an increase of pension to Martha A. Greenleaf;

A bill (H. R. 7771) granting an increase of pension to Frank Seaman; and

A bill (H. R. 3873) granting a pension to William C. Flowers.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 324) granting an increase of pension to Nellie Loucks, reported it with an amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 3217) granting an increase of pension to Charles Dixon, reported it with an amendment, and submitted a report thereon.

Mr. HARRIS, from the Committee on Interoceanic Canals, to whom was referred the joint resolution (S. R. 45) providing for a board to investigate the practicability of constructing a canal across the Isthmus of Darien, submitted an adverse report thereon; which was agreed to, and the bill was postponed indefinitely.

Mr. FOSTER of Washington, from the Committee on Pensions, to whom was referred the bill (H. R. 8292) granting a pension to Hester Thomas, reported it without amendment, and submitted a report thereon.

Mr. HOAR, from the Committee on the Judiciary, reported a bill (S. 4553) to limit the meaning of the word "conspiracy" and the use of "restraining orders and injunctions" in certain cases; which was read twice by its title.

Mr. HOAR. I move that the bill (S. 1118) to limit the meaning of the word "conspiracy" and the use of restraining orders and injunctions in certain cases, being Order of Business 307 on the Calendar, be postponed indefinitely and that the bill just reported by me be given the place of that bill on the Calendar.

The motion was agreed to.

Mr. PENROSE. I submit a report to accompany the bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent.

The PRESIDENT pro tempore. The report will be printed.

Mr. PENROSE. In connection with this report I submit the hearings taken before the Committee on Immigration on Senate bill No. 2960 and certain other bills pending before that committee providing for the exclusion of Chinese laborers. I move that the hearings be printed as a separate volume.

The motion was agreed to.

BILLS INTRODUCED.

Mr. KEAN introduced a bill (S. 4549) for the relief of Henry Lane; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. DRYDEN introduced a bill (S. 4550) to correct the status and record of Bvt. Col. Thomas P. O'Reilly; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. GALLINGER introduced a bill (S. 4551) relative to fines and forfeitures in cases of cruelty to animals in the District of Columbia; which was read twice by its title, and, with the accompanying papers, referred to the Committee on the District of Columbia.

Mr. CULLOM introduced a bill (S. 4552) granting an increase of pension to William G. Gano; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Pensions.

AMENDMENTS TO BILLS.

Mr. MONEY submitted an amendment providing for a survey of the Tallahatchie River, State of Mississippi, from Batesville to Coldwater, and a survey on Cassidy Bayou from its mouth to a point 60 miles upstream, intended to be proposed by him to the river and harbor appropriation bill; which was referred to the Committee on Commerce, and ordered to be printed.

Mr. BERRY. I present four amendments to the subsidy bill, to be offered when the bill comes up for consideration.

The PRESIDENT pro tempore. The amendments will be received, and they will lie on the table.

CIVIL-SERVICE EXAMINATIONS.

Mr. GALLINGER. I submit a resolution for which I ask present consideration.

The resolution was read; as follows:

Resolved, That the Civil Service Commission is hereby directed to transmit to the Senate a statement showing the number of persons examined during each fiscal year from 1884 to 1901, inclusive, giving by years the number who passed, the number who were rejected, the number who were certified as being eligible for appointment, the number actually appointed, and the number of eligibles now on the several rolls of the Commission; also the number placed in the classified service by Executive orders or rules of the Commission, without examination, since the date of the enactment of the civil service law approved January 16, 1883.

Mr. HALE. Let the resolution go over a day. I should like to examine it.

The PRESIDENT pro tempore. Objection being made, the resolution will be printed and lie on the table.

LEGAL AND TRAFFIC RELATIONS OF RAILROADS.

Mr. MORGAN. I submit a resolution and ask for its present consideration.

Mr. ALLISON. I should like to hear it read before unanimous consent is given.

Mr. MORGAN. Yes; of course.

The PRESIDENT pro tempore. The resolution will be read.

The resolution was read, as follows:

Resolved, That the Secretary of the Interior is directed to send to the Senate a statement of the legal and traffic relations between the railroads that connect with the waters of the Pacific Ocean and the Government of the United States. And that the Secretary of War is directed to send to the Senate a statement of the legal and traffic relations between the railroads in the Philippine Islands, and as to the charters and ownership of such railroads.

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

Mr. HALE. Let it go over, Mr. President.

The PRESIDENT pro tempore. Objection being made, the resolution goes over under the rule.

CONSIDERATION OF THE CALENDAR.

Mr. HALE. Mr. President, if no Senator is ready to speak on the unfinished business we might as well go to the Calendar and spend a few minutes upon it. I will not interfere with any Senator who desires to address the body.

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that bills on the Calendar under Rule VIII be considered. Is there objection?

Mr. COCKRELL. How is that?

The PRESIDENT pro tempore. The Senator from Maine asks unanimous consent that bills on the Calendar under Rule VIII be considered.

Mr. HALE. Whenever any Senator comes in who desires to address the Senate upon the unfinished business, of course the Calendar will be laid aside, but we can utilize perhaps half an hour in this way.

Mr. GALLINGER. Mr. President, if agreeable, I would occupy a few minutes in the discussion of the unfinished business. I was not present when the unanimous consent agreement was reached, and I do not know whether the shipping bill was to be taken up immediately after the routine morning business. If it is to be taken up, I will proceed with the discussion. [A pause.] Several Senators have suggested to me that they would like to have a little time to devote to the Calendar, and it will be quite agreeable to me to postpone the few observations I desire to make on the unfinished business until later.

IMITATION DAIRY PRODUCTS.

The bill (H. R. 9206) to make oleomargarine and other imitation dairy products subject to the laws of any State or Territory or the District of Columbia into which they are transported, and to change the tax on oleomargarine, and to amend an act entitled "An act defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine," approved August 2, 1886, was announced as first in order on the Calendar.

The PRESIDENT pro tempore. This bill will be passed over without prejudice.

Mr. PROCTOR. Let it go over, retaining its place on the Calendar.

ADJUDICATION OF PENSION CLAIMS.

The bill (S. 1685) providing for the adjudication by the Court of Claims and Supreme Court of pension claims involving difficult or important questions of law, as a means of establishing judicial precedents for the guidance of the Secretary of the Interior and the Commissioner of Pensions, was announced as next in order.

Mr. GALLINGER. Let the bill go over, to be placed under Rule VIII.

The PRESIDENT pro tempore. The bill will be passed over, retaining its place on the Calendar.

JOHN L. SMITHMEYER AND PAUL J. PELZ.

The bill (S. 167) for the relief of John L. Smithmeyer and Paul J. Pelz was announced as next in order.

Mr. KEAN. Let the bill go over.

The PRESIDENT pro tempore. The bill will be passed over.

SIOUX TRIBE OF THE ROSEBUD RESERVATION.

The bill (S. 2992) to ratify an agreement with the Sioux tribe of Indians of the Rosebud Reservation, in South Dakota, and making appropriation to carry the same into effect, was announced as next in order.

Mr. KEAN. I think the Senator from Connecticut [Mr. PLATT] is interested in the bill, and I suggest that it go over.

The PRESIDENT pro tempore. The bill will go over without prejudice.

MONONGAHELA RIVER BRIDGE.

The bill (H. R. 11719) to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River was considered as in Committee of the Whole.

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

PUBLIC BUILDING AT COLORADO SPRINGS, COLO.

The bill (S. 1298) to provide for the purchase of a site and the erection of a public building thereon at Colorado Springs, in the State of Colorado, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, on page 2, line 1, before the word "hundred," to strike out "two" and insert "one," so as to make the clause read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Colorado Springs and State of Colorado, the cost of said site and building, including said vaults, heating and ventilating apparatus, and approaches, complete, not to exceed the sum of \$150,000.

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.

CENTRAL ARIZONA RAILWAY.

The bill (S. 4363) granting the Central Arizona Railway Company a right of way for railroad purposes through the San Francisco Mountains Forest Reserve 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.

JACOB L. HANGER.

The bill (H. R. 3690) for the relief of Jacob L. Hanger was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, on page 1, line 5, after the word "Hanger," to strike out "as a private of Company C, Thirtieth Ohio Infantry, and issue to him an honorable discharge, showing him discharged December 1, 1862," and to insert "alias William T. Graham, late of Company C, Thirtieth Ohio Infantry, and Company F, Second Ohio Heavy Artillery Volunteers, who absented himself without proper authority and remained so absent to July 15, 1863, when, under the name of William T. Graham, he enlisted in Company F, Second Ohio Heavy Artillery Volunteers, served faithfully, and was honorably discharged with his command August 23, 1865."

So as to make the bill read:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to remove the charge of desertion standing against Jacob L. Hanger, alias William T. Graham, late of Company C, Thirtieth Ohio Infantry, and Company F, Second Ohio Heavy Artillery Volunteers, who absented himself without proper authority and remained so absent to July 15, 1863, when, under the name of William T. Graham, he enlisted in Company F, Second Ohio Heavy Artillery Volunteers, served faithfully, and was honorably discharged with his command August 23, 1865: *Provided*, That no pay, bounty, or other emoluments shall become due or payable by virtue of the passage of this act.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

JACOB BOWMAN.

The bill (S. 3371) removing the charge of desertion from the name of Jacob Bowman was considered as in Committee of the Whole. The bill was reported from the Committee on Military Affairs with an amendment, in line 5, after the name "Bowman," to strike out the words "of the National Military Home, Marion, Ind., who served as follows: Private, Company K, Sixty-third Indiana Infantry Volunteers; private, Company G, One hundred and sixteenth Indiana Infantry Volunteers, private, Company E, Forty-second Indiana Infantry Volunteers," and to insert: "of Company K, Sixty-third Regiment Indiana Infantry Volunteers, and substitute therefor the words 'Discharged December 2, 1862:' *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to remove the charge of desertion now borne on the records of the War Department against Jacob Bowman, of Company K, Sixty-third Regiment Indiana Infantry Volunteers, and substitute therefor the words "Discharged December 2, 1862:" *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

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.

CATHARINE A. BROWN.

The bill (S. 3826) for the relief of Catharine Brown was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and insert:

That the Secretary of War is hereby authorized and directed to correct the record of Isaac P. Brown, of Company C, Fifth Regiment Iowa Infantry Volunteers, by removing therefrom the charge of desertion and substituting therefor the words: "Absented himself without proper authority and so remained up to August 23, 1864, when he enlisted and was mustered into the service in Company D, Fortieth Regiment Missouri Volunteer Infantry, under the name of Albert B. Cole, served faithfully and was honorably discharged August 8, 1865:" *Provided*, That no pay, bounty, or other emoluments shall accrue by virtue of this act.

The amendment was agreed to.

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

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

The title was amended so as to read: "A bill for the relief of Catharine A. Brown."

UNIVERSITY OF UTAH.

The bill (S. 140) granting to the University of Utah additional lands adjacent to its site was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, in line 7, before the word "rods," to strike out "forty" and insert "ten;" in line 8, to strike out "south boundary line of said reservation" and insert "northeast corner

of the Mount Olivet Cemetery;" in line 9, before the word "rods," to strike out "one hundred and ten" and insert "eighty;" in line 10, to strike out "southwest corner" and insert "west line," and on page 2, line 1, after the word "university," to strike out "excepting therefrom the lands heretofore granted by act of Congress to the Mount Olivet Cemetery," and insert:

Excepting therefrom a strip of land 5 rods in width on the north side of the Mount Olivet Cemetery, to be used as a public road or highway and for the electric street railway now located thereon.

So as to make the bill read.

Be it enacted, etc., That there is hereby granted to the University of Utah the following-described land, lying within the Fort Douglas Military Reservation and adjacent to the site of said university, in said State, namely: Beginning at the northeast corner of said site and running thence east 10 rods; thence south to the northeast corner of the Mount Olivet Cemetery; thence west 80 rods to the west line of said reservation; thence north to the southwest corner of the site of said university; excepting therefrom a strip of land 5 rods in width on the north side of the Mount Olivet Cemetery, to be used as a public road or highway and for the electric street railway now located thereon.

The amendments were agreed to.

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

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

PUBLIC BUILDING AT LARAMIE, WYO.

The bill (S. 311) to provide for the purchase of a site and the erection of a public building thereon at Laramie, in the State of Wyoming, was considered as in Committee of the Whole. It directs the Secretary of the Treasury to acquire, by purchase, condemnation, or otherwise, a site and cause to be erected thereon a suitable building, including fireproof vaults, heating and ventilating apparatus, and approaches, for the use and accommodation of the United States post-office and other Government offices in the city of Laramie and State of Wyoming, the cost of the site and building, including the vaults, heating and ventilating apparatus, and approaches, complete, not to exceed \$100,000.

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

AGREEMENT WITH INDIANS OF DEVILS LAKE RESERVATION.

The bill (S. 2418) to ratify an agreement with the Indians of the Devils Lake Reservation in North Dakota and making appropriation to carry the same into effect was read.

Mr. COCKRELL. In view of the criticism which was made the other day by the distinguished Senator from Connecticut [Mr. PLATT], I ask that this bill may be passed over, retaining its place, until he is present. It can then be taken up and passed at any moment.

Mr. HANSBROUGH. Under the circumstances, I do not object to the bill going over.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

CHARLES C. DAVIS.

The bill (S. 2109) granting an increase of pension to Charles C. Davis was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions, with amendments, in line 6, after the word "late," to strike out "a private in" and insert "of;" in line 7, after the word "sixth," to insert "Regiment," and in line 8, before the word "dollars," to strike out "seventy-two" and insert "fifty;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Charles C. Davis, late of Company A, Thirty-sixth Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendments were agreed to.

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

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

JAMES A. M'KEEHAN.

The bill (S. 1363) granting an increase of pension to James A. McKeenan was announced as next in order.

Mr. COCKRELL. What was done with Senate bill 2109?

Mr. KEAN. It was passed.

The PRESIDENT pro tempore. The bill was passed.

Mr. HALE. Let the pension cases go by, as the Senator from New Hampshire [Mr. GALLINGER] always looks after them, and let us take up the other cases on the Calendar.

The PRESIDENT pro tempore. If there be no objection to the request of the Senator from Maine, the pension cases will be passed over.

DISPOSAL OF REFUSE IN THE DISTRICT OF COLUMBIA.

The bill (H. R. 11241) to amend an act entitled "An act to regulate, in the District of Columbia, the disposal of certain refuse,

and for other purposes," approved January 25, 1898,* 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.

ACKNOWLEDGMENT OF DEEDS IN PHILIPPINES, ETC.

The bill (H. R. 11474) for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States 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.

MOUNT RAINIER NATIONAL PARK.

The bill (S. 270) to prevent trespassers or intruders from entering the Mount Rainier National Park, in the State of Washington, was considered as in Committee of the Whole. It directs the Secretary of War, upon the request of the Secretary of the Interior, to make the necessary detail of troops to prevent trespassers or intruders from entering the Mount Rainier National Park, in Washington, for the purpose of destroying the game or objects of curiosity therein, or for any other purpose prohibited by law or regulation for the government of the reservation, and to remove such persons from the park if found therein.

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

C. R. DICKSON.

The bill (H. R. 3278) to correct the military record of C. R. Dickson was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment in line 6, after the word "Volunteers," to insert "by setting aside the finding and sentence of the court-martial of October 27, 1898;" so as to make the bill read:

That the Secretary of War be, and he hereby is, authorized and directed to correct the military record of C. R. Dickson, late private, Company D, First Georgia Regiment United States Volunteers, by setting aside the finding and sentence of the court-martial of October 27, 1898, and issue to him an honorable discharge.

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.

AMERICAN REGISTER FOR STEAMER BROOKLYN.

The bill (S. 3504) to provide an American register for the steamer *Brooklyn* was announced as next in order.

Mr. HALE and Mr. DRYDEN. Let that bill go over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

NAVIGATION OF VESSELS, ETC.

The bill (S. 1792) to amend an act entitled "An act relating to navigation of vessels, bills of lading, and to certain obligations, duties, and rights in connection with the carriage of property," was announced as next in order.

Mr. HALE. Let that bill go over without prejudice, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

ISTHMIAN CANAL ROUTE.

The bill (H. R. 3110) to provide for the construction of a canal connecting the waters of the Atlantic and Pacific oceans was announced as next in order.

Mr. HALE. Let the bill go over, Mr. President.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

HISTORICAL REGISTER, UNITED STATES ARMY.

The bill (S. 2845) to purchase from the compiler, Francis B. Heitman, the manuscript of the Historical Register, United States Army, from 1789 to 1901 was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments, on page 1, line 8, after the words "records of," to insert "about;" in the same line, after the word "officers," to strike out "and so forth" and insert "with valuable statistics and data connected therewith;" on page 2, line 4, after the words "edition of," to strike out "three" and insert "six;" and in line 5, after the word "copies," to strike out "to be distributed under the direction of the Secretary of War" and insert:

Of which 1,000 shall be for the use of the Senate, 2,000 for the House of Representatives, and 3,000 for the War Department: *Provided*, That of the copies allotted the War Department a sufficient number shall be held subject to the order of the Superintendent of Documents, who is hereby directed to supply each Government depository with one copy of the compilation herein provided for.

So as to make the bill read:

Be it enacted, etc., That to enable the Secretary of War to purchase from the compiler the manuscript of the Historical Register, United States Army,

from 1789 to 1901, compiled by Francis B. Heitman from the official records of the War Department, containing the records of about 70,000 officers, with valuable statistics and data connected therewith, and designed to make two printed volumes of about 900 pages each, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,000, said manuscript to be deposited in the War Department and to be printed by the Public Printer in an edition of 6,000 copies, of which 1,000 shall be for the use of the Senate, 2,000 for the House of Representatives, and 3,000 for the War Department: *Provided*, That of the copies allotted the War Department a sufficient number shall be held subject to the order of the Superintendent of Documents, who is hereby directed to supply each Government depository with one copy of the compilation herein provided for.

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

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

JACOB COOPER.

The bill (S. 3673) to correct the military record of Jacob Cooper was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in line 6, after the word "infantry," to strike out "and of Company D, One hundred and forty-sixth Ohio Volunteer Infantry, and issue to him an honorable discharge from the service of the United States," and insert "by removing the charge of desertion and substituting therefor, 'Discharged September 28, 1867,' and to issue a certificate therefor;" so as to make the bill read:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to correct the military record of Jacob Cooper, late a member of Company K, Thirty-first Regiment Ohio Volunteer Infantry, by removing the charge of desertion and substituting therefor, "Discharged September 28, 1867," and to issue a certificate therefor.

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.

CHINESE EXCLUSION.

The bill (S. 2960) to prohibit the coming into and to regulate the residence within the United States, its Territories, and all possessions and all territory under its jurisdiction, and the District of Columbia, of Chinese persons and persons of Chinese descent, was announced as next in order.

Mr. HALE. Let that bill go over, Mr. President. The Senator from Pennsylvania [Mr. PENROSE], who has it in charge, gave notice of a motion to make it the unfinished business, and as it can not be considered under this rule, I ask that it go over without prejudice.

The PRESIDENT pro tempore. The bill will be passed over without prejudice.

REMOVAL OF WEEDS IN WASHINGTON, D. C.

The bill (S. 4409) to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, was considered as in Committee of the Whole. It proposes to amend an act entitled "An act to cause the removal of weeds from lands in the city of Washington, D. C., and for other purposes," approved March 1, 1899, by striking out the word "four" wherever it occurs and inserting in place thereof the word "eighteen."

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

JAMES A. SOMERVILLE.

The bill (H. R. 4260) to correct the military record of James A. Somerville was announced as next in order.

Mr. HALE. Mr. President, the Senator from New Hampshire [Mr. GALLINGER] who looks after pension bills always includes in his request for their consideration the bills correcting military records. So I ask that all such bills be passed over without prejudice, as the pension bills have been.

The PRESIDENT pro tempore. Without objection, the bills on that subject will be passed over, retaining their place on the Calendar.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. C. R. McKENNEY, its enrolling clerk, announced that the House had passed with amendments the following bills:

A bill (S. 462) granting an increase of pension to Ann Demoubrun;

A bill (S. 628) granting a pension to Annie E. Taggart; and
A bill (S. 3329) granting an increase of pension to Annie McElheney.

The message also announced that the House had passed the following bills:

A bill (S. 8) granting a pension to Sara B. Andrews;
A bill (S. 335) granting an increase of pension to Joseph H. Barnum;

A bill (S. 469) granting an increase of pension to Hiram H. Kingsbury;

A bill (S. 502) granting a pension to Alexander Beachboard;

A bill (S. 577) granting an increase of pension to Joseph W. Burch;
 A bill (S. 665) granting a pension to Kate Pearce;
 A bill (S. 713) granting a pension to Frances E. Stebbins;
 A bill (S. 1015) granting an increase of pension to Israel A. Benner;
 A bill (S. 1041) granting a pension to Abbie M. Packard;
 A bill (S. 1086) granting a pension to Charlotte H. Race;
 A bill (S. 1135) granting an increase of pension to Thomas J. Stowers;
 A bill (S. 1139) granting a pension to Abby Clark McNett;
 A bill (S. 1146) granting a pension to Adela S. Webster;
 A bill (S. 1164) granting an increase of pension to Lewis W. Moore;
 A bill (S. 1195) granting an increase of pension to Charles R. Bridgman;
 A bill (S. 1256) to remove the charge of desertion from the military record of Stephen A. Toops;
 A bill (S. 1331) granting a pension to Ann Eliza Trout;
 A bill (S. 1467) granting an increase of pension to Cynthia A. McKenny;
 A bill (S. 1626) granting an increase of pension to Michael Samuelsberger;
 A bill (S. 1641) granting an increase of pension to Frank J. Clark;
 A bill (S. 1748) granting an increase of pension to Williamanna E. Lynde;
 A bill (S. 1800) granting an increase of pension to Jennie C. Ruckle;
 A bill (S. 1802) granting an increase of pension to Cornelia E. Wright;
 A bill (S. 1913) granting an increase of pension to Caroline Mischler;
 A bill (S. 1933) granting a pension to Ella Bailey;
 A bill (S. 1940) granting a pension to Frances Fuller Victor;
 A bill (S. 2008) granting an increase of pension to Peter C. Monfort;
 A bill (S. 2013) granting an increase of pension to Sidney Leland;
 A bill (S. 2049) granting an increase of pension to Franklin Taylor;
 A bill (S. 2100) granting an increase of pension to John McGrath;
 A bill (S. 2267) granting an increase of pension to Clara A. Penrose;
 A bill (S. 2303) granting an increase of pension to Noah F. Chafee;
 A bill (S. 2394) granting an increase of pension to Sybil F. Hall;
 A bill (S. 2422) granting an increase of pension to John W. Burnham;
 A bill (S. 2440) granting an increase of pension to John W. Gregg;
 A bill (S. 2468) granting an increase of pension to Horatio N. Francis;
 A bill (S. 2520) granting an increase of pension to Emma McLaughlin;
 A bill (S. 2531) granting an increase of pension to William H. H. Scott;
 A bill (S. 2562) granting a pension to Emma R. Pawling;
 A bill (S. 2643) granting an increase of pension to Peter C. Cleek;
 A bill (S. 2692) granting an increase of pension to Lucy W. Smith;
 A bill (S. 2701) granting a pension to Thomas G. Foster;
 A bill (S. 2732) granting an increase of pension to Marie J. Smyth;
 A bill (S. 2767) granting an increase of pension to Albert D. Scovell;
 A bill (S. 2802) granting a pension to Martha R. Osbourn;
 A bill (S. 2867) granting an increase of pension to John A. Hazelton;
 A bill (S. 2929) granting an increase of pension to Jacob Barton;
 A bill (S. 2930) granting an increase of pension to Franklin B. Delany;
 A bill (S. 2947) granting an increase of pension to Elizabeth A. Shaw;
 A bill (S. 3021) granting a pension to India Stewart;
 A bill (S. 3026) granting an increase of pension to Marie U. Nordstrom;
 A bill (S. 3036) granting an increase of pension to Jason Leighton;
 A bill (S. 3054) granting an increase of pension to Alice De K. Shattuck;
 A bill (S. 3097) granting an increase of pension to Joseph A. Nunez;
 A bill (S. 3257) granting an increase of pension to Elizabeth K. Prescott;
 A bill (S. 3258) granting a pension to Simeon Partridge;

A bill (S. 3269) granting an increase of pension to Jane E. Tompkins;
 A bill (S. 3284) granting a pension to Gilbert P. Howe;
 A bill (S. 3322) granting an increase of pension to Joseph M. Clough;
 A bill (S. 3328) granting an increase of pension to Heber C. Griffin;
 A bill (S. 3403) granting an increase of pension to George M. Emery;
 A bill (S. 3482) granting an increase of pension to Ida C. Emery;
 A bill (S. 3553) granting an increase of pension to Mary A. Van Wormer;
 A bill (S. 3559) granting an increase of pension to George E. Houghton;
 A bill (S. 3704) granting an increase of pension to Frederick E. Rogers; and
 A bill (S. 3182) granting an increase of pension to Mary Louise Worden.

ORDER BOOK OF GEN. ARTHUR ST. CLAIR.

The joint resolution (S. R. 26) authorizing the Secretary of War to negotiate with John T. Dolan, of Portland, Oreg., for purchase of original manuscript copy of "Order book of Gen. Arthur St. Clair" was announced as next in order; and the Secretary proceeded to read the joint resolution.

Mr. HALE. Mr. President, to save further reading, at first glance it seems clear that this "Order book" ought to be and must be already the property of the Government. As the Senator who is in charge of the joint resolution is not present, I ask that it go over without prejudice.

Mr. MITCHELL. The Senator is entirely mistaken in supposing this "Order book" to be the property of the Government.

Mr. HALE. I want an opportunity to look into it at any rate.

Mr. MITCHELL. It is the property of a citizen of my State who lives in Portland, Oreg., and it comes down to him as an heirloom. I have it in my possession here in this building. It has been exhibited to the Committee on Military Affairs, and the result was a favorable report of this joint resolution.

The whole thing, I will state to the Senator, as shown by the joint resolution, is left in the hands of the Secretary of War. If, upon examination, he thinks that it would not be proper for the Government to purchase the book, of course he is not bound to do it. If he believes it is in the interest of the accuracy of history and would be a good thing for the Government to have, then the Secretary of War is authorized to purchase it at a sum not to exceed \$500.

Mr. HALE. Let the joint resolution go over for the present, and I will take an opportunity to look into the matter with the Senator.

Mr. MITCHELL. All right. I ask that the joint resolution may retain its place on the Calendar.

Mr. HALE. Yes.

The PRESIDENT pro tempore. The joint resolution will be passed over without prejudice.

LIGHT-HOUSE DWELLING AT KEWAUNEE, WIS.

The bill (H. R. 6300) to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis., was considered as in Committee of the Whole. It directs the Secretary of the Treasury to erect a dwelling for the keeper of the light-house at Kewaunee, Wis., at a cost not to exceed \$5,000.

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

BUSINESS OF THE SENATE.

Mr. HALE. Mr. President, that is the last bill on the Calendar, except pension bills and those which have been passed over. I have never known before in my service, either at this time in the session or even later, when the Senate has succeeded in considering all the cases on the Calendar, and has reached the last case. That is an indication that the Senate is doing business.

Mr. COCKRELL. I am sorry that when the Senator said that there was not a full Senate that they might have all heard it. Therefore, I suggest the propriety of a roll call.

The PRESIDENT pro tempore. The Secretary will call the roll. The Secretary called the roll, and the following Senators answered to their names:

Aldrich,	Deboe,	Hansbrough,	Money,
Allison,	Depew,	Harris,	Morgan,
Bacon,	Dietrich,	Hawley,	Patterson,
Bard,	Dillingham,	Heitfeld,	Perkins,
Berry,	Dolliver,	Hear,	Pettus,
Beveridge,	Dryden,	Kean,	Platt, Conn.
Blackburn,	Dubois,	Kearns,	Proctor,
Burnham,	Fairbanks,	McComas,	Quarles,
Burrows,	Foster, La.	McCumber,	Rawlins,
Burton,	Foster, Wash.	McLaurin, Miss.	Scott,
Clark, Mont.	Frye,	McLaurin, S. C.	Taliaferro,
Clark, Wyo.	Gallinger,	McMillan,	Teller,
Clay,	Gamble,	Mallory,	Wellington,
Cockrell,	Gibson,	Martin,	Wetmore.
Culberson,	Hale,	Mason,	
Cullom,	Hanna,	Mitchell,	

The PRESIDING OFFICER (Mr. BURROWS in the chair). Sixty-two Senators have answered to their names. A quorum of the Senate is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by Mr. C. R. MCKENNEY, its enrolling clerk, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. 283) granting an increase of pension to Robert M. McCullough;
 A bill (H. R. 291) granting a pension to Christina Heitz;
 A bill (H. R. 351) granting an increase of pension to Robert Carpenter;
 A bill (H. R. 658) granting an increase of pension to John H. Jack;
 A bill (H. R. 669) granting an increase of pension to Richard C. Smith;
 A bill (H. R. 671) granting an increase of pension to Orra H. Heath;
 A bill (H. R. 699) granting an increase of pension to Robert Miller;
 A bill (H. R. 750) granting a pension to Martin Essex;
 A bill (H. R. 809) granting an increase of pension to James P. Burchfield;
 A bill (H. R. 918) granting an increase of pension to Charles Misner;
 A bill (H. R. 1086) granting an increase of pension to Francis W. Pool;
 A bill (H. R. 1090) granting a pension to James E. Bates;
 A bill (H. R. 1190) granting an increase of pension to Albert S. Whittier;
 A bill (H. R. 1278) granting an increase of pension to La Myra V. Kendig;
 A bill (H. R. 1326) granting an increase of pension to Thomas Thatcher;
 A bill (H. R. 1479) granting an increase of pension to Michael Marnane;
 A bill (H. R. 1636) granting an increase of pension to James Austin;
 A bill (H. R. 1694) granting an increase of pension to Henry Ball;
 A bill (H. R. 1696) granting an increase of pension to Frederick A. Condon;
 A bill (H. R. 1706) granting an increase of pension to John E. White;
 A bill (H. R. 1714) granting an increase of pension to Levi H. Winslow;
 A bill (H. R. 1724) granting an increase of pension to Daniel F. Thompson;
 A bill (H. R. 1938) granting an increase of pension to Helen V. Rorer;
 A bill (H. R. 2115) granting an increase of pension to Benjamin W. Howard;
 A bill (H. R. 2207) granting an increase of pension to Louis Halm;
 A bill (H. R. 2241) granting an increase of pension to Dorothy S. White;
 A bill (H. R. 2417) granting a pension to James B. Harris;
 A bill (H. R. 2440) granting an increase of pension to William D. Smith;
 A bill (H. R. 2545) granting an increase of pension to Isaac H. Crim;
 A bill (H. R. 2598) granting an increase of pension to Adrian M. Snyder;
 A bill (H. R. 2613) granting an increase of pension to Thomas H. H. Gibbs;
 A bill (H. R. 2618) granting an increase of pension to Michael Mullin;
 A bill (H. R. 2619) granting an increase of pension to William Holgate;
 A bill (H. R. 2661) granting an increase of pension to Oswald Ahlstedt;
 A bill (H. R. 2781) granting an increase of pension to Patrick Lee;
 A bill (H. R. 2919) granting a pension to Christiana Steiger;
 A bill (H. R. 2981) granting an increase of pension to Thomas Findley;
 A bill (H. R. 3022) granting a pension to Davis B. Salts;
 A bill (H. R. 3238) granting an increase of pension to Lorenzo Weeks;
 A bill (H. R. 3260) granting a pension to Jacob Golden;
 A bill (H. R. 3420) granting a pension to Anna O. Brush;
 A bill (H. R. 3427) granting an increase of pension to Sarah E. Allen;
 A bill (H. R. 3514) granting an increase of pension to Theresia Ziegenfuss;

A bill (H. R. 3677) granting an increase of pension to James F. Gray;
 A bill (H. R. 3826) granting an increase of pension to George W. Dodge;
 A bill (H. R. 3859) granting a pension to James D. Johnson;
 A bill (H. R. 3876) granting an increase of pension to Theophile A. Dauphin;
 A bill (H. R. 3884) granting an increase of pension to Erastus C. Moderwell;
 A bill (H. R. 3910) granting a pension to Dennis J. Kelly;
 A bill (H. R. 4053) granting an increase of pension to Henry E. De Marse;
 A bill (H. R. 4089) granting a pension to Ada L. McFarland;
 A bill (H. R. 4116) granting an increase of pension to William Berry;
 A bill (H. R. 4118) granting a pension to Charles Maschmeyer;
 A bill (H. R. 4129) granting an increase of pension to Lonson R. Burr;
 A bill (H. R. 4176) granting an increase of pension to Nathan W. Snee;
 A bill (H. R. 4543) granting an increase of pension to George W. Parker;
 A bill (H. R. 4993) granting a pension to Mary Shelton Huston;
 A bill (H. R. 4994) granting a pension to Lydia Carr;
 A bill (H. R. 5101) granting an increase of pension to Benjamin Contal;
 A bill (H. R. 5110) granting an increase of pension to William H. Dixon;
 A bill (H. R. 5190) granting an increase of pension to Alvin J. Hartzell;
 A bill (H. R. 5217) granting an increase of pension to Elizabeth P. Sigfried;
 A bill (H. R. 5254) granting an increase of pension to Enos G. Budd;
 A bill (H. R. 5327) granting an increase of pension to William H. Mackey;
 A bill (H. R. 5888) granting an increase of pension to Peter Poutney;
 A bill (H. R. 5910) granting an increase of pension to Reuben Wellman;
 A bill (H. R. 6020) granting an increase of pension to Russel A. Williams;
 A bill (H. R. 6037) granting an increase of pension to William C. Holcomb;
 A bill (H. R. 6107) granting an increase of pension to Elijah E. Harvey;
 A bill (H. R. 6172) granting an increase of pension to Friedrich Weimar;
 A bill (H. R. 6401) granting an increase of pension to David E. Hall;
 A bill (H. R. 6438) granting an increase of pension to Matthew C. Medbury;
 A bill (H. R. 6466) granting a pension to Josephine M. Dustin;
 A bill (H. R. 6467) granting an honorable discharge to Samuel Welch;
 A bill (H. R. 6481) granting an increase of pension to Millen McMillen;
 A bill (H. R. 6617) granting an increase of pension to Hugh Cool;
 A bill (H. R. 6727) granting an increase of pension to Remembrance J. Williams;
 A bill (H. R. 6760) granting a pension to Susan House;
 A bill (H. R. 6805) granting an increase of pension to Robert E. Stephens;
 A bill (H. R. 6895) granting an increase of pension to Richard P. Nichuals;
 A bill (H. R. 7076) granting an increase of pension to Leath Gilliland;
 A bill (H. R. 7149) granting an increase of pension to Ephraim D. Dorman;
 A bill (H. R. 7239) granting an increase of pension to William Christian;
 A bill (H. R. 7250) granting an increase of pension to Margaret Hendry;
 A bill (H. R. 7290) granting an increase of pension to Lizzie B. Green;
 A bill (H. R. 7397) granting a pension to Louisa White;
 A bill (H. R. 7529) granting an increase of pension to Philip Atwood;
 A bill (H. R. 7572) granting an increase of pension to John Costello;
 A bill (H. R. 7613) granting an increase of pension to Evaline Wilson;
 A bill (H. R. 7683) granting an increase of pension to Almond Delamater;
 A bill (H. R. 7704) granting an increase of pension to Christianna Leach;

A bill (H. R. 7710) granting a pension to Margaret Scanlon;
 A bill (H. R. 7782) granting an increase of pension to Thomas P. Smith;
 A bill (H. R. 7811) granting a pension to Mary King;
 A bill (H. R. 7847) granting an increase of pension to Charles S. Wilson;
 A bill (H. R. 7897) granting an increase of pension to Michael J. Daly;
 A bill (H. R. 7998) granting an increase of pension to William H. Allen;
 A bill (H. R. 8016) granting an increase of pension to Hannibal C. Saint Clair;
 A bill (H. R. 8048) granting an increase of pension to James A. Bramble;
 A bill (H. R. 8212) granting a pension to Alice Angel;
 A bill (H. R. 8309) granting an increase of pension to Sylvester Holiday;
 A bill (H. R. 8349) granting a pension to John Watts;
 A bill (H. R. 8415) granting a pension to Mary L. Dibert;
 A bill (H. R. 8562) granting an increase of pension to Sarah Ciples, now Vandemark;
 A bill (H. R. 8651) granting a pension to Maggie Helmbold;
 A bill (H. R. 8679) granting a pension to William J. Jones;
 A bill (H. R. 8696) granting an increase of pension to William B. Rowe;
 A bill (H. R. 8781) granting a pension to Mary E. Holbrook;
 A bill (H. R. 8913) granting an increase of pension to Rachel S. Lyman;
 A bill (H. R. 8921) granting an increase of pension to Jesse C. Rhodabeck;
 A bill (H. R. 9069) granting an increase of pension to Erastus D. Canfield;
 A bill (H. R. 9144) granting an increase of pension to James R. Wilson;
 A bill (H. R. 9171) granting an increase of pension to William R. Howsley;
 A bill (H. R. 9178) granting an increase of pension to John M. Howe;
 A bill (H. R. 9301) granting an increase of pension to Barbara McDonald;
 A bill (H. R. 9413) granting a pension to Mary E. Holden;
 A bill (H. R. 9494) granting an increase of pension to Mary A. Address;
 A bill (H. R. 9593) granting a pension to Elizabeth Rickey;
 A bill (H. R. 9621) granting an increase of pension to Andrew Y. Transue;
 A bill (H. R. 9625) granting a pension to Elizabeth L. Beckett;
 A bill (H. R. 9791) granting an increase of pension to John Reep;
 A bill (H. R. 9870) to correct the military record of Reinhard Schneider;
 A bill (H. R. 9926) granting an increase of pension to James F. Patton;
 A bill (H. R. 9928) granting a pension to Benjamin E. Styles;
 A bill (H. R. 9986) granting an increase of pension to James Moore;
 A bill (H. R. 9999) granting an increase of pension to George W. Guinn;
 A bill (H. R. 10091) granting a pension to Blanche Duffy;
 A bill (H. R. 10117) granting a pension to Sarah H. H. Lowe;
 A bill (H. R. 10141) granting an increase of pension to William R. Armstrong;
 A bill (H. R. 10143) granting a pension to Anna Roderka;
 A bill (H. R. 10193) granting an increase of pension to John Hollister;
 A bill (H. R. 10289) granting a pension to Eliza Stewart;
 A bill (H. R. 10361) granting an increase of pension to Alexander Scott;
 A bill (H. R. 10396) granting an increase of pension to Elvin A. Esty;
 A bill (H. R. 10404) granting a pension to John Y. Corey;
 A bill (H. R. 10411) granting an increase of pension to Mary E. Singley;
 A bill (H. R. 10532) granting an increase of pension to John L. Bowman;
 A bill (H. R. 10773) granting a pension to Archer Bartlett;
 A bill (H. R. 10840) granting a pension to Susan Warner;
 A bill (H. R. 10841) granting an increase of pension to Margaret Hofer;
 A bill (H. R. 10906) granting a pension to John W. Meade;
 A bill (H. R. 10924) granting an increase of pension to Elias M. Haight;
 A bill (H. R. 10957) granting an increase of pension to Mary E. Stockings;
 A bill (H. R. 11011) granting an increase of pension to Emily J. Tallman;

A bill (H. R. 11025) granting a pension to Mary A. Carlile;
 A bill (H. R. 11052) granting a pension to Nelson Johnson;
 A bill (H. R. 11124) granting an increase of pension to Mary Scott;
 A bill (H. R. 11125) granting an increase of pension to John S. Campbell;
 A bill (H. R. 11145) granting an increase of pension to Mary F. Key;
 A bill (H. R. 11327) granting an increase of pension to Charles E. Pettis;
 A bill (H. R. 11375) granting a pension to Charles F. Merrill;
 A bill (H. R. 11381) granting an increase of pension to Abraham N. Bradfield;
 A bill (H. R. 11418) granting an increase of pension to Hannah T. Knowles;
 A bill (H. R. 11619) granting an increase of pension to David A. Frier;
 A bill (H. R. 11790) granting an increase of pension to Abel Woods;
 A bill (H. R. 11831) granting an increase of pension to John W. Acker;
 A bill (H. R. 11895) granting a pension to Thomas Holloway;
 A bill (H. R. 12130) granting a pension to Christopher S. Stephens;
 A bill (H. R. 12136) granting an increase of pension to Stephen May; and
 A bill (H. R. 12315) granting an increase of pension to James Todd.

PROMOTION OF COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1348) to provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries.

Mr. GALLINGER. Mr. President, I trust Senators who have been summoned to the Chamber will not labor under the impression that I had anything to do with the call of the Senate, as I propose to address the Senate a few moments.

Mr. COCKRELL. I take the responsibility for the call.

Mr. GALLINGER. Mr. President, as a member of the Committee on Commerce, from which the bill under consideration was reported, it is perhaps proper that I should occupy a few minutes in its discussion before the final vote is taken. I do not propose to discuss the details of the measure, which have received careful and able consideration from both sides of the Chamber. I have listened very attentively to the debate, and while some objections urged against the bill have disturbed me somewhat, I am nevertheless satisfied that the enactment of the measure into law is demanded by the best interests of the American people.

It has been well said that if the law works satisfactorily great good will come to the country, while if it fails to meet the expectations of its friends, it can, and doubtless will, be repealed.

Mr. President, I have little patience with the suggestion that Congress will never be able to repeal this legislation if it becomes law, and I have no patience whatever with the charge made in this Chamber that the moneyed interests of the country would prevent such repeal.

Mr. President, I have been a member of this body for eleven years, and as yet no attempt has been made to influence any vote of mine—at least, I have no knowledge of such attempt—by the railroads or steamship lines, or any other combination of capital, nor do I believe any other vote has been influenced by mercenary or other dishonorable considerations, and I suggest that no such intimations have a place in this Chamber.

Congress repealed the law granting a bounty to producers of American sugar, and Congress will repeal this law if it works disadvantageously to the best interests of the people of this country.

I am not troubled, Mr. President, about the constitutionality of the proposed legislation or the charge that the subsidy is a gift to private interests. Even if it shall prove to be a gift, it will be no worse than other legislation that has had the support of some Senators who seem to be greatly disturbed over the pending measure. At every session of Congress we vote a gratuity to the Southern railroads for the carriage of so-called fast mails. It is subsidy, and nothing but subsidy, infinitely less defensible than the provisions of this bill.

Millions upon millions of dollars have been expended on the Missouri and Mississippi rivers, ostensibly for the benefit of commerce, but in reality largely to protect private property. Very soon a river and harbor bill will reach this body carrying appropriations aggregating \$60,000,000 or \$70,000,000. Some of those appropriations will be for the deepening and enlargement of streams that can never be made of any real advantage to the commerce of the country. The Trinity River, with its \$1,000,000 largess and its artesian wells, and our old friend, the Ouachita River, will again be on deck, and numerous insignificant streams will be here demanding and receiving recognition by way of an

appropriation. The capacious and rapacious maw of the Mississippi River will be wide open, and additional millions will be poured into it above New Orleans, not for commerce, but for the protection and preservation of the plantations along that mighty stream.

Senators on both sides of the Chamber will vote for those appropriations, but when it comes to this bill, designed to rehabilitate the merchant marine of the country in the hope that the American flag may be seen in foreign ports and on the high seas, Senators on the other side work themselves into a frenzy and indulge in wild denunciation of the proposed legislation as an improper, unjustifiable, and unconstitutional expenditure of public money. Out on such inconsistency!

The able and erudite senior Senator from Wisconsin [Mr. SPOONER] says this legislation will do no good, because England, France, and Germany will retaliate by increasing their subsidies, and thus our legislation will be nullified. That may be so, and yet, at best, it is a prophecy. My answer to that is that they may or may not do it. If they do it, I would then favor increasing our subsidy, and, to use an expression not exactly nautical, I would have our Government "play the game to the limit" until such time as we secured the desired result. We can not always submit to a condition that enables foreign governments to carry more than 90 per cent of our products in foreign vessels. We shall never see a more propitious time to try the experiment than in this era of marvelous industrial and commercial prosperity.

Foreign governments may increase their subsidies, but it is absolutely certain that at the present time some of them are greatly disturbed over this proposed legislation. The Boston Herald editorially opposes this bill, yet I find the following dispatch in its news columns:

FEAR OUR SUBSIDY BILL—BRITISH SHIPOWNERS BELIEVE IF IT BECOMES LAW IT WILL BE A BLOW TO BRITISH SHIPBUILDING.

[Special cable dispatch to the Boston Herald.]

LONDON, February 4, 1902.

British shipowners have been watching with great interest the efforts of the United States to foster the growth of the merchant marine. They believe that if the subsidy bill in Congress becomes a law it will deal a severe blow to British shipbuilding. To-morrow the chambers of shipping of the United Kingdom will meet. Colonel Ropner, M. P., will be reelected president. In the speech which he will deliver he will point this out as a danger which is threatening Great Britain's supremacy in the ocean carrying trade.

The London Times, in a recent editorial, sounds a note of alarm and calls on British shipowners to make the best defense they can against what that great paper calls "a very serious attack." The Times also says that it will be "even more severely felt by the subsidized mercantile marine of the Continental nations."

Mr. Tyrrel E. Biddle, in a recent communication to the Washington Post, gives an interesting sketch of a conversation in the Liverpool Exchange, participated in by British capitalists and shipowners, the significant remark of one of them being:

If that shipping bill is passed, it will be the last straw on the back of British commerce. Your protective duties have injured our trade immensely. All we have left is our ships. Take them from us, and good-by to England's commercial supremacy.

Mr. President, it goes without saying that if this bill is bad for Great Britain and the Continental nations it must be good for the United States.

In the interests of commerce it is proposed that the Government shall build an interoceanic canal, the cost of which will be hundred of millions of dollars and the value of which to the commerce of the United States is largely problematical. No one is wise enough to state with any degree of accuracy the cost of the canal, its value to commerce, or its cost of maintenance. One thing, however, is known about it, and that is that the construction will take at least \$200,000,000 out of the Treasury, and many thoughtful people are prepared to see that amount doubled before the enterprise is completed. But even those startling figures do not seriously disturb the American people, who have decreed that the canal shall be built and who are willing to take chances in the matter of its construction.

Equally have the American people decreed that the American merchant marine shall be restored to the seas, and it is incredible that such intense opposition is shown to this bill, which, at most, will take from the Treasury a comparatively small sum, which expenditure can be terminated at the will of Congress.

Mr. President, I shall be glad of an opportunity to give my vote to this bill. Experiment though it be, it appeals to my Americanism. I am willing to risk something in the attempt to restore our flag to the ocean and to put lines of steamships on the great highways of commerce. If it succeeds, it will be the grandest achievement of the century, while if it fails it will be no reproach to those of us who made an honest effort to bring about the desired result. I have faith to believe that it will succeed, and in that faith I give my unqualified support to the bill under consideration, which has received the mature and patient consideration of the Committee on Commerce, a committee which is presided over by a Senator who has made this question

a life study and on whose judgment and integrity this Senate can safely rely.

Mr. President, my purpose was to say a single word on the general propositions of this bill, and, with this single word, I am content to listen to other Senators who desire to occupy the brief time remaining between now and the hour fixed for the final vote.

Mr. PATTERSON. Mr. President, I want to say a few words in behalf of the amendment which I have offered to the bill. That amendment provides:

SEC. 16. That none of the compensation, subsidy, or allowance herein provided for shall be paid for or upon any vessel for any voyage thereof that has employed in its crew any Chinese person not entitled to admission to the United States or to the territory thereof.

That amendment, Mr. President, was offered, and is urged at the request of the American Federation of Labor, the Chinese-exclusion commission of California, and the International Seamen's Union of America. Under our shipping laws as they are American seamen have been driven from the Pacific coast. I desire to distinguish between American seamen and white seamen, but American seamen have been driven by the Dingley maritime act of 1884 from the Pacific coast.

Under the provisions of that act the shipmaster may ship his crew in any port in the world, and the American lines upon the Pacific coast, taking advantage of that permission, ship their crews for the round voyage at Hongkong, and not less than from 75 to 80 per cent of the crew of the vessels that ply between ports on the Pacific coast and Chinese ports are Chinese sailors. The chief purpose of the subsidy bill, as stated by the honored Senator from Maine, is to equalize by subsidy the larger cost of sailing American vessels in the foreign trade with the lesser cost of sailing foreign ships in the same trade.

I deny the existence of any such difference, for under the act to which I have referred the owners of lines upon the Pacific coast may go to the cheapest market in which sailor labor is supplied and there secure the crews that are necessary to man and sail their vessels.

Captain Seabury, one of the captains in the employ of the Pacific Mail Steamship Line, testified before the Committee on Immigration of the Senate but a few days ago, and he was asked what were the wages paid to American seamen. His reply was:

We have not had any American crews. We can not get them. We could not get Americans, and I could not tell.

It is perfectly plain why that company employs Chinese crews, when we remember that the Chinese sailor is paid but from \$7.50 to \$9 per month in American money, while the white sailors must be paid anywhere from \$25, which is the lowest, to \$35 and \$40 per month.

It is claimed, Mr. President, that it is impossible to secure white crews upon the Pacific coast. I start out with the admission that American crews can not be secured, for the simple reason that the better wages for land labor and the inherent dignity of the American citizen will not permit an American to work side by side with the slavish race across the Pacific. But that white crews may be secured at the average and usual price paid for white sailors has been amply proved by the testimony before the committee of the Senate.

There are but two lines upon the Pacific coast—American and British—which carry Chinese crews. The Pacific Mail Line has three vessels. The North Pacific Line has two vessels. Upon these five vessels from 75 to 80 per cent of the entire crew are Chinese. The Canadian Pacific Line carries Chinese below the decks, but they have no Chinese upon the decks, for their officers belong to the royal navy reserve, and Great Britain, mindful of the necessity of competent men to man its navy, will not permit Chinese to be carried under its blue flag. There is a Japanese line called the Nippon Yusen Kaisha, a subsidized line, and this line carries none but Japanese sailors. The carrying of Chinese sailors is prohibited. Then there is the Oceanic Steamship Line, which plies from San Francisco to Australia and to the South Seas. It touches at the harbors of Sydney, Melbourne, and other ports in those seas, and this line carries not a Chinese person upon or below decks. The reason is, Mr. President, that none of the subsidy which is given by New Zealand to its ships will be paid to ships that carry Chinese sailors, and then again the laborers of both Sydney and Melbourne arise whenever a Chinaman is known to have been brought into those ports upon ships of any nation.

Then we have an American line which plies from San Francisco to San Diego and way up north to Alaska and the Klondike, and upon the ships of this line not a Chinese sailor is carried. The testimony before the committee was that there was no trouble whatever in getting Caucasian crews in any of the ports of the United States or the ports of the Orient. In Hongkong or wherever American or other ships touch if white crews are desired they are available. So that the plea of necessity does not exist. It is purely a matter of dollars and cents to the owners of the ship

lines, and, permitted to follow the dictates of their greed, naturally they secure the cheapest seamen whom money will hire.

It is true, Mr. President, that Chinese sailors are desirable for some purposes. They are obedient, they are sober; but while they possess traits such as these, it has been the experience from the time that Chinese sailors first manned vessels between the Pacific coast and China that in times of emergency they have always proved miserable failures. We know from those who testified before the Senate committee that in cases of wreck or collision where it required bravery and presence of mind in the crews, the Chinese have always proved a failure, and ships have been lost and hundreds of lives sacrificed in the waters of San Francisco simply because in times of peril the Chinese crew were stricken by panic, and for that reason there has been a failure to save lives which otherwise would have been saved.

Mr. Furuseth, who testified in behalf of the Seamen's Union, speaking of the supply of Caucasian sailors, said:

There never was in the last forty years any time in which white seamen could not be obtained in the ports of the United States by paying for them nor in any ports of the Orient, and no one has known that any better than the American shipmaster, as attested by his practice.

He finds it cheaper to drive men to desert in oriental ports, that he may replace them with cheaper men.

We have a proposition by which millions of money are to be provided for shipowners. There is not a dollar nor a measure of relief suggested in this bill for the American sailor or for the white sailor. The white sailor must continue to contest for employment at fair wages with the cheapest and poorest paid sailors upon the face of the earth; and I suggest that if we are to improve American shipping, if we are to increase the number of American ships that ply between the United States and foreign ports, some measure should be adopted to elevate the character of the crews that may now be employed, giving to them better wages and more comforts, in order that the tendency of the American man and boy away from the sea may be turned toward the sea, and we may thus be enabled to man American ships with American or Caucasian crews.

We know, Mr. President, that even in our coastwise trade, by reason of the illiberal laws applicable to the man before the mast and the stoker in the hold, while there are 40,000 seamen engaged in that trade there are not 75 per cent of them American citizens. They are from every country except the United States, and I suggest to the Senate that it is time that its attention be turned to the encouragement of American seamanship as well as to the encouragement of American shipowners and shipbuilders.

As has been said time and time again, and no greater truth can be uttered, that in the hour of peril, when this country may be assailed from without and its life or its integrity threatened, we must depend upon the American sailor, and if our ships are manned by aliens above decks and between decks, members of a servile race, what is to be the outcome when this country may be matched upon the sea, perhaps with several of the largest naval nations in the world?

Germany to-day is the only nation whose men have a tendency toward the sea. The men of Great Britain seek the land rather than the sea. Men of the United States remain upon the land rather than take to the sea for a living. The reason is our legislation has tended against the interest, the upbuilding of the character and dignity of those to whom we must look to man American ships. This has been the trend rather than to build them up and to strengthen them, to give them the pay they should receive, and to instill into them that self-respect and love of home and country essential to creating great and brave and competent seamen.

Mr. President, I pray that I may live long enough to realize that our country is spontaneously recognized as the greatest on the planet. I will glory when the time comes that our ships will speed through every sea, bearing the commerce of the world between all its ports. But, Mr. President, ill fares the nation that mans its ships with foreign sailors. To do so is unassailable proof that it treats its citizen sailors meanly, and in its system are the seeds of decaying manhood and valor.

Let us have brave ships carrying the flag of freedom and commerce to every wharf laved by the rising and ebbing tides. But let not those ships be manned by an alien and degraded race, but rather by men of our own citizenship, sailors who brave the storms of the ocean, grateful for the protecting laws of a watchful and generous country and so deeply imbued with love for it that, if needs be, when that country may be assailed they will crimson the white foam of the ocean's crested waves with the last drop of blood from their patriotic hearts.

The PRESIDING OFFICER. The time of the Senator from Colorado has expired.

Mr. MONEY. Mr. President, I supposed some one on the other side in the fifteen minutes allowed under the rule, would reply to the remarks made by the Senator from Colorado.

The PRESIDING OFFICER. The Chair recognizes the Senator from Mississippi.

Mr. MONEY. If no one on the other side desires to speak, I will occupy fifteen minutes.

Mr. President, this bill is obnoxious to me in principle and objectionable in its details. It has been so thoroughly discussed and has been attacked with such force that I see nothing for me to do but to thrash the old straw a little. There are some deficiencies which perhaps have been overlooked, but in the main the argument has been exhaustive, and the report of the minority of the committee itself, if read by the public and by Senators, is sufficiently convincing, it seems to me, without any argument here. There are some things, however, which have been passed unnoticed, and without any attempt to go into the bill in detail in the short space of fifteen minutes, I wish to call attention to one or two of them.

In the first place, we have heard a good deal from the other side of the Chamber about the great loss we are suffering every year, amounting to a hundred and sixty or a hundred and sixty-five million dollars a year, paid to foreign carriers for transporting our products from our shores; and I suppose it might be added for transporting other people's products to our shores, because commerce is not a one-sided affair. It means an exchange of products, an exchange of human service, in which the merchandise or the produce is the concrete; and it must be two-sided.

Have we lost money by that transaction? Do Senators speak advisedly when they say we have lost anything by paying foreign bottoms for carrying our commerce—that is, the outgoing commerce, or the incoming commerce, for that matter? We have never paid a solitary dollar for which we did not get full value received; else we would not have paid it. You might just as well say that you have lost a hundred thousand dollars in building up a plant of any description, or \$20,000 which you have paid a contractor for building you a house, because you have parted with the money. You may say when you pay the servant at your house, or your grocery bill at the corner, that you have lost so much money because you have paid for some human service rendered or some article that is the product of human labor. You have gotten the value of your money and you have lost nothing. But on the contrary you have gained a great deal. In other words, you have hired a man or a number of men to do a certain thing cheaper than you could do it yourself, and you have made money by the transaction.

Then in what sense have we lost anything? It is said because our cash has gone into other hands. If we want the home market for ourselves, and if then we want to legislate in such a way as to secure the foreign market as well, by enabling the American manufacturer through the protective tariff to sell his goods abroad from 40 to 60 per cent cheaper than he sells them to his own fellow-citizens at home, in the neighborhood of his factory, are we on top of that not to permit the man who comes here to buy our products to carry home in his own ship what he wants? So we have lost nothing in this regard. But on the contrary we have been a great gainer.

We do not hesitate to employ the foreigner, who comes here at the rate of a million or so a year, to follow the plow and to work in the factory, and we do not think the money paid him has been lost, but we are gainers by it. If his labor was not worth it, he would not receive the pay. We have paid for services that were more valuable to us than the price asked or we would not have paid it, and whenever the pay is not adequate then we will not be able to get anybody to perform it for us, and we will of necessity have to perform it for ourselves.

But it is said we want to build up the shipbuilding industry. Here we have the testimony not only of the Commissioner of Navigation but of the shipbuilders themselves and all the papers that represent the shipping interest, and the Commissioner says that for the past three years we never have had such prosperity in our shipbuilding yards. Does it make any difference, as it seems to the Senator from Ohio [Mr. HANNA], whether the ships are for the coasting trade or for the foreign trade? Why keep up shipyards at all? To have ready the personnel and the material to do anything that may be required by the needs of this country in time of war. That is all, and there is no other reason which can justify a man in voting a tax upon the people to be given to one particular interest. It must be for some ultimate purpose of government. It can not be for the interest of a number of people. The Supreme Court has decided, in the Boston bond case, on account of the great fire, and in the case of the cotton factory in Maine, the Topeka Trust Company case, and a great many other cases, that no matter how largely diffused may be the public benefit of a tax laid upon the people by law, unless it is for governmental purpose or benefit, it is not constitutional.

Now, of course, the word "constitutional" palls upon the ears of people here. Some of them dislike to hear this "damnable iteration" in this Chamber; but we must come to it now and again.

The shipbuilding interest is not an infant industry. Does it

need any subvention or subsidy from the United States? The shipowners are rich people, and, according to the statement of the distinguished chairman of the Committee on Commerce, who opened this debate, about \$1,700,000 will go to one company, which, I believe—at least, I have been told—is the richest corporation in the world owning ships. It is true we are told that all the interests are now agreed and harmonious; that there is no longer any trouble about it. There was a discordant note once. I believe Mr. Hill, a great railroad owner, objected to the bill, but he has become pacified, because he is himself now entering the business, and so, too, he has renounced the principles he advocated and has joined the order of mendicant millionaires, who come here to beg for subsidies, and who, when they are before the committee, confess that they are rich and are making money all the time.

The shipbuilders seem to be doing well. Why more men are not attracted to the business, except that there are more inviting fields open, I do not know. But I can point you to an industry very much more extensive than that of shipbuilding or ship sailing, and it has no subsidy, and it is unlikely ever to have one, and yet in point of distress and in point of inability to make money or even to live it needs more assistance; but it does not ask it.

I have mentioned the report of the Commissioner of Navigation. I do not know whether Senators are going to accept it or not. I find that his reports are used on each side of the Chamber. I find that he is a man of very versatile talents, and he can report in either one way or the other. He has been designated by the Senator from Iowa as an exceedingly useful man. A weathercock is a very useful thing, and the more easily it turns upon its pivot to every breath of wind, the more useful it is. And, generally, when political weathercocks will not turn they are taken down and others put in their places.

We sometimes hear his arguments and opinions quoted and sometimes his statistics. They are so contradictory that you can take your choice. It reminds me of an old colored man who wanted to teach school. He appeared before the board of trustees. He was asked, "What do you teach?" He replied, "reading, writing, and arithmetic." Then he was asked, "Can you teach geography?" He said, "yes, sir." He was asked, "Do you teach that the world is round or flat?" He replied: "I can teach either that it is round or flat as the trustees desire me to do;" and that seems to be what is the matter with the report of the Commissioner of Navigation. He can make the world round or flat just as the authorities may ask him to do.

There is a provision in Title III which nobody seems to consider. It gives a bounty to the deep-sea fisheries. We know that formerly there was a bounty on the amount of fish caught, and that industry has always been exempt from the tax on salt, while the people of the South and the West and all other portions of the country pay a tax on the salt used in salting down meats for domestic use, etc. But in addition to that, now we are asked to levy a tax upon the people to pay a bounty to this industry, because it is supposed, and I presume it is true, to be the nursery of the seamen of the United States; that it is the prime source from which we are to draw hardy fighting sailors, such as shed luster upon American arms in the war of 1776 and 1812 and subsequently. That may be true. But what is the justice to the other people who pay the tax and get no bounty upon so many acres in cultivation or so many mules used in plowing? We hear no complaint that these men are not doing well.

Now, suppose, Senators, that instead of this bill having been framed as the Senator in charge has stated to us, by those interested in it and friendly to it, we had called upon a lot of farmers from the West and the South to do it, would they have put in the bill any such provision as to the deep-sea fisheries? On the contrary, they would have been apt, if they followed the dictates of human nature, to say, "you shall pay the same tax on salt that we do, and considering how much has been paid into your pockets out of our pockets, we will give you half of all the fish you catch." That would be as fair a proposition as this. The farmer is called upon to give a part of what he makes to the fisherman, and he is called upon to take a part of what he makes and give to the millionaire who owns lines of ships and who owns shipyards.

Now, there might be some comment made, and I think justly, upon that provision of Title I for ocean subsidies. I am one of those, and I may be alone here on this side of the House, disagreeing with the minority of the committee on this single point, who believe it would be good policy if Congress should have a report from the Postmaster-General, after full consultation with the Secretary of the Treasury, as to between points where we now have no mail and no commerce a line of ships with a reasonable subsidy could be placed, so as to extend American commerce. I think that would be for the public benefit in a very material degree and would not come within any inhibition of the Constitution. I recollect that the first subsidized line that ever existed was under a Democratic Administration. But it was a defined line for a defined route and for a specified time.

Now, we understand that the American Line, I believe it is, is

to get \$1,717,000 for semiweekly trips from New York to Southampton or Liverpool. Do we need to expend one single dollar there beyond what we pay already? Not a single cent. It will open no new avenues of commerce. We do not advance a solitary producing interest in the United States one cent, but it is a mere bounty, and nothing else, to a corporation which least of all needs to have a single cent paid to it. There are on the average about two steamships leaving the port of New York every day of the three hundred and sixty-five for English ports, and some of them are new ships that run from 24 to 25 knots per hour, yet Congress is to ask the postmaster of New York to detain the mail three days and a half in each week to send it upon subsidized steamers that have not the speed of the fleetest, and thus the commercial business, for which this whole thing is organized, suffers by the delay of its mail. Mr. President, the motto of the postal service of every country in the world is certainty, celerity, security; and here you have destroyed at least one of the main elements, that of celerity, in order to give this bounty to a company which does not need it in the transaction of its business.

As I had the pleasure of remarking the other evening when I yielded the floor, we can not expect to carry all the mails in our ships, because our mail consists just as much of letters received as of letters sent, and if retaliation is to follow, as the Senator from Wisconsin very ably said the other day, and it will undoubtedly do so, then we shall have the British sending over their mail in exclusively British ships, and the French and German and so on doing the same, each nation sending its mail to us concerning our mutual intercourse commercially in its own ships.

The PRESIDING OFFICER. The Senator's time has expired. The pending amendment is the amendment proposed by the Senator from Iowa [Mr. ALLISON]. It will be read.

The SECRETARY. On page 1, line 10, after the word "Postmaster-General," insert "until July 1, 1910."

The PRESIDING OFFICER. The question is on agreeing to this amendment.

Mr. BERRY. I think it was not expected that under the agreement a vote should be taken on amendments before 3 o'clock.

The PRESIDING OFFICER. The Chair so understands.

Mr. ALLISON. I ask that the order may be read. I should hope that we may go on, if no one desires to speak, and make some progress with the amendments.

Mr. BERRY. Senators, then, ought to have had notice, so that they might be here to vote.

The PRESIDING OFFICER. The agreement will be read.

The SECRETARY. The agreement is as follows:

By unanimous consent, it is agreed that on Monday, March 17, at 3 o'clock p. m., a vote shall be taken without further debate on all amendments submitted and to be presented to S. 1348, "To provide for ocean mail service between the United States and foreign ports, and the common defense; to promote commerce and to encourage the deep-sea fisheries," and then on the bill.

On March 15 it was further agreed that—

on Monday, March 17, until 3 o'clock, debate shall be limited to fifteen minutes for each Senator, excepting the President pro tempore, who shall have one-half hour.

Mr. BERRY. I do not think we can vote on any amendments before 3 o'clock.

Mr. VEST. Mr. President, I do not propose to say anything about the unanimous-consent agreement, but I have offered, or given notice of my intention to offer, three amendments, about which I desire to speak very briefly.

The first of these amendments is the repeal of all those parts of the navigation laws which prohibit a citizen of the United States from purchasing his ship where he can buy it cheapest and putting it under the American register. In other words, it is a proposition for free ships pure and simple.

The second of the amendments which I intend to offer is to extend, specifically, the provisions of the antitrust law of 1890 to shipowners and shipyards which enter into any combination or conspiracy in restraint of trade.

The last of the amendments is a simple proposition to allow an American citizen who builds or buys his ship abroad to place it under American registry without subsidy and without the privilege of entering his ship in the coastwise trade.

Now, Mr. President, there are a few salient points in this debate which possibly it is well to accentuate very briefly and without exhausting the patience of the Senate.

The senior Senator from West Virginia [Mr. ELKINS], for whose business discernment and practical statesmanship I have as much respect as anyone possibly can have, dwelt the other day with much emphasis upon the immense amount of money paid by the people of the United States for carrying abroad their exports, and he repeated the statement often made that \$200,000,000 a year is paid by us to foreigners to carry abroad these exports. It has been stated very often that \$600,000 in gold is paid every day by the people of the United States to foreigners for carrying abroad these exported articles.

Mr. President, this is a gross exaggeration. I would be glad if every pound and every ounce of exports in this country should go

abroad under the American flag and in American ships. But the navigation laws, as I honestly believe, have trampled the life out of the merchant marine of the United States, and we, the great progressive Republic of the world, the great exemplar of Christianity and civilization, stand to-day isolated and alone in this barbaric exclusion of the right of an American citizen to buy his ship where he can buy it cheapest and then put it under the flag of his country. Even China, whose ports have been opened with shot and shell to the commerce of the world, has repealed her navigation laws; but the United States, singing paeans every hour to our glory and patriotism, under the control of the great party that has made us a world power and said our flag shall float in triumph everywhere, stands isolated upon the old, obsolete, and miserable navigation laws that say to an American citizen, "You shall not have a ship unless you build it in the United States and pay the prices charged by American shipbuilders."

Now, Mr. President, what is the truth in regard to this allegation of \$200,000,000 being paid every year to foreigners to carry our commerce? The Commissioner of Navigation in his report for the last year states that after an examination—after an inquiry—he finds that there were 673,455 tons of shipping owned by Americans sailed under foreign flags. He finds that citizens of the United States own 136 steamships that to-day are plying the ocean under foreign flags. If this statement be true, and I have no doubt that it falls under the mark, it shows that Americans own abroad more steamships than we have now under registration in the United States.

I am astonished that the senior Senator from West Virginia, so accurate and acute in regard to all business propositions, has overlooked this conspicuous fact, and that he also ignores the other fact that a large portion of the money received by these ships under foreign flags is spent in the United States for repairs, for supplies, and for wages for seamen at our different ports. But the country—at least that portion of it that is willing to accept without inquiry any proposition made by the dominant party—seems unwilling to believe that this is any exaggeration, and that this enormous amount of \$500,000 or \$600,000 a day in gold is paid out to foreigners.

Mr. President, this debate is to be closed by my distinguished friend, the chairman of the Committee on Commerce and President pro tempore of the Senate. For more than twenty years I have served on the Commerce Committee with that distinguished statesman, and while we have never agreed, especially in regard to the question of the merchant marine, there has never been a shadow cast upon our personal relations and friendship. I ask that Senator, in closing the debate upon this question, which has excited so much diversity of opinion for so many years, to tell us why Great Britain, with 53 per cent of the carrying trade of the entire world, pays more to her seamen in wages and more in the expense of running her ships upon the ocean than any country in the world except the United States?

In his opening address the Senator from Maine declared to us that the crucial point in this discussion as to the difference between the expense of running an American ship and one under a foreign flag consisted in the difference of wages. How is it possible, if wages is the crucial point, that Great Britain, with 53 per cent of the entire carrying trade of the world, pays more wages and pays more in the general expenses of her ships than any country in the world except the United States, and why is it that Norway, whose seamen live, as the Senator has often told us, upon black bread and smoked fish, and who receive a pittance as compared to that paid to the Chinese sailor, how is it that Norway, with all the high motive and love of the sea which has characterized that people for two hundred and fifty years, lags behind in her merchant marine and can not even approximate to the prosperity of England?

Again, Mr. President, I want the distinguished chairman of the Committee on Commerce to tell us why it is that the English tramp ships, which dominate the ocean, which are seen in every port, which carry her commercial flag everywhere, have never received any subsidy, not even increased mail pay, if that is the cause of it, and why is it that under the bill now before us we are, in taking millions out of the common Treasury of the people of the United States, decreasing the subsidy upon the freight ships which must come in direct competition with the tramps of Great Britain but increasing the subsidy paid to the swift liners of the ocean that do not carry freight and are intended only to carry the mails?

Mr. President, I should like to ask the chairman of the committee to tell us, as a matter of information, why it is that this subsidy is paid to corporations whose ships are now upon the ocean? Why is it that the capitalists who have put together their capital in order to accumulate additional interest and property are the principal recipients under this bill? Does the American company need a subsidy? The president told us in the Commerce Committee that he made money in summer and lost some in the winter, and he had not been able yet to declare a dividend; but

when asked the question directly by a member of the committee, the Senator from Arkansas [Mr. BERRY], "Mr. Griscom, is your company making money, on the whole, or not?" he declined to answer.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. FRYE. Mr. President, I should like to answer one of the questions at the present moment, if I may, without interfering with the unanimous-consent agreement.

The PRESIDING OFFICER. The Senator from Maine will proceed.

Mr. FRYE. Eight years ago Great Britain was carrying 63 per cent of the commerce of the world and to-day she is carrying only 53 per cent. She is losing the carrying trade of the world. When Norway a year ago applied a subsidy to her ships there was a discussion before the English Board of Trade to know what they should do to escape, as it is taking away from them their trade between England and Norway.

Mr. HANNA. Mr. President, as a summing up of the arguments on both sides in this debate, I can see but little change in the argument and opinion which differs from political lines.

I have heard the arguments upon the other side against the building up of our merchant marine and favoring the free-ship dogma of the Democratic party, which has been their principle and guide in this matter for many years. We who have been responsible for the legislation which has so much contributed to the development and prosperity which seem to be admitted freely upon the other side are pursuing that line of policy in a direct way, keeping apace with the conditions as they arise in the development of our country and our resources.

Mr. President, I have failed to see and understand a single argument against this bill that changes in one iota from the argument we have heard against it ever since the question was mooted before the public and in the Halls of Congress. Some on the other side seemed to agree that it would be all right to pay a postal subsidy to mail lines, creating lines where they knew the United States Government demanded mail service, without any regard to the condition, which must be a part of that agreement, as to who is going to furnish the ships.

It is claimed that this subsidy will encourage ships to sail without cargo for the mere purpose of earning the subsidy. Mr. President, that is simply absurd. No ship could afford to leave an American port for a foreign port in ballast or empty for the sake of drawing the subsidy. No owner of any ship would go in the face of an absolute loss. Therefore, if we are to have an upbuilding of our merchant marine the lines must be established where there is a fair prospect for business. The benefits, then, do not end with the ship alone, but ramify through all the interests of the country in our export trade.

The Senator from Missouri [Mr. VEST] asked if we lose anything by permitting foreign ships to carry our products. I would answer that question by simply repeating the figures that the senior Senator from California [Mr. PERKINS] used in his speech the other day, which I am glad to have the opportunity to emphasize, because it is an object lesson.

From 1871 to 1901, inclusive, thirty-one years, the total revenue collected through the customs service of the United States reached the figure of \$5,999,449,241. The amount paid to foreign ships carrying American export products during the same period was \$5,867,671,350. The average receipt, in round numbers, of the revenue would be \$187,000,000 per year, and paid out, \$183,000,000 per year.

Now, Mr. President, we must consider the question whether it is a loss to this country or not, when all that the balance of the world pays for the privilege of our market is paid back from us, lacking \$5,000,000 or \$6,000,000 per annum, for the carrying of our products abroad. I have never thought that we were going to regain all that we have lost in the carrying trade of the world. As the country grows and the commerce of the world increases the percentage is changed. The object of those who are supporting this bill as an American policy, far-reaching as it is through all the ramifications of our business, manufacturing, products of the farm, products of the mine, products of labor, is that this one interest shall be relieved, which has gone down and down and down during the last century until we cut a sorry figure among the nations of the world, not appealing to patriotism, not entirely to self-interest, but to the general good of all the people and for the future development of our country.

Is not that a loss when we pay \$200,000,000 a year, and 25 or 50 per cent of it might remain in the hands of the American people? I should say it was a loss, and I say further, as I have often said before, there is no nation on the face of this earth that could stand the drain upon its resources as the United States. It is because of our enormous production and export trade that we lose sight of the important principle in this question, because we are not brought face to face with a tax deficit which would stagger us.

If the navigation laws now upon our statute books have had to do with the downfall of our merchant marine, they were placed

there by a Democratic party, and although that party has been in power many times since, to my knowledge it has never made an effort to repeal them. They are there just as the laws of protection to our industries are still there, because the results have proven that they operate for the benefit of America's interest.

When you say that they are responsible entirely for the degeneracy of our merchant marine, I say no. As conditions have changed, other countries with more centralizing power have improved their opportunity to meet that situation. They have not waited for a Congress nor for political parties to discuss the measure or the policy. With a clear insight of the necessities of the case they have acted and continue to act, meeting every condition as it arises. It is under that policy, Mr. President, that European nations have robbed us of the carrying power of the world.

I would say a word with reference to the Chinese-labor question. In the very early stages of this discussion the question was raised as to the employment of Chinese labor upon American vessels. I must confess that at that time I was partially ignorant of the situation, but on investigation I find that there are some lines on the Pacific Ocean that carry Chinese upon vessels in the fire hold as firemen, as coal passers, and perhaps as stewards, and a certain proportion of their crew. I find, upon further investigation, that the Pacific Mail is not the only line. I find that the German and the French lines are doing the same thing, and for a good and sufficient reason. I will read a quotation from the contract of the German Government with the North German Lloyd Line:

Asiaties shall not be employed in the crew on the Australian main line, and on the Chinese and Japanese main lines they may be employed only in the engine and fire rooms in so far as the employment of Europeans is impracticable for sanitary reasons.

The French Chamber, only in May, 1892, took up this same question. The article is long, and I will not read the whole of it; but they found themselves, under their law of long standing, requiring that two-thirds of the crew should be French. When they came to establish steamboat lines in the Orient and in the Tropics they found that "the colonial navigation in the Indian and China seas present special difficulties on account of climate. Our sailors, and particularly engineers, can not stand the Torrid Zone. Consequently all ships which frequent this ocean have a part of their crew composed of Chinese or Lascars, who alone are able to endure the climate. The French ships were under the terms of the navigation act of September 21, 1793, article 2, which provided that—

No ships shall be considered French if the officers and three-quarters of the crew are not French—can not share in this navigation unless they are allowed, like English, German, or other ships, to have half or three-quarters of the crew foreigners.

As a result ships sailing in the Tropics can not profit by the act concerning our merchant marine.

This was in connection with the increasing of their subsidy to their ships, and I want to mention here that the last amendment to the French law extends that subsidy, just as this bill proposes in Title II, and all the tonnage within certain descriptions and conditions owned by the Frenchmen.

These are questions which must necessarily be understood from the standpoint of those who operate and who will be charged with the responsibility of building up the new lines which we so much covet.

I do not think it is in good taste—it certainly is not good argument, to belittle the men or to cast sarcasm and suspicion upon the motives of the men who thus far and up to this time have done all that ever has been done, contributing their knowledge, their experience, and their means to the establishment of whatever lines of steamships we enjoy to-day in carrying our mails to foreign countries.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. CLAY. Mr. President, the Senator from Ohio [Mr. HANNA] has made rather a remarkable speech, but he has not answered the questions which have been asked by this side of the Chamber.

Mr. HANNA. I did not have time.

Mr. CLAY. The Senator might have had a month and he could not answer the questions that have been propounded on this side of the Chamber.

The Senator said he did not know until the other day that foreigners were employed on our ships. I am fearful the distinguished Senator from Ohio has not read the report of the majority of the committee. If the Senator will turn to the majority report, and the Senator is a member of the majority, he will find that not only Chinamen are employed on the Pacific coast, but he will see from his own report that 70 per cent of our seamen engaged in both domestic and foreign trade are foreigners, and that only 30 per cent of them are American citizens. I now read from the report of the Senator from Ohio:

At the present time in all trades, coasting and foreign, as indicated in the returns of shipping commissioners, only 35 per cent of the crews of American vessels are Americans, including contract mail steamers, on which 50 per cent of Americans are now required.

Excluding mail steamers, the average percentage of Americans now employed, including many coasting voyages, can not reach 30 per cent.

Mr. President, if the Senator will investigate he will find that only from 28 to 30 per cent of the seamen now employed on our ships are Americans and the remainder are foreigners, and in many instances we pay the same wages that foreigners pay.

I heard the Senator from Wisconsin [Mr. SPOONER] ask the Senator from Ohio a question here on Saturday evening which has not been answered, and which I believe can not be answered. But before I get to that, I understood the Senator from Ohio to say that the Democratic party is responsible for the passage of the present navigation laws. If I understand correctly, the navigation laws came into effect in 1792, before the Democratic party ever took charge of this country. Mr. Jefferson was the first President ever elected on the Democratic ticket.

The Senator from Ohio complained of the amount we paid foreigners for carrying our exports.

I want to say, Mr. President, that the Senator knows that to-day nearly 700,000,000 tons of our exports are carried in ships that we pay for to American capital while they are under foreign flags, and that money is paid here at home. But I have not time to discuss that question at length.

The Senator from Wisconsin asked the Senator from Ohio how much money was necessary to equalize the difference in the cost of constructing and operating ships in foreign countries and in our own country. The Senator turns around and says, "I will discuss that later."

The Senator from Wisconsin asked the Senator from Ohio why the difference between the bill of the last session of Congress and the bill of the present session of Congress? I can turn to the report of the majority of the committee and can demonstrate, if that report is correct, that only 1 cent per gross ton is necessary to equalize the difference. If the report is correct, this bill ought not to pass in its present shape; it ought to be sent back to the committee, where it can be maturely considered and amendments be proposed, if this bill, even from a Republican standpoint, should pass. Let us see. I read from the majority report in relation to section 6 of the bill:

Rate of subsidy.—The general rate of subsidy proposed (page 7, lines 1-3) is 1 cent per gross ton per 100 nautical miles sailed. This rate is designed to equalize the difference in the cost of building in the United States and operating under American laws an ocean steamer in foreign trade and of building in Great Britain and operating under British laws a similar steamer.

One cent per gross ton.

Mr. HANNA. That is under title 2.

Mr. CLAY. Yes, sir; under title 2. I say the majority of the committee have themselves said that 1 cent per gross ton is all that is necessary to equalize this difference; but notwithstanding that fact you have provided here in some instances for nearly 3 cents per gross ton.

I turn over a little further in this report—I am afraid my friend the distinguished Senator from Ohio has not read this entire report—to page 28, and what do I find? I find that the majority of the committee tells us that \$1,072,095 per annum will be all that will be required to equalize the difference between the cost of the construction and operation of foreign and American ships. They say deduct that from the mail pay and it will leave \$858,542 as the amount necessary to equalize the difference between the construction and operation of ships in the United States and foreign countries.

Now, I want to call the attention of the Senator from Wisconsin to the fact that when you take the report of the same committee which was made at the last session, you find that they said it would take \$7,500,000 per annum to equalize the difference. How do the majority account for that difference? One year ago the majority of the Republican members of that committee stood here in this Senate unanimously declaring that about \$2,000,000 a year would be necessary to carry the mails, and that \$700,000 would equalize the difference in the construction and operation of American and foreign built ships; and yet that same committee at this session comes here and tells this Senate and tells the country that \$888,000 will equalize the difference this year in the construction and operation of American and foreign built ships.

The Senator from Wisconsin asked the question, How did the committee reach this decision? Why, Mr. President, this bill has not been maturely considered. Evidently they have not gone to the bottom of the facts. When we go to the public Treasury and take out three, four, five, or six million dollars every year to give to a dozen or two dozen people, to come out of the taxpayers of the United States, we ought to know exactly what we are doing; we ought to know what this difference is between the cost of construction and operation of American and foreign ships. The Senate can not trust a report of a committee which says at one session of Congress that it will take seven and one-half million dollars and at the next session that it will only take \$888,000. Mr. President, I repeat, the more you investigate this matter the more you will see that this bill is not founded upon business principles.

I wish to say that the Commissioner of Navigation himself

figured that it would take nearly seven and a half million dollars a year ago to equalize this difference, and he comes forward this year and tells us that \$888,000 will equalize it.

It is true that this bill provides for more than a million dollars per annum; but let us go to the facts and tell the truth. You know that this bill provides that \$4,700,000 of this subsidy shall go for the purpose of carrying the mails. You know that only \$888,000 will go as a general subsidy. There is not a Senator on the floor of this Chamber but who knows that this vast sum of nearly \$5,000,000 a year will never be used for the carrying of our mails. The Senator from Wisconsin said that it would not take any such amount, and he asked the Senator from Ohio to explain what amount was necessary to equalize this difference, and, Mr. President, the Senator from Ohio has made his fifteen minutes' speech and never referred to the question asked by the Senator from Wisconsin.

I want to call attention to another fact. A great deal has been said in this debate about building up our merchant marine. My friend, the distinguished Senator from Missouri [Mr. VEST], tells us that of the merchant marine of Great Britain less than 3 per cent of her tramp ships receive any subsidy at all.

The great ships that will receive the bulk of the subsidy under this bill do not carry any corn, they do not carry any lumber, they do not carry any cotton, they do not carry any of the farm products of our country. I hold before me now a ship's manifest, but I have not time to read it in the fifteen minutes which I am allowed to occupy. This manifest shows that neither the *St. Louis*, the *St. Paul*, the *New York*, nor the *Paris* carries a bushel of corn or a pound of cotton; none of them carries any farm products whatever, and the Senator from Ohio knows it.

Mr. HANNA. Mr. President—

Mr. CLAY. I yield to the Senator from Ohio with pleasure.

Mr. HANNA. The Senator from Georgia says the ships to which he refers do not carry any farm products. I reply that they carry more farm products than any other class of ships on the ocean—bread, meat, smoked meat, butter, cheese, lard, and other commodities of the farm, worth a great deal more in dollars and cents than the products to which the Senator refers.

Mr. CLAY. Bare assertion, Mr. President, is not argument, and I have before me the manifest of the *St. Louis*. How much corn did she carry? None.

Mr. HANNA. I am not talking about corn.

Mr. CLAY. I know you are not talking about corn. How much oats was carried by the *St. Louis*? None; hay, none; flour, none; cattle, none; horses, none; wheat, none; cotton, none; barley, none; cheese, none; bacon, 24 pounds of ham [laughter]; beef, none; pork, none; tallow, none.

My friend, if you will turn to the manifest of that ship you will see that though it carried a little dressed beef, though it carried a little champagne and carried a little crockery, yet the great producers of this country, the farmers, have no interest in the class of ships which this bill proposes to largely subsidize.

Mr. President, if I understand correctly the books which I have read in regard to shipping, what do we find? We find that the great bulk of farm products of our country have been carried in ships ranging from 9 to 12 and 13 knots; and the high-rate subsidy provided in this bill does not touch a single ship below 14 knots. I have before me also a manifest of a 12-knot ship which carried 24,000 bushels of corn; it carried 705 barrels of apples; it carried 3,400 feet of oak plank; it carried 11,850 bars of copper, and it carried 5,265 packages of oak strips. If you will go through it—and I will insert the entire manifest—you will find on a critical examination that nearly all of the farm products of our country are carried in ships ranging from 9 to 12½ and 13 knots.

The manifest referred to is as follows:

Amount of farm products carried by the *Georgic* and the *St. Louis*.

Freight conveyed.	Georgic, 13-knot ship.	St. Louis, 21-knot ship.
Corn.....bushels..	85,416	None.
Oats.....do.....	6,900	None.
Hay.....pounds..	117,290	None.
Straw.....do.....	12,005	None.
Flour.....barrels..	355	None.
Cattle.....head....	919	None.
Horses.....do.....	127	None.
Wheat.....bushels..	39,917	None.
Cotton.....bales....	10,965	None.
Barley.....bushels..	9,655	None.
Cheese.....cases....	571	347
Bacon.....boxes....	1,624	4,250
Beef.....quarters..	6,661	3,871
Pork.....boxes....	4,306	None.
Tongue.....barrels..	30	10
Tallow.....tierces..	250	None.
Mutton.....boxes....	131	None.
Wood.....cases....	648	None.
Hams.....boxes....	123	12

Mr. CLAY. I believe our friends on the other side concede that the mail subsidy in this bill will amount to nearly \$5,000,000 a year. I have not heard a single one of them say that it would take that amount for the purpose of carrying our mails.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. WELLINGTON. Mr. President, I had not intended to make any remarks upon this bill, but some of the assertions made, I think, will not bear thorough investigation. The bill that was before the last Congress did not meet my approval, not because I did not believe in the principle of ship subsidy, but because I did not think there was a fair distribution of the moneys thus appropriated. But I believe this bill goes far in the direction of making good that defect. For that reason I shall give my vote for the bill.

The Senator from Colorado [Mr. PATTERSON] said this morning that one of the troubles with our shipping is that in the Navy we are employing foreigners of every kind and description as seamen. I believe that is true, and I agree with him that some measure should be taken to rectify that trouble. I believe further that that is not the only trouble in the American Navy. There is as much injustice in other departments of it as there is in this, but that question, to a certain degree, is foreign to the matter in hand. That question is this: Can we, or will we, by a ship subsidy build up the American Navy and make it such in the merchant marine as that it will to a great degree carry our own commerce and our own mail? If we can do this by subsidy, then I believe it should be attempted to be done, and for myself I further believe that it can be done.

You remember, Mr. President (Mr. BURROWS in the chair), that when the doctrine of protection was first attempted to be embodied in a bill—and as the years went by it was attempted again and again—it was said that the tariff would not do what was claimed by those who favored it; and yet, sir, the years and decades that have gone have abundantly proved that the tariff was the thing that would remedy the defects, and under the beneficent results of that doctrine our country developed its natural productions and resources until we became one of the greatest producing nations in the world; and yet to-day we present the curious anomaly of a nation producing much more than it consumes and not having enough ships to carry those products to foreign nations.

I believe, in the first place, it is our duty to build up American manufactures, not at the expense of the farmer, who is the bottom rock of our national greatness, but hand in hand with him; and after we have done that, then it is our duty also to encourage the building of American ships to carry American products.

The President pro tempore of the Senate, who is the father of this bill, who has spent years upon years in its consideration, I am sure should not be charged by the Senator from Georgia [Mr. CLAY] with presenting a bill that has been ill considered. These bills have been considered year after year. It is not a new doctrine or a new idea. The same assertions were made years and years ago when first the doctrine of protection was attempted to be applied. I believe that in the end there will be as much of success in this matter of subsidy to ships as there was in protection to American industry, and I believe that in the years of the future the name of this man, who has stood year after year making it his life's work, will go down with as much of applause and with as much of American gratitude following him as the name of Henry Clay, the great apostle of protection.

It is a sad sight, Mr. President, to see a great nation, such as ours, producing on the farms, in the fields, in the mines, and in the manufacturing establishments more than it can consume, with so small an amount of shipping. We were in the same condition years ago concerning production, and what helped us? Sir, we were helped by this doctrine of protection; we were helped by the great American system that stands to-day, under which our nation has grown great and strong and healthy and prosperous. It is demanded upon all sides. Then, why not follow this by making good this other defect, by increasing American shipping by the same principle that you have applied to other industries.

Sir, it is doubly necessary that you do this. Why? It is contended everywhere, and I believe it is true, that the subject of American wages is dependent upon the protective policy. It has been asserted time and again that without that protective policy American wages would go down in the scale and the wages of foreigners would go up. If that be true in one direction, if wages in one department be elevated, then they will be elevated in other departments, and the wages which American shipbuilders pay will be larger than those paid in Great Britain and in other European nationalities.

Not only that, Mr. President, but it is not a new policy in other directions. The nations of the world which have tried ship subsidy have succeeded in building up their merchant marines, while we, being idle in that direction, have lost the trade of the world.

Our friends say that we should not subsidize ships for the carriage of the mails. It is not a new doctrine to pay subsidies for carrying the mails. We have had one subsidy after another upon the American continent, one of which, you will remember, comes before Congress every year and causes a great debate. It has been gone over time and again. There is a subsidy given to the railroads which complete that great chain of intercommunication, making the North and the South one, by which the Southerner down by the Gulf has it in his power to read the New York papers the next morning after they are published. I believe in that subsidy. I believe it is good to have that subsidy. I believe that it benefits the country, as well as the railroads, to have that subsidy. It brings our people closer together, and it binds them, as it were, section to section, as one man. But if a subsidy is right upon your own land, why should it not be right when your ships go out upon the ocean to carry American mail to foreign lands?

I for one say there is every reason that we should so build up American shipping by such subsidies for the carrying of the mail, so that we can as the years go along regain inch by inch the ground we have lost in these matters, and that after a while the time will come when the products of the American manufacturer, when the products of the American farmer, and all that the American produces will be carried in American ships. The one is as much entitled as the other to this protection.

Why did we lose our supremacy upon the sea? In the first place, the people of the New England States, as you know, from the very beginning of the National Government took to the sea and engaged in the building of ships, and we had a great and prosperous condition of our merchant marine; but the embargo killed that, and it was years and years and years before we recovered enough to be able to say that the American shipper and American shipping once more were prosperous. Then came the great civil war, and the civil war practically wiped out American shipping. There was nothing of it left, so to speak. Then, from the time of the civil war until now, our people have been engaged with great and burning questions, one after the other arising and sweeping this aside. We took to them and we settled them one by one, and one of the greatest was the reestablishment of the doctrine of protection.

From 1865 to 1902, whenever this doctrine was in force, America was prosperous, and whenever this doctrine was stricken from the statute books and another placed in its stead there was a gradual decline of all that we did produce. All these things were improved, and therefore this matter of shipping was neglected. But great minds go ahead of the nation, and one of the great minds of this country devoted himself to this magnificent scheme, gave years of his life to it, and, whatever you may say, he did not present an ill-conceived and ill-digested bill. It is a bill of which he may be proud, and it is a bill upon which he may rest his fame when he leaves the Senate.

Mr. President, I do not agree with the Senator from Georgia that the farmer has no interest in this matter. The farmer is as much interested in building up the merchant marine of this country as any other class of citizenship in the country. Do we not know that the wheat of this country supplies the world, and why should he not be interested in it? It may not go in a certain kind of ship as wheat—it may go there as flour—and yet the farmer is interested, because unless the grain is raised in this country and transported out of it the flour will not be necessary.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BERRY. Mr. President, it is not my intention to discuss this bill any further than I discussed it the other day. I should not say anything at all were it not for some remarks made by the Senator from New Hampshire [Mr. GALLINGER] in regard to the Mississippi River and its improvement. I was somewhat surprised to hear the Senator from New Hampshire make the remark, and for the reason that he is a member of the Committee on Commerce, and he has been most liberal in voting for improvements of rivers and harbors all over the country, and has never, so far as I know, shown any disposition to be sectional in those votes.

There is another reason. The Senator from New Hampshire was on a committee of which I also had the honor to be a member, which went from the head of the Mississippi River to the Passes at the Gulf. He is more familiar with that river than a great many of those who live in the section from which he comes. I was therefore greatly astonished that he sought to show any connection between the river and harbor bill and the bill now pending before this body. There is no more connection and no more reason why the comparison should be made or why it should be claimed that they are of the same character than there is to say that the pension appropriation bill, or any other bill, utterly disconnected with it, should also be considered in this connection.

Mr. President, it has seemed to me, because other Senators have heretofore referred to the appropriations for the Mississippi River, that there is something of a disposition to claim that those

who come from that section of the country, because the rivers there get a part of the river and harbor appropriation, are under peculiar and special obligations to some one, and that they are thereby estopped from opposing other measures which they do not think for the best interests of the Government of the United States. I think that is unfair. The river and harbor bill is the only bill the appropriations of which are anything like equally distributed throughout all sections of the United States. There are \$147,000,000 appropriated every year for pensions. The great bulk of that money goes to the North and East, and none to the Southern country. The great amount appropriated for the building of our Navy is all expended on the Northeast Atlantic coast or upon the Pacific coast. No part goes to our section of the Union.

I think it is not altogether generous to make these references, because in one bill and only one that section of the country gets some proportion of the money appropriated by Congress, and even in that bill the large part of the amount goes to the country north of Mason and Dixon's line. I think it is unfair on every occasion when Senators from that section see proper to oppose other bills that we should be constantly reminded that a certain amount is appropriated for the Mississippi River. I am happy to say that the chairman of the Committee on Commerce has never indulged in an argument of that kind. I wish to say further that there is no man in this Chamber who has been more liberal and more generous to that part of the Union than the distinguished chairman of the Committee on Commerce, the Senator from Maine.

I repeat, that the river and harbor bill is not involved in this matter. When it comes before the Senate, if there is any part of the appropriation to that section of the Union which ought not to be made, it will be perfectly legitimate and proper to discuss and oppose it. To that I do not object. But I do say that each Senator upon this floor has a right to judge of any particular bill which comes here, and it is unfair to remind him that in some other measure a portion of the appropriation goes to the country from which he comes, or that he votes for that portion of it. I desire that the river and harbor bill shall stand by itself. I have always voted for the appropriations for the Great Lakes, and for improvements in Michigan and Wisconsin and New York and Massachusetts, and I do not feel that that has anything to do with the present bill.

As I said, I do not desire to discuss this bill further. I have already said what I have to say. There is one point, however, which has been raised, and it has not been answered, and that point is that the bill does not require the building of a single ship at any shipyard in the United States of America. This money can be paid out to the lines which now exist. The most part of it can be paid to those fast steamers, and the subsidy part to all steamers engaged in foreign commerce, and there is nothing whatever in this bill which makes it obligatory upon those companies to build another vessel in the United States. It seems strange to me that Congress should vote this large amount of money when it may be that not an additional vessel will be built. The Senator from Maine hopes they will be built; he hopes the bill will induce capitalists to build vessels; but I repeat that there is nothing in the proposed law which now compels them to build such vessels in our shipyards, and the present ships can take this money from the Treasury and no additional ships will float under the American flag. I do not say they will not be built. I say it is a matter of speculation. It is a matter of hope. But there is nothing in the bill as far as I know which will compel their building. That, it seems to me, should be a fatal objection to the bill, if there were nothing else.

Other points were well made on Saturday evening, that there is no limit to the amount of money which shall be expended in any one year and that there is no limit to the time within which the law shall remain in force. There is no limit to the time when the Postmaster-General may continue to make contracts. The mail may be carried now in 20-knot ships. Later it may become necessary to carry it on ships of greater speed—25 knots, for instance—and yet these contracts will be in existence and there will be no power to change them until the end of the fifteen years for which the contracts are made.

This is all that I desire to say. The bill is badly constructed. It does not seem to me that it will accomplish the purpose desired. It is unjust in the amount and in the time, and it is unfair. I will not repeat the argument I made the other day, which it seems to me can never be answered, that it is an appropriation to individuals or corporations already owning ships and an appropriation which will not compel the building of other ships.

Mr. PERKINS. Mr. President, in my remarks the other day I exhausted what data I had, and did not intend to say another word relative to the provisions of this bill, and I would not do so now but for the fact that my friend the Senator from Arkansas [Mr. BERRY] has referred to the river and harbor bill, of which I

made mention, and I refer to it now in the absence of the Senator from New Hampshire [Mr. GALLINGER].

First of all, we are all in favor of the river and harbor bill. We are in favor of improving the great harbors of the country—the harbors on the Atlantic and the Pacific coasts, and the Gulf ports and the coast ports. The only point is that we think, after we have spent these hundreds of millions of dollars in improving our harbors, we ought to encourage American shipping to enter our ports and to have the benefits of the improved harbors as well as the subsidized ships of foreign countries.

We spend hundreds of thousands of dollars annually in building and maintaining light-houses and light-ships, in establishing beacons and buoys to guide into our ports the ships that are subsidized by England, by Germany, and by France to carry away the products of our country. It seems to me, profiting by the experiences of those countries, we should do something to build up our own commerce, to restore and rehabilitate the merchant marine of our own country, that we may enjoy again, as we did for so many years, the privilege of transporting at least the products of our own country.

As I endeavored to explain a few days since, from my own observation and experience we permitted that to pass from us by our own inactivity, by our own indifference. The bill before us, which has been carefully digested, notwithstanding the remarks of my friend the Senator from Georgia, and considered by the Committee on Commerce, we believe will remove the inequality in conditions in the building and operation of ships which now exists between the ships of Germany, and of England, and of France and those of the United States.

My friend the Senator from Georgia read the manifest of what American ships do not carry, or rather he took it from the CONGRESSIONAL RECORD containing a copy of the manifest of a ship. He might have gone on and enumerated the 253 articles which we have upon the free list and said that none of those were upon the manifests of the four great American ships leaving New York. Now, as a matter of fact, these four ships belonging to the American line exported last year from the port of New York to ports in England \$20,000,000 in value of farm products, and I have here a detailed statement, which I will ask to have put into the RECORD with my remarks, showing the exports.

STATEMENT WITH REGARD TO CARGOES OF FAST AND SLOW BOATS.

The cargoes of the American Line steamships, New York to Southampton, since January 1, 1900, have averaged 1,411 tons dead weight, of an average value (exclusive of specie and according to the sworn statements of shippers) of..... \$444,613

A 10,000-ton steamship of 10 knots speed would carry, approximately, 12,000 tons of wheat, worth 75 cents per bushel, or \$28 per ton, or for the entire cargo..... 336,000

Difference in value of cargoes in favor of fast boat..... 108,613

The fast boat would probably make 12 voyages per year and would at the same rate carry per year in value of exports..... 5,335,356

The 10,000-ton 10-knot ship would probably make 8 voyages per year and carry in total value of exports of wheat at same rate..... 2,688,000

Difference in values of exports per year in favor of the fast boat..... 2,647,356

The express ship would therefore carry out of the country in a year about twice the value that the 10-knot ship would.

Who says that is not a benefit to the farmers, to the producers of the country? This whole bill is conceived in the interest of the American people, and you can not benefit one industry without all being correspondingly benefited, directly or indirectly.

My friend the Senator from Missouri [Mr. VEST] a few minutes since criticised the bill with that elegant sarcasm which we all so much admire, for his words cut like a keen scimeter. He stated that the subsidy will go to some dozen shipowners and American ships now built and operated. Why should it not do so? These ships were built in our own country by American mechanics. They were built from iron and steel from our mines; built from the timber that comes from our forests; and the people who fashioned them and built them are citizens of our own country, raising their families in the little villages and towns adjacent to these great mills and factories, paying their taxes for the support of public schools, educating their children, sending them to church, teaching them the duties of American citizenship.

That is what this bill has in view. It is to build up the great shipping industry of this country. When I was a sailor boy, from Maine to Savannah every port on the coast was alive with ship-building. We then had the monopoly of the ocean, so to speak. But there can be no monopoly on the ocean. My friend the Senator from Georgia charges that there can be, and that this bill creates it. He has failed to show, however, where any steamship company or any transportation company is operating its vessels under some particular franchise. There is no single track on the ocean. It is nature's great highway, and I earnestly believe that if this bill becomes a law the farmers of this country will be ship-owners, that the merchants and the clerks and the mechanics will own an interest in vessels. There is not a vessel to-day sailing out

of the port of Liverpool which is not owned by from 20 to 40 different persons. What is known as the ship's husband, the managing owner of the vessel, projects a ship and plans her and then he sends out into the community, to clerks and merchants, and each one takes a certain interest in the vessel. This bill will encourage our own people to do that very thing, and in doing it we will all be benefited thereby.

Both of my friends—the Senators from Georgia—seem to have taken a great interest in the shipping bill. I suppose it is because we buy of them all our yellow pine and a great deal of other material that goes into ships. We send money to them for the productions of that splendid State. We are taking their cotton and transporting it cheaper than it has ever been done before. We are, as the Senator from Maryland [Mr. WELLINGTON] has said, giving an increase mail subsidy of a hundred and five thousand dollars per annum just to get the mail to their doors six hours earlier than it would go in the ordinary course. They have no hesitancy in asking us to cooperate and to vote with them on such a proposition.

Mr. President, this should not be a party question. I can not understand how it is made a party or a political question. It is one of general interest, in favor of the welfare of this great industry of our country, and I can not see why our friends on the other side insist upon making it a party question.

One of the objections just urged is that the bill can not be repealed. Mr. President, as I said a few days since, the Republicans, when they had the majority, passed a tariff act giving 2 cents a pound upon all sugar produced in this country, either from cane or from sugar beet. Congress made a contract for fourteen years that the Government would pay this amount of money to any firm or company or refinery producing sugar of 90 per cent polariscope test. Three years later, in the whirlpool of politics, political complications of Congress was changed, and, although the law had been in force only three years, from 1891 to 1894, it was repealed, and no redress was given to those who had invested their money in that industry in Michigan, in California, in Colorado, and in other States. The law was repealed, and the only satisfaction those people got was the statement, "You knew it was within the power of Congress at any time to repeal the act whenever it deemed it expedient or advisable to do so." So it is with this bill. There is no necessity for fixing a time limit.

Mr. BERRY. Will the Senator permit me for a moment?

Mr. PERKINS. Certainly.

Mr. BERRY. That remark is correct so far it applies to the second clause. Congress can repeal it, and there is no remedy. In regard to the first, the specific authority is given to the Postmaster-General to contract for a period not exceeding fifteen years.

Mr. PERKINS. I can not conceive of any specific contract more binding, more sacred, or which should be more honorably observed, than an act of Congress whereby it pledged this Government that for fourteen years it would pay 2 cents a pound for every pound of sugar produced in the United States. If such a contract as that can be violated with impunity, and it was so done, so will this be if our Democratic friends get into power; and they will doubtless do so in time. The pendulum swings one way and then the other. They will doubtless repeal this act, and then the people will rebuke them at the polls, as they did after they repealed the act to which I have referred.

The senior Senator from Georgia [Mr. BACON] I was about to say consumed last Saturday 13 pages of the CONGRESSIONAL RECORD with tables giving the names of vessels, tonnage, capacity, speed, etc. He could have found it all or nearly all in the very able report of our Commissioner of Navigation, which is an encyclopedia of knowledge on nautical affairs and all that relates to the maritime affairs of our country. But he could have done better by four lines, and stated that out of 29,091 vessels of the whole world recorded in Lloyds only 383 are ocean steamers of 14 knots or over and 2,000 tons or over. Of these 383 about two-thirds belong to subsidized foreign mail steamship companies. His tables in some instances contradict his own statement about the large share of exports carried by vessels under a thousand tons. His Savannah ships average nearly 3,000 tons. Only 14 out of the 133 Galveston ships he named are less than 2,000 tons. The 60 steamers on his first Boston list average over 5,000 tons.

My friend is a student of political economy. He is earnest and zealous in everything he undertakes to investigate. He is always courteous, kind, and considerate. It is a pleasure to discuss this question with him. But it is always well to be sure you are starting on the right basis from which to reason. He has that delightful but specious way of presenting a proposition which hypnotizes us for the time being. But the premises from which he reasons are not always correct, and so it was surprising to me that he should state that a very large amount of our export trade is carried in ships under a thousand tons. The fact is that the average size of the steamers carrying our exports is about 4,000 tons. I

think it is safe to say, judging from the tables which I have examined—the Senator himself disclaimed any personal knowledge of them—that, to use a nautical term, the author of those tables has allowed a great splendid margin for leeway, and that upon investigation he will find that there is no information given in them which can be of any benefit to us whatever. He might as well have put in a half dozen pages from a nautical almanac, so far as any information there is of benefit to us.

I merely wish to say one word in answer to the Senator from Colorado [Mr. PATTERSON] relative to the crews of vessels. I am in accord with him in a measure. This bill is intended to build up American shipping, to the end that the Stars and Stripes may be carried at the peaks of vessels, which are missionaries of commerce. We have built up a splendid Navy, and we are respected and honored abroad to-day more, if that is possible, than we are at home. Every ship that goes out laden with the products of the American farm, the American loom, or the American machine shop is a missionary of commerce and a missionary of trade. It carries to foreign countries what this great Republic is doing for civilization and for humanity. I believe in American or Caucasian crews. I believe the provision in this bill whereby a ship is compelled to carry, for each thousand tons, an apprentice in the mate's department, which is the navigating department of the ship, or one in the engineer's department, which is the propelling department, the great force that takes the ship along, is a wise one.

The PRESIDING OFFICER. The time of the Senator from California has expired.

Mr. PERKINS. I wished to say something about the Caucasian sailor, but we will take it under advisement, as the lawyers say.

Mr. McLAURIN of Mississippi. Mr. President, if there is no other Senator on this side who desires to address the Senate at this time, I wish to take about five minutes in reference to some figures that were presented by the Senator from Ohio [Mr. HANNA] a few moments ago. I could not catch the exact figures, but I believe I caught them sufficiently for the purpose which I intend.

As I understood those figures, they are to show that the customs receipts collected in a certain period in this country, I believe it was stated from 1871, but I will not be sure about that, were something over \$5,000,000,000, and that during that time there was paid for carrying the commerce of the United States something over \$5,000,000,000, a little more than the amount of the customs receipts collected at the custom-houses of the United States. The purpose of that, if I caught it, was to show that we are paying out more money to foreign countries than we are receiving. Further than that, as I understood it, the Senator claimed that the amount of money which was collected for customs was paid to us by foreign countries; that the amount we paid to foreign bottoms offset that, and left a surplus in favor of foreign countries.

In the first place, the customs tax is not paid by the foreigner, by the importer, but it is paid by the consumer. But granting, for the sake of argument, that it is paid by the foreigner and that it is not paid by the American consumer, then we pay about \$5,000,000 a year, if I caught his figures correctly, more for carrying our commerce than foreigners pay to us in customs for the purpose of running our Government. That is the idea. To show that we are not paying to the foreigners more than we are receiving, I notice that the figures given by the chairman of the committee, the Senator from Maine, in a speech on the 3d of March, show that last year we exported \$1,487,000,000 worth of produce and that we imported \$882,000,000. This leaves to our credit \$588,000,000. So, if we are paying for the carrying of our commerce to foreign countries \$5,000,000 more than they are paying for the privilege of importing their commerce into this country, we are receiving one hundredfold more than they are receiving.

I just wanted to call attention to this to show that, taking the position which seemed to be taken by the Senator from Ohio—that the importation tax is paid by the foreign producer instead of the domestic consumer—we are receiving one hundred times more in the way of balance of trade than we are paying for the carrying of our commerce.

This is all that I intended to say, but while I am up I wish to call attention to one feature of the bill that has impressed itself upon my mind. According to the provisions of the bill a ship carrying 10,000 registered tons, at 20 knots, from this country to any port 5,000 miles from here, in going and returning, will receive \$27,000, if it is a ship that has made a contract with the Postmaster-General for the carrying of the mails, but if it is a ship that has not a contract with the Postmaster-General for the carrying of the mails it receives \$12,500 for the round trip.

I repeat, a ship of 10,000 tons going at the speed of 20 knots carrying mail under a contract with the Postmaster-General receives \$27,000 for 10,000 miles, going and coming, whereas a ship

of the same size, the same make, and the same speed, that has no contract with the Postmaster-General, receives \$12,500, or \$14,500 less than the ship that has the mail contract. That is calculated to destroy competition.

Not only is this to be the case, but a ship that has no contract can be compelled to carry the mail free of charge before it receives any of the subsidy, so that while the other ship carries the mail under a contract and receives \$27,000 this ship may be compelled to carry free before it can receive a bounty, if it is required to do so by the Postmaster-General, and then it is to receive a bounty of only \$12,500. As I said, that is calculated to destroy competition. It will not do to say that there is a benefit to the producer of corn, and wheat, and cotton, or anything else that is to be shipped abroad in destroying the competition that exists between the ocean lines.

This is about all that I desired to say.

Mr. SCOTT. Mr. President, I shall detain the Senate only a moment in regard to this bill. I have always been a protectionist per se, and believing that the bill is in the line of protection I shall certainly support it heartily. While I believe that it is a measure in the interest of the entire people of the United States and of the commerce of this country, I also believe that it is in the interest of my State and my people. I have been a manufacturer for the past thirty-five years. I have been protected by a protective tariff of 40 per cent upon the articles that I manufacture, and by reason of that protection I have given to the consumers of this country a reduction in price of, I think, over 150 per cent.

I believe, as I stated, in protection because I am convinced that it has brought about the prosperity we are now enjoying in this country. I believe it is a policy that has been for the upbuilding of this country in every respect. I believe the bill as it is proposed, with perhaps some amendments, is the best measure that can possibly be devised for the benefit of the people of the State I have the honor in part to represent. We have the shortest haul to tide water for coal and hard timber of any State in the Union.

I believe if we encourage the building of ships to carry abroad our coal and other products of our States, it will be largely to our advantage.

For these reasons, and others that are numerous and which I might mention, I shall give my hearty support to this bill.

Mr. FRYE. Mr. President, I am neither physically nor mentally in any condition to make a speech. In trying to avoid the Charybdis of smallpox I ran into the Scylla of vaccination, and which is the more painful I am unable to determine. There are some things, though, it seems to be necessary I should say.

A Senator just handed me a moment ago a communication from a Chicago paper. I do not know why newspapers should make the mistakes they do when we have such bright reporters here at Washington:

The recent debates in the Senate on the Frye ship-subsidy bill have elicited from its author the fact that it is open to one very grave objection, which hurt the Hanna bill of last year. It will give large sums from the Treasury to a few ocean greyhounds, but will not encourage the building of economical cargo carriers.

This Mr. FRYE has admitted, and to those who look for general public benefits and not merely to the profits of a few shipowners, the admission is bad for the bill.

"The bill of 1891," said Mr. FRYE, "was a dead failure. We succeeded in getting one new line under it." In fact, we got just two new steamers built in American yards and two built abroad. Yet of the subsidies proposed by his bill Mr. FRYE went on to say: "Below 16 knots there would not be any increase over the present. Indeed, the price will be lower than under the present law."

That is, while the act of 1891 increased our mercantile marine only by four ocean greyhounds, the proposed law may give us more ocean greyhounds, but will tend even less to add cargo carriers.

Why could not the editor of this newspaper, if it was the editor, have recognized the fact that when I made that statement I was talking in relation to the postal subsidy article of the bill. In relation to that I said what I am purporting to have said here, but I had not the slightest reference whatever to article 2 of the bill.

I say now, and I want to say it to the Senator from Missouri [Mr. VEST], that in my deliberate judgment the subsidy which is provided for the ordinary freight ship outside of the postal subsidy ship is as valuable to it as the postal subsidy is valuable to the mail ship. The ordinary American freight ships which are to receive the subsidy here are divested from all the extraordinary requirements of the postal subsidy ship. They must be built under the supervision of the Secretary of the Navy; they must be inspected by a board of officers appointed by the Secretary of the Navy; they must be so constructed that they shall be able to carry certain guns, increasing the expense of their construction very largely; they must, in fact, be in condition on call by the Government of the United States to take their places as the auxiliaries of the Navy. The four American liners were in that condition when the Government called for them. No such requirements are made of the ordinary freight steamers under article 2 of the bill.

Then, again, and I call the attention of the Senator from Iowa [Mr. ALLISON] to this, those postal subsidy ships are required to be of the highest rating known; that is, above A1.

Mr. ALLISON. Up to class five, for five of the classes.

Mr. FRYE. The two classes are not intended to be auxiliaries of the Navy.

Mr. ALLISON. Two classes are not included?

Mr. FRYE. Two classes are not included. Sixteen up to 20, inclusive, are required to be of the highest rating known. That is recognized by the various bureaus. For instance, one has the letter A with two bars across it; another has AA1, and in various ways they recognize the degree of completion of construction and all that sort of thing. No such requirement is had of these average rate steamships.

Mr. CULBERSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maine yield to the Senator from Texas?

Mr. FRYE. Certainly.

Mr. CULBERSON. With reference to the subject the Senator is discussing, I desire to invite his attention to section 4 of title 1 of the bill. I ask him if there is any requirement that the steamships of the first five classes already constructed shall be fitted out as cruisers.

Mr. FRYE. Does the Senator mean the four liners?

Mr. CULBERSON. The first, second, third, fourth, and fifth classes. To make myself clearly understood, let me read from the bill:

SEC. 4. That all steamships of the first, second, third, fourth, and fifth classes, employed as above and hereafter built, shall be constructed with particular reference to prompt and economical conversion into auxiliary naval cruisers, etc.

I do not understand that that provision applies to the ships that have heretofore been constructed.

Mr. FRYE. The act of 1891 applied to those ships. They got their postal contract under the act of 1891, and they are still under that contract, and will be up to 1905.

Mr. President, this is all I desire to say in relation to that matter. It is a mistake of a newspaper, that is all there is to it, and on a mistake they think the bill ought to be defeated.

Another matter to which I wish to call the attention of the Senate was also brought to my notice a few moments ago. I received a letter from Edward J. Livernash, I should say it was for the California commission, in which he calls upon me to declare in favor of an amendment offered to this bill by the Senator from Colorado [Mr. PATTERSON], and gives me the distinguished honor of saying that if I will advise the acceptance of that amendment, such is my influence in the United States Senate, it will be promptly accepted.

Mr. PATTERSON. I desire to state that Mr. Livernash is a member of the California commission sent to Washington to look after the question of Chinese exclusion.

Mr. FRYE. Mr. President, in my present condition of mind and body I hope I will not be interrupted any more, because when interrupted I can not talk consecutively; I can not do what I wish.

I wish I could comply with the request of this gentleman, but I can not, and I do not believe that it ought to be complied with. I do not believe that Europeans or Americans can be found in the voyages to China and to Asia generally who in that climate will take the places of Chinese in the engine and the fire rooms. I do not believe they can live there, where the heat goes to 140 at times. They live on ships of war, I admit, but ships of war go into those ports and lie there from month to month, and though kept at work in the fire and engine rooms they have the privilege of the deck and they can get all the opportunities for fresh air they desire. These men on the merchant ships have to be there day after day, night after night, and a white man can not stand it, in my judgment. I believe if this amendment should be placed upon the bill it would be simply in one hand the pipe of peace, in the other a tomahawk, and if the pipe of peace was accepted then the tomahawk goes into use, and you destroy the lines upon the Pacific Ocean.

I have great hopes, as I said in my opening speech, that there can be two or three great lines established from the Pacific coast to the Orient in the interest of the extension of commerce, but I would greatly fear if that amendment was adopted the lines never would be established. I believe if that amendment is adopted Mr. James Hill, who is building two great ships now at New London, in the State of Connecticut, will find that it becomes absolutely necessary for him to put those ships under a foreign flag in order to employ Chinese in the fire and the engine rooms.

Every German contract in the Pacific Ocean, and those contracts are very close, provides that Asiatics shall not be employed on those ships unless for sanitary reasons it becomes necessary to employ Chinese in the engine and in the fire rooms, and they

employ them in the engine and fire rooms for sanitary reasons. The French undertook to provide that Chinese should not be employed on their ships. It lasted but a short time, and the French were obliged to repeal that provision and permit their employment. Why it should be undertaken here to prevent American vessels under the American flag from employing the only men practically who can live in the fire rooms in the Tropics is beyond my comprehension.

I say I sympathize with labor as much as the Senator from Colorado [Mr. PATTERSON] does. I sympathize with men who work for their living, and the most of us I think do that. I think there are few laboring men in this country who work as the Senators in this body from the great West work every day of their lives.

Mr. PATTERSON. Mr. President—

The PRESIDING OFFICER. The Senator from Maine declines to be interrupted.

Mr. PATTERSON. I could give the Senator an illustrious example of the very thing he says can not occur.

Mr. FRYE. I think that laboring men are just as likely to be mistaken in their demands as we are in our demands. In my judgment the laboring men of this country who are demanding that this provision be placed in the bill are mistaken.

When the Chinese war broke out there were two great factories in my own neighborhood shut down through the entire revolution because their exports of cotton goods were cut off from China. If we are to have hereafter an extension of our commerce in the Orient—and that is the place of all other places for us to look for it—then it is in the interest of laboring men, because with our enormous production of manufactured and other goods there is danger at any time of a surplus on our hands; and the moment there is a surplus we can not dispose of, that moment there is stagnation at home, capital without profit, and workingmen without wages. It is the interest of the workingmen to extend our commerce and to prevent a surplus from becoming a stagnation to us in this country.

Now, Mr. President, this is an anxious hour for me, and, I think, justifiably so. For almost a quarter of a century I have been trying to solve the problem how to restore the mercantile navy of ours in the oceans of the world. I have taken more interest in it than in any other subject, and I have given it more thought and more care than I have given to perhaps all other subjects. Much good has been accomplished, and yet the decline kept on and on. The Senate Committee on Commerce has never yet rejected a bill in relation to ships which I presented in the Senate. Every one has been reported to this body, and such has been the confidence of the Senate in the Committee on Commerce that there has never yet been a bill reported from that committee relating to ships which has not passed this body except one, and that one we were not permitted to have a vote on. We removed in a single bill several million dollars' worth of burdens from American ships. It passed both branches and became a law.

I remember when John Roach's ships were on the line between New York and Brazil and were suffering terribly, when Brazil was paying a line \$100,000 a year and we were paying it about \$3,000 a year for carrying our mail, the Committee on Commerce authorized me to report an amendment to the Post-Office appropriation bill making an appropriation of \$500,000 or \$600,000, and it became a law. We had a Postmaster-General at that time who believed in free ships, and he refused to pay out the money for the purpose for which the appropriation was made. He resorted to two statutes then upon the statute book which authorized the Postmaster-General to seize and compel any American vessel to carry the United States mails anywhere for sea postage. At the very next session of Congress the Committee on Commerce authorized me to report a bill repealing those two statutes. It was reported and became a law.

This went on year after year, and there were bills passed and became laws which were in the interest of American shipping, and yet the decline kept on; nothing was accomplished. It became evident to me in 1890 that the disease was so deep the remedy must be more drastic infinitely than anything ever proposed up to that time. I spent about six months' time over the postal-subsidy bill in 1890. I sent all over the country for experts, simply for the purpose of finding out what rates in the mail service would be required to secure American lines of ships to foreign countries. The bill was finally completed and reported, I think, in 1891 to the Senate.

At the same time I prepared and reported, by the authority of the committee, to the Senate a bounty bill, or an ocean subsidy bill like this, only the subsidy was considerably higher than in this measure. It was 3 cents for the outward voyage. This is a cent for the entire voyage and a cent and a quarter on ships hereafter built. Those bills came before the Senate. They were together discussed here in the Senate. The Senator from Iowa [Mr. ALLISON] voted for them, the Senator from Colorado [Mr. TELLER]

voted for them, the Senator from Wisconsin [Mr. SPOONER] voted for them, and they passed the Senate.

The Senator from Missouri [Mr. VEST], in his speech the other day, talked about the roseate hues which I presented to the Senate, of the promises of those bills to the country, and then he asked, "What kind of a prophet is the Senator from Maine when he himself admits that the bill was a dead failure?" The Senator from Colorado says that the bill was a failure; the Senator from Wisconsin says that the bill was a failure, and the Senator from Maine says that it was.

Now, why? None of these Senators say why. Because the bounty bill, after it passed the Senate and went to the House, was defeated in a Democratic House by two or three majority, and the postal subsidy bill was amended in the House of Representatives by striking down by one-third the rate which had been provided for with such care. It came back to the Senate on the last day of the session and in the last hours of the last day of the session, when it was too late to have a conference, and it was only for that reason it was accepted at all.

Now, one of those bills was destroyed and the other was mutilated, and I am responsible and am no longer to be treated as a prophet because I said they would place our flag upon the ocean. They would have placed the flag upon the ocean if both bills had become a law as they passed the United States Senate. I had the promise of a line to Brazil. I had the promise of one line to the Pacific if that bill became a law. It practically proved a dead failure, simply because an amendment in the House of the postal subsidy part of it made it a failure and because the other measure was defeated entirely; and I warn Senators who are in favor of doing something for the American merchant marine to lookout for the amendments offered in opposition to the bill by the other side.

There has not been one of them yet offered in the interest of the American merchant marine, not one. There has not been one yet offered that will not harm, and perhaps some of them would destroy this bill if they should be adopted and become law. Beware of the Greeks when they are bringing gifts. That side of the House never has in the last twenty-five years proposed any remedy for this condition of things except the remedy of the Senator from Missouri [Mr. VEST]—freeships. They rise in their places in the Senate and declare that they are as much in favor of reviving the American merchant marine as we are, as I am, and yet they never come forward with any proposition whatever to revive it except free ships—a remedy, in which I am happy to say, very few intelligent Americans to-day believe.

Mr. TELLER. Will the Senator tell us what he thinks of the amendments proposed by the other side?

Mr. FRYE. I will before I get through; I propose to do so.

Mr. TELLER. I trust the Senator will not forget them.

Mr. FRYE. No; I will not forget them. Lest I may not have time, I will attend to it now. The Senator from Iowa [Mr. ALLISON] offered the following amendment:

The Postmaster-General, until the 1st day of July, 1910, is hereby authorized and directed to enter into contracts for a term not less than five nor more than fifteen years, etc.

That is the first amendment. I accept it without the slightest hesitation. I do not believe that it is at all harmful to the bill. The next amendment offered by the Senator from Iowa is:

Provided, That no contract shall be made under the provisions of this title which shall extend beyond the 1st day of July, 1920.

I recognize that amendment as coming from a friend of the bill, and I accept it without hesitation. The next amendment offered by the Senator from Iowa is on page 4, line 7, as follows:

And every vessel in respect of which any contract authorized by this act shall be applied for or made, shall be of the Class A1 as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders, and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit. All vessels under contract, as provided for in this act, shall be of Class A1 or its equivalent, as hereinbefore in this section mentioned, during the whole period of their service under the contracts provided for in this act.

I do not think the Senator would like to have that apply to ships of 16 knots and upward, because it would reduce their rating, and their rating under the law is higher than A1; it is AA1.

Mr. ALLISON. Just a moment, if the Senator will permit me. It will not interfere with the present provisions in the bill applying to the first five classes.

Mr. FRYE. Then I have not the slightest objection to it, because I do not believe in paying a subsidy to any ship that will not rate A1. I supposed the bill had provided for that. The next is that:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo, and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required.

I object to that.

Mr. TELLER. Why do you object to that amendment?

Mr. FRYE. I object to it for several reasons. First, it is entirely unnecessary. I venture to say that no Senator here who will examine into the voyages from our ports to ports across the ocean will find a ship that sails without at least half its commercial cargo capacity. When they are short is when they make their return voyages and come in competition with foreign vessels. If they did not carry half of their cargo capacity they could not earn enough to pay the wages of their crews; they could not run three years under the subsidy. If the subsidy, for instance, was \$100 it would cost them \$175 in wages for the officers and the men. So, practically, in my judgment, the provision of the amendment would not be of the least value.

But that is not the reason I object to the amendment. I object to it because, in my opinion, it is a bounty, and therefore unconstitutional, and the Senator from Missouri [Mr. VEST] rather defiantly called upon me, when he was making his very fine speech the other day, to reply to him at the time. I think the Senator knew that my respect for him was such that I would not interject a speech into his very beautiful address. I did not interrupt him at all, and would not under the circumstances.

During the summer I called into conference with myself in preparing the bill Mr. LITTLEFIELD of Maine, a member of the House of Representatives. He was very desirous of a cargo clause like that which the Senator from Iowa has offered, and which was in the last bill; and in two drafts of the bill—the bill has been drafted quite a number of times—that was section 13, the cargo clause. I was opposed to it in the last bill, and I opposed it in these drafts, because I believed it to be indirectly a bounty, that it would be construed in law a bounty, and therefore might imperil the bill. I consulted several of the best lawyers in New England, and they all agreed that it was a bounty and would be so construed in law. But still my friend Mr. LITTLEFIELD did not surrender. He wrote to ex-Senator Edmunds, and Senator Edmunds wrote him in reply:

1724 SPRUCE STREET, PHILADELPHIA, PA.,

November 26, 1901.

MY DEAR SIR: Referring to yours of the 16th and my reply of the 19th—

Mr. LITTLEFIELD had written to Mr. Edmunds twice—

I am able now to say that I have carefully again considered the questions involved in your draft of the suggested section 13 of the shipping bill. I examined the same question a year ago in connection with the proposition advanced by some Western gentlemen that a bounty ought to be granted on the exportation of American products. My reexamination has confirmed me in the opinion that the section can not be safely inserted, although a clause substantially the same was inserted in the last bill, I think.

The first question arising is whether the section would be constitutional if enacted, assuming that the provisions of the bill, including section 13, amount in legal effect to a bounty upon the exportation of goods in American vessels. I do not think that this question depends upon whether the goods exported are of domestic or foreign origin.

In the sugar-bounty cases, as you remember, the Supreme Court evaded deciding the question whether a bounty upon the production of sugar was constitutional or not by holding that the United States by the bounty act and the history that followed it in its repeal, etc., had become bound in morals, honor, and natural justice to make good the losses occasioned by the repeal, so far as Congress had provided for such payment by a succeeding act, and that such act appropriating money to discharge a morally just debt was constitutional. My belief is that when the court is forced to decide the question of the constitutionality of granting bounties for the promotion of commerce it will hold that it can not be done. I came to this conclusion when I was first called upon to express my views about it to the committee of shippers and merchants which had charge of promoting some bill in aid of the expansion of our foreign trade, for, as I recollected, that committee was inclined to legislation that in the very simple way of a bounty on exports would effectuate the purpose.

The next point to be considered is whether the provisions of section 13, in connection with the other provisions of the proposed new bill (which I assume will be in respect of fundamentals, as distinguished from the amount of compensation, substantially like the old one), amount to the granting of a bounty upon the exportation of goods. I regret to say that I am strongly of the opinion that they do. The vessel in respect of which compensation is to be made and in respect of which a certain amount of cargo is made a condition of payment is merely a means of accomplishing certain purposes. Among these purposes are postal facilities, the training of young men to skillful sea service of various kinds, the strengthening of our resources in time of war, and the exportation of goods to foreign markets. Thus it seems to me that at least a part, and indeed for immediate purposes by far the largest and most important part of the compensation to be provided is for the carrying of the goods to foreign markets.

It seems to me, then, that it is impossible to resist the conclusion that this payment does amount, even in strict legal effect, to a bounty. And I think that if another nation with whom we had a treaty providing that if bounties were allowed to its vessels on the exportation of goods our vessels should be entitled to the same bounty, should provide a similar scheme to that now proposed, our Government would be bound to complain that the treaty had been violated, and would feel it to be its duties to make reprisals in every way possible. As you know, our executive government has in respect of the act of Congress providing for increased tariff on sugar, etc., when a foreign country had granted bounties, has carried that provision into execution in cases far less clear than this one. We have now in force many treaties which would involve us in these difficulties if the cargo provisions were made lower.

Very sincerely, yours,

GEORGE F. EDMUNDS.

The Hon. C. E. LITTLEFIELD,
House of Representatives, Washington, D. C.

Now, take the treaty with Great Britain, made in 1815, the second article of which provides that—

The same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of His

Britannic Majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels, and the same duties shall be paid and the same bounties allowed on the exportation of any articles the growth, produce, or manufacture of the United States to His Britannic Majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

Argentine Confederation, article 6:

The same drawbacks and bounties shall be allowed upon importation or exportation into or from the territories of the United States or into or from the Argentine Confederation, etc.

Austria-Hungary, article 6:

And the same bounties and drawbacks shall be allowed whether such exportation or reexportation be made in the vessels of the one party or of the other.

Belgium, article 7:

All premiums, drawbacks, or other favors of like nature which may be allowed in the States of either of the contracting parties upon goods imported or exported shall be likewise and in the same manner allowed upon goods imported directly from one of the two countries by its vessels into the other, or exported from one of the two countries by the vessels of the other to any destination whatsoever.

Bolivia, article 4, same provision as in Austria-Hungary treaty.

Brazil, article 4, same provision.

New Granada, article 4, same provision.

Costa Rica, article 6, same provision.

Denmark, article 3, same provision.

Ecuador, article 4, same provision.

Great Britain, article 2, same provision.

Guatemala, article 4, same provision.

Hanover, article 1, same provision.

Hanseatic Republics, article 1, same provision.

Haiti, article 11, same provision.

Honduras, article 5, same provision.

Italy, article 5, same provision.

Japan, article 7, same provision.

Mecklenberg-Schwerin, article 1, same provision.

Netherlands, article 1, same provision.

Ottoman Porte, article 8, same provision.

Peru, article 7, same provision.

Portugal, article 4, same provision.

Salvador, article 4, same provision.

Venezuela, article 6, same provision.

Mr. President, I do not wish to expose this bill to that very serious question when there is no necessity for it, and when ships will not sail from ports of the United States without carrying cargoes to at least half the cargo commercial capacity of the ship.

Mr. ALLISON. That is all the amendment provides for.

Mr. FRYE. I know that is all it provides for, but that is not what I am afraid of. I am afraid of the Constitution and the treaty question. I do not care anything about the provision as to carrying half cargoes. I hope the Senator from Iowa will withdraw that amendment.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BERRY. I ask unanimous consent that the Senator from Maine may be permitted to speak until 3 o'clock.

The PRESIDING OFFICER. If there be no objection, it will be so ordered. The Chair hears no objection.

Mr. FRYE. I am obliged to the Senator from Arkansas and the Senate for the five minutes.

Mr. MONEY. Will the Senator permit me to ask him a question before he leaves this point?

Mr. FRYE. I want to get through with these amendments first, at any rate.

Mr. MONEY. All right.

Mr. FRYE. The next amendment proposed by the Senator from Iowa is that—

All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph (c) of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

I do not think that necessary, because, under the general subsidy, the Secretary of the Treasury must find on every voyage that the ship is A1; yet I have not the slightest objection to it if the Senator desires to make that specific provision. The Senator from Iowa also offered the following amendment as an additional proviso:

And provided further, That until July 1, 1907, not more than \$5,000,000 shall be expended in any one year under the contracts provided for in this title, and after that date not more than \$8,000,000 shall be expended in any one year under the contracts provided for in this title.

And after that date not more than \$8,000,000 shall be expended in any one year under the contracts provided for in this title; and the Secretary of the Treasury—

Should that be the Secretary of the Treasury or the Postmaster-General?

Mr. ALLISON. I should think the Secretary of the Treasury.

Mr. FRYE. The proposed amendment continues—

shall make such regulations for the payment of said compensation as will cause any excess in the total amount of compensation earned under this title in any one fiscal year over and above said sums respectively to be deducted pro rata from the total compensation due each person or corporation under this title during said fiscal year.

I have not the slightest objection to that. It is a wise provision.

The next amendment offered by the Senator from Iowa is:

H. Steamers which during their trials have not obtained a minimum speed of 8 knots, half-loaded.

I do not object to that. I do not want any steamer that will not make 8 knots.

The next amendment proposed by the Senator from Iowa is:

I. Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

I do not understand that. Can the Senator in a word or two explain it?

Mr. ALLISON. That refers to vessels in the coastwise trade. That is what I mean.

Mr. FRYE. Does the Senator mean a ship loaded in the Kennebec River, with ice in its hold and with lumber on its deck, bound with the lumber to Washington and the ice to New Orleans, which at New Orleans changes her enrollment and registers and loads with cotton for Liverpool, does the Senator mean to cut off that ship from New Orleans to Liverpool with a load of cotton?

Mr. ALLISON. That is precisely what I mean. A ship engaged in the coastwise trade, I think, should not be permitted to go into one port of the United States and then go to a foreign port on the same voyage and get a subsidy.

Mr. FRYE. Then I do not like the amendment at all, because I can not see any reason why a ship that goes down to New Orleans, no matter how she got there, and then having registered and become a ship in the foreign trade should not receive subsidy from New Orleans—I do not mean from New York or the Kennebec River, I mean from New Orleans to Liverpool. I hope the Senator will not press that amendment.

The next amendment is one proposed by the Senator from Wisconsin [Mr. SPOONER] to insert at the end of the bill these words:

Congress reserves the power to alter, amend, or repeal this act, in whole or in part, whenever in its judgment the public interest shall so require, without in anywise interfering with the obligation of any specific contract then in force which shall have been entered into under the provisions of title 1 thereof.

I have not the slightest objection to that amendment, because, in my judgment, Congress has the right to repeal the act at any time.

The Senator from Wisconsin said there was some doubt as to what this bill would accomplish. There is some doubt about everything. He wanted to do everything, for instance, that I desire to accomplish, and he wanted to do it soon; he wanted ships restored to the ocean, but he was not certain whether or not this bill would do it. There can be no absolute certainty as to what any legislation of Congress will accomplish. That is an impossible thing. The Senator can not tell what the Philippine bill will accomplish; the Senator can not tell what the tariff bill will accomplish. No Senator can prophesy with an absolute degree of certainty as to what is to be the outcome of any legislation before Congress.

I can simply say to the Senate that I probably have given more thought to this subject than any other Senator on this floor—I know I have—and I can say to the Senator that, in my judgment, if this bill becomes a law without any amendment other than those I have already assented to, it will accomplish its purpose and we shall have postal lines to the Orient; we shall have them to South America, and we shall have the general freight ships of the country increasing in numbers very largely. I have not any doubt about it all myself, and if I had I never should have consented, as a matter of course, to the terms of this bill. I suppose, however, my judgment is no better than that of the Senator from Wisconsin.

Now, with regard to people not being able to raise money to build ships because there are no contracts provided for in this bill. The objection to the old bill was that the contracts under the general subsidy would run twenty, thirty, or forty years, and Senators figured out a cost of \$500,000,000 or \$600,000,000. As I have said, there are no contracts here. But is there ever a contract in a tariff bill? For instance, take tin plate. We put a heavy duty on tin plate. Was there any contract that that duty should remain on tin plate for two years or three years or five years; and did the absence of such a contract prevent men from immediately investing their money in tin-plate factories? Not at all. We put a duty on silk goods. Did that prevent the investment of millions and millions of dollars in the manufacture of silk goods in the city of Paterson? It did not prevent a dollar from going into that business, although that law might have been repealed at the very next session of Congress.

I do not think, Mr. President, that there is anything—

The PRESIDING OFFICER. The Senator's time has expired. The hour of 3 o'clock having arrived, by order of the Senate the vote will now be taken on the amendments submitted and to be presented to the pending bill without further debate.

Mr. VEST and Mr. CULBERSON addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the Senator from Missouri [Mr. VEST].

Mr. VEST. I should like to make a parliamentary inquiry. I understood the Chair to announce a while ago that the pending amendment was that offered by the Senator from Iowa [Mr. ALLISON]. My understanding is that all amendments—

The PRESIDING OFFICER. The Chair will state that the Senator from Iowa has yielded to the Senator from Missouri, so that the amendment of the Senator from Missouri will be first taken up if he desires to present it.

Mr. VEST. I have an amendment which I desire to offer, and I ask for yeas and nays upon it.

Mr. McLAURIN of Mississippi. Mr. President—

The PRESIDING OFFICER. Does the Senator from Missouri yield to the Senator from Mississippi?

Mr. CULLOM. There is no yielding about it. No debate is in order.

Mr. VEST. If the Senator from Mississippi will permit me, I want to offer my amendment at this time, and to have a vote upon it.

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

The SECRETARY. At the end of the bill it is proposed to add the following:

SEC. 21. That the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," is hereby specifically declared to be applicable to the builder, owner, and either or both of them, of any vessel receiving subsidy provided for by this act, and any such vessel is hereby declared to be property in the course of transportation within the intent and provisions of section 6 of the aforesaid act of July 2, 1890.

SEC. 22. That upon complaint made to the Secretary of the Treasury that any person owning, controlling, or operating vessels entitled to compensation under this act which together with the vessels associated with them in any combination, contract, or conspiracy aggregate in tonnage one-third of the total tonnage of all vessels entitled to compensation, or that any person owning, controlling, or operating vessels entitled to compensation under this act which transact business in any port of the United States and together with the vessels associated with them in any combination, contract, or conspiracy aggregate one-third of the total tonnage of all vessels entitled to compensation under this act entering or clearing from such port in the United States during any one year, has entered into any contract, combination, or conspiracy, whatever be the form thereof, for the purpose of controlling the terminal facilities for shipping in any port or ports of the United States, or for regulating or increasing the rates of fares for freight or passengers in trade or commerce among the several States or with foreign nations, or for granting any special rebates or privileges to shippers in such commerce, or for otherwise putting any restraint upon trade or commerce among the several States or with foreign nations, the Secretary shall fix a time and place for hearing such charges and give notice thereof to the persons interested and may require the production before him of any contracts or papers which he may deem material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true. If, after notice and hearing, the Secretary of the Treasury shall determine in writing that such charges are true, thereupon the right of the person or persons so found violating the provisions of this section, and they assigns, to any compensation from the United States under this act shall immediately cease and determine.

SEC. 23. That any contract, combination, or conspiracy, in whatever form made or entered into, between the persons owning, controlling, or operating two or more shipyards in the United States which have constructed, are constructing, or are capable of constructing, during any one year, vessels aggregating in tonnage one-third of the total tonnage of the new vessels registered and entitled to compensation under this act, for the purpose of limiting or controlling the number, tonnage, classes, kind, or type of vessels to be constructed therein or for regulating in any manner the terms or increasing the prices of construction of such vessels, is hereby declared to be unlawful and void; and any consolidation, absorption, sale, or transfer, by the persons owning, operating, or controlling two or more shipyards in the United States of the capacity aforesaid, of the privileges, franchises, or property of such shipyards for the purpose of limiting or suppressing competition between or among such shipyards or the owners or managers thereof for placing the control of the terms and conditions of such contracts for constructing vessels therein under one management is hereby declared to be unlawful and void. Upon written complaint, filed with the Secretary of the Treasury by any person having a contract or application for a contract for the construction of new vessels in the United States under the provisions of this act, alleging a violation of the provisions of this section, the Secretary of the Treasury shall give notice to the interested person or persons of such complaint and fix a time and place for a hearing upon the charges made, and may require the person or persons against whom the charges are made to produce before him any contracts or papers which he may deem to be material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true.

If the Secretary of the Treasury shall, upon such hearing, find and determine in writing that any of the provisions of this section have been violated he shall publish such finding and determination in one or more newspapers, not exceeding three in the whole, published in any county in which such violation shall have taken place, and shall also mail to the parties interested, so far as known, a copy of such finding and determination, and thereafter during the continuance of any of the acts, contracts, combinations, consolidations, absorptions, sales, or transfers, or the continuance of any of the acts so found and determined to have been unlawful, none of the persons so found to have violated the provisions of this section shall be entitled to any contract of any kind whatever with the United States, and no officer or agent of the United States shall during such continuance enter into any such contract with such person or any of them; and after such finding, determination, and publication as aforesaid no vessel which may be thereafter contracted for to be built by the owner or persons operating such offending shipyard or shipyards shall be the subject of any contract or compensation provided for in this act during the continuance of the wrong so found and determined.

SEC. 24. That the word "person," or "persons," "citizen" or "citizens," wherever used in the three preceding sections, shall be deemed to include "corporations," "associations," and "partnerships" existing under or au-

thorized by the laws of either the United States, of any State, of any Territory, or of any foreign country, unless otherwise limited by this act.

The provisions of the act to which this is amendatory shall not be construed to interfere with or prevent the enforcement of any law of the United States prohibiting contracts, combinations, or conspiracies in restraint of trade.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Missouri [Mr. VEST].

Mr. VEST. I call for the yeas and nays, Mr. President.

The yeas and nays were ordered.

Mr. SPOONER. Mr. President, I desire to move an amendment to the amendment, if it be in order.

The PRESIDENT pro tempore. It is in order.

Mr. SPOONER. I move to strike out section 23. It is not properly numbered with reference to the bill. It may have been properly numbered with reference to the bill of last year.

Mr. VEST. Mr. President, I neglected to state that I desire to modify the amendment. This amendment was offered to the bill which was pending in the Fifty-sixth Congress, but was not voted on; and the numbering of the sections is, of course, inapplicable to the present bill.

The PRESIDENT pro tempore. The clerks will attend to the numbering of the sections.

Mr. VEST. I understand now that the Senator from Wisconsin moves to strike out that part of the amendment in regard to shipyards. Am I right about that?

Mr. SPOONER. That is correct. I have no right to debate it, but that is the proposition.

The PRESIDENT pro tempore. The Senator from Wisconsin moves an amendment to the amendment, which will be stated.

The SECRETARY. On page 3, beginning with line 9, strike out all of the remainder of the amendment down to and including line 14 on page 5.

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

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question recurs on agreeing to the amendment. The Secretary will call the roll.

The Secretary proceeded to call the roll.

Mr. CLAY (when his name was called). I am paired with the junior Senator from Massachusetts [Mr. LODGE]. I will transfer my pair, and let the junior Senator from Massachusetts [Mr. LODGE] be paired with the senior Senator from Arkansas [Mr. JONES], if it is agreeable to the Senator from Maine.

Mr. HALE. That is entirely agreeable.

Mr. CLAY. The Senator from Massachusetts would vote "nay." I will vote. I vote "yea."

Mr. MARTIN (when Mr. DANIEL's name was called). My colleague is unavoidably detained. On these votes he is paired with the Senator from Nebraska [Mr. MILLARD].

Mr. DEPEW (when his name was called). I am paired with the Senator from Louisiana [Mr. MCENERY]. I transfer my pair to the Senator from Nevada [Mr. STEWART] and will vote. I vote "nay."

Mr. DILLINGHAM (when his name was called). My general pair with the senior Senator from South Carolina [Mr. TILLMAN] has been transferred by arrangement to the senior Senator from North Carolina [Mr. PRITCHARD], and therefore I will vote. I vote "nay."

Mr. HEITFELD (when his name was called). I am paired with the senior Senator from New York [Mr. PLATT]. I have made an arrangement with the senior Senator from Wyoming [Mr. WARREN] to transfer our pairs. The senior Senator from Wyoming is paired with the senior Senator from Washington [Mr. TURNER], thus leaving the senior Senator from New York [Mr. PLATT] and the senior Senator from Washington [Mr. TURNER] paired. I will vote. I vote "yea."

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). My colleague is paired with the Senator from Massachusetts [Mr. LODGE]. If my colleague were present, he would vote "yea."

Mr. HOAR (when Mr. LODGE's name was called). My colleague, as has already been announced, is paired with the senior Senator from Arkansas [Mr. JONES]. I wish to announce once for all that if my colleague were here, he would vote for this bill and against all amendments not accepted by the committee.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

Mr. WARREN (when his name was called). I have a standing pair with the senior Senator from Washington [Mr. TURNER]. As already announced by the senior Senator from Idaho, the Senator from Washington [Mr. TURNER], who is supposed to be against the bill, is paired with the Senator from New York [Mr. PLATT], who is supposed to favor it. Therefore the Senator from Idaho [Mr. HEITFELD] and I will vote now and upon all votes taken upon this measure. I make this statement so that I will not have to announce the pair again.

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.			
Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.
Mr. VEST. I offer the amendment which I send to the desk. The PRESIDENT pro tempore. The amendment proposed by the Senator from Missouri will be stated.

The SECRETARY. In section 6, Title II, it is proposed to insert the following:
Provided, That any vessel purchased or built in a foreign country and the property of a citizen or citizens of the United States, or of any corporation created under the laws of the United States or of any of the States thereof, shall be admitted to registry in the United States, but no subsidy shall be paid to the owner or owners of such vessel under the provisions of this act, nor shall said vessel be admitted to the coastwise trade of the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.
Mr. VEST. On that I ask 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). I will announce that if my colleague were present, he would vote "yea." I will announce at this time that on all amendments which would tend to defeat the bill or make it better he would, if present, vote "yea." Then he would vote against the bill in any shape.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.			
Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.
Mr. VEST. I offer the amendment which I send to the desk. The PRESIDENT pro tempore. The amendment will be stated.
The SECRETARY. It is proposed to strike out all after the enacting clause and insert:

That so many of the various provisions of the Title XLVIII of the Revised Statutes of the United States, entitled "Regulation of Commerce and Navigation," embraced in chapters 1 to 9 of said title, and from section 4131 to section 4305, both inclusive, as either prohibit or restrict citizens of the United States from purchasing ships built in other countries, to be used in the foreign carrying trade of the United States, or which impose taxes, burdens, or restrictions on such ships when owned by American citizens which are not imposed on ships built in the United States, are hereby repealed; and it shall be lawful hereafter for all citizens of the United States to buy ships built in whole or in part in any foreign country and have them registered as ships of the United States, and when so registered such ships so bought shall be entitled to all the rights and subjected only to the same regulations as are now

provided by law for the government and management of ships built wholly within the United States and owned and controlled by citizens thereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Missouri.

Mr. VEST. I call for the yeas and nays.
The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 25, nays 48; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—48.			
Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Quarles,
Clark, Wyo.	Frye,	McComas,	Scott,
Cullom,	Gallinger,	McCumber,	Spooner,
Deboe,	Gamble,	McLaurin, S. C.	Warren,
Depew,	Hale,	McMillan,	Wellington,
Dietrich,	Hanna,	Mason,	Wetmore.

NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So Mr. VEST's amendment was rejected.
Mr. TELLER. I desire to offer an amendment to insert as additional sections what I send to the desk.

The PRESIDENT pro tempore. The amendment proposed by the Senator from Colorado will be stated.

The SECRETARY. It is proposed to insert as additional sections the following:

SEC. 1. That the Secretary of the Treasury is hereby authorized and directed to grant registers as vessels of the United States to such foreign-built steamships now engaged in freight and passenger business and sailing from a port in the United States as are of a tonnage of not less than 7,000 tons and capable of a speed of not less than 12 knots per hour, according to the existing method of Government test for speed, of which not less than 90 per cent of the shares of the capital of the foreign corporation or association owning the same was owned January 1, 1902, and has continued to be owned until the passage of this act by citizens of the United States, including as such citizens corporations created under the laws of any of the States thereof, upon the American owners of such majority interest obtaining a full and complete transfer and title to such steamships from the foreign corporations owning the same: *Provided*, That such American owners shall, subsequent to the date of this law, have built, or have contracted to build, in American shipyards steamships of an aggregate tonnage of not less in amount than that of the steamships so admitted to registry, each steamship so built or contracted for to be of a tonnage of not less than 7,000 tons.

SEC. 2. That the Secretary of the Treasury, on being satisfied that such steamships so acquired by American citizens, or by such corporation or corporations as above set forth, are such as come within the provisions of this act, and that the American owners of such steamships, for which an American registry is to be granted under the provisions hereof, have built or contracted to build in American shipyards steamships of an aggregate tonnage as set forth in the first section hereof, shall direct the bills of sale or transfer of the foreign-built steamships so acquired to be recorded in the office of the collector of customs of the proper collection district, and cause such steamships to be registered as vessels of the United States by said collector. After which, each of such vessels shall be entitled to all the rights and privileges of a vessel of the United States, except that it shall not be employed in the coastwise trade of the United States.

SEC. 3. That no further or other inspection shall be required for the said steamship or steamships that is now required for foreign steamships carrying passengers under the existing laws of the United States, and that a special certificate of inspection may be issued for each steamship registered under this act; and that before issuing the registry to any such steamship as a vessel of the United States the collector of customs of the proper collection district shall cause such steamship to be measured and described in accordance with the laws of the United States, which measurement and description shall be recited in the certificate of registry to be issued under this act.

SEC. 4. That any steamships so registered under the provisions of this act may be taken and used by the United States as cruisers or transports upon payment to the owners of the fair actual value of the same at the time of the taking, and if there shall be a disagreement as to the fair actual value at the time of taking between the United States and the owners, then the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, who, in case of disagreement, shall select a third, the award of any two of the three so chosen to be final and conclusive.

Mr. TELLER. I desire to add at the end of the amendment, as a modification thereof, the words:

Provided, That the ships so registered under this provision shall receive no subsidy under this act.

Mr. ALLISON. Where will the amendment come in?
Mr. TELLER. At the end of the whole amendment, I suppose.
Mr. SPOONER. Does the Senator mean to provide that American ships shall receive no subsidy?
Mr. TELLER. The amendment applies to foreign ships admitted to American registry.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Colorado.

Mr. TELLER. Let us have the yeas and nays.

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

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call was concluded.

Mr. QUARLES (after having voted in the negative). I did not observe at the time I voted that the Senator from Texas [Mr. CULBERSON] is not here. I have a general pair with the Senator from Texas and I will therefore withdraw my vote.

The result was announced—yeas 24, nays 47; as follows:

YEAS—24.

Bacon,	Clark, Mont.	Harris,	Patterson,
Bailey,	Clay,	Heitfeld,	Pettus,
Bate,	Cockrell,	McLaurin, Miss.	Rawlins,
Berry,	Dubois,	Mallory,	Taliaferro,
Blackburn,	Foster, La.	Martin,	Teller,
Carmack,	Gibson,	Money,	Vest.

NAYS—47.

Aldrich,	Dillingham,	Hansbrough,	Mitchell,
Allison,	Dolliver,	Hawley,	Nelson,
Bard,	Dryden,	Hoar,	Penrose,
Beveridge,	Elkins,	Jones, Nev.	Perkins,
Burnham,	Fairbanks,	Kean,	Platt, Conn.
Burrows,	Foraker,	Kearns,	Proctor,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Spooner,
Cullom,	Gallinger,	McCumber,	Warren,
Deboe,	Gamble,	McLaurin, S. C.	Wellington,
Depew,	Hale,	McMillan,	Wetmore.
Dietrich,	Hanna,	Mason,	

NOT VOTING—17.

Clapp,	McEnery,	Quarles,	Tillman,
Culberson,	Millard,	Quay,	Turner.
Daniel,	Morgan,	Simmons,	
Jones, Ark.	Platt, N. Y.	Simon,	
Lodge,	Pritchard,	Stewart,	

So the amendment was rejected.

Mr. ALLISON. On page 1, line 10, after the words "Post-master-General," I move to insert "until July 1, 1910."

The amendment was agreed to.

Mr. ALLISON. On page 2, line 13, after the word "named," I move to insert the following proviso:

Provided, That no contract shall be made under the provisions of this title which shall extend beyond the 1st day of July, 1920.

The amendment was agreed to.

Mr. ALLISON. On page 4, after line 17, I move to insert:

And every vessel in respect of which any contract authorized by this act shall be applied for or made shall be of the class A1, as classified either by the Record of American and Foreign Shipping or the United States Standard Owners, Builders and Underwriters' Association, or equivalent classification in any other register of shipping of at least equal merit. All vessels under contract as provided for in this act shall be of class A1 or its equivalent, as hereinbefore in this section mentioned, during the whole period of their service under the contracts provided for in this act.

The amendment was agreed to.

Mr. ALLISON. On page 6, line 1, after the words "Post-master-General," I move to insert:

And provided further, That until July 1, 1907, not more than \$5,000,000 shall be expended in any one year under the contracts provided for in this title, and after that date not more than \$8,000,000 shall be expended in any one year under the contracts provided for in this title; and the Secretary of the Treasury shall make such regulations for the payment of said compensation as will cause any excess in the total amount of compensation earned under this title in any one fiscal year over and above said sums respectively to be deducted pro rata from the total compensation due each person or corporation under this title during said fiscal year.

The amendment was agreed to.

Mr. BACON. I have an amendment which is to come in immediately in this connection. If the Senator from Iowa does not object, I will offer it now, but if he prefers I will withhold it.

Mr. ALLISON. I would prefer to close these amendments.

Mr. BACON. All right.

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

The SECRETARY. On page 7, after line 12, insert:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo; and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that such shortage bears to the total cargo or its equivalent so required. All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph C of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

Mr. NELSON. Mr. President, I ask for a division of the question. There are two propositions in the amendment.

The PRESIDENT pro tempore. The Senator is entitled to a division of the question. The question will be taken on what is called the cargo clause.

Mr. COCKRELL. Let it be read.

The PRESIDENT pro tempore. It will be again read.

The Secretary read as follows:

No vessel shall be entitled to the full compensation under this title unless she shall have cleared from a port of the United States with cargo to the amount of 50 per cent of her capacity for carrying commercial cargo; and any shortage in the amount of cargo required and defined as aforesaid shall diminish the amount of the compensation in this paragraph provided for in the proportion that said shortage bears to the total cargo or its equivalent so required.

The PRESIDENT pro tempore. The question is on agreeing to the first branch of the amendment proposed by the Senator from Iowa.

Mr. TELLER. On that let us have the yeas and nays.

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

Mr. FOSTER of Louisiana (when his name was called). I have a general pair with the junior Senator from North Dakota [Mr. McCUMBER]. He is temporarily absent from the Chamber. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The roll call having been concluded, the result was announced—yeas 33, nays 37; as follows:

YEAS—33.

Allison,	Cockrell,	McComas,	Rawlins,
Bacon,	Culberson,	McLaurin, Miss.	Spooner,
Bailey,	Cullom,	McLaurin, S. C.	Taliaferro,
Bate,	Dillingham,	Mallory,	Teller,
Berry,	Dolliver,	Martin,	Vest,
Blackburn,	Dubois,	Money,	Warren.
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	
Clay,	Heitfeld,	Proctor,	

NAYS—37.

Aldrich,	Dryden,	Hawley,	Penrose,
Bard,	Fairbanks,	Hoar,	Perkins,
Beveridge,	Foraker,	Jones, Nev.	Platt, Conn.
Burnham,	Foster, Wash.	Kean,	Quarles,
Burrows,	Frye,	Kearns,	Scott,
Burton,	Gallinger,	Kittredge,	Wellington,
Clark, Wyo.	Gamble,	McMillan,	Wetmore.
Deboe,	Hale,	Mason,	
Depew,	Hanna,	Mitchell,	
Dietrich,	Hansbrough,	Nelson,	

NOT VOTING—18.

Clapp,	Lodge,	Platt, N. Y.	Stewart,
Daniel,	McCumber,	Pritchard,	Tillman,
Elkins,	McEnery,	Quay,	Turner.
Foster, La.	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the first branch of Mr. ALLISON'S amendment was rejected.

The PRESIDENT pro tempore. The second branch of the amendment submitted by the Senator from Iowa [Mr. ALLISON] will be read.

The Secretary read as follows:

All vessels receiving compensation under this section shall be at least of class A1 or its equivalent, as defined in paragraph C of section 7 of this act, during the whole period for which payment is authorized under the provisions of this title.

The second branch of Mr. ALLISON'S amendment was agreed to.

Mr. ALLISON. On page 7, line 4, after the word "vessel," I move to insert "of over 1,000 gross registered tons."

Mr. ALDRICH. So that the paragraph will read—

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Iowa.

Mr. TELLER. Let it be read as it would read if amended.

The PRESIDENT pro tempore. The clause will be read as it would stand if amended.

The Secretary read as follows:

(a) On each entry, not exceeding sixteen entries in any one fiscal year, of a sail or steam vessel of over 1,000 gross registered tons, 1 cent per gross registered ton for each 100 nautical miles sailed.

The amendment was agreed to.

Mr. ALLISON. After line 13, on page 8, I move to insert:

(b) Steamers which during their trials have not obtained a minimum speed of 8 knots, half loaded.

(c) Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

I ask for a division of this question, in view of what has already been said.

The PRESIDENT pro tempore. The Senator from Iowa is entitled to a division. The question will be first taken on the first clause.

Mr. COCKRELL. Let it be read.

The PRESIDENT pro tempore. The first clause will be again read.

The Secretary read as follows:

(b) Steamers which during their trials have not obtained a minimum speed of 8 knots, half loaded.

The amendment was agreed to.

The PRESIDENT pro tempore. The second clause of the amendment will be read.

The Secretary read as follows:

(i) Vessels which in the same voyage are engaged in traffic exclusively reserved to vessels of the United States.

The amendment was rejected.

Mr. McLAURIN of Mississippi. I send to the desk the amendment of which I gave notice on the 7th of this month, and I ask for a yeas-and-nays vote on it.

The PRESIDENT pro tempore. The Senator from Mississippi proposes an amendment, which will be read.

The SECRETARY. It is proposed to add, at the end of the bill, the following additional sections:

SEC. 16. That in making the contracts mentioned in section 1 of this act, in all cases where the contract shall be with a firm or firms, the contract shall give the names of all the members of the firm or firms, as the case may be, with whom such contract shall be made; and in case such contract shall be made with a corporation or corporations, the contract shall give the names of all the incorporators and stockholders thereof: *Provided*, That in cases of corporations where the number of incorporators and stockholders is so great as to make it cumbersome to include all the names in the contract, it shall be sufficient for the Postmaster-General to make and keep a record of such names.

SEC. 17. That before any owner or owners of any vessel, as specified in sections 6 and 12 of this act, shall receive any of the money in said sections 6 and 12 mentioned, the names of all of the owners and part owners of such vessel shall be given to the Secretary of the Treasury under the oath of some one or more of such owners or part owners; and in case of a corporation, the names of all of the incorporators and stockholders thereof shall be given to the Secretary of the Treasury under the oath of the president of such corporation, if there be a president, and if not, then under the oath of some other officer thereof, and the Secretary of the Treasury shall keep a record thereof.

SEC. 18. That if the contract shall not give all of the names of the members of the firm or firms, or of the incorporators and stockholders, as required by this act, the said contract shall be thereby void.

SEC. 19. That no Senator or Representative in Congress, or President of the United States, or judge of any court of the United States shall be directly or indirectly interested in any contract under this act, or in any corporation having a contract under this act, or directly or indirectly receive any money or thing of value or worth under the provision or provisions of this act, or be directly or indirectly interested in any corporation or vessel a beneficiary of this act.

The PRESIDENT pro tempore. On this amendment the Senator from Mississippi demands the yeas and nays.

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

Mr. FOSTER of Louisiana (when his name was called). I am paired with the junior Senator from North Dakota [Mr. McCUMBER]. If he were present, I should vote "yea."

Mr. MORGAN (when his name was called). I am paired with the Senator from Pennsylvania [Mr. QUAY]. If he were present, I should vote "yea."

The result was announced—yeas 25, nays 45; as follows:

YEAS—25.

Bacon,	Clay,	McLaurin, Miss.	Rawlins,
Bailey,	Cockrell,	McLaurin, S. C.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Gibson,	Money,	
Carmack,	Harris,	Patterson,	
Clark, Mont.	Heitfeld,	Pettus,	

NAYS—45.

Aldrich,	Dillingham,	Hansbrough,	Perkins,
Allison,	Dolliver,	Hawley,	Platt, Conn.
Bard,	Dryden,	Hoar,	Proctor,
Beveridge,	Elkins,	Jones, Nev.	Quarles,
Burnham,	Fairbanks,	Kean,	Scott,
Burrows,	Foraker,	Kearns,	Spooner,
Burton,	Foster, Wash.	Kittredge,	Warren,
Clark, Wyo.	Frye,	McComas,	Wellington,
Cullom,	Gallinger,	McMillan,	Wetmore.
Deboe,	Gamble,	Mason,	
Depew,	Hale,	Mitchell,	
Dietrich,	Hanna,	Nelson,	

NOT VOTING—18.

Clapp,	McCumber,	Platt, N. Y.	Stewart,
Daniel,	McEnery,	Pritchard,	Tillman,
Foster, La.	Millard,	Quay,	Turner.
Jones, Ark.	Morgan,	Simmons,	
Lodge,	Penrose,	Simon,	

So the amendment was rejected.

Mr. BERRY. Mr. President, I send four amendments to the desk, which I desire to have stated in their order.

The PRESIDING OFFICER (Mr. GALLINGER in the chair). The amendments proposed by the Senator from Arkansas will be stated in their order.

The SECRETARY. At the end of line 12, on page 6, it is proposed to insert:

That oil-tank steamers or vessels for carrying oil in barrels, cases, or packages shall not be included under this act.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

Mr. BERRY. I ask for the yeas and nays on the amendment, Mr. President.

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

Mr. FOSTER of Louisiana (when his name was called). I am paired with the Senator from North Dakota [Mr. McCUMBER].

The roll call having been concluded, the result was announced—yeas 25, nays 45; as follows:

YEAS—25.

Bacon,	Clay,	McLaurin, Miss.	Spooner,
Bailey,	Cockrell,	Mallory,	Taliaferro,
Bate,	Culberson,	Martin,	Teller,
Berry,	Dubois,	Money,	Vest.
Blackburn,	Gibson,	Patterson,	
Carmack,	Harris,	Pettus,	
Clark, Mont.	Heitfeld,	Rawlins,	

NAYS—45.

Aldrich,	Dolliver,	Hawley,	Penrose,
Bard,	Dryden,	Hoar,	Perkins,
Beveridge,	Elkins,	Jones, Nev.	Platt, Conn.
Burnham,	Fairbanks,	Kean,	Proctor,
Burrows,	Foraker,	Kearns,	Quarles,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington,
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mason,	
Dietrich,	Hanna,	Mitchell,	
Dillingham,	Hansbrough,	Nelson,	

NOT VOTING—18.

Allison,	Lodge,	Platt, N. Y.	Stewart,
Clapp,	McCumber,	Pritchard,	Tillman,
Daniel,	McEnery,	Quay,	Turner.
Foster, La.	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the amendment of Mr. BERRY was rejected.

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

The SECRETARY. On page 6, after line 12, it is proposed to insert:

That freight and passenger rates on all ships or vessels drawing either mail or general subsidy under this act shall be fixed and regulated by the Interstate Commerce Commission; and any individual or corporation violating said regulations shall forfeit an amount double the amount of their subsidy.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was rejected.

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

The SECRETARY. On page 6, at the end of line 12, it is proposed to insert:

No port, shipper, or commodity shall be discriminated against in rates of freight, or by any system of private rebates or other concessions at date of shipment or later period, nor shall any monopoly of freight room for any one article or articles to any one shipper or shippers be given by any individual or corporation drawing either mail or general subsidy under this act.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Arkansas.

The amendment was rejected.

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

The SECRETARY. It is proposed to strike out all that part of the bill beginning with section 6, page 6, down to and including line 8, on page 10.

Mr. BERRY. That amendment proposes to strike out Title II of the bill in relation to "general subsidy." On that I ask for the yeas and nays.

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

Mr. McCUMBER (when his name was called). I am paired with the Senator from Louisiana [Mr. FOSTER].

Mr. PETTUS (when Mr. MORGAN's name was called). The senior Senator from Alabama [Mr. MORGAN] is necessarily absent, and I announce now, for the purposes of all this voting this evening, that he is paired with the Senator from Pennsylvania [Mr. QUAY].

The roll call having been concluded, the result was announced—yeas 25, nays 45; as follows:

YEAS—25.

Allison,	Clark, Mont.	McLaurin, Miss.	Spooner,
Bacon,	Clay,	Mallory,	Taliaferro,
Bailey,	Cockrell,	Martin,	Teller,
Bate,	Culberson,	Money,	Vest.
Berry,	Dubois,	Patterson,	
Blackburn,	Gibson,	Pettus,	
Carmack,	Heitfeld,	Rawlins,	

NAYS—45.

Aldrich,	Dolliver,	Hawley,	Penrose,
Bard,	Dryden,	Hoar,	Perkins,
Beveridge,	Elkins,	Jones, Nev.	Platt, Conn.
Burnham,	Fairbanks,	Kean,	Proctor,
Burrows,	Foraker,	Kearns,	Quarles,
Burton,	Foster, Wash.	Kittredge,	Scott,
Clark, Wyo.	Frye,	McComas,	Warren,
Cullom,	Gallinger,	McLaurin, S. C.	Wellington,
Deboe,	Gamble,	McMillan,	Wetmore.
Depew,	Hale,	Mason,	
Dietrich,	Hanna,	Mitchell,	
Dillingham,	Hansbrough,	Nelson,	

NOT VOTING—18.

Clapp,	Lodge,	Platt, N. Y.	Stewart,
Daniel,	McCumber,	Pritchard,	Tillman,
Foster, La.	McEnery,	Quay,	Turner.
Harris,	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	

So the amendment of Mr. BERRY was rejected.

Mr. PETTUS. I offer the amendment which I send to the desk, and I ask for the yeas and nays on it.

The PRESIDENT pro tempore. The amendment will be stated. The SECRETARY. It is proposed to insert the following as a new section:

SEC. 16. But under the provisions of this act no more than \$9,000,000 shall be paid out of the Treasury for or in any one year.

The PRESIDENT pro tempore. On this amendment the Senator from Alabama demands the yeas and nays.

The yeas and nays were ordered. Mr. SPOONER. I ask that the amendment may be again read.

The PRESIDENT pro tempore. The amendment will be again stated.

The Secretary again read the amendment of Mr. PETTUS.

Mr. CLAY. I desire to ask the Senator for information. Has not an amendment already been adopted limiting the amount which may be expended to not exceeding \$8,000,000 a year?

Mr. PETTUS. That was in reference to the mail subsidy.

The PRESIDENT pro tempore. Debate is not in order.

Mr. PLATT of Connecticut. Would it be in order to ask that the former amendment which was adopted should be read?

Mr. COCKRELL. Yes; let it be read.

The PRESIDENT pro tempore. That, in the opinion of the Chair, would be in the nature of debate.

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

Mr. PETTUS. The reading of the amendment adopted on the motion of the Senator from Iowa [Mr. ALLISON] has been called for, Mr. President.

The PRESIDENT pro tempore. Debate not being in order, the Senator is not in order. The Secretary will continue the roll call.

The roll call being continued and concluded, the result was announced—yeas 44, nays 22; as follows:

YEAS—44. Aldrich, Allison, Bacon, Bailey, Bate, Berry, Blackburn, Burnham, Burrows, Carmack, Clark, Mont. Cockrell, Culberson, Cullom, Deboe, Depew, Dietrich, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Gibson, Hanna, Hansbrough, Heitfeld, McComas, McLaurin, Miss. McLaurin, S. C. Martin, Mitchell, Money, Nelson, Patterson, Penrose, Perkins, Pettus, Proctor, Rawlins, Spooner, Taliaferro, Teller, Vest.

NAYS—22. Bard, Beveridge, Clark, Wyo. Frye, Gallinger, Hale, Hawley, Hoar, Jones, Nev. Kean, Kearns, Kittredge, McCumber, McMillan, Mallory, Mason, Platt, Conn. Quarles, Scott, Warren, Wellington, Wetmore.

NOT VOTING—22. Burton, Clapp, Clay, Daniel, Dillingham, Dubois, Foster, La. Gamble, Harris, Jones, Ark. Lodge, McEnery, Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So the amendment of Mr. PETTUS was agreed to.

Mr. BACON. I offer an amendment, to come in at the close of the amendment of the Senator from Iowa [Mr. ALLISON], on page 6.

The PRESIDENT pro tempore. The amendment will be stated.

Mr. BACON. The amendment of the Senator from Iowa was the one I called attention to, limiting the amount under Title I.

The SECRETARY. On page 6, after the amendment adopted on motion of Mr. ALLISON, it is proposed to insert:

And provided further, That of the amount authorized to be expended annually under this title, one-fourth of the same shall be reserved for contracts to be made for service between ports of the United States and ports of South America.

The PRESIDENT pro tempore. The question is on the amendment proposed by the Senator from Georgia.

Mr. BACON. I call for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 44; as follows:

YEAS—25. Bacon, Bailey, Bate, Berry, Blackburn, Carmack, Clark, Mont. Clay, Cockrell, Culberson, Dubois, Foster, La. Gibson, Harris, Heitfeld, McLaurin, Miss. Mallory, Martin, Money, Patterson, Pettus, Rawlins, Taliaferro, Teller, Vest.

NAYS—44. Aldrich, Bard, Beveridge, Burnham, Burrows, Burton, Clark, Wyo. Cullom, Deboe, Dietrich, Dillingham, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Frye, Gallinger, Gamble, Hale, Hanna, Hansbrough, Hoar, Jones, Nev. Kean, Kearns, Kittredge, McComas, McCumber, McMillan, Mason, Mitchell, Nelson, Penrose, Perkins, Platt, Conn. Proctor, Quarles, Scott, Spooner, Warren, Wellington, Wetmore.

NOT VOTING—19. Allison, Clapp, Daniel, Depew, Hawley, Jones, Ark. Lodge, McEnery, McLaurin, S. C. Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So Mr. BACON'S amendment was rejected.

Mr. PATTERSON. I offer the amendment I send to the desk. The PRESIDENT pro tempore. The Senator from Colorado offers an amendment, which will be stated.

The SECRETARY. It is proposed to insert as section 16 the following:

That none of the compensation, subsidy, or allowance herein provided for shall be paid for or upon any vessel for any voyage thereof that has employed in its crew any Chinese person not entitled to admission to the United States or to the territory thereof.

Mr. PATTERSON. I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 29, nays 41; as follows:

YEAS—29. Bacon, Bailey, Bard, Bate, Berry, Blackburn, Carmack, Clark, Mont. Clay, Cockrell, Culberson, Dubois, Foster, La. Gibson, Harris, Heitfeld, Jones, Nev. McLaurin, Miss. Mallory, Martin, Mitchell, Money, Patterson, Perkins, Pettus, Rawlins, Taliaferro, Teller, Vest.

NAYS—41. Aldrich, Allison, Beveridge, Burnham, Burrows, Burton, Clark, Wyo. Cullom, Deboe, Depew, Dietrich, Dillingham, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Frye, Gallinger, Gamble, Hale, Hanna, Hansbrough, Hawley, Hoar, Kean, Kittredge, McCumber, McMillan, Nelson, Penrose, Platt, Conn. Proctor, Quarles, Scott, Spooner, Warren, Wellington, Wetmore.

NOT VOTING—18. Clapp, Daniel, Jones, Ark. Kearns, Lodge, McEnery, McLaurin, S. C. Mason, Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So Mr. PATTERSON'S amendment was rejected.

Mr. MALLORY. I offer the amendment which I send to the desk.

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

The SECRETARY. It is proposed to insert as a new section the following:

SEC. 16. That no vessel shall be entitled to receive any benefit under the postal or general subsidy provisions of this act until the managing owner thereof, or if the vessel be owned by a corporation, then the president of such corporation, shall have made and filed with the Secretary of the Treasury an affidavit, duly sworn to by such managing owner or president, as the case may be, stating that no one owning any share or interest in such vessel, or controlling the management thereof, has within twelve months next preceding the date when said subsidy is due and payable been a party to any agreement or understanding of any kind whatever, with any person or corporation, the purpose of which agreement has been in any way to control ocean freight rates or to limit or prevent competition in the transportation of the products of the United States to foreign countries or the transportation of the products of foreign countries to the United States.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Florida.

Mr. MALLORY. I call for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 26, nays 46; as follows:

YEAS—26. Bacon, Bailey, Bate, Berry, Blackburn, Carmack, Clark, Mont. Clay, Cockrell, Culberson, Dubois, Foster, La. Gibson, Harris, Heitfeld, McLaurin, Miss. Mallory, S. C. Martin, Money, Patterson, Pettus, Rawlins, Taliaferro, Teller, Vest.

NAYS—46. Aldrich, Allison, Bard, Beveridge, Burnham, Burrows, Burton, Clark, Wyo. Cullom, Deboe, Depew, Dietrich, Dolliver, Dryden, Elkins, Fairbanks, Foraker, Foster, Wash. Frye, Gallinger, Gamble, Hale, Hanna, Hansbrough, Hoar, Jones, Nev. Kean, Kearns, Kittredge, McComas, McCumber, McMillan, Mitchell, Nelson, Penrose, Perkins, Platt, Conn. Proctor, Quarles, Scott, Spooner, Warren, Wellington, Wetmore.

NOT VOTING—16. Clapp, Daniel, Dillingham, Jones, Ark. Lodge, McEnery, Millard, Morgan, Platt, N. Y. Pritchard, Quay, Simmons, Simon, Stewart, Tillman, Turner.

So Mr. MALLORY'S amendment was rejected.

Mr. CULBERSON. I offer an amendment to the bill, and ask that it be read.

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

The SECRETARY. It is proposed to amend by inserting after the word "for," in line 10, page 4, the words "be remodeled as far as practicable with particular reference to prompt and economical conversion into auxiliary naval cruisers according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and."

Mr. ALLISON. I ask that the amendment may be again read. The Secretary again read the amendment.

Mr. SPOONER. I ask to have the subsection read as it will stand if amended.

The PRESIDENT pro tempore. The Secretary will read as requested.

The Secretary read as follows:

And all vessels of said five classes heretofore built and so employed shall, before they are accepted for the mail service herein provided for, be remodeled as far as practicable with particular reference to prompt and economical conversion into auxiliary naval cruisers according to plans and specifications to be agreed upon by and between the owners and the Secretary of the Navy, and be thoroughly inspected by a competent naval officer or constructor detailed for that service by the Secretary of the Navy.

The PRESIDENT pro tempore. The question is on agreeing to the amendment which has been stated.

Mr. CULBERSON. On that I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 47; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	

NAYS—47.			
Aldrich,	Dillingham,	Hawley,	Nelson,
Allison,	Dolliver,	Hoar,	Penrose,
Bard,	Dryden,	Jones, Nev.	Perkins,
Beveridge,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Proctor,
Burrows,	Foraker,	Kittredge,	Quarles,
Burton,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	McLaurin, S. C.	Warren,
Deboe,	Hale,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mitchell,	

NOT VOTING—16.			
Clapp,	Lodge,	Platt, N. Y.	Simon,
Daniel,	McEnery,	Pritchard,	Stewart,
Foster, Wash.	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So Mr. CULBERSON's amendment was rejected.

Mr. CULBERSON. I offer an amendment which is intended to come in just after the amendment of the Senator from Wisconsin [Mr. SPOONER], which has been accepted by the committee, as I understand.

The PRESIDENT pro tempore. The Senator from Texas offers an amendment, which will be read.

Mr. SPOONER. I have not offered the amendment, but I will offer it now, if the Senator is offering an amendment with reference to it.

Mr. CULBERSON. Very well.

The PRESIDENT pro tempore. The Senator from Wisconsin offers an amendment which will be read.

Mr. SPOONER. It is to stand as section 16.

The SECRETARY. It is proposed to insert as section 16 the following:

SEC. 16. The Congress reserves the power to alter, amend, or repeal this act in whole or in part whenever, in its judgment, the public interests shall so require, without, however, impairing in any wise the obligation of any specific contract then in force which shall have been entered into under the provisions of Title I hereof.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Wisconsin.

The amendment was agreed to.

Mr. CULBERSON. After the amendment just adopted I move to insert:

Provided further, That in no event shall any payment be made under this title for any voyage made after July 1, 1907, nor for any part of a voyage made subsequent to that date.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Texas [Mr. CULBERSON].

Mr. CULBERSON. Upon that I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. TELLER. Let the amendment be read again.

The Secretary again read the amendment.

The PRESIDENT pro tempore. The Secretary will call the roll on agreeing to the amendment of the Senator from Texas.

The question being taken, the yeas and nays resulted—yeas 24, nays 47; as follows:

YEAS—24.			
Bacon,	Clark, Mont.	Gibson,	Money,
Bailey,	Clay,	Harris,	Patterson,
Bate,	Cockrell,	Heitfeld,	Pettus,
Berry,	Culberson,	McLaurin, Miss.	Rawlins,
Blackburn,	Dubois,	Mallory,	Taliaferro,
Carmack,	Foster, La.	Martin,	Teller.

NAYS—47.

Aldrich,	Dillingham,	Hawley,	Nelson,
Allison,	Dolliver,	Hoar,	Penrose,
Bard,	Dryden,	Jones, Nev.	Perkins,
Beveridge,	Elkins,	Kean,	Platt, Conn.
Burnham,	Fairbanks,	Kearns,	Proctor,
Burrows,	Foraker,	Kittredge,	Quarles,
Burton,	Frye,	McComas,	Scott,
Clark, Wyo.	Gallinger,	McCumber,	Spooner,
Cullom,	Gamble,	McLaurin, S. C.	Warren,
Deboe,	Hale,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mitchell,	

NOT VOTING—17.

Clapp,	McEnery,	Quay,	Turner,
Daniel,	Millard,	Simmons,	Vest.
Foster, Wash.	Morgan,	Simon,	
Jones, Ark.	Platt, N. Y.	Stewart,	
Lodge,	Pritchard,	Tillman,	

So the amendment was rejected.

Mr. NELSON subsequently said: Mr. President, I have a general pair with the junior Senator from Missouri [Mr. VEST], and it escaped my attention that he did not vote on the last vote. In view of that fact, I ask leave to withdraw my vote.

Mr. BERRY. That is all right.

The PRESIDENT pro tempore. The Senator from Missouri is now here. Is there objection to the request of the Senator from Minnesota? The Chair hears none, and the vote is withdrawn.

Mr. CULBERSON. I move to add at the end of Title III:

Provided, That in no event shall any payment be made under this title after July 1, 1907.

The amendment was rejected.

Mr. BACON. I offer an amendment to come in immediately after the amendment offered by the Senator from Wisconsin [Mr. SPOONER], which was adopted.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert at the end of section 16, just adopted, the following additional proviso:

And provided further, That any contract made under the provisions of this act may hereafter be canceled by act or resolution of Congress, the said cancellation to take effect within not less than four years after the date of the passage of said act or resolution.

The PRESIDENT pro tempore. The question is on agreeing to the amendment proposed by the Senator from Georgia [Mr. BACON].

The amendment was rejected.

Mr. MCCOMAS. I offer an amendment to come in at the end of the bill.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary proceeded to read the amendment.

Mr. ALDRICH. That amendment has been once voted down.

Mr. MCCOMAS. This amendment has not been voted down. This is one section. Five sections were voted down.

Mr. ALDRICH. It was voted down with the other five sections.

Mr. HOAR. The Senator from Maryland can renew it in the Senate.

The PRESIDENT pro tempore. The amendment will be read.

The Secretary resumed and concluded the reading of Mr. MCCOMAS's amendment, which was to add at the end of the bill the following additional section:

SEC. —. That the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," is hereby specifically declared to be applicable, in addition to its other applications, to the owner, and either or both of them, of any vessel entering into any contract provided for by this act, and any such vessel is hereby declared to be property in the course of transportation within the intent and provisions of section 8 of the aforesaid act of July 2, 1890.

That upon complaint made to the Secretary of the Treasury (a) that any person owning, controlling, or operating vessels entitled to compensation under this act which together with the vessels associated with them in any combination, contract, or conspiracy aggregate in tonnage one-third of the total tonnage of all vessels entitled to compensation, or (b) that any person owning, controlling, or operating vessels entitled to compensation under this act which transact business in any port of the United States and together with the vessels associated with them in any combination, contract, or conspiracy aggregate one-third of the total tonnage of all vessels entitled to compensation under this act entering or clearing from such port in the United States during any one year, has entered into any contract, combination, or conspiracy, whatever be the form thereof, for the purpose of controlling the terminal facilities for shipping in any port or ports of the United States, or for regulating or increasing the rates or fares for freight or passengers in trade or commerce among the several States or with foreign nations, or for granting any special rebates or privileges to shippers in such commerce, or for otherwise putting any restraint upon trade or commerce among the several States or with foreign nations, the Secretary shall fix a time and place for hearing such charges and give notice thereof to the persons interested and may require the production before him of any contracts or papers which he may deem material in the consideration of such charges, and any refusal to produce the contracts or papers herein demanded shall be prima facie evidence that the matters sought to be proven by said contracts or papers are true. If, after notice and hearing, the Secretary of the Treasury shall determine in writing that such charges are true, thereupon the right of the person or persons so found violating the provisions of this section, and their assigns, to any compensation from the United States under this act shall immediately cease and determine.

The PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Maryland [Mr. MCCOMAS].

Mr. VEST. On that I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 31, nays 39; as follows:

YEAS—31.			
Allison,	Clay,	Harris,	Proctor,
Bacon,	Cockrell,	Heitfeld,	Rawlins,
Bailey,	Culberson,	McComas,	Spooner,
Bate,	Dillingham,	McLaurin, Miss.	Taliaferro,
Berry,	Dolliver,	Mallory,	Teller,
Blackburn,	Dubois,	Martin,	Vest,
Carmack,	Foster, La.	Money,	Warren.
Clark, Mont.	Gibson,	Patterson,	
NAYS—39.			
Aldrich,	Dryden,	Hawley,	Mitchell,
Bard,	Elkins,	Hoar,	Nelson,
Beveridge,	Fairbanks,	Jones, Nev.	Penrose,
Burnham,	Foraker,	Kearns,	Perkins,
Burrows,	Foster, Wash.	Kittredge,	Platt, Conn.
Burton,	Frye,	McCumber,	Quarles,
Clark, Wyo.	Gallinger,	McLaurin, S. C.	Scott,
Deboe,	Gamble,	McMillan,	Wellington,
Depew,	Hanna,	Mason,	Wetmore.
Dietrich,	Hansbrough,	Mason,	
NOT VOTING—18.			
Clapp,	Lodge,	Platt, N. Y.	Stewart,
Cullom,	McEnery,	Pritchard,	Tillman,
Daniel,	Millard,	Quay,	Turner.
Hale,	Morgan,	Simmons,	
Jones, Ark.	Pettus,	Simon,	

So the amendment was rejected.

Mr. HANNA. I offer an amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be read.

The SECRETARY. It is proposed to insert the following at the end of the bill:

No foreign-built ship shall receive or be entitled to receive any subsidy or other benefit from this act or any other act of Congress, except as herein or therein expressly stipulated: *Provided, however,* That nothing contained in this act, or any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce; but no foreign-built ship of any such line shall hereafter be admitted to American registry.

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

Mr. VEST. I ask for the yeas and nays.

Mr. NELSON. I ask for a division of the question. I ask that that part of the amendment before the proviso be voted upon separately.

Mr. HOAR. I rise to a parliamentary inquiry.

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

Mr. HOAR. Was that amendment reported from the committee?

The PRESIDENT pro tempore. It was not. The Senator from Minnesota demands a division.

Mr. NELSON. I ask that that part of the amendment preceding the proviso be voted on separately. There are two distinct questions involved in the amendment.

The PRESIDENT pro tempore. It is capable of a division. The Senator has a right to demand a division.

Mr. NELSON. Yes, sir; I demand a division.

The PRESIDENT pro tempore. The first clause of the amendment will be read.

Mr. COCKRELL. Now let it be read.

The PRESIDENT pro tempore. The first clause of the amendment of the Senator from Ohio will be read.

The SECRETARY. Insert at the end of the bill the following:

No foreign-built ship shall receive or be entitled to receive any subsidy or other benefit from this act or any other act of Congress, except as herein or therein expressly stipulated.

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

The amendment was agreed to.

The PRESIDENT pro tempore. The second clause of the amendment of the Senator from Ohio will be read.

The Secretary read as follows:

Provided, however, That nothing contained in this act or in any other act of Congress shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce; but no foreign-built ship of any such line shall hereafter be admitted to American registry.

Mr. TELLER. There are two propositions there. The last proposition, that no foreign-built ship shall hereafter be admitted to American registry, is one proposition. I ask to have a division.

The PRESIDENT pro tempore. It is capable of a division. The vote will be first taken on the clause which will be read.

Mr. TELLER. Let it be again read to the Senate.

The Secretary read as follows:

Provided, however, That nothing contained in this act, or in any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce.

The amendment was agreed to.

The PRESIDENT pro tempore. The final clause of the amendment will now be read.

The Secretary read as follows:

But no foreign-built ship of any such line shall hereafter be admitted to American registry.

Mr. PATTERSON and Mr. TELLER called for the yeas and nays. The yeas and nays were ordered.

Mr. SPOONER. I rise to a parliamentary inquiry. Does that mean that Congress shall not pass any act hereafter admitting any of those ships to American registry?

Mr. TELLER. That is what it must mean, I suppose. I think it is mere nonsense to pass that provision.

Mr. ALDRICH. Question, Mr. President.

Mr. CULLOM. Regular order, Mr. President.

The yeas and nays being taken, the result was announced—yeas 43, nays 28; as follows:

YEAS—43.			
Aldrich,	Dolliver,	Hoar,	Penrose,
Allison,	Dryden,	Jones, Nev.	Perkins,
Bard,	Elkins,	Kearns,	Platt, Conn.
Beveridge,	Fairbanks,	Kittredge,	Proctor,
Burnham,	Foster, Wash.	McCumber,	Quarles,
Burrows,	Frye,	McComas,	Scott,
Burton,	Gallinger,	McLaurin, S. C.	Spooner,
Clark, Wyo.	Gamble,	McMillan,	Warren,
Deboe,	Hale,	Mason,	Wellington,
Depew,	Hanna,	Mitchell,	Wetmore.
Dietrich,	Hansbrough,	Nelson,	
Dillingham,			
NAYS—28.			
Bacon,	Clay,	Harris,	Money,
Bailey,	Cockrell,	Hawley,	Patterson,
Bate,	Culberson,	Heitfeld,	Pettus,
Berry,	Dubois,	McLaurin, Miss.	Rawlins,
Blackburn,	Foraker,	McLaurin, S. C.	Taliaferro,
Carmack,	Foster, La.	Mallory,	Teller,
Clark, Mont.	Gibson,	Martin,	Vest.
NOT VOTING—17.			
Burton,	Lodge,	Pritchard,	Tillman,
Clapp,	McEnery,	Quay,	Turner.
Daniel,	Millard,	Simmons,	
Depew,	Morgan,	Simon,	
Jones, Ark.	Platt, N. Y.	Stewart,	

So the last clause of the amendment of Mr. HANNA was agreed to. Mr. MONEY. I send an amendment to the desk, which I propose to the bill, and I ask for the yeas and nays upon it.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. It is proposed to amend by striking out all of Title III of the bill.

The PRESIDENT pro tempore. The question is on the amendment submitted by the Senator from Mississippi [Mr. MONEY], on which he demands the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 25, nays 46; as follows:

YEAS—25.			
Bacon,	Clay,	Heitfeld,	Rawlins,
Bailey,	Cockrell,	McLaurin, Miss.	Taliaferro,
Bate,	Culberson,	Mallory,	Teller,
Berry,	Dubois,	Martin,	Vest.
Blackburn,	Foster, La.	Money,	
Carmack,	Gibson,	Patterson,	
Clark, Mont.	Harris,	Pettus,	
NAYS—46.			
Aldrich,	Dillingham,	Hansbrough,	Penrose,
Allison,	Dolliver,	Hoar,	Perkins,
Bard,	Dryden,	Jones, Nev.	Platt, Conn.
Beveridge,	Elkins,	Kearns,	Proctor,
Burnham,	Fairbanks,	Kittredge,	Quarles,
Burrows,	Foraker,	McCumber,	Scott,
Burton,	Foster, Wash.	McComas,	Spooner,
Clark, Wyo.	Frye,	McLaurin, S. C.	Warren,
Cullom,	Gallinger,	McMillan,	Wellington,
Deboe,	Gamble,	Mitchell,	Wetmore.
Depew,	Hale,	Nelson,	
Dietrich,	Hanna,		
NOT VOTING—17.			
Clapp,	McEnery,	Pritchard,	Tillman,
Daniel,	Mason,	Quay,	Turner.
Hawley,	Millard,	Simmons,	
Jones, Ark.	Morgan,	Simon,	
Lodge,	Platt, N. Y.	Stewart,	

So Mr. MONEY's amendment was rejected.

The PRESIDENT pro tempore. If there are no further amendments as in Committee of the Whole, the bill will be reported to the Senate as amended.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. Is there a request for a separate vote on concurring in any amendment made as in Committee of the Whole?

Mr. ALDRICH. I ask that a separate vote may be taken on the amendment which was adopted on motion of the Senator from Alabama [Mr. PETTUS].

Mr. COCKRELL. I ask that a separate vote may be taken on the middle clause of the amendment of the Senator from Ohio [Mr. HANNA], providing that shipping companies may make any combination they please.

The PRESIDENT pro tempore. Otherwise, will the Senate concur in the amendments made as in Committee of the Whole?

The amendments not reserved were concurred in.

The PRESIDENT pro tempore. A separate vote has been demanded by the Senator from Rhode Island [Mr. ALDRICH] on an

amendment adopted on motion of the Senator from Alabama [Mr. PETTUS]. The amendment will be stated.

The SECRETARY. Add as section 16 the following:

But under the provisions of this act no more than \$9,000,000 shall be paid out of the Treasury for or in any one year.

Mr. BACON. Is an amendment to that amendment in order, Mr. President?

The PRESIDENT pro tempore. It is.

Mr. BACON. I move to strike out "nine" and insert "three;" so as to make the amount \$3,000,000.

The PRESIDENT pro tempore. The question is on the amendment of the Senator from Georgia [Mr. BACON] to the amendment heretofore adopted as in Committee of the Whole on motion of the Senator from Alabama [Mr. PETTUS].

Mr. BEVERIDGE. Has that amendment been reconsidered, and is it open to amendment?

The PRESIDENT pro tempore. The bill is in the Senate and open to amendment. The question is on the amendment of the Senator from Georgia [Mr. BACON] to the amendment of the Senator from Alabama [Mr. PETTUS].

The amendment to the amendment was rejected.

The PRESIDENT pro tempore. The question is on concurring in the amendment of the Senator from Alabama [Mr. PETTUS] made as in Committee of the Whole.

Mr. PETTUS. I ask for the yeas and nays.

The yeas and nays were ordered; and, being taken, resulted—yeas 30, nays 42; as follows:

YEAS—30.			
Allison,	Cockrell,	Gibson,	Proctor,
Bacon,	Culberson,	Harris,	Rawlins,
Bate,	Cullom,	Heitfeld,	Spooner,
Berry,	Dillingham,	McLaurin, Miss.	Taliaferro,
Blackburn,	Dolliver,	Martin,	Teller,
Carmack,	Dubois,	Money,	Vest.
Clark, Mont.	Fairbanks,	Patterson,	
Clay,	Foster, La.	Pettus,	
NAYS—42.			
Aldrich,	Elkins,	Jones, Nev.	Nelson,
Bard,	Foraker,	Kean,	Penrose,
Beveridge,	Foster, Wash.	Kearns,	Perkins,
Burnham,	Frye,	Kittredge,	Platt, Conn.
Burrows,	Gallinger,	McComas,	Quarles,
Burton,	Gamble,	McCumber,	Scott,
Clark, Wyo.	Hale,	McLaurin, S. C.	Warren,
Deboe,	Hanna,	McMillan,	Wellington,
Depew,	Hansbrough,	Mallory,	Wetmore.
Dietrich,	Hawley,	Mason,	
Dryden,	Hoar,	Mitchell,	
NOT VOTING—16.			
Bailey,	Lodge,	Platt, N. Y.	Simon,
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So the amendment was nonconcurring in.

Mr. COCKRELL. Now I ask that the next reserved amendment may be stated.

The PRESIDENT pro tempore. The Senator from Missouri [Mr. COCKRELL] has demanded a separate vote on concurring in the middle clause of the amendment made as in Committee of the Whole on motion of the Senator from Ohio [Mr. HANNA], which will be stated.

The Secretary read as follows:

Provided, however, That nothing contained in this act, or in any other act of Congress, shall be construed to prevent any citizen or corporation of the United States or of any State from contracting for, acquiring, holding, or operating any interest in one or more steamship lines engaged in foreign commerce.

Mr. PETTUS. I ask for the yeas and nays on concurring in that amendment.

The yeas and nays were ordered; and, being taken, resulted—yeas 42, nays 30; as follows:

YEAS—42.			
Aldrich,	Dolliver,	Hawley,	Mitchell,
Bard,	Dryden,	Hoar,	Nelson,
Beveridge,	Elkins,	Jones, Nev.	Penrose,
Burnham,	Fairbanks,	Kean,	Perkins,
Burrows,	Foraker,	Kearns,	Platt, Conn.
Burton,	Frye,	Kittredge,	Scott,
Clark, Wyo.	Gallinger,	McComas,	Warren,
Deboe,	Gamble,	McCumber,	Wellington,
Depew,	Hale,	McLaurin, S. C.	Wetmore.
Dietrich,	Hanna,	McMillan,	
Dillingham,	Hansbrough,	Mason,	
NAYS—30.			
Allison,	Clay,	Heitfeld,	Quarles,
Bacon,	Cockrell,	McLaurin, Miss.	Rawlins,
Bailey,	Culberson,	Mallory,	Spooner,
Bate,	Cullom,	Martin,	Taliaferro,
Berry,	Dubois,	Money,	Teller,
Blackburn,	Foster, La.	Patterson,	Vest.
Carmack,	Gibson,	Pettus,	
Clark, Mont.	Harris,	Proctor,	
NOT VOTING—16.			
Clapp,	Lodge,	Platt, N. Y.	Simon,
Daniel,	McEnery,	Pritchard,	Stewart,
Foster, Wash.	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.

So the reserved clause of Mr. HANNA's amendment was concurring in.

The PRESIDENT pro tempore. The question is, Shall the bill be ordered to be engrossed for a third reading, and be read the third time?

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

The PRESIDENT pro tempore. The question is, Shall the bill pass?

Mr. BERRY. On that I ask for the yeas and nays.

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

Mr. MARTIN (when Mr. DANIEL's name was called). On this vote and on all votes on amendments to the pending bill my colleague is and has been paired with the Senator from Nebraska [Mr. MILLARD].

Mr. BERRY (when the name of Mr. JONES of Arkansas was called). On this vote my colleague is paired with the Senator from Massachusetts [Mr. LODGE]. If my colleague were present, he would vote "nay."

Mr. HOAR (when Mr. LODGE's name was called). I should like to announce on the passage of the bill that my colleague is paired, and would vote for the bill if present.

Mr. MARTIN (when Mr. TILLMAN's name was called). I desire to announce that on all amendments to the pending bill and on its passage the senior Senator from South Carolina [Mr. TILLMAN] is paired with the senior Senator from North Carolina [Mr. PRITCHARD].

Mr. CLAY (when Mr. TURNER's name was called). The Senator from Washington [Mr. TURNER] is paired with the senior Senator from New York [Mr. PLATT]; and I have been requested to state that if the Senator from Washington [Mr. TURNER] were present, he would vote "nay."

The roll call was concluded.

Mr. NELSON. My colleague [Mr. CLAPP] is unavoidably absent. He gave me no particular instructions on this matter, but I understand from other Senators here that he has a general pair on this bill and on all amendments with the junior Senator from North Carolina [Mr. SIMMONS].

The result was announced—yeas 43, nays 31; as follows:

YEAS—43.			
Aldrich,	Dryden,	Hawley,	Mitchell,
Bard,	Elkins,	Hoar,	Nelson,
Beveridge,	Fairbanks,	Jones, Nev.	Penrose,
Burnham,	Foraker,	Kean,	Perkins,
Burrows,	Foster, Wash.	Kearns,	Platt, Conn.
Burton,	Frye,	Kittredge,	Scott,
Clark, Wyo.	Gallinger,	McComas,	Warren,
Cullom,	Gamble,	McCumber,	Wellington,
Deboe,	Hale,	McLaurin, S. C.	Wetmore.
Depew,	Hanna,	McMillan,	
Dietrich,	Hansbrough,	Mason,	
NAYS—31.			
Allison,	Clay,	Harris,	Proctor,
Bacon,	Cockrell,	Heitfeld,	Quarles,
Bailey,	Culberson,	McLaurin, Miss.	Rawlins,
Bate,	Dillingham,	Mallory,	Spooner,
Berry,	Dolliver,	Martin,	Taliaferro,
Blackburn,	Dubois,	Money,	Teller,
Carmack,	Foster, La.	Patterson,	Vest.
Clark, Mont.	Gibson,	Pettus,	
NOT VOTING—15.			
Clapp,	McEnery,	Pritchard,	Stewart,
Daniel,	Millard,	Quay,	Tillman,
Jones, Ark.	Morgan,	Simmons,	Turner.
Lodge,	Platt, N. Y.	Simon,	

So the bill was passed.

PROTECTION OF THE PRESIDENT.

Mr. HOAR. I ask that the unfinished business be laid before the Senate.

The PRESIDENT pro tempore. The Chair lays before the Senate the unfinished business, which will be read by title.

The SECRETARY. A bill (S. 3653) for the protection of the President of the United States, and for other purposes.

Mr. CULLOM. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 58 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, March 18, 1902, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, March 17, 1902.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

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

A CORRECTION.

Mr. SMITH of Kentucky. Mr. Speaker, I think there may be a mistake in the Journal; I know there is in the RECORD. On Saturday last I asked unanimous consent that House bill 1592 might be considered in Committee of the Whole. The bill is for the relief of F. M. Vowells. I see in the RECORD that the name is S. M. Bowles. I expect the same error is in the Journal, and I desire to have the name corrected both in the Journal and the RECORD.

The SPEAKER. This bill was not considered by the committee?

Mr. SMITH of Kentucky. It was not.

The SPEAKER. Then it would not be in the Journal.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. SLAYDEN indefinitely, on account of important business.

RIVER AND HARBOR BILL.

Mr. BURTON. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12346) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. OLMSTED in the chair, for the consideration of the river and harbor bill.

Mr. BURTON. Mr. Chairman, before proceeding with some remarks, I should like to inquire if gentlemen who desire to oppose or criticize the bill can agree as to a member who shall control the time.

The CHAIRMAN. The first thing in order is the reading of the bill unless the gentleman moves to dispense with the reading.

Mr. BURTON. I ask unanimous consent, Mr. Chairman, that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the first reading of the bill be dispensed with. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. I now desire to ask whether those who oppose the bill can agree upon a member who shall control the time in opposition. If not, I trust ample time will be afforded to any member who desires to speak.

Mr. Chairman, in presenting river and harbor bills on previous occasions I have spoken at length upon the benefits conferred by these appropriations upon the commerce and general welfare of the country. But on this occasion I desire in the first instance to dwell at considerable length upon some misapprehensions which have arisen with reference to this measure. I use the word "misapprehension." If we regard the persistent inaccuracy of statement which has been manifested in criticizing it, I am not sure but the word "misrepresentation" would be more correct.

In going over this subject, it will be necessary to set forth an uninteresting mass of figures and facts, but I ask the considerate attention of the committee.

The first misapprehension relates to the actual amount appropriated for the ensuing fiscal year. It has been frequently stated that this bill carried a total of sixty millions and over, to be used during the coming year. Such is not the case. The amount included in it to be expended in the fiscal year ending June 30, 1903, is a trifle over \$24,000,000. In addition to that amount there are authorizations for \$36,700,000. But it is no more fair to count these authorizations as a part of the appropriation in this bill than it would be to include in the annual appropriations for the Army the wages of enlisted men, who enlist under provisions in that bill, for the succeeding years after the pending year for which the bill provides. It would be equally unfair to count in the Post-Office appropriation bill the increased appropriations made necessary in the future by the extension of the rural free-delivery service.

Indeed, there is a reason which makes these authorizations less deserving of opposition by those who fear large expenses in the future, in that they are nearly all for the furtherance of commerce in places where it already exists and urgently demands larger facilities, or for the completion of projects which are already under way and upon which partial appropriations have been made for many years. Our experience with reference to past authorizations proves that many years will elapse before the full amount authorized herein will be expended. The act of 1890 contained authorizations for \$15,622,980. Of that amount, after the lapse of nearly twelve years, there still remains \$769,915. The act of 1892 authorized the expenditure of \$31,760,521. Of that amount \$308,000 remains unappropriated.

The act of 1896 contained authorizations for the expenditure of \$59,616,404. Of that amount \$12,186,801, or more than 20 per cent, after a lapse of six years, remains unappropriated, and the estimates for the ensuing year under authorizations made in that act are only a trifle over \$3,200,000. The act of 1899 contained authorizations for \$21,666,324. After more than three years very nearly one-half of that amount, or \$10,774,000, remains unexpended and unappropriated. It is probable that of the \$36,700,000 authorized under this act not more than \$13,000,000 will have to be appropriated for the fiscal year ending June 30, 1904, perhaps \$10,000,000 for the following year, and \$7,000,000 for the succeeding year. Any estimate must be based largely upon conjecture. The amount to be appropriated will depend upon the rapidity with which plans are matured, contracts made, and the work performed.

There is another point pertaining to the amount actually appropriated, namely, that of this \$24,000,000 for the fiscal year ending June 30, 1903, not more than eighteen millions or nineteen millions will, in the natural course of events, be expended during the ensuing fiscal year. That will be due partly to the usual delays in taking up and completing work and partly to the fact that this is a biennial bill, and provisions for maintenance include two years. It is quite likely that of the \$24,000,000 appropriated by this act not more than \$15,000,000 will actually be expended between now and June 30, 1903. So much for the first misapprehension in regard to this bill.

The second is that this bill carries much larger amounts than previous bills. Such is not the case. With some considerable care I have prepared a statement, which will be included with my remarks, of appropriations for rivers and harbors for the fiscal years from 1879 to 1902. From this it appears that the largest river and harbor bill passed up to date was that in the year 1890, for the ensuing fiscal year, the total amount of which was \$25,136,295, or more than \$1,000,000 more than the amount included in this bill. The amount appropriated in the act of 1888 for the fiscal year ending June 30, 1889, was \$22,397,616, or within \$1,600,000 of the amount provided in this bill. But a fairer test is obtained from the appropriations for two years, as this is a biennial bill. Computed in this manner, there was appropriated for the years 1900 and 1901 something over \$41,000,000.

The total amount for rivers and harbors carried by the sundry civil bill for 1902, by this bill, which is for the year 1903, and the probable amount for sundry civil appropriations for continuing contracts in the ensuing year will aggregate \$37,000,000 only for the years 1902 and 1903, or \$4,000,000 less than for the preceding two years. There is also the misapprehension that the authorizations when combined with the appropriations are greater than in any preceding year. In 1896, when expenditure exceeded revenue, and the country was in a distressed condition and ill able to bear the burdens of increased taxation, a bill was passed by this House and by the Senate, and became a law, appropriating and authorizing \$72,000,000, or nearly \$12,000,000 more than the appropriations and authorizations in this bill.

There is another misapprehension to which, in the third place, I wish to call attention. I refer to the prevalent idea that appropriations for rivers and harbors are increasing more rapidly than other appropriations of the Government. The facts are exactly the contrary. The table to which I have referred gives the appropriations for seven different departments of the Government from 1879 to 1902, inclusive. It includes rivers and harbors, Post-Office, Navy, Army, Fortifications, Agriculture, and Indian appropriations. The amount appropriated in 1879 for rivers and harbors was \$8,201,700. The average amount for 1901 and 1902 was \$11,616,115, or an increase of 42 per cent over 1879; or, if we take the average of the two successive years having the greatest appropriation, those in the sundry civil bill included, 1900 and 1901, the increase is from \$8,201,700 to \$20,697,822, or 152 per cent.

Now, let us take up for comparison, first, the Post-Office, which is most in touch with the business development of the country and which can most naturally be compared with river and harbor appropriations. The amount appropriated for the fiscal year 1879 was \$33,256,373; for 1902, \$123,782,688, or an increase of 272 per cent as compared with 152 per cent increase in river and harbor appropriations, by comparison with the two years of maximum expenditure in the latter. Let us next compare the Navy. That increased from \$14,152,603 in 1879 to \$78,101,791 for the fiscal year ending 1902, or an increase of 451 per cent. Let us next take up the Army. The increase in that is from \$25,593,486 for the year 1879 to \$115,734,049 for the year 1902, or an increase of 352 per cent. The largest increase in any of the appropriation bills is that for fortifications. The amount carried in the bill for 1879 was \$275,000. In the bill for 1902 there is an appropriation of \$7,364,011, or an increase of 2,577 per cent, as compared with the year 1879.

I want to give a little illustration right in this connection of the appropriations for rivers and harbors and for fortifications at one place, namely, the appropriation for rivers and harbors for the Cape Fear River at and below Wilmington, N. C., and for fortifications at that place. It is evident that the appropriations for fortifications there are merely to protect the navigable channel, from the ocean up to the town of Wilmington, from hostile attacks. In six years the appropriations for the improvement of that channel from Wilmington down have been \$345,000, or an average of \$57,500 per annum.

The appropriations for fortifications at the mouth of the river have been \$1,200,000 for Fort Caswell, and an average expense of \$100,000 to \$125,000 per annum for the maintenance of the post, making up an aggregate expenditure of close to \$2,000,000, or nearly six times as much as for the improvement of the channel which these fortifications are intended to protect. Really, such a case as this should cause us to pause and weigh for a time the comparative

advantage of the military establishment of the country and of this measure, which more than any other looks to its commercial development.

Now, if you make a comparison with the appropriations for the Agricultural Department, for which a separate appropriation was first made in the year 1880, the amount has increased from \$253,300 for 1881, to \$4,582,420 for 1902, or an increase per cent of 1,709. The Indian appropriation bill has increased somewhat less, owing to the fact that it is largely made up of appropriations for the fulfillment of existing treaties, some of which run back into the century before the last. Its amount has increased from \$4,746,000 to \$9,747,000 between the years 1879 and 1902, or an increase of 105 per cent.

So, to recapitulate, we have an increase of 42 per cent under the

most favorable comparison for rivers and harbors and 152 per cent for the least favorable, against 272 per cent for the Post-Office, 352 per cent for the Army, 451 per cent for the Navy, 1,709 per cent for Agriculture, and 2,577 per cent for fortifications.

The total amount appropriated in the last four years for river and harbor improvements was about \$63,000,000; for the Navy—one branch merely of the military service—the total appropriations were \$247,000,000, nearly four times as great; and yet there are many persons in the country who criticize this bill because of its extravagance, who uttered no sound against the appropriation of four times as much for merely one branch of our military establishment. The following table gives in detail these appropriations for the years from 1879 to 1902, inclusive, and gives percentages of increase:

Amounts appropriated for rivers and harbors, Post-Office Department, and for five other branches of the public service, from 1879 to 1902, inclusive.

Year.	Rivers and harbors.	Post-Office.	Navy.	Army.	Fortifications.	Agricultural.	Indian.
1879.....	\$8,201,700.00	\$33,256,373.00	\$14,152,603.70	\$25,593,486.01	\$275,000.00	.....	\$4,746,275.70
1880.....	7,846,600.00	36,121,400.00	14,029,968.95	26,797,300.00	275,000.00	.....	4,713,478.58
1881.....	8,951,500.00	39,063,420.00	14,405,797.70	26,425,800.00	550,000.00	\$253,300.00	4,657,262.72
1882.....	11,441,300.00	40,957,432.00	14,566,037.55	26,087,800.00	575,000.00	335,500.00	4,587,863.80
1883.....	18,738,875.00	44,643,900.00	14,819,976.80	27,258,000.00	375,000.00	427,280.00	5,229,374.01
1884.....	.....	44,489,520.00	18,894,434.23	24,681,250.00	670,000.00	405,640.00	5,253,655.91
1885.....	13,949,200.00	49,040,400.00	14,980,472.59	24,454,450.00	700,000.00	480,190.00	5,859,402.91
1886.....	.....	53,700,960.00	15,070,337.95	24,014,052.50	725,000.00	585,790.00	5,702,512.70
1887.....	14,473,900.00	54,365,863.25	16,489,907.20	23,753,057.21	.....	654,715.00	5,543,262.54
1888.....	.....	55,694,650.15	25,767,348.19	23,724,718.69	.....	1,028,730.00	5,223,897.66
1889.....	22,397,616.90	60,860,233.74	19,942,835.35	24,471,300.00	3,972,000.00	1,716,010.00	8,203,700.79
1890.....	66,605,344.28	72,226,698.99	21,692,510.27	24,316,615.73	1,233,594.00	1,669,770.00	8,077,453.99
1891.....	25,126,225.00	72,226,698.99	24,136,035.53	24,206,471.79	4,232,935.00	1,790,100.00	7,202,016.02
1892.....	2,651,200.00	77,907,222.61	32,541,654.78	24,613,529.19	3,774,803.00	3,028,153.50	16,386,284.86
1893.....	21,068,218.00	80,331,276.73	23,543,385.00	24,308,496.82	2,734,276.00	3,232,965.50	7,664,047.84
1894.....	14,166,153.00	84,004,314.22	22,104,061.38	24,225,639.78	2,210,055.00	3,323,500.00	7,854,240.88
1895.....	20,043,180.00	87,236,599.55	25,327,126.72	23,592,884.68	2,427,004.00	3,223,623.06	10,659,565.16
1896.....	11,432,115.00	89,545,997.86	29,416,245.31	23,252,608.09	1,904,557.50	3,303,750.00	8,762,751.24
1897.....	16,244,147.00	92,571,564.22	30,562,690.95	23,278,402.73	7,377,888.00	3,255,532.00	7,360,496.79
1898.....	20,832,412.91	95,695,338.75	33,003,234.19	23,129,344.30	9,517,141.00	3,182,902.00	7,674,120.89
1899.....	14,627,449.56	99,222,300.75	56,088,785.68	23,193,392.00	9,377,494.00	3,509,202.00	7,673,854.90
1900.....	25,110,038.94	105,634,138.75	48,099,969.53	80,430,204.06	4,909,902.00	3,726,022.00	7,504,775.81
1901.....	16,285,065.75	113,658,238.75	65,140,916.67	114,220,065.55	7,883,628.00	4,023,500.00	8,193,989.24
1902.....	7,046,623.00	123,732,688.75	78,101,791.00	115,734,049.10	7,364,011.00	4,582,420.00	9,747,471.09
Total.....	301,874,130.06	1,700,615,906.35	669,888,595.27	826,362,951.23	72,564,288.50	47,747,625.06	174,806,758.23

Increase per cent, river and harbor and other appropriations.

	Per cent.
Rivers and harbors, 1879 to average for 1901 and 1902.....	42
Rivers and harbors, 1879 to average for 1900 and 1901.....	152
Post-Office, 1879 to 1902.....	272
Army, 1879 to 1902.....	352
Navy, 1879 to 1902.....	451
Agricultural, 1879 to 1902.....	1,709
Fortifications, 1879 to 1902.....	2,577
Indian, 1879 to 1902.....	105

I desire to take up, in the fourth place, a criticism familiar to some of you, that river and harbor bills, not only this bill, but other bills in past years, have carried an inordinate amount for the improvement of insignificant streams and creeks in the country. This criticism has gained very general credence. There is not a sciolist, not a superficial critic of Government appropriations but he is prone to compare this bill in its appropriations for minor streams with those for the great commercial ports, rivers, and harbors of the country, and say that the latter are neglected, while the former absorb the appropriations in the bill.

Now, let us see how much truth there is in this. I have prepared a table on this subject, in which I have included first, rivers and creeks having a tonnage of less than 50,000 tons per annum. Under a second division, I have included those having between fifty and one hundred thousand tons. I think it will be conceded by all that when a waterway has a tonnage of over 100,000 per annum it is worthy of attention and of the fostering care of the Government. In a few instances statistics of tonnage are not available, and in those cases I have given the total value of the commerce, including those rivers and creeks where the total value of the commerce is less than \$1,000,000.

I think it will be again conceded that when the value of com-

merce on a waterway exceeds \$1,000,000 per annum it is taken out of the category of streams which are insignificant. The total number of streams having a tonnage of less than 50,000 tons is 35. The aggregate amount to be expended for them is \$214,100 for the next two years. The total tonnage of these streams is 619,105. The number having a tonnage of between 50,000 and 100,000 is 24, for which there is included in this bill \$202,900. According to the latest statistics, the volume of commerce upon them in one year was 1,671,000 tons. So it seems that appropriations aggregating \$417,000 for two years, or \$208,500 per annum, will provide for an annual traffic amounting to 2,290,000 tons, at a cost to the Government of between 9 and 10 cents a ton.

The following table includes rivers and creeks of minor importance for which appropriations are made in the river and harbor appropriation bill, H. R. 12346. It includes those which have an annual traffic of less than 100,000 tons, or, in case statistics of tonnage are not available, of a value of less than \$1,000,000. It is intended to give the tonnage or the value of articles carried for the latest year for which statistics are available. They are divided into two classes—those having an annual traffic of less than 50,000 tons and those of between 50,000 and 100,000 tons. The respective appropriations in the pending bill are given with each.

Rivers and creeks appropriated for in the river and harbor appropriation bill.

State.	River.	Less than 50,000 tons.	Amount appropriated.	50,000 to 100,000 tons.	Amount appropriated.	Value.
Maine.....	Bagaduce.....	.....	.....	86,000	\$3,000	.....
New Hampshire.....	Georges.....	29,225	\$6,000	.....	.....	.....
	Exeter (approximate tonnage).....	10,000	7,000	.....	.....	.....
	Lamprey (approximate tonnage).....	15,000	10,000	.....	.....	.....
Massachusetts.....	Town and Weymouth.....	.....	.....	.....	15,000	\$950,000
Rhode Island.....	Pawcatuck.....	.....	.....	57,530	9,000	.....
New Jersey.....	Elizabeth.....	28,865	2,000	.....	.....	.....
	Matawan Creek.....	.....	.....	51,000	3,000	.....
	Alloway Creek.....	.....	.....	60,725	3,000	.....
Delaware.....	Appoquinimink River.....	27,415	5,000	.....	.....	.....
Maryland.....	Murderkill.....	.....	.....	70,619	3,000	.....
	Warwick.....	.....	.....	52,791	4,000	.....
	Chester.....	.....	.....	.....	.....	.....
	Tyaskin Creek, or Wetipkin River.....	.....	.....	.....	.....	400,000
Patuxent.....	.....	.....	.....	.....	6,000	150,000

Rivers and creeks appropriated for in the river and harbor appropriation bill—Continued.

State.	River.	Less than 50,000 tons.	Amount appropriated.	50,000 to 100,000 tons.	Amount appropriated.	Value.
Virginia	Occoquan Creek			69,400	\$2,500	
North Carolina	Aquia Creek	14,875	\$1,400			
	Inland waterway, Beaufort and New River	39,356	9,500			
	Black			58,087	\$2,000	
South Carolina	Northeast (Cape Fear)			56,748	\$2,000	
	Scuppernong (23,289 in 1894)			88,281	10,000	
	Little Pedee	23,780	\$1,000			
Georgia	Waterce			93,024	\$3,500	
Florida	Coosa, Oostenaule, and Coosawattee	33,776	25,000			
	Caloosahatchee	22,737	\$6,000			
Mississippi	Orange	3,100	\$2,500			
	Crystal			56,420	\$10,000	
	Manatee			55,162	\$7,000	
	Anclote	1,500	\$3,000			
	Suwanee			76,876	\$5,000	
	Withlacoochee				\$10,000	
	Upper Chipola	9,477	2,000			
	Kissimmee	4,325	8,000			
	Oklawaha	4,847	2,000			
	Leaf			92,481	\$2,000	
Louisiana	Big Sunflower	32,443	\$2,000			
	Tallahatchie	47,968	\$5,000			
	Homochitto	3,815	2,000			
	Bogue Chitto			57,920	\$5,000	
	Chefunct and Bogue Falls			86,853	\$1,000	
	Tickfaw and tributaries			55,540	\$1,000	
	Amite and Bayou Manchac	25,400	\$7,500			
	Bayou Vermilion and passes, channel, bay	21,150	\$9,000			
	Mermentau River	27,034	\$2,500			
	Bayou Bartholomew	15,720	\$5,000			
Arkansas	Boeuf	6,935	\$5,000			
	Tensas River and Bayou Macon	17,312	\$2,500			
	Cache	9,174	2,000			
Ohio	Current			59,502	6,900	
	St. Francis			55,510	9,000	
	Muskingum			78,565	10,300	
Indiana	Wabash, below Vincennes	1,128	5,000			
Missouri	Gasconade	21,580	10,000			
California	Osage			96,144	\$0,000	
	Napa			81,536	\$3,000	
Oregon	Redwood Creek, to complete project	16,351	8,400			
	Coquille River to Coquille	30,727	30,000			
Washington	Swinomish Slough			74,516	\$0,000	
	Cowlitz	17,279	\$3,000			
	Lewis	12,638	\$6,500			
	Okanogan	1,733	\$5,000			
	Pend Oreille	1,921	\$5,000			
	Chehalis	4,376	\$3,000			
	Total		619,105	214,100	1,671,263	202,900

* Authorized. † Grouped with other projects. Estimated share of the amount for the group.

Summary.	Tonnage.	Appropriations.
Less than 50,000	619,105	\$214,100
50,000 to 100,000	1,671,263	202,900
Total	2,290,368	417,000

The following list gives a list of creeks, so called, which are of very considerable importance:
Streams or inlets, designated as creeks, which have a considerable commerce, and for which appropriations have been made by the Government.

	Tonnage last year for which figures are available.	Appropriation in this bill.	Total appropriations to date.
NEW YORK.			
Newtown Creek	3,228,544		\$410,500
East Chester Creek	300,475	\$3,000	91,000
NEW JERSEY.			
Cooper Creek	230,138		37,000
Mantua Creek	188,957	25,000	28,000
Raccoon Creek	172,840	10,000	3,000
DELAWARE.			
Duck Creek (now known as Smyrna River)	348,728		
VIRGINIA.			
Urbana Creek	179,543		33,500
CALIFORNIA.			
Petaluma Creek	160,000	3,000	65,000

The Interstate Commerce Commission has prepared, at my request, a statement of the tonnage on certain of the minor railroads of the country. I selected at random 16 railroads, the shortest of which has a mileage of 11.78 miles and the longest of 253.7 miles, and found that of these 8 had a tonnage of less than 100,000 per annum, varying from 3,310 tons on one railway having a length

of 44 miles to 59,146 tons on one having a mileage of 86 miles, and if we select the one having the largest tonnage on a short mileage, 98,000 tons on a railroad having a mileage of 11.78 miles.

Yet it will appear that each one of these railroads is capitalized for a very considerable sum. The following is a list of them:

Statement of mileage and tonnage of certain roads for the year ending June 30, 1901.

Name of road.	Miles operated.	Tons carried.	Tons carried 1 mile.
Clarendon and Pittsford R. R.	11.78	98,586	443,637
Buffalo, Attica and Arcade R. R.	28	31,620	342,492
Queen Anne's R. R.	67	29,831	825,231
Dayton, Lebanon and Western R. R.	23	62,120	836,300
Birmingham and Atlantic R. R.	42.46	62,005	1,165,884
Nashville and Knoxville R. R.	86.80	59,146	1,951,818
Leavenworth and Topeka Rwy	53.12	12,027	321,852
Florida Midland R. R.	44	3,310	46,721
Total		358,645	5,933,935

So that it will appear on examination that this criticism that ponds and creeks are absorbing a great share of these river and harbor bills is absolutely without foundation.

The total amount included in the river and harbor bill of last winter for the streams of New England, excluding rivers of the first class, such as the Penobscot, Kennebec, Merrimac, Connecticut, and others, like the Mystic and Providence, which are merely inlets from the sea and used for harbor and anchorage, was \$120,500, yet the total amount of freight carried upon these streams annually is not less than 2,000,000 tons. The large expenditures upon rivers which are now being pressed upon Congress are rather for streams having a great volume of water.

In sections of these rivers excellent navigation is available by nature, but in order to make them navigable throughout their full length divers improvements are required. In some the channels shift, because they flow through an alluvial soil; in others there are rocks and other obstructions which require removal; in others there are rapids, above and below which are excellent reaches of navigable water. In almost all there appear alternate shoals and pools, the presence of which is to be observed in all rivers which have any considerable descent in their courses. The Tennessee River may be selected as the best illustration of a river which in some of its reaches affords excellent navigation.

Throughout its whole course its banks are stable, and improvements show satisfactory results in permanence. For the first 226 miles, from the mouth to Riverton, the navigation is excellent. The next 259 miles is through a mountain section, and there is a very considerable fall and many rapids and shoals. Through this section many locks and dams and lateral canals would be necessary to secure safe and permanent navigation. The probable cost of improving this portion would be over \$8,000,000. To provide navigation on the upper reach of 188 miles from Chattanooga to Knoxville would interpose no insuperable obstacles.

Numerous rivers are now under consideration which have been surveyed and in which an estimate of the cost has been rendered. Among them are the Tennessee, the Cumberland, the Connecticut from Hartford to Springfield, the Coosa, the Trinity in Texas, the Ouachita in Louisiana and Arkansas, and the Columbia in the Northwest. For the improvement of large rivers in the country estimates approximating \$150,000,000 have been made by the engineers of the War Department, a large share of which would be for locks and dams. One of the questions to be decided is whether these rivers should be improved on so extensive a scale. The improvement of the harbors of the country is largely made necessary by the adoption of deeper draft boats. Of late in the construction of ocean-going freight carriers the truss model has been adopted for hulls, and boats drawing 40 feet are in sight if channels are available. Not only is there a demand for deeper draft boats, but traffic has increased enormously, and there is every indication of a continued increase.

Doubtless some of these small streams could be omitted. In this bill we have omitted between 20 and 30 of them. The Committee on Rivers and Harbors invites criticism upon them. Ask us questions about them, gentlemen of the committee, if you desire. We desire the very fullest criticism of this bill in its entirety, from the first section to the last. For more than two months we have been at work upon it, in almost daily sessions, at which nearly every member of the committee has been present; but it is probable that with all the scrutiny we have given to it, through the incompleteness of the reports before us or through inaccurate or incomplete information, we have made some mistakes.

It is not alone your privilege, gentlemen of the committee, but it is your duty, if in any way we have gone astray, to call our attention to that fact, so that when this bill goes to the other end of the Capitol, or when it goes from the Capitol to the White House, it shall be free from objectionable items. We have pursued no plan of compromise, we have considered no plan of dividing appropriations according to States, or localities, or membership of this House. We have endeavored to consider every project according to its merits, and made that the sole criterion as to whether it should be included in this bill or not.

Of the sixty millions included in this bill nearly fifty millions is for great projects. The committee thought best, as far as possible, to push the great improvements of the country, which are essential to the development of its commerce, to completion. Even where there are two projects of equal merit, it has seemed best in many instances to select one and finish it, rather than to go on with piecemeal appropriations for two, three, or more years. That is the most businesslike policy, and it is the most economical policy.

We could have brought in a bill here which would have carried in the aggregate, including these authorizations, not more than \$40,000,000. Instead of authorizing \$2,750,000 for the Southwest Pass of the Mississippi River, we might have brought in an authorization of \$1,250,000. That, no doubt, would have provided for the work for two years. We might instead of providing an authorization of four millions for the St. Marys River, between Lake Superior and Lake Huron have made an authorization of \$2,000,000. But in the first place it would not have been in accordance with business-like or economical policy.

It is best for the Government that these great projects be pressed to completion as rapidly as possible, and that the commercial interests should know what to depend upon; second, appropriations should be large enough to provide for large contracts. Thus economy can be secured in construction. There is another objection. If we had brought in a bill for only a small amount upon these authorizations we should have been guilty of cowardice. We believe it is best that this growing commerce of ours should be well provided for in the great ports of the country and that the finishing of these projects should be in sight. When there are great projects before us which must be completed, by which we can accomplish salutary results, and the amounts are under \$1,000,000, the full amount required for them is set forth in our bill.

If there is anyone who desires to cut down these authorizations, I can not agree with him, because these amounts will be required before the work is done. Why fail to recognize that fact? Why make the declaration to the country that we are content with the dribbling policy which was pursued for many years? I can cite improvements in this country that cost \$4,000,000 where the work

was scattered over more than twenty years before completed, where every stone laid in place throughout this improvement was absolutely unavailable until the last item of the work was completed; but yet under the policy pursued for years these great improvements were allowed to linger twenty years between beginning and completion. The committee does not think that to be good policy, nor do we believe it is the most economical.

We have appropriated or authorized \$12,000,000 for the Mississippi River. That is one-fifth of the total amount in this bill. We have appropriated or authorized a sufficient amount to prosecute the work for four years. We might have made it \$6,000,000 and provided for two years, and there are many who give superficial examination to these bills who would have said how much more economical are those who would provide six millions than those who provided for twelve.

But let us consider that a minute. In the first place, annual appropriations have been made for that stream for twenty-three years; the annual average in each bill for the portion below Cairo has been \$2,433,000. We have cut down that amount to \$2,000,000 per annum, with a further provision that \$50,000 of that \$2,000,000 may be expended for the maintenance of dredges belonging on the reach below Cairo, in that part above between Cairo and the mouth of the Missouri River. But, in order that the Mississippi River Commission may know just where they are, we have provided that that appropriation shall run for four years, so that at the end of one year there need not be any uncertainty as to what to do the next year, and that they may know now in this year, 1902, just what amounts will be available for the years up to 1906 and make their calculations accordingly.

Every just principle of economy, of efficient performance of work justifies the provision for the four years, if we are going on with this work at all, and I take it that we can not turn aside from that which has been the settled policy of the Government for more than twenty years and omit the Mississippi River from the appropriations in our bill.

Taking up some of the larger amounts in the bill, there has been appropriated or authorized for the harbor of Gloucester, Mass., the first large item on the list, \$75,000 in cash and \$227,000 is authorized to be expended in the future. Boston Harbor, \$600,000 in cash has been appropriated and \$3,000,000 authorized in the future, with a view to obtain a 35-foot channel to the open sea. For the harbor of Fall River, Mass., \$38,000 cash and \$117,412 is authorized to be expended in the future; for the harbor of New London, Conn., \$25,000 cash and \$120,000 in the future.

Passing on to Arthur Kill, a subsidiary channel to New York Harbor, we have appropriated \$100,000 and authorized the expenditure of \$596,000 in the future. For the Passaic River and Newark Bay, leading to the city of Newark, we have appropriated and authorized the sum of \$75,000 cash and the further amount of \$321,000 for continuing contract. For the harbor of Buffalo we have appropriated \$200,000 and authorized a further expenditure of \$614,643. For the Delaware River, for a channel from Philadelphia to the sea, 56 miles in length, we have appropriated \$600,000 and authorized \$2,400,000.

To give additional harbor room to the city of Baltimore we have appropriated \$88,000 and authorized \$221,000; for the removal of Hospital Point in the harbor of Norfolk, \$10,000 cash and \$195,000 for continuing contract; Newport News, \$10,000 cash and \$215,000 for continuing contract. For the Great Pedee River in South Carolina we have appropriated the sum of \$22,000 cash, which includes the general maintenance, and \$106,300 is authorized. For the city of Savannah and its approaches \$50,000 cash is appropriated and \$1,000,000 authorized; St. John's River below Jacksonville, \$350,000 cash and \$950,000 authorized; the city of Mobile and Mobile Bay, \$300,000 cash and \$200,000 authorized; for the continuance and construction of locks and dams on the Warrior River, \$374,000 cash and \$500,000 continuing contract; for the Southwest Pass, with a view to provide 35 feet of water as an outlet for the traffic of commerce of the Mississippi River, \$750,000 cash and \$2,750,000 authorized. For Ouachita and Black rivers the sum of \$114,000 cash is appropriated, and an expenditure is authorized of \$353,954.

For the repair of jetties of Galveston Harbor, \$350,000 cash and \$400,000 continuing contract is provided.

For Buffalo Bayou we have appropriated or authorized \$300,000 cash and \$700,000 continuing contract.

For the locks and dams on the Ohio River, Nos. 2, 3, 4, 5, and 6, those below Pittsburg, for the further prosecution of the work; and to provide for the next two years, we have appropriated \$275,000 cash and \$300,000 continuing contract.

For the construction of both locks, 8 and 11 on that stream, between the States of Ohio and West Virginia, we have appropriated the sum of \$50,000 and authorized the sum of \$250,000.

For lock and dam No. 37, just below Cincinnati, we have appropriated \$100,000 and authorized the expenditure of \$950,000.

For the Tennessee River we have appropriated the sum of \$200,000 and authorized the sum of \$400,000.

Mr. MOON. Mr. Chairman—

Mr. BURTON. I prefer that the gentleman should defer any question until I finish the general remarks on the bill, because I will give ample time to him when the time comes, or will try to, at any rate.

For the city of Cleveland, for the rebuilding of the entrance to the breakwater and its extension, providing an additional harbor of refuge and an extension of the harbor, we have appropriated \$500,000 and authorized the sum of \$2,300,000. For the Hay Lake Channel, between lakes Superior and Huron, we have appropriated the sum of \$500,000 and authorized the further sum of \$4,000,000.

Through this channel a tonnage of nearly 30,000,000 goes, yet this traffic must find its way for a long stretch through a channel which is only 300 feet in width, with sharp curves at places where there are rocks beneath, affording the greatest degree of danger. For the Detroit River below Detroit we have appropriated the sum of \$500,000 and authorized the sum of \$1,250,000. Through this channel goes the greatest traffic in the world, yet in some places it is only 440 feet in width. There, too, as in the Hay Lake Channel, the course is circuitous; it is one where there is much thick weather, where the mariner must proceed in the night under the doubtful direction of range lights and targets on shore; and I want to say that so eager are the boat owners that frequently they load their boats to such a draft that the bottom of the boat comes within 3 to 4 inches of a rocky bottom beneath.

For the rebuilding of the St. Clair Flats Canal we have appropriated \$330,000. Through this canal practically the same traffic goes as through the Detroit River, 45,000,000 of tonnage a year, three times as great as through the Suez, and more, yet the canal there was built in 1870, and it has been narrowed by deeper dredging to a width of 262 feet, so that this improvement is pressing. It is quite remarkable that some accident has not already happened there to tie up the great traffic of the lakes. When this measure left us last winter that item was amended by cutting out one-quarter of the \$330,000. I can not believe that such a course was judicious, for it plainly meant, we will appropriate part for a work which can not be used until it is completed, and where it would have been just as well to have left out the whole as to have left out a part.

There are one or two minor appropriations in that locality that I will mention briefly. The harbor at Ludington, Mich., has an appropriation of \$75,000 and an authorization of \$165,000. A car ferry finds its terminus here; used in the winter as well as in the summer, and it is one of the most growing ports upon the lakes. For Conneaut Harbor, in Ohio, the sum of \$200,000 is appropriated and \$250,000 authorized. Already contracts have been made for the delivery of more than 4,000,000 tons of iron ore at this port, brought down from Lake Superior and from the upper lakes. For the ship canal and Sturgeon Bay (harbor of refuge) an appropriation of \$40,000 is made and an authorization of \$178,000.

Passing to the Pacific coast, there is appropriated for San Diego, the most southwesterly port in the United States, the sum of \$75,000 and an authorization of \$192,850. This will complete the improvement there and afford a very excellent harbor. For a through channel between the Golden Gate and Karquines Straits, affording a water route to the towns of Port Costa and Benicia, where a very large tonnage, including most of the grain which is handled in that locality, an appropriation of \$100,000 is made and an authorization of \$281,000.

This channel is also valuable because it will make it possible for war ships of deep draft to reach Mare Island Navy-Yard, from which they are now shut out. There is appropriated for the mouth of the Columbia River \$500,000 cash appropriation and an authorization of \$1,000,000. This improvement has not been altogether satisfactory in its results. Very heavy seas prevail at the mouth of this river. The sand bar which prevents easy access tends to go out with the extension of the jetty.

The waves are such, also, that a depth of 40 feet is necessary even to insure safety and security for boats of only 30 feet or even less draft to enter; but this is the outlet for a magnificent territory, shipping out millions of dollars' worth of wheat and timber and other products, and the committee sees no way to do but to proceed to completion, believing that the results obtained under the original plan, or such modifications as may be found necessary, will afford a satisfactory outlet for this river. These are the leading appropriations in the bill and they aggregate close to \$50,000,000. The appropriations for the remaining \$10,000,000 are divided among a variety of projects, nearly 300 in number, for further continuing improvements and for maintenance.

This bill includes nearly 100 less items than previous bills. That has been accomplished in two ways, first, by the omission of some 30 projects, rivers, creeks, and harbors which we thought unworthy of further attention from the Government; second, by the grouping together of numerous projects where appropriations are comparatively small, and where it was thought best to give, under directions contained in the bill, some discretion to the en-

gineering department regarding the places where money is to be expended. For instance, on what is called the east shore of Maryland we have grouped together 4 harbors and 6 creeks and rivers, appropriating for the 10 the sum of \$60,000, so that the average for each is \$6,000.

It was thought that the money appropriated could be more economically expended if combined in one item and expended presumably in one contract, and it is thought best, as I said, to give to the War Department some discretion about the manner in which this money shall be expended. The aggregate amount is to be expended according to the rules set forth on page 91 of the bill:

Where separate works or items are consolidated in this act the amounts herein appropriated shall be expended in securing maintenance and improvement according to the respective projects herein or heretofore adopted by Congress, after giving due regard to the respective needs of each and considering the necessities of traffic. The allotments to the respective works herein consolidated shall be made by the Secretary of War upon recommendations by the Chief of Engineers.

We have also included in this bill, on page 91 and the following page, a mandatory provision making it the duty of the Secretary of War when separate items or appropriations can with advantage to the Government be consolidated, that he shall do so.

Oftentimes in localities near to each other several appropriations of \$5,000 or \$10,000, or more, are made for which it is necessary to make separate contracts, provide for the installation of a plant at each, and when that plant is installed a good share of the amount to be expended is exhausted.

It is thought better for the public service that these smaller items, when possible, be consolidated in one contract, so that there shall be but one expense for the installation of the plant. That authority has existed with the War Department heretofore, but it was thought best to insert in the bill a mandatory provision, as follows:

In all cases where separate appropriations are made for works in this bill if money can be more advantageously expended by combining under one contract two or more of such works, such combinations are authorized and shall be made.

There are certain general provisions in this bill—general legislation—before passing to which I will state that an emergency fund of \$200,000 has been provided in section 1, which makes a part of the \$24,000,000. That emergency fund, however, is carefully hedged about. The disbursement of it is restricted. It must be for some emergency which arises after the passage of this act. It must be such an emergency as renders useless, or comparatively so, a channel or improvement heretofore adopted and prosecuted by the Government. It must be recommended not only by the local engineer having the works in charge, but by the Chief of Engineers. The expenditure on any one project shall not be more than \$10,000.

It frequently occurs that a channel is closed up or a pier or other work is seriously injured by a storm. There may be no fund available for the repair of the pier or the opening of the channel, and it seemed best for the committee, to this amount of \$200,000, to provide for emergencies of that nature. In the act of 1900, known as the emergency act, there was a similar provision, which has worked well and which justifies the insertion in this act two years later of a similar provision.

I should state that, in addition to the authorizations in this act, provision is made in several places for an additional expenditure for enlarging projects for which an authorization has been made in some previous bill, providing the total does not exceed the amount originally authorized. One of these is at New Haven, Conn., where there is an authorization for extending the channel, provided the amount authorized in the act of 1899 is not exceeded. Another is Winyah Bay, South Carolina, where the act of 1896 provides merely for the opening of the entrance to the bay and made no provision for extending the channel through the bay up to Georgetown, the nearest port.

It is found that there are shoals in between, and that even if the improvement originally provided for were completed it would be of little use. It is found also that the dredges which are engaged on the work can not be employed at the entrance for a good share of the time because of rough water, so that the additional expenditure for utilizing the dredges between the entrance to the bar and Georgetown will be comparatively small. Provision is also made for the removal of Blossom Rock in San Francisco Harbor. By the act of 1899 provision was made for the removal of Arch Rock and the two rocks known as "Shag Rocks" in that harbor.

The work was done there for very much less than the estimates. Upon examination it appears that Blossom Rock is an obstacle to navigation in that harbor nearly as dangerous as those already removed. Providing the total expense does not exceed the amount authorized in 1899, Blossom Rock is also to be removed. Provision is also made for the insertion of a lock in Rock River as part of the improvement of the Illinois and Mississippi Canal.

I should state that in some of these largest projects the total amount required for completion is not authorized in the bill.

One of the best illustrations is the Hay Lake Channel, between Lake Superior and Lake Huron. The total amount estimated for completion is \$5,750,000. We have appropriated and authorized in this bill only \$4,500,000, leaving a balance of \$1,250,000. The total for Boston Harbor is \$8,000,000. We have appropriated and authorized here \$3,600,000. The course pursued in these cases and some others has been decided upon after full consultation with the engineers, who say that the amounts included in this bill are ample to secure the promptest and most economical results.

They say, further, that there is one advantage in this method, because in the development of an improvement it often appears that material modifications would be beneficial; but if a contract has been made for the whole work they can not make those modifications without getting the consent of the contractor, and probably paying him damages. Also, it is probable that in some of these great projects the total expense will be very materially less than the amount of the estimate, or that a less amount of improvement will secure the desired results.

In these cases, perhaps seven or eight in number, we have authorized less than the total amount required, partly to keep the amounts authorized in this bill within reasonable limits, but quite as much and more in the belief that the course adopted is the most salutary one to pursue. In case the total cost of the improvement is \$1,000,000 or less, we have in all cases, with one exception, appropriated or authorized the whole amount, restricting the limitation to less than the total amount estimated only in several of the very large projects which are included in the bill. Some other general provisions make additions to or changes from previous legislation.

Section 3 provides for a board of engineers, five in number, who shall review all projects examined by the local engineers. This subject was considered at considerable length during the discussions upon the bill last winter. The recommendations upon which items are included in this bill come now directly from those having the rank of lieutenant-colonel, or a higher rank, to the Chief of Engineers. Those having a lower rank than that of lieutenant-colonel transmit them to the division engineer, who then transmits them to the Chief of Engineers, with his approval or disapproval; then the Secretary of War transmits them to Congress.

The result is just what naturally would be expected. Each engineer has his own standard of the desirability of the work upon which he is called to report, and there comes to Congress and the committee a variety of opinions. It often occurs that an improvement of a certain quality which will cost, say, \$100,000 is recommended. Another report comes from another engineer more conservative in his disposition upon an improvement costing \$25,000, which in fact is more beneficial, and yet he gives an adverse report upon it.

It is true that to an extent we can decide upon these reports and recognize the different standards adopted, but it is very desirable that a uniform standard should be adopted by the Executive Department, and that a board of engineers, five in number, familiar with all the works in the country, should review them before they are sent to Congress. There is also a provision in this section to the effect that the Committee on Commerce of the Senate and the Committee on Rivers and Harbors of the House can call upon this board for a report upon any project already adopted. Occasionally there is a project upon which we are very doubtful and it seems desirable to have an expert opinion upon it.

Section 4 provides for the formation of an international commission, the members of which shall consider the very important subject of levels of the Great Lakes and other waters which find their outlet through the St. Lawrence. This provision is a necessary one. In many instances power canals have been constructed, or are in contemplation, which threatened to divert the water in a manner such as to materially interfere with the lake levels. Lowering the channel through the St. Marys River 3 inches would cause damage to commerce that could probably be counted by millions of dollars.

There is already a power canal there which has been opened on the Canadian side, and one is in contemplation on our side. Also, in improving channels there it is necessary in some cases, in order to get the best depth of water, to go over into Canadian waters. To settle all these questions, the demand for this commission is immediate and pressing.

It is also provided that they shall report upon the advisability of locating a dam at the foot of Lake Erie where the waters discharge through the Niagara River and its probable cost. Engineers have already figured on that problem. On several occasions an ice jam at this place has caused a rise of water on the lake not only of inches but a foot or more, giving an object lesson as to the effect of a dam. There seems to be no slope in the water of the lake: if a rise of 14 inches is caused by an obstruction at the foot, there is an equal rise at the mouth of the Maumee River or at the other end of the lake. While we are making provisions for deepening harbors upon this lake, it is desirable to have an

examination made whether the construction of a dam will not in a great degree provide increased depth.

Section 5 provides for the sale of property which has become useless. Under an old act of Congress it is necessary to have an inspection and estimate even before the least valuable article that is used by the engineer force can be sold. As an illustration, a piece of breakwater which washed ashore could not be sold without an inspecting officer going out from the War Department and appraising its value. Another instance occurred where a mule that had been used on the Tennessee River was no longer required, yet it was necessary to send out an officer to appraise the value of the animal. It was found when the appraisement had been made that the expense of this red tape was altogether more than the proceeds upon a sale.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. LAWRENCE. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio may be allowed to conclude his remarks.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that the gentleman from Ohio be allowed to conclude his remarks. Is there objection? [After a pause.] The Chair hears none.

Mr. BURTON. This section also provides that where a dredge used in river and harbor improvements is no longer required at one locality it may be either permanently or temporarily transferred to another. An illustration appears in this bill. The dredges used on the Mississippi River below Cairo are not required for the whole year, and there is a provision that for a part of the time they may be used above Cairo. Whether the transfer be permanent or temporary, there is a proper accounting to be made between the two portions of the river, so that the amount of compensation for the use of the dredge which belongs below Cairo may be credited to that account and charged to the other.

Section 6 provides that certain provisions included in previous river and harbor bills shall be subject to that provision of the act of 1899 authorizing the Attorney-General's Department to act.

Section 7 repeals previous provisions heretofore made for six projects, and orders that the money remaining to the credit of each shall be turned back to the Treasury. These are not large in any case, but it was thought desirable to abandon further work on all of these projects.

Section 8 repeals the act passed in the year 1876 authorizing the residents and property owners of Neville Township, county of Allegheny, and State of Pennsylvania, to close the channel on the south side of the island by the construction of a causeway or otherwise. That provision was included in the bill of 1876, probably under local influences, but it appears not only that the closing of this branch of the channel on the south side of the island would promote the danger from overflow, but would also cause the flooding of a considerable district now thickly populated. The committee thought best to recommend that this provision be promptly repealed.

Section 9 provides that the amount for the uninterrupted gauging of the waters of the Mississippi River and its tributaries be fixed at \$9,600. This provision is necessary, in view of some ambiguity in the act of August 11, 1888, as to whether the amount is \$6,000 or \$9,600.

Section 10 is a provision to which I ask the attention of the House, which seems to me to provide for the adoption of a better policy. It is to the effect that the Secretary of War may, whenever application be made before the expiration of the time limited, and the reason for such extension shall be deemed by him sufficient, extend the time for the completion of any bridge. In practice many bills come to Congress for the extension of the time limit fixed for the construction of these bridges. Rather than to go through that process, which often is one of circumlocution and under which Congress invariably, I think, accepts the recommendation of the War Department, it seemed best to give that general authority to the Secretary of War to extend this time limit whenever the reasons seemed to him sufficient.

Section 11 provides that the Secretary of War may fix regulations as to the speed of vessels in places improved by the Government. Take, for instance, the St. Clair Flats Canal that I have mentioned. There is a special statute or regulation in regard to that. The two piers are only about 300 feet apart and the channel only about 263 feet wide. The going through of large boats causes a great movement in the water, and if these boats went beyond a certain rate of speed it would very materially impair if not ultimately destroy this canal. In many harbors and rivers the same is true, namely, that if a boat proceeds at a too rapid rate of speed it is likely to throw down the whole improvement or cause very serious injury. It is provided that the regulations shall be posted in conspicuous and appropriate places for the information of all who may be affected by them.

To remedy an ambiguity in the act providing penalties for the depositing of refuse in the harbor of New York City, section 12 is to the effect that the repealing clauses in the act of March 3, 1899, which some attorneys of standing have claimed repealed the act, shall not be held to refer to that act prohibiting deposits.

Section 13 provides for the printing of a copy of the laws pertaining to rivers and harbors, and also for the bringing down to date of a document published in 1897, I think, giving a list of surveys and preliminary examinations made, and also a statement of all appropriations made for all projects since the formation of the Government. Each of these documents or books will be of very great value.

It also contains a provision that the Secretary of War shall ascertain and report to Congress all cases in which improvements on navigable waters of the United States have been or are being undertaken by municipalities, private corporations, or individuals, either alone or in conjunction with the Government, and information shall be furnished also as to the places in which work is done near to piers or wharves belonging to private individuals or corporations.

That I believe is all, gentlemen, that I desire to state upon this bill. Perhaps it would be well for me to dwell briefly on a subject touched upon at very considerable length in the report. The committee, not only this winter but last, made examination of the expenditures for the Missouri River and found that the commerce on that stream was entirely disappointing; that on the stretch below Sioux City there has been appropriated by the Government \$8,723,000, and all there was to show for that was an annual traffic of 263,114 tons, of which 218,514 tons was made up of sand and building materials, carried an average distance of less than 2 miles.

They found that, excluding these building materials carried less than 2 miles, the total tonnage below Sioux City was only 44,600 tons, and that if you bunch all the tonnage of 263,000 tons, the average haul is less than 4 miles. This showing does not present to us any promise in the way of commercial development or justification for the continuance of these large appropriations.

It appears that in 1899, on the Hudson River, for which there has been appropriated a sum considerably less than for the Missouri River, there was a traffic of 1,500,000 tons and more; and for the Ohio River there was a traffic of 13,579,000 tons; and for the St. Marys River there was a traffic of 24,554,000 tons in 1899, and I may say that in the last year that has increased to over 28,000,000. There you have it, 28,000,000 as against 44,600 of traffic, excluding the sand, and a much larger sum appropriated for the Missouri River.

Mr. REEVES. You said 1,500,000 tons for the Hudson River.

Mr. BURTON. I meant 15,000,000 tons. I thank the gentleman for the correction. In the multitude of figures it is sometimes difficult to get them all right. On the Detroit River over 40,000,000 tons are carried in a year, and there has been appropriated for that stream less than for the Missouri River below Sioux City. There has been appropriated for that portion above Sioux City to Stubbs Ferry, or Fort Benton, \$2,179,000, for a traffic of 23,041 tons.

Three years ago, when this bill was under discussion, I attempted to show to the committee that an amount was appropriated there for ice harbors so considerable that it would be cheaper each autumn to burn every boat on that stretch of the stream and buy them and make a gift of them to the owners in the spring than to attempt to maintain these so-called ice harbors. It is perfectly manifest to everyone that the greater share of these amounts goes for what is called the rectification of the banks. For the systematic improvement, as it is called, of one reach of the Lower Missouri River, located in one Congressional district, I believe, the sum of \$2,600,000 has been expended, without securing any salutary results. If that systematic improvement were extended from the mouth to Kansas City, at least \$30,000,000 would be required.

The members representing that section appeared before us last winter and proved to us most conclusively that in the years before these large appropriations were made for the Missouri River there was a very considerable traffic upon it; and it would seem to the committee that in view of the fact that when no appropriations were made or no considerable sum was appropriated there was a large traffic, and that when enormous appropriations—for enormous is the right word in comparison with the benefits—are made there is no traffic, it might be well to return to the old order of small appropriations and a more considerable traffic.

Mr. CLARK. Have you got to a place now where you can answer questions conveniently?

Mr. BURTON. Yes; I shall be glad to answer the gentleman from Missouri.

Mr. CLARK. On page 82, in lines 10, 11, and 12, there is an item—

and the Secretary of War shall cause an examination to be made of the lower portion of said river with a view to ascertaining whether navigation can be

maintained at a reasonable cost by dredging and the removal of obstacles; also at and near Hermann, West Glasgow, Lexington, and St. Joseph with a view to ascertaining what improvements in those localities, if any, are necessary for navigation.

I want to ask you if that is for surveys, as we usually understand the meaning of the word?

Mr. BURTON. Yes.

Mr. CLARK. It says "examination."

Mr. BURTON. Yes. There is one provision there in which the gentleman, I think, is interested. I think this, however, will cover the case. It will be noticed that the whole amount for the whole Missouri River aggregates \$80,000.

Mr. CLARK. What I was asking you about was if lines 10, 11, and 12 provide for what are usually called surveys.

Mr. BURTON. Yes.

Mr. CLARK. One other question: I want to ask you if you, individually, or the committee have any objection to having the same amendment in this bill that Mr. DOUGHERTY and myself secured the adoption of in the last bill, to permit the owners of farms on the Missouri River to build dams, dikes, and so on, under the direction of the Secretary of War.

Mr. BURTON. Subject to the approval of the War Department?

Mr. CLARK. Yes.

Mr. BURTON. None whatever.

Mr. CLARK. I will offer such an amendment at the proper time.

Mr. BURTON. I would state to the gentleman, so that it may be understood, that the appropriation is by no means so large as it was in the bill which failed, and I will state further that this inclusion of these items in the body of the bill, in section 1, gives the direction for a survey a little higher standing than before.

Mr. CLARK. That is what I wanted to understand.

Mr. BURTON. I understand the gentleman intends to offer an amendment to the effect that dikes and dams and works for the protection of the land bordering on the river may be made by abutting owner or municipalities, provided they are approved by the Secretary of War.

Mr. CLARK. Yes.

Mr. BURTON. And the plans are to be submitted to him before any improvement is made?

Mr. CLARK. Yes; just the same amendment that we adopted here a year ago.

Mr. BURTON. I can see no objection whatever to a provision of that kind.

Now, gentlemen of the committee, I have detained you longer than I intended, and have gone over this bill at considerable length. I maintain that, more than any measure brought into this House, the money expended under this bill will, in this commercial age, benefit the people of the United States.

It will be conceded that river and harbor improvements must be made. There is a great variety of ways in which these improvements can be made. On this subject I can not do better than to repeat a portion of an address delivered at Baltimore last October:

The different commercial countries have adopted various regulations in providing for river and harbor improvements. No country has at all times or at all places pursued an entirely uniform policy. There may be said to be three distinct systems:

1. That under which channels and harbors are improved by municipalities and private corporations, which for compensation impose charges upon shipping or commerce. This system is illustrated in Great Britain. The Central Government does not improve channels or harbors, except for the purpose of national defense, but municipalities and private corporations have expended for these purposes greater amounts than in any other country. Not many years ago the Tyne at and below Newcastle was improved at an expense of over \$30,000,000; the Mersey and Clyde at still greater expense; the Manchester Canal, 35 miles in length, was built at a cost of \$75,000,000 or more; \$150,000,000 has been expended for canals in the interior of the country.

Theoretically the charges imposed are commensurate with the cost of the improvement, but in practice it is rarely so. Oftentimes a harbor is improved by a municipality to promote its trade, as by the city of Bristol, or by a private corporation to provide better means to send its products to market, as at Cardiff to facilitate shipments of coal.

2. A system under which the central Government improves harbors and channels, and imposes charges in the form of tolls, extra duties, port or wharfage dues, the income of which is in greater or less proportion to the expense. This method is well illustrated by the action of the Republic of Uruguay, which last December contracted for the improvement of the harbor of Montevideo at the expense of \$9,916,336, and made provisions for payment by the imposition of an extra duty of 3 per cent on dutiable imports and 1 per cent on dutiable exports. It should be noted that under this and the preceding system the furnishing of anchorage and turning basins, docks, and sometimes warehouses is included in expenditures upon ports.

The policy indicated in this second method is pursued in France in reference to harbors, where large amounts are collected for dock dues. In numerous instances where this method has been adopted the expense of an improvement has been apportioned between the General Government and the city or locality especially benefited. The port of Antwerp has been improved at an expense of \$30,000,000. Approximately three-fifths of the expense has been paid by the Belgian Government and two-fifths by the city of Antwerp. In the improvement of the harbors of Trieste, recently authorized by the Government of Austria-Hungary, a smaller proportion of the expense is to be paid by the city. In the construction of the Elbe-Trave Canal, opened June 1, 1900, and which joins the North Sea and the Baltic, the Government of Prussia contributed a little less than one-third, and the balance was paid by the city of Lubeck.

3. The third system is that under which the General Government improves channels and harbors and imposes no charge upon commerce with a view to obtaining compensation for the improvements. This method is in vogue in the United States both as regards rivers and harbors. In France it is followed in the navigation of rivers and canals, all tolls upon which were abolished in 1880. The policy pursued in the United States has not been altogether consistent or uniform. The very first act on the subject recognized a policy similar to that described in the first system described above, namely, the making of improvements and imposition of charges by a private corporation or municipal body.

It was passed on the 11th day of August, 1790, and gave consent to the operation of acts passed, respectively, by the States of Rhode Island, Maryland, and Georgia, authorizing the levying of a charge on the tonnage of ships by the River Machine Company in the town of Providence, by the wardens of the port of Baltimore, and the collection of such a charge for the purpose of improving the river Savannah. Similar statutes were passed at a later date consenting to the operation of acts passed by the States of Massachusetts, Pennsylvania, and Virginia.

Provisions authorizing very limited expenditures for this purpose were included in bills for the Navy, for fortifications and for light-houses, but no general adoption of a policy of improving rivers and harbors appears until later. Statutes were passed authorizing surveys, notably for the waters tributary to the Mississippi, and on the 6th of April, 1802, during the Presidency of Thomas Jefferson, an act was passed which stands out prominently as the first appropriation for improvements of this nature. It appropriated \$30,000 for repairing and erecting public piers in the river Delaware.

The act admitting the State of Alabama, November 2, 1819, set apart 5 per cent of the net proceeds of the lands lying within the State for public roads, canals, and improving the navigation of rivers, of which three-fifths was to be applied on objects within the State, under the direction of the legislature thereof, and two-fifths for the making of a road or roads leading to the said State, under the direction of Congress.

On the 3d of March, 1817, President Madison vetoed a bill setting apart certain funds for constructing roads and canals and improving the navigation of water courses, on the ground that he found no warrant in the Constitution for such expenditures by the National Government. Notwithstanding this veto, appropriations were made under the next Administration, and in the great commercial and industrial revival which followed the end of the Napoleonic wars in Europe, and which extended in an exceptional degree to this country, a different opinion prevailed. It may be regarded that under the general-welfare clause of the Constitution and the authority vested in Congress to regulate commerce between the States, the right to take control of and to make appropriations for river and harbor improvements is well settled, though these appropriations have been made irregularly and at times only for a limited number of objects.

On the 7th day of May, 1822, an appropriation was made for a sea wall on the Isle of Shoals, on the coast of New Hampshire and Maine, and a harbor or shelter for vessels from the ice in the Bay of Delaware near Cape Henlopen. This was contained in a statute pertaining to light-houses, for which appropriations were made from a very early day.

The first statute including any considerable number of projects was passed on the 24th of May, 1824, appropriating money for the removal of bars at six places in the Ohio River, including also a general appropriation for improving the navigation of the Mississippi River from the mouth of the Missouri to New Orleans and of the Ohio River from Pittsburg to its junction with the Mississippi.

Two days later money was appropriated for making or deepening the channel leading into the harbor of Presque Isle, now known as the harbor of Erie, in the State of Pennsylvania, and for repairing Plymouth Beach, in the State of Massachusetts, and thereby preventing the harbor at that place from being destroyed.

From this time on annual bills were passed for a plurality of objects of much the same nature and in much the same phraseology as in the river and harbor bills of to-day, until and including the year 1838. After this year, while the general policy was recognized and appropriations were made in almost every year, the passage of general bills was, with two exceptions, suspended for twenty-eight years.

Those exceptions were the bills of June 11, 1844, and August 30, 1852. The regular passage of river and harbor bills was again resumed in the year 1866. Beginning with that bill, appropriations have been regularly made. Bills for the purpose were passed annually from 1866 to 1882, with the single exception of the year 1877, after which they were passed biennially until and including the year 1896, since which time but one general bill has been passed—that approved March 3, 1899.

The question remains, How shall this work be done? Now, there might be a division; that is, a fraction of it might be paid by the General Government and a fraction by the parties thought to be peculiarly interested. I will, with the consent of the committee, print briefly some remarks that I made on that subject in 1896.

There might be an adjustment made of it after the improvement of a channel is completed, so that the dredging or maintenance should be kept up by the localities most interested. The line might be more strictly drawn, I think, between that which should be done on the one hand by the General Government and that which should be done by municipalities or private interests on the other.

But who will provide for the great interstate rivers and channels? How will you provide for the channel, to use an illustration that I have several times employed, of St. Marys River, between Lake Superior and Lake Huron? The critics of this bill have charged that up to the State of Michigan.

I will be perfectly frank in saying that the cities of Cleveland, of Buffalo, of Chicago, and of Duluth are a great deal more interested in that channel than any city in the State of Michigan, because it provides them with facilities for through traffic from the head of Lake Superior and all parts of that lake to Chicago and Lake Michigan, also to Lake Huron, and especially to the ports of Lake Erie, making it possible to bring down fourteen or fifteen million tons of iron ore, thereby aiding and giving this country that preeminence in the manufacture of iron and steel which we have been gaining from day to day and year to year.

Is not that a national improvement? How are you going to provide for that navigation? While I am not so sure about the levees of the Mississippi, how are you going to make the navigation of

that river a State project? The same is true of the port of Boston and of the ports of New York, Philadelphia, Baltimore, New Orleans, Galveston, and San Francisco and Portland, all outlets for the wealth of this country, so that the improvements there are for the benefit of the whole country.

In submitting this bill from the committee we maintain that it is not a measure for the benefit of certain localities, it is not a measure for the benefit alone of cities or towns here and there. It is not a bill which brings special privileges or advantages to individuals or to communities. If there are such items in the bill, let members of the committee point them out. If we have made mistakes in this regard, we desire to know. It is not a measure merely for the removal of rocks from the path of the mariner and to make his course plainer and safer. This is a bill which confers inestimable benefits upon our common country and upon all its people. [Loud applause.]

Mr. MOON. Will the gentleman allow me to ask him a question now that he has finished his speech?

Mr. BURTON. Certainly.

Mr. MOON. I want to state a fact and then ask a question, not in any antagonism to this provision, but rather in order to obtain an explanation. You will find on page 62 of the bill that you provide for the improvement of the river above Chattanooga, Tenn., the sum of \$50,000. The chairman, of course, understands that that appropriation is not for any particular work at any particular place.

Mr. BURTON. I beg the gentleman's pardon, I did not hear. Is it page 62 to which he refers?

Mr. MOON. Yes. It is to remove temporary obstructions to the river. Well, now, above Chattanooga, down to Colbert Shoals and Bee Tree Shoals, is the largest tonnage on the river and there are perhaps more temporary obstructions than above. I notice upon page 61 that you make an appropriation confining the expenditure to Colbert Shoals and Bee Tree Shoals alone. Now, this appropriation I concede is a very liberal and just one in view of the appropriations made heretofore. The question I want to ask the chairman is this: Why does he not leave in the discretion of the Engineer Corps the right to appropriate any part of either the \$200,000 or the \$400,000 under the contract system here to the removal of any temporary obstructions between Colbert Shoals and Bee Tree Shoals and Chattanooga, instead of putting it all on the work there?

Mr. BURTON. That was in pursuance of a policy of the committee not to scatter appropriations and leave incomplete a number of projects, but to finish one as soon as possible. The estimated amount for the improvement of that river from Riverton to Chattanooga is \$4,800,000. It will probably cost a million more. It is certainly very plain, before the upper portion can be utilized it will be necessary to improve the lower part, because otherwise the commerce of the upper portion would have no outlet, and it was thought best to secure the improvement at the Colbert and Bee Tree Shoals before taking up any other part.

Mr. MOON. That is in pursuance of a policy of the committee upon all rivers?

Mr. BURTON. In a word, not to scatter the appropriations?

Mr. MOON. I have no serious objection, but I wanted the gentleman's explanation to go in the RECORD. That was the object of my inquiry.

Mr. SIMS. I notice that the appropriation from Riverton to the mouth of the Tennessee River is \$19,000, a distance of 226 miles. Is that the full amount recommended by the local and Chief Engineer?

Mr. BURTON. That is the full amount recommended by the local and by the Chief Engineer.

Mr. SIMS. Is there not an unexpended balance?

Mr. BURTON. There is. The act of 1899 carried an appropriation of \$100,000 for this reach of the river, from which there is still an unexpended balance. I think that portion of the river is well provided for, and the results, I will say to the gentleman, obtained in the expenditure of the money, have been very satisfactory.

Mr. CUSHMAN. Mr. Chairman, I would like to ask the gentleman whether there is any provision in the law now that leaves it in the discretion of the Secretary of War to make any change in projects which have heretofore been adopted by the Government—I mean any change of plans?

Mr. BURTON. No general law. In some instances where we have thought it desirable to give the Secretary of War the right to modify, we have inserted a provision to that effect.

Mr. CUSHMAN. In the project which is now under the continuing-contract system, for instance, our project at Everett, if it is desirable to vest in the Secretary of War authority to make a change in the plans there, would that enactment properly come in the river and harbor bill or in the sundry civil bill?

Mr. BURTON. It would more properly belong in the river and

harbor bill, but the better way would be to bring it up by separate resolution.

Mr. CUSHMAN. And not as an amendment to this bill?

Mr. BURTON. I will say to the gentleman that it is my intention to call up a bill or resolution passed by the Senate on that subject and obtain unanimous consent for its passage in two or three days. If that can not be done I will ask to have it inserted as an amendment to this bill.

Mr. THOMPSON. Mr. Chairman, I would like to ask the gentleman a question. On page 51, line 14, it is provided "from the balance remaining on hand to the credit of the lower portion of said Coosa River, between Wetumka and the railroad bridge, a further sum of \$10,000 shall be expended upon that river above the said railroad bridge." I understand from that that there is now remaining to the credit of the lower portion of the Coosa River an unexpended balance.

Mr. BURTON. About \$25,000. It was almost if not quite \$25,000 at the date of the last report, but it is now somewhat less, because there is a plant there that has to be taken care of.

Mr. THOMPSON. The purpose is to take from this appropriation made for the lower end of the Coosa River, near the outlet, a sum of money and expend it on the upper end, which is contrary to the policy the gentleman has just stated in reference to other streams, because the portion of the river lying above lock 4 on this river can not be utilized until the lower portion is open, for it would have no outlet to the Gulf.

Mr. BURTON. The policy or recommendation of the committee was to transfer \$10,000 of the \$25,000 to the upper portion of the river. First answering that question, the gentleman from Alabama will realize that no hard and fast rule can be made, although we have followed as far as possible the one to improve the river from the lower portion up. To that there are several exceptions; first, where there is an independent commerce on the upper portion of the river for a considerable reach, and access can not be obtained from that portion or reach to the lower portion or mouth of the river without the expenditure of an undue amount of money.

In my remarks three years ago, I mentioned the Tennessee River between Chattanooga and Knoxville—a stretch of 188 miles—as an illustration of that situation. The committee did not think it best to recommend further continuance for the improvement of the Coosa River. We regard that, I may say frankly, as one of the most, if not the most, objectionable projects for which appropriations have been made in the past by Congress. One million two hundred thousand dollars has been expended, and it would require at least \$6,000,000 to build 30 locks and obtain only 4 feet of navigation.

When the locks and dams are finished I doubt very much whether boats would patronize it. I do not believe 4 feet of navigation, where a boat must go through 30 locks and have the delays incident to it, will develop traffic worthy of the name. The committee regard the continuance of that improvement as wasteful to the very last degree. It is true that \$1,200,000 has been expended on it, but for some years past no appropriation has been made to continue the work. That being the fact, it is not desirable to maintain the plant at Wetumka.

The amount there might just as well be diverted to something else. We have diverted the \$10,000 to the upper portion of the river, and we have provided that from the balance a survey shall be made of the Coosa and Alabama. Furthermore, I want to say to the gentleman, that we have an estimate from a local engineer in charge there that says it will cost not merely \$6,000,000, but \$10,000,000 and over to complete that improvement. I should be very glad if the gentleman would discuss the matter in his own time. I shall insist that the committee give him full time to be heard, at which time he may advocate that improvement on the Coosa River.

Mr. THOMPSON. I shall do that.

Mr. BURTON. But I have expressed the opinion of the committee in regard to that improvement.

Mr. TALBERT. Will the gentleman permit an inquiry?

Mr. BURTON. Certainly.

Mr. TALBERT. On page 113, in the seventeenth line, I notice under the section that begins on page 102 that the Secretary of War is directed to cause preliminary examinations and surveys to be made, etc., of the Edisto River. Is it not necessary to say from what point to what point?

Mr. BURTON. It would be better. Of course if there is this general authority, which sometimes they like better than to have it limited, they will go on the river and find out what its capabilities are for navigation.

Mr. TALBERT. I suppose it is better to leave it for them to determine how far.

Mr. BURTON. Quite as well, I think. I do not think it is a matter of special importance. If the gentleman would like to have the boundaries fixed, the committee is entirely willing. In

the surveys presented to us, where the member desired that it be limited from such a point to such a point, it was inserted in the bill.

Mr. TALBERT. In the survey, where it empties into the sea, opposite Edisto Island, up to the line of Edgefield and Aiken counties.

Mr. BURTON. If the gentleman desires we can have that when we reach it. It can be inserted.

Mr. BELLAMY. Will the gentleman yield?

Mr. BURTON. Certainly.

Mr. BELLAMY. I would like a few minutes to discuss the bill, especially in relation to North Carolina.

Mr. BURTON. I trust the gentleman will have opportunity. If there are no more questions there is no objection to his proceeding now. The other gentleman from North Carolina [Mr. SMALL] desires to ask a question.

Mr. SMALL. I will call the attention of the gentleman to page 48 of the bill, from lines 11 to 14, providing for improving the Scuppernon River, North Carolina, in accordance with the report submitted in House Doc. No. 131, Fifty-sixth Congress, second session, \$10,000. The report of the engineers recommended \$14,000, if I am not mistaken, for the purpose of completing the project, and I ask the gentleman if it would not be in the interest of economy to make the entire appropriation, in order that the project of deepening the channel or dredging the bar at the mouth of the Scuppernon River may be completed?

Mr. BURTON. I will say to the gentleman if we followed that rule with the Scuppernon we should have to follow it in a hundred cases. What the interests of economy would have required would have been the omission of the Scuppernon entirely and the completion of some other project already under way; but, as I understood it, that was regarded to be quite as important as others in North Carolina, and, as the committee so understood, it was placed in the bill; but there are numerous projects here where we are not able to provide a sufficient amount to complete work. The margin between the amount appropriated and the amount to complete is comparatively small in a few cases. I think the gentleman will find that the \$10,000 expended there, particularly if the contract for it is joined with other projects, will prove quite sufficient to bring the results that are expected.

Mr. SMALL. The gentleman intimates that that item might have been discarded entirely in the interests of other projects. I desire to ask the gentleman if the other projects referred to are in North Carolina?

Mr. BURTON. I will say so; yes, sir. I will say further that we omitted three or four in North Carolina. Town Creek, Fishing Creek, Contentnia Creek, and New River, in North Carolina, were omitted from the bill.

Mr. SMALL. I would not disparage any of the items in the State, but—

Mr. BURTON. Oh, I do not want the gentleman to understand that his action excluded other projects from the bill. I am particularly desirous to relieve him of any responsibility for having pushed out anything else in the bill.

Mr. SMALL. I have great respect for the gentleman, but I differ with him as to the importance of the item in relation to the Scuppernon River. Another inquiry: I introduced a bill authorizing the appointment of a board of engineers to consider the subject of an inland waterway from Norfolk, in the State of Virginia, to Beaufort Inlet, in the State of North Carolina. This is not included in the bill as reported by the committee. If I may do so without impropriety, I would ask the gentleman the reasons which actuated the committee in not including that provision for the survey of this inland waterway?

Mr. BURTON. First, there were numerous claims from different localities in the country for the survey of inland waterways, as from Delaware and Maryland, and the coast of New England, South Carolina, Georgia, Florida, Louisiana, and Texas. It did not seem to us fair to include this item in North Carolina without including all the rest. That was in pursuance of a rule, as far as possible, to treat all alike. The second reason is this: In the year 1900 a provision was inserted for a survey of an inland waterway in this very locality. The estimated cost, I think, of 16-foot navigation was \$1,900,000, for 18-foot navigation a very much larger sum.

Either of those amounts was sufficient to preclude the desirability of an appropriation being made for it now. After one waterway has been surveyed in North Carolina—and so far a preference has been given to it in comparison with other States—and an estimate came in of so great size as did come in, it did not seem desirable to have another waterway survey there right in the same neighborhood. Such a course would not only threaten undue appropriations, but it would be unfair to other localities whose inland waterways remain unsurveyed.

Mr. SMALL. I desire to submit another inquiry to the gentleman, if I may do so.

Mr. BURTON. Certainly.

Mr. SMALL. What was the policy of the committee in including in the bill appropriations for additional examinations and surveys?

Mr. BURTON. To limit them as far as possible.

Mr. SMALL. That was the general policy which governed the committee?

Mr. BURTON. Yes. We did not wish, in any case, to have any one Congressional district, no matter how much water front it might have, to have more than one, or at most two. It is possible some exceptions have been made in relation to matters of a very general nature, but we limited them as far as possible. There are less by fifty than were included in former bills.

Mr. HEPBURN. I desire to ask in relation to the provisions for improving the Mississippi River from the Head of the Passes to the mouth of the Ohio River, found on page 80:

Continuing improvement, \$2,000,000, which shall be expended under the direction of the Secretary of War, in accordance with the plans, specifications, and recommendations of the Mississippi River Commission, as approved by the Chief of Engineers, for the general improvement of the river, for the building of levees, and for surveys, including the survey from the Head of the Passes to the headwaters of the river, in such manner as in their opinion shall best improve navigation and promote the interests of commerce at all stages of the river.

In view of the fact that the plans of the Mississippi River Commission have frequently been modified, I would ask the chairman of the committee if he will say what the present plans are that this appropriation is applicable to?

Mr. BURTON. That would, of course, involve full acquaintance with the plans of the Mississippi River Commission, but I think I can state generally.

Mr. HEPBURN. I mean generally. Where is the major portion of this money probably to be expended?

Mr. BURTON. First, not the major portion, but the minor portion—

Mr. HEPBURN. If you will allow me just a minute, I will state the reasons why I made this inquiry.

Mr. BURTON. Certainly.

Mr. HEPBURN. Last night, in a newspaper, I read of the organization of a land syndicate for the purpose of reclaiming 3,500 square miles of land lying in the basin of the St. Francis River. The statement was to the effect that one-third of the necessary work had been done by the United States Government and another third had been completed by the States of Missouri and Arkansas; that the Government was making other contributions to this work, so that the company would soon have 2,000,000 acres of land fully reclaimed, and very largely at public expense. I wanted to know if these plans of the Commission looked to the reclamation of those lands.

Mr. BURTON. I do not know that I can state as to these particular lands. The plans of the Commission look to continuing the construction of levees, following the usual rule that they have followed, paying half the expense of construction, the other half to be paid by the localities having lands abutting on the improvements. Of this \$2,000,000 it is possible that one-half will be expended for dredging, for the protection of harbors and making of revetments; the other half practically, year by year, for levees. Four or five hundred thousand dollars is perhaps the estimate of the annual cost of dredging.

The committee have made a change in the appropriation for the various harbors, New Orleans, Natchez, Helena, Memphis, New Madrid, Caruthersville, etc. The amount for these harbors is to be allotted from the \$2,000,000 per annum for the river, but an amount not exceeding \$155,000 per annum for all.

It was thought that such a course, taking these amounts for harbors from the general fund, would cause a close scrutiny to be made of the propriety of each of these improvements, which the committee could not make and which Congress could not make, and that it would lead to more judicious expenditure. These would probably require \$150,000. The dredging would be, say, \$400,000 more, and then for their divers dikes, revetments, etc., up to a million. The balance remaining for levees would probably be near to a million of dollars per annum.

Mr. HEPBURN. Will the gentleman permit me to ask him, under the plans of the Commission that are here referred to, how far, on an affluent of the Mississippi River, are they permitted or do they permit themselves to extend their levee works?

Mr. BURTON. That is, on a branch?

Mr. HEPBURN. On a branch.

Mr. BURTON. A very short distance, if any. I do not recall any at all made recently.

Mr. HEPBURN. Now, with your permission, I want to ask another question.

Mr. BURTON. Certainly.

Mr. HEPBURN. Under the present policy of appropriation and recommendation of the committee, the larger portion of the appropriations is postponed. You leave them to be made from

time to time by Congress and through the recommendation of another than your own committee. I want to ask the gentleman if in his judgment and the judgment of his committee, that is a wise procedure. In other words, ought not the committee that studies the subject of the rivers have the right to determine in what volume these appropriations from time to time shall go to a given improvement?

Mr. BURTON. The gentleman from Iowa is slightly in error in stating it is made on the recommendation of another committee. Technically, that is so.

Mr. HEPBURN. Are they not made in the sundry civil appropriation bill?

Mr. BURTON. They are made in the sundry civil appropriation bill, but they are made available to meet obligations under contracts made by the Secretary of War. So it is really not a matter left to the Committee on Appropriations at all, except as to the amount that will be earned on these contracts which impose an obligation on the Government.

Mr. REEVES. And those contracts made by authority of this committee.

Mr. BURTON. Yes. I want to say one word further about that. I regard these authorizations as very desirable, because it enables the work to go on, and that is what we want to do. It is a declaration by Congress that we intend to finish an important work and get through with it. It often secures the completion of the work for less than the estimates. With all these arguments the gentleman from Iowa is no doubt familiar.

Mr. WILLIAMS of Mississippi. I desire to ask the gentleman a question.

Mr. BURTON. Certainly.

Mr. WILLIAMS of Mississippi. Is it not the theory of the Mississippi River Commission in building these embankments confining the water during the flood time that it makes it scoop out the bottom, and in that way aids navigation? Is not that the theory on which the Commission works?

Mr. BURTON. Yes; I think so.

Mr. WILLIAMS of Mississippi. Is it not furthermore true that partially this benefit does accrue to the riparian owners?

Mr. BURTON. Very largely.

Mr. WILLIAMS of Mississippi. And is it not for that reason that the Government pays only half of the cost of this building of levees and requires the owners of the land to pay the other half? Is it not true that that is the only improvement in which the people along the banks pay for a portion of it?

Mr. BURTON. Now, while this is not the only item in which it is provided that the locality or individual shall provide a part, it is the only improvement on a large scale in which it is anticipated that part of the expense shall be paid by the abutting localities. There is no absolute provision in our bill compelling abutting owners to pay half, but we know it to be a custom for the Commission to require that an amount approximately equal to that expended by the Government for levees shall be provided by the locality.

Mr. WILLIAMS of Mississippi. I just simply wanted that fact brought out.

Mr. McCULLOCH. Is it not largely more?

Mr. BURTON. I think it has been estimated that 62 per cent has been paid by the localities and 38 by the Government.

Mr. THOMAS of North Carolina. I wish to ask the gentleman from Ohio if the appropriation for New River was not omitted in view of the fact that the appropriations on the old project have been somewhat of a failure, and that therefore a new survey was required, for which an appropriation was included in the bill.

Mr. BURTON. It was thought not best to go on with the old project. There are no further appropriations, and we provide for a reexamination; and if on reexamination it appears worth while, it is for future Congresses to make the appropriation.

Mr. THOMAS of North Carolina. And a new survey has been provided for?

Mr. BURTON. Yes.

Mr. JONES of Washington. In the stretch that exists between the city of Vancouver and Columbia River and the mouth of the Willamette River there is no appropriation made in the bill for that.

Mr. BURTON. The committee did not regard it as best. The fact about that is there has been a large amount expended, and there is no telling what the result of any particular improvement will be. Another thing: Until recently there was no railway at Vancouver. There has been a railroad opened, I think, on the north bank.

Mr. JONES of Washington. There is a railway opened there. I do not know that any trains are now running, but there will be soon. The engineer estimates for \$10,000 or \$12,000 for the maintenance of the present work; and no appropriation was made toward that.

Mr. BURTON. In many instances in this bill there were

appropriations made for maintenance where it was required. The trouble is whether we allow it to do so or not, or make the appropriation or not, nature will take its course there. It is a very strong river, and there is no telling where the channel will appear, and we have had a very large expenditure and a very long dike has been constructed, as the gentleman knows, and it has been rather unsatisfactory in its results.

Mr. JONES of Washington. Would it not be well to have some provision by which the Government might ascertain whether or not some benefit has accrued from the work that has been done?

Mr. BURTON. The reports of the engineers who have reported upon it are to the effect that it has not been of any assured or permanent benefit.

Mr. JONES of Washington. They do not undertake to give a report upon what the effect has been one way or the other.

Mr. BURTON. Now I yield to the gentleman from Tennessee. Mr. GAINES of Tennessee. I notice in the appropriation which is made for the Cumberland River below Nashville this clause: "For the completion of the lock and dam at Harpeth Shoals and for maintenance, \$180,000." My recollection of the correspondence that the gentleman from Ohio showed me was the engineer did not include the maintenance in the sum of \$180,000. That was to complete lock at Harpeth.

Mr. BURTON. The amount here is \$285,000 in the aggregate—\$105,000 for one and \$180,000 for the other; that is \$5,000 in each in excess of the amount required for the work directed to be done. For lock and dam work the estimate for one is \$100,000 and for the other \$175,000. Five thousand dollars has been added to each item.

Mr. GAINES of Tennessee. And that extra \$5,000 for each item would go to cover maintenance?

Mr. BURTON. Yes.

Mr. IRWIN. I would like to ask if the committee has included in their bill a provision providing for the estimate of cost and to report as to the advisability of extending the dam and heightening it at the head of the Falls of the Ohio as to afford a 6-foot stage of water for 50 miles above Louisville. I have looked over the bill and I do not see it. I may have overlooked it. I understood the committee favored that proposition.

Mr. BURTON. The gentleman will find in a provision for a survey on page 105, which I think amply covers the project desired by the gentleman. I should regard it as the more desirable form than the one he mentions, because it would give wider latitude to the engineer to recommend what improvement he thinks desirable, but that is a matter for his consideration.

Mr. IRWIN. It is not for the construction of a dam, but for the heightening of the dam. There is already a dam there.

Mr. BURTON. It is not complete. It does not extend clear across the river.

Mr. IRWIN. It does not extend clear across the river.

Mr. BURTON. Then a part of it is for construction. If the gentleman desires a change of phraseology, the committee, I think, would have no objection to it.

Now, Mr. Chairman, if there are no further questions, I will ask again if there is anyone of those who desire to oppose the bill who would like to control the time. If not, I trust the gentleman from North Carolina [Mr. BELLAMY] may be heard, if he desires.

Mr. BELLAMY. Mr. Chairman, I have the honor to represent, in part, in this body the State of North Carolina, and her people feel deeply grieved at the great injustice which has been done that State in the bill which has been reported from the Committee on Rivers and Harbors. We had begun to think that the committee had overlooked the claims of the State to recognition in this respect until this morning, when I heard the statement of the honorable chairman of the committee, in which he took an illustration for his argument the port that I have the honor to represent on this floor. He used this language:

I want to give a little illustration right in this connection of the appropriations for rivers and harbors and for fortifications at one place, namely, the appropriation for rivers and harbors for the Cape Fear River at and below Wilmington, and for fortifications at that place. It is evident that the appropriations for fortifications there are merely to protect the navigable channel from the ocean up to the town of Wilmington from hostile attacks. In six years the appropriations for the improvement of that channel from Wilmington down have been \$345,000, or an average of \$57,500 per annum.

The appropriations for fortifications there have been \$1,200,000 for Fort Caswell, and an average expense of \$100,000 to \$125,000 per annum, for the maintenance of the post, making up an aggregate expenditure of nearly \$2,000,000, or very nearly six times as much for the improvement of the channel which these fortifications are intended to protect. I really think such a case as this should cause us to pause and weigh for a time the comparative advantage of the military establishment of the country and of this bill which more than any other looks to its commercial development.

Now, Mr. Chairman, if it had not been for those remarks made by the distinguished gentleman I should have thought that the omission of inserting in the bill the recommendation of the Chief Engineer as to the appropriations which are necessary for the port at Wilmington and the Upper Cape Fear were unintentional. But it looks to me now that there must have been a motive, although I do not directly accuse the distinguished chairman of

having a motive to discriminate or single out this port. It looks to me as if it were not an act simply of casual omission, but a willful and deliberate omission.

It is unfortunate for the State that I represent that it has not a member on that committee. Our State has never appreciated the importance of retaining its members long enough to secure such an appointment. The port of Wilmington is the most important in the State of North Carolina. The State of North Carolina has more seaboard, has more navigable streams flowing to the sea than any State on the Atlantic coast with the exception, perhaps, of Florida which, of course, has a Gulf coast.

And yet that port only received out of a recommendation of \$300,000 for necessary improvements and maintenance the sum of \$150,000, and the upper Cape Fear which had a recommendation of \$1,325,000 does not receive a dollar for the purpose recommended by the Chief of Engineers, and only \$10,000 for the portion of the river between Wilmington and about 25 miles above it. So naturally it seems there has been a discrimination against it, and not only that, in the last river and harbor bill there was appropriated \$1,000 for removing some obstructions from Brunswick River which were put there by the Confederate government to prevent the Federal cruisers from navigating the stream, and notwithstanding it went in the last bill and remained there in conference, it is omitted from the present bill.

Not only that. Innumerable surveys were ordered by the last bill, and even they have been eliminated; and in the last bill which passed the committee of conference and was reported to the Senate and there killed, there was an item of \$150,000 for the Upper Cape Fear, and now not one dollar is contained in this bill for that great and necessary improvement. Am I not, then, correct in inferring that there has been either a willful or an unintentional discrimination against the State? Therefore, sirs, I must enter my protest in general terms here this day, and ask this House at the proper time when an amendment will be in order to give these appropriations which ought to have been included in this bill and which were included in the last bill.

Now, I do not wish to reflect upon the State of Alabama in the slightest degree and will not do so, but how is it that the city of Mobile gets an appropriation of \$300,000 this year and the river leading thereto, including Mobile, nearly a million dollars, and yet Mobile within the last fifty or sixty years has received \$3,700,000 in appropriations and the port that I represent only \$3,200,000? The ports of Wilmington and Southport, which are practically one and the same, is no inconsiderable port in this Union. During the late war between the States the entire commerce of the Confederate government was carried on there for the last year of the war, and the armies of the Confederacy were clothed and fed by the supplies brought from Nassau and the West Indies. It was the only port in the South that the Federal cruisers could not blockade successfully. It was the mainstay of the Confederate government during that time.

I merely state this now to show its importance as a seaport and harbor. To-day it stands as the fourth or fifth cotton port in the United States. Its tonnage is immense. Its exports last year were more than \$12,000,000, when the exports of Mobile were less than \$11,000,000. Its tonnage for year ending June 30, 1900, was 699,000 tons, while Mobile's was 471,000. It has a better depth of water on its bar and its harbors than has Savannah, Charleston, Port Royal, Brunswick, or Mobile, as certified to in a letter written by Gen. John M. Wilson, Chief of Engineers, during the last session of this Congress, and yet that port has been severely slighted in this bill, and I can not see why, unless it be that the State of North Carolina has the misfortune of not having the honor of being represented on that committee.

Now, Mr. Chairman, at this time I only arose to briefly call the attention of this body to this injustice done the State which I represent, and I will ask this body at the proper time to consider and pass amendments which will bring about at least an equitable distribution of the fund of the river and harbor bill among the States according to the merits of the improvements. And right here, sir, I noticed in the press a few days ago that of the \$60,000,000 appropriated in this bill, \$47,000,000 go to the States represented by members of the committee—\$47,000,000 out of \$60,000,000—and yet the State that I have the honor to represent gets the paltry sum of \$257,000 for the entire State, when even the port of Mobile gets \$300,000, and it is an inferior port in point of importance to that which I represent upon this floor, and I must and do strongly protest against it to-day, and shall appeal to the sense of justice of the members of this body to rectify the wrong. [Applause.]

Mr. FOSTER of Illinois rose.

Mr. BURTON. Do I understand that the gentleman desires to favor the bill or to criticize it?

Mr. FOSTER of Illinois. I would state to the gentleman that Mr. LESTER, the minority member of the committee, was to yield me time. He has just stepped out of the room.

Mr. BURTON. The gentleman may be heard now.

The CHAIRMAN. The Chair will recognize the gentleman from Illinois.

Mr. BURTON. How much time does the gentleman desire to occupy?

Mr. FOSTER of Illinois. About half an hour.

Mr. BURTON. There is one gentleman here, Mr. CANDLER, of Mississippi, who desires to be heard next. Will the gentleman postpone his remarks until after he is heard?

Mr. FOSTER of Illinois. Very well.

The CHAIRMAN. One moment. There has been no arrangement for the control of the time. The Chair had expected to recognize the gentleman from Georgia, a member of the committee, who stated that he desired to yield thirty minutes of his time to the gentleman from Illinois. The gentleman from Georgia is not present.

Mr. BURTON. I take it there can be no objection to that.

The CHAIRMAN. If there is no objection the Chair will recognize the gentleman from Illinois [Mr. FOSTER] for thirty minutes.

Mr. FOSTER of Illinois. Mr. Chairman, I favor all of the provisions of this bill, and inasmuch as there does not seem to be strenuous, if any, opposition to its general provisions, I desire to use the time allowed me in discussing another subject upon which a resolution was prepared and introduced early in the session by the gentleman from New York [Mr. SULZER] and referred to the Committee on Foreign Affairs and is now pending before that committee, and in this connection, I regret that the distinguished chairman of that committee [Mr. HITT] is not now in his seat.

Throughout the discussion of Philippine matters in this House at this session, on both sides of the question, one point has been unmistakably evident and admitted on all sides, and that is that we are in the Philippines and are exercising control over them on the principle that might makes right, and that we are governing them not because their people want us to do so, but because we have the power to do so. That may be the reason, Mr. Chairman, why in this Congress and in the last Congress, the Committee on Foreign Affairs has never deigned to make a report on any of the various bills or joint resolutions referred to it protesting against the continuance of the Boer war and expressing sympathy with the Boers. The reason is that since the adoption of our present Philippine policy we are in the same position as Great Britain. Both countries are tarred with the same stick. Both are endeavoring to crush the independence out of smaller and less powerful peoples.

But, however it may be with the Government or with the Republican party, the people of the United States have a right to protest, and they will protest, and I hope the Democratic party, through its members here assembled, will protest against the great wrong done to humanity and the cause of human freedom and progress by Great Britain in its treatment of the South African republics, and against the unworthy manner in which this subject has been treated by the political party at present dominant in this country.

The joint resolution of protest introduced by the gentleman from New York [Mr. SULZER] ought not to be smothered in committee. It ought to be brought out into the light of day, and the members ought to be made to go on record upon it. Never before in the history of the Republic has this country failed to express officially its sympathy with those who are struggling for independence, in whatsoever part of the world they might be. But now, deterred partly by this new spirit of anglomania and partly by the shameful consciousness that this Government is guilty in like manner, the majority party here dares not open its mouth on this Boer question one way or the other, unless it be to utter some cringing apology for the oppressive course of Great Britain in this miserable war.

The leaders of that party are only too ready to appoint a committee to go over from this country at the national expense, in knee breeches and powdered hair, to bow the knee of republicanism at the coronation of an English King, but they have not a word to say in behalf of the poor people of South Africa whom that same King is trying to shoot out of their homes, and whose territory and property he is trying to rob simply in order that some few English speculators and adventurers may get hold of the gold fields of the Boers and appropriate them to their own use and profit.

For this base, selfish purpose Great Britain is making a war as cruel and as unjust as history has ever recorded. That the invasion has not yet succeeded, after several years of warfare, is not due to any lack of energy on the part of the invaders. It has been due to the heroic and unconquerable defense of their country, their homes, and their liberty, by that little band of Boers, which has not been paralleled since Washington with his handful of undisciplined yeomanry fought and vanquished all the veteran armies

which a previous King of England could send over here to coerce the American colonies. [Applause on the Democratic side.]

The parallel, Mr. Chairman, is very exact. The number of Boer combatants in the field is not known, but it appears to have been thus far about the same as the number of men engaged in actual service in the American Revolution at any one time, say about twenty or thirty thousand men. Here is this little handful of men arrayed against the strongest war power in all Christendom; and what have they done? They have resisted successfully for three years and more the fierce onsets of the British armies, and have carried death and disaster by the wholesale into their ranks, and dismay, gloom, and consternation into the hearts of the British public at home.

Although the British war minister a year ago stated the number of Boer combatants as 20,000, the latest reports from General Kitchener, the British commander in South Africa, gives the number of Boer losses during the year as about 18,000 men, which, according to that calculation, would leave them about 2,000 remaining. But the cry is "Still they come." Where they come from may be a mystery, but in some way they manage to keep their ranks full and to mow down their enemy's ranks with the same precision as at first. From the very corpses of the Boer victims new men seem to spring up, all armed and ready for the fray. Well may England look aghast, as did Macbeth, when he saw the long procession of Banquo's descendants, and exclaim: "What, will the line stretch out to the crack of doom?" Yes, tyrannous England, it will! You can never conquer the Boers any more than you could the Americans.

Observe the method of the invaders. Against this small band of 2,000 starving, weary defenders, or 20,000, as the case may be, General Kitchener is massing his great army of 250,000 men, building massive cordons of fortifications, and spending English money like water, and all in vain. The Boers remain unconquered. In their despair and desperation the British commanders have resorted to methods which for cowardice and cruelty are unparalleled in the history of civilized warfare.

Defenseless Boer women and children and noncombatant old men are corralled together, like cattle, in British concentration camps and there submitted to a course of slow poisoning and starvation in the hope that, in the consciousness that those who are near and dear to them are suffering the pangs of starvation and death, the Boer fighters in the fields will lay down their arms and calmly surrender, be tried, perhaps sentenced to be shot or transported for a number of years. In other words, the British are now fighting the Boers with their own flesh and blood. The death rate in these camps is simply appalling. It is estimated that, according to the present rate of mortality in the concentrado camps of South Africa, it will take only two or three years to exterminate the whole noncombatant Boer population. In fact, it has been the boast of English officers that extermination is the motto of the British Government.

Prisoners taken by the English are treated with the greatest cruelty as a vent for English anger. Only a short time ago this Congress had its attention called to the case of Commandant Scheepers, the Dutch officer whom the English captured while he was lying sick in a hospital, and whom, in defiance of the laws of war and humanity, they executed while he was still sick and helpless. This is the glorious Christian civilization which it is said that it is the duty of the English to confer upon the benighted South African communities; and yet our Committee on Foreign Affairs and our Congress maintain the most painful silence in regard to these atrocities. Not only that, but ever since the outbreak of the war the Republican Administration has steadily given moral support, and in some instances actual physical support, to the British combatants and has denied all support or appearance of support to the Boers.

All resolutions or manifestations of sympathy with the South African patriots have been discountenanced and suppressed by the "powers that be." Only last week the gentleman from Texas [Mr. BURLESON] called attention to a recent action of the Secretary of State, Mr. Hay, when requested to use his good offices to the end that a distinguished philanthropist and clergyman, Dr. Thomas, and his wife, be given a permit or pass to enter the concentrado camps in South Africa to distribute the relief fund raised in Chicago and elsewhere for the relief of the Boer women and children—mark you, not to purchase arms and ammunition for the Boer fighters, but to purchase the very necessities of life, such as food, clothing, and medicine, in order to relieve the intense suffering and distress of these poor women and children.

Our pro-English Secretary of State, disregarding the common instincts of humanity contained in the request, refused to lend his good offices in that behalf, saying, as we are told, that the exercise of his good offices in that direction would be looked upon as meddling and might be considered a violation of neutrality. Mr. Chairman, if it be pleaded in support of this action of our Secretary of State, if it be pleaded in support of the silence of

our Committee on Foreign Affairs, our Congress, and our Government that it is the duty of this country to maintain strict neutrality, the answer is that neutrality has not been maintained.

Neutrality has been violated. More than two years ago England sent over here a number of agents to secure, purchase, and forward to the seat of war a large consignment of horses, mules, and other munitions of war for the replenishment of her armies in the South African campaign. This matter was formally brought to the attention of the Fifty-sixth Congress. It was stated in due form that nearly 100,000 animals had been shipped in British transports from New Orleans, I believe, or were about to be shipped, together with various other supplies, to South Africa. On complaint of certain members the House referred the whole matter to the Executive Department, but nothing more was done about it. Congress ignored this most important breach of international law, and so it has turned out that to-day this country allows England to get supplies here to aid her in the war against the Boers.

On the other hand, this country refuses to recognize a state of belligerency between Great Britain and the South African Republics, and will not extend even a word of sympathy to the Boers. If this is not a violation of neutrality—if this is not a manifestation of gross partiality and partisanship—I would like to know what is. I desire here, Mr. Chairman, to have read as a part of my remarks some suggestions on the question of neutrality prepared by the Chicago branch of the American Transvaal League, and will ask the Clerk to read them.

The Clerk read as follows:

IS OUR GOVERNMENT VIOLATING THE NEUTRALITY LAWS AND THUS GIVING AID TO GREAT BRITAIN IN ITS UNRIGHTEOUS WAR AGAINST THE BOERS?

The treaty of Washington, concluded between Great Britain and the United States May 8, 1871, remains in full force. (U. S. Stat. L., vol. 17, p. 865.) On April 26, 1898, the day after war was declared between the United States and Spain, Queen Victoria issued a proclamation of neutrality, insisting in the following language upon the observance of the treaty:

"Whereas we are resolved to insure by every lawful means in our power the due observance by our subjects, toward both of the aforesaid powers, of the rules embodied in Article VI of the treaty of May 8, 1871, between us and the United States of America, which said rules are as follows:

"A neutral government is bound * * * Secondly, not to permit or suffer either belligerent to make use of its ports or waters as the base of naval operations against the other, or for the purpose of the renewal or augmentation of military supplies or arms, or the recruitment of men.

"Thirdly, to exercise due diligence in its own ports and waters, and as to all persons within its jurisdiction to prevent any violation of the foregoing obligations and duties." (London Gazette Extraordinary, April 26, 1898. London Times, April 27, 1898.)

The principles of neutrality recognized and embodied in this treaty were enforced against the United States by various other countries. The Brazilian Government by its proclamation of May 5, 1898, declared:

"The exportation of material of war from the ports of Brazil to those of either of the belligerent powers, under the Brazilian flag or that of any other nation, is absolutely prohibited."

His Majesty the King of Denmark, by proclamation dated April 20, 1898, forbade Danish subjects, under penalty of punishment, to commit certain enumerated offenses against the laws of neutrality, among others (section 3):

"On or from Danish territory to assist any of the belligerent powers in the enterprises of war, such as supplying their ships with articles that must be considered as contraband of war."

Her Majesty the Queen Regent of the Netherlands issued a similar proclamation April 26, 1898, warning Dutch subjects under penalty not—

"To export arms, ammunition, or other war materials to the parties at war. Herein is to include the exportation of everything that is adaptable for immediate use in war." (Paragraph B, article 2.)

The United States is conceded to be a neutral nation in the war between Great Britain and the South African Republics. Article VI of the treaty of Washington, therefore, as applied to the present case, would read as follows:

"The United States is bound not to permit or suffer Great Britain to make use of its ports or waters as the base of naval operations against the South African Republics, or for the purpose of the renewal or augmentation of military supplies or arms."

Over 150,000 horses and mules have been bought at New Orleans and shipped to Cape Colony to be used by Great Britain in her military operations in South Africa. If the augmentation of her military supplies from that port were stopped, the South African war would come to a speedy end. Few persons will venture to deny that horses and mules designed for use in military operations are within the meaning of the term "military supplies" as used in the treaty of Washington. It is laid down by all writers on international law that they are contraband of war and liable to confiscation as such. If they are contraband, it can only be because they are military supplies.

In article 24 of the treaty of 1778 between the United States and France it is stated that "horses, with their furniture, are contraband of war." (Wharton's International Law Digest, vol. 2, sec. 372.)

Also in the treaty of December 1, 1774, between Holland and Great Britain it is declared that "horses and other warlike instruments are contraband of war."

Horses are generally considered as contraband of war, and are so mentioned in many treaties between different states. (See Hill's International Law, p. 661 et seq.)

THE NEW ORLEANS SUIT.

That the neutrality laws are being constantly violated by the United States in permitting horses and mules to be shipped from its ports is so clear as to be recognized by everyone, except for a misconception which prevails about the result of a proceeding in equity which was instituted early in 1901, in the Federal court at New Orleans, for the purpose of enjoining the shipment of horses and mules from that port to Cape Colony. It is a well-recognized principle of equity jurisprudence that an injunction will be granted only to protect property rights.

The bill was accordingly filed by private individuals who alleged that they had property in the Transvaal and Orange Free State which was being destroyed by the armies of Great Britain, and that these armies were enabled to continue their work of destruction only by the supplies of horses and

mules shipped from the port at New Orleans. The application for an injunction was denied on the ground that the enforcement of treaty obligations is a function of the executive branch of the Government, with which courts of equity have nothing to do. The district judge in delivering his decision expressed his opinion that there was nothing in the principles of international law or in the terms of the treaty of Washington to prevent citizens of neutral nations from selling supplies of war to a belligerent. The court discussed the right of private citizens to sell supplies to foreign nations even in time of war, but did not enter upon the question whether the United States was not permitting Great Britain to make use of its ports or waters for the purpose of augmentation of military supplies. The entire discussion of questions of international law was beside the point, as the court does not assume to decide the case on any such grounds. On the contrary, the court says:

"If the complainant could be heard to assert here rights personal to themselves in the treaty just mentioned, and if the mules and horses involved in this case are munitions of war, all of which is disputed by the defendants, it would become necessary to determine whether the treaty was meant to prevent private citizens from selling supplies to belligerents. The court then discusses that question and proceeds: 'But the nature of this cause is such that none of the considerations hereinabove set out need be decided,' because 'the case is a political one of which a court of equity can take no cognizance, and which in the very nature of governmental things must belong to the executive branch of the Government.'" (Pearson v. Parson, 108 Federal Reporter, 461.)

It will thus be seen that the question whether an unlawful use is being made of the ports and waters of the United States was not passed upon by the court, but the whole matter of the enforcement of the treaty was relegated to the executive branch of the Government. Courts do not and can not enforce political obligations, and it devolves upon the President to enforce the treaty of 1871 and close the ports of the United States against any use thereof by a belligerent power to augment its military supplies. Treaties, according to the Constitution, are the supreme law of the land. That supreme law commands the Executive to prohibit the augmenting of British military supplies from our ports. Precedents justify him; and the cries of 100,000 women and children imprisoned in the deadly camps of South Africa, as well as the voice of justice and humanity the world over, implore him to do his duty.

Is our Government observing the duty of neutrality imposed by the treaty of Washington when it permits the port at New Orleans to be used for the purpose of "augmenting" these supplies?

Is a treaty which imposes upon Great Britain the duty to remain neutral when the United States is at war not equally binding upon the United States when Great Britain is at war?

Is there any good reason why the Government of the United States should not enforce the treaty of Washington against Great Britain as Great Britain enforced it against the United States?

Is the fact that stock raisers make money out of this business to be accepted as an adequate excuse for the continuance of this traffic?

Shall the United States stand on record much longer as the friend and ally of Great Britain in its war against the South African Republics?

Mr. FOSTER of Illinois. Now, Mr. Chairman, England has been our consistent enemy from the days when the colonies uttered the first word of resistance to her oppressions. Our foe in 1776, in 1812, in 1861, yea, and in 1898 when, as recent developments have shown, the British minister here sought to organize the governments of Europe to antagonize the United States in her purpose to drive the Spaniards out of the island of Cuba. But since the day when Dewey sailed into Manila Bay and destroyed the Spanish fleet, thereby removing beyond all peradventure of doubt any misgiving she might have had concerning the outcome of the war, England has been only a fair-weather friend.

Then, Mr. Chairman, why should this country favor England and allow her to use our ports as a base of supplies to aid her in her shameless assault upon the rights and liberties of the Boer people? The inconsistency of our course will be manifest to all men when it is remembered how this country caused to be arrested and imprisoned a man who sought to forward supplies to Cuba during the Cuban war because we considered it a violation of neutrality; and how strictly the treaty between Great Britain and the United States was applied and enforced both by England and this country with respect to neutrality stipulations during the Spanish war. But at that time Spain, in spite of her barbarities and cruelties, appears to have had some rights as a nation, but now the poor Boers, whose only crime is a love of liberty and a determination to defend their homes, their property, and their families, are ignored by this great Republic as having no rights which a nation of free men is bound to respect.

This, Mr. Chairman, I repeat is the position assumed heretofore by our Congress and our Government. It is not the position, I am sure, taken by the great American public. Now, as always hitherto, the mute appeals of struggling liberty in any quarter of the globe strikes a responsive cord in the hearts and minds of the American people. The American people are devoted to the principles of liberty and independence. They believe in self-government, and they sympathize sincerely with all nations and people endeavoring to secure liberty and self-government.

They sympathize with the Boers, and they condemn the barbarous cruelties, the inhuman injustices, which have been perpetrated by the British commanders and armies in this campaign for the robbery and spoliation of these two little republics. They do not approve of the idea of the robbery in the abstract, nor do they approve of the manner in which it is conducted—by the burning and devastating of the homesteads of the Boers, by killing the population in cold blood, and by making war on defenseless women and children. They rejoice in the tidings that have been coming from month to month of the defeat of the British and of the utter failure of their efforts to crush the little band of patriots opposed to the royal armies. They read that the war has already cost

Great Britain nearly a billion of dollars, and they are glad of it. They are sorry for the common soldiers who have perished, and for their wives and children who have been made widows and orphans.

But as for the British Government, the verdict of America is, it serves it right. We on this side of the Atlantic know full well that the common people of England, the people who make England great and prosperous, are at heart opposed to this war and heartily wish it had never been instituted. But so far as that is concerned, Mr. Chairman, it is England's affair and not ours. Our duty in the premises, in the first place, is to preserve perfect fairness and neutrality in our dealings with the two combatants, even if we do nothing more.

But, also, it is our moral duty to express our disapprobation of the continuance of the war on general principles and to use our last endeavors as a friendly nation to have it stopped. This being the opinion of the American people, it is therefore the duty of Congress to pass a resolution desiring the discontinuance of the war, and this would be done practically by acclamation if the Foreign Affairs Committee could be induced to report. As I have already said, the inaction of the committee and of Congress in the premises is shameful and a gross perversion of our usual practices in such cases. It is not too late yet, Mr. Chairman, to remedy this national wrong, although it may be very difficult to explain to the world how it has happened that we have acted so tardily in a matter in relation to which this country would naturally be looked upon as the leader among the nations of the earth.

I sincerely trust, Mr. Chairman, that this Congress will shortly set itself and the country right before the world in regard to this inhuman and indefensible Boer war. If this is not done, if we allow this last opportunity to pass without taking advantage of it, the war will soon be over by the victory of the Boers and by the relinquishment of its impossible task by Great Britain, and we will have lost our only chance to redeem ourselves as a nation in the judgment of all civilized nations and to prevent ourselves from being held up forevermore as a subject of scorn and contempt throughout the world. [Applause.] This country can not afford to give up its proud prerogative as the special champion and guardian of the cause of human freedom and self-government on the earth. Let us recognize betimes the danger we are in of losing it, and let us preserve it by doing simple justice to the Boers, to Great Britain, and to ourselves. [Prolonged applause.]

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. GROSVENOR having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 1980. An act to establish a marine hospital at Savannah, Ga.:

H. R. 6300. An act to provide for the erection of a dwelling for the keeper of the light-house at Kewaunee, Wis.;

H. R. 11241. An act to amend an act entitled "An act to regulate in the District of Columbia the disposal of certain refuse, and for other purposes," approved January 25, 1898;

H. R. 11474. An act for the acknowledgment of deeds and other instruments in the Philippine Islands and Porto Rico affecting land situate in the District of Columbia or any Territory of the United States;

H. R. 11719. An act to amend an act entitled "An act to authorize the Pittsburg and Mansfield Railroad Company to construct and maintain a bridge across the Monongahela River;"

H. J. Res. 161. Joint resolution authorizing the Secretary of War to loan tents to the Texas Reunion Association; and

H. J. Res. 162. Joint resolution authorizing and requesting the President to extend to the Government and people of France and to the families of Marshal de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication of the monument of Marshal de Rochambeau to be unveiled in the city of Washington.

The message also announced that the Senate had passed the following resolutions:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau, to be unveiled in the city of Washington.

Also:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1545) to establish a marine hospital at Savannah, Ga.

Also:

Resolved, That the Senate agrees to the amendment of the House of Representatives to the bill (S. 3267) to change the boundaries between the southern and central judicial districts of the Indian Territory.

The message also announced that the Senate had passed the following resolution:

Resolved, That the vote on the passage of the bill (H. R. 5224) for the relief of Edward Kershner be reconsidered in compliance with the request of the House of Representatives, and that said bill be returned to the House with an amendment—

with the request that the amendment be concurred in by the House of Representatives.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 7675) to construct a light-house keeper's dwelling at Calumet Harbor, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. McMILLAN, Mr. NELSON, and Mr. CLAY as the conferees on the part of the Senate.

The message also announced that the Senate had passed, with amendments, bills of the following titles; in which the concurrence of the House of Representatives was requested:

H. R. 3690. An act for the relief of Jacob L. Hanger;

H. R. 4607. An act to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr.; and

H. R. 3278. An act to correct the military record of C. R. Dickson.

RIVER AND HARBOR APPROPRIATION BILL.

The committee resumed its session.

Mr. REEVES. Mr. Chairman, there is not much left to talk about in regard to this bill, and as I have no purpose to indulge in any exhortation upon the subject of the Boer war or any other war, my remarks will necessarily be short. The gentleman from North Carolina [Mr. BELLAMY] took exception to the treatment that the committee had given his State, and particularly Cape Fear River and Wilmington. I simply want to say in answer to him that up to June 30, 1900, the total amount that had been expended for Cape Fear River at and below Wilmington was \$3,291,691.91, and that there was expended during the fiscal year ending June 30, 1901, \$71,796.07 on this project, and that there was on hand an unexpended balance to the credit of this project on July 1, 1901, the sum of \$29,855.93. The amount required to complete the proposed project at this point is \$885,000.

Mr. BELLAMY. Will the gentleman permit a question at this point?

Mr. REEVES. Certainly.

Mr. BELLAMY. You speak of an unexpended balance of \$29,000?

Mr. REEVES. Yes.

Mr. BELLAMY. Do you not know as a fact that every one of the barges and dredges have been tied up because there was not a dollar to run them?

Mr. REEVES. No; I do not know that.

Mr. BELLAMY. That fund has all been exhausted.

Mr. REEVES. No; I do not know that. On the contrary, I know that the report which I have here, and to which you have access, shows the figures exactly as I have given them.

Mr. BELLAMY. That was a year ago.

Mr. REEVES. No; that was not a year ago. That was the 1st day of July last. The local engineer in the prosecution of this work made his recommendation to the War Department, in which he states that he can expend, including maintenance during the next two years, \$378,000. The Chief of Engineers, in reviewing this recommendation of the local engineer, advises an appropriation of \$200,000, and this committee in this bill provides an appropriation of \$150,000. The tonnage for the year 1900 at and below Wilmington was 669,356, and above Wilmington the tonnage is 129,622. These amounts are very considerable and mark this as a very worthy project; but the gentleman is seriously in error when he states that it has not been treated as fairly as other projects in the country, and to use his own language, if I understood him, when he says that there is a manifest purpose to do an injustice to this project and to his State.

The proof of my statement is found in one simple statement of fact. The amount of appropriations required to complete projects which have received the approval of the Chief of Engineers is something over \$300,000,000. The amount carried in this bill, in round numbers, by appropriation and authorization is \$60,000,000 and a little over. Less than one-fifth of that which is required in the country at large is provided for in this bill, and in this particular instance about which the gentleman complains we gave him \$150,000, whereas the Chief recommends \$200,000; in other words, we gave him three-fourths of that which the Chief recommends as against only 20 per cent given the country over. So I think that upon reflection the gentleman from North Carolina will be able to say to his friends down at home that they have been treated first rate.

Mr. BELLAMY. May I ask the gentleman a question?

Mr. REEVES. Certainly.

Mr. BELLAMY. Do you not know as a fact that the engineer in charge of the river and harbor improvements at Wilmington recommended \$1,325,000 for the Upper Cape Fear and that the committee did not give anything?

Mr. REEVES. No; I do not know that to be exactly correct. This is true: The local engineer and the chief engineer both say of the river above Wilmington that until such time as Congress shall see fit to undertake an improvement of canalizing the river by a system of locks and dams, nothing further is needed except slight sums for its maintenance. That is the recommendation and statement of the engineer in charge down there.

Now, Mr. Chairman, I do not want to travel over the same ground that the chairman of our committee has traveled over, because his statement has been absolutely complete, but I do want to talk for a few moments about a few other things—some of the difficulties, if you please, that confront us in the preparation of this bill.

As I have just said, to make a complete bill and provide for all of the projects that have received the indorsement of the Chief of Engineers would require a total of between \$300,000,000 and \$400,000,000, an amount too great to be contemplated in any one bill. The committee felt that if we appropriated, and authorized by way of future appropriation, \$60,000,000, we were going to the full limit of what we ought to do. So, as you see, less than one-fifth of the amount required to do all the work of this kind in the country was possible at this time. Our work, therefore, became largely one of selection.

It is not fair to the whole country to apportion this line of appropriation in proportion to the volume of commerce upon a stream entirely. Where the population is greatest and where the commerce is greatest there, no doubt, should be the greatest appropriations; but it is not quite fair to make that the only rule. There is a large portion of the country in which the population is sparse, relatively speaking, but which is capable of immense development, and in which they are urging and insisting most earnestly that they shall have recognition in this character of improvements. We of the committee, therefore, have felt and do feel that we can not make an appropriation bill of this kind and base it solely upon the value of the commerce existing in the different parts of the country, but that it must be modified by the capabilities of the region for immediate and great development. Having that in mind, and desiring as closely as we could to protect the main arteries of trade, we framed this bill after the fashion in which it is presented to you here.

The bill carries in cash appropriations \$24,014,107, and it authorizes future appropriations amounting to \$36,674,106.

An inquiry was made some time since by a gentleman of the chairman of the committee [Mr. BURTON] as to whether or not these authorizations were not made upon the recommendation of some other committee. In addition to what the chairman of the committee said in answer to that inquiry, I beg to say that these appropriations as made are made upon the recommendation of the Secretary of War by virtue of the authorizations made by this Committee on Rivers and Harbors, and the part that the Secretary of War takes in it is practically the clerical part of determining how much of it can be profitably expended in a given year.

Some of the rivers, and some of the harbors as well, have presented problems most serious to us as a committee, and ought to be, and no doubt are, serious problems for the consideration of the House. Take, for example, the Monongahela River in Pennsylvania. The commerce on that river is something over 6,000,000 tons annually. Now, I take it that every gentleman interested in the development of the country at all will admit that wherever you find a river or a harbor having 6,000,000 tons of freight annually it simply must be taken care of, practically without regard to what it costs. There is no escape from that. The embarrassment in the Monongahela River, however, grows out of what has heretofore taken place.

Many years ago, I think in 1848 or approximately at that time, the State of Pennsylvania chartered a private corporation for the building of a series of locks and dams on this river, and that corporation charged a toll for passing through them. Three or four years ago Congress was induced to make the navigation of this river free by the purchase of these locks and dams, and we did so at a cost, if I remember right, of \$3,700,000. It now develops that these locks and dams are practically worthless, that they are worn out, and we are called upon to make new appropriations there to rebuild them or others near the sites of the present ones. Now, if we had consulted the feelings of the committee, in view of this condition of affairs, there probably would have been no appropriation at all recommended; but when we came to consult the necessity for appropriation, we felt that we must commence the rebuilding of these dams and the protecting of this immense traffic.

The Ohio River presents one of the most difficult problems in this whole country as a river and harbor improvement. I would, if I could, call the attention of every member of this House to the

actual condition of affairs on the Ohio River. A system of locks and movable dams has been devised that when completed will cost between \$30,000,000 and \$35,000,000. There are 37 of these movable dams, and while it can not be said that Congress has adopted that whole scheme and entered upon the construction of all these locks and dams, yet it must be said, and said truly, that we are prosecuting that work with a good deal of vigor.

The commerce of the Ohio River amounts annually to thirteen and a half millions of tons, and it is desired to have these locks and dams, to the end that there may be proper and adequate means and facilities for handling this great volume of trade. Now, if there is any gentleman in this House that thinks he knows any scheme by which that large expenditure, or the major part of it, can be avoided, he is welcome to my place on the River and Harbor Committee in the next Congress to present his scheme. I know of no way that it can be avoided. That is not all the embarrassments in the Ohio River.

In 1852 Congress passed a special act authorizing a railroad bridge to be built across the Ohio River. So anxious in that early day was the Congress and the people at large for railroad building and that means of transportation that Congress provided in this bill that any crew of any steamboat navigating the Ohio River should so adjust the boat and its pipes, smokestacks, and equipments that they would not interfere with this bridge, under penalties. In other words, the interests of the railroads were regarded as infinitely superior to those of river traffic. It is very interesting to us now to see the evolution of thought on the subject from then until 1869, seventeen years, by which time Congress changed the entire tenor of its legislation, and provided, in passing a special bill for a bridge across that river, that it must be so constructed as not to interfere with the traffic of the river.

Following, some later, it put a provision into all special bills authorizing Congress to alter, amend, or repeal the privileges granted to these railroad and bridge companies for the construction of bridges. We are confronted to-day with a proposition that there are numerous bridges on this river that are an impediment to the proper navigation of the river. They are hindrances by the manner in which they are constructed, and the proposition has been advanced that the Government shall at once make an appropriation to pay for the remodeling of these bridges at I do not know how many million dollars of expense.

We have in this bill that is now presented a provision requiring the Secretary of War to give us a list of all the bridges over the Ohio River, together with an estimate of the cost of reconstructing each and every of these bridges so as to destroy their feature of impediment to the river traffic; and we have also authorized him to call upon the Attorney-General for an opinion upon each and every of these bridges as to the liability of the Government for the expense to be borne in changing these bridges and as to what ones of them the Government is liable, if at all, for any of them.

I merely cite these facts to the end that you may be aware, if you have not had your attention called to it otherwise, of the fact that in the near future you will be called upon to pass on that question.

Mr. MANN. Will my colleague allow me to ask him a question?

Mr. REEVES. Certainly.

Mr. MANN. In the same line of the suggestion of my friend as to the bridges over the Ohio River as constructed so far, can the gentleman tell us it is settled that the Government has the authority to require the removal of a bridge over a navigable stream if the bridge has been constructed without authority primarily of Congress or of the engineers? Can Congress require its removal at the expense of the owners and have it reconstructed? And if it has been constructed by consent of Congress or of the War Department, can the Government require it to be removed except at the Government expense?

Mr. REEVES. An answer to the inquiry of my colleague embraces several conditions. First, a bridge may be lawfully over a stream without the authority of Congress. The authority may have been given by a State to construct a bridge over a stream at a time prior to any time that the General Government took jurisdiction of the river. There are numerous cases of that kind. The Supreme Court of the United States uniformly holds that in that kind of a case the bridge is as lawfully there as if the authority had been given by the Congress.

When a bridge is lawfully in its place, either by act of a State or by an act of Congress, if the Congress in giving its assent does not reserve the right to alter or amend or repeal the provision authorizing its construction, but without limitation gave the company the right to build it, my opinion of the law is that the Government can not alter it or change it without paying the expense involved in doing so, and I think that view is sustained by the opinion of the Supreme Court in the case of the Navigation Company v. The United States, reported in 148 United States Reports.

Mr. MINOR. Will the gentleman permit me an interruption?

Mr. REEVES. Certainly.

Mr. MINOR. I want to state a case in my own State. A bridge was constructed some years ago by authority of the county board of supervisors of the city, the State never having taken any action on it, and the draw is 78 feet in the clear. Now, under the new plans and specifications it is proposed to enlarge the Sturgeon Bay Canal, and the engineers recommend that there shall not be less than 100 feet in the clear. Now, the question arises what authority has the War Department over that matter, and can they compel the widening of that draw without expense to the Government?

Mr. REEVES. If under the laws of Wisconsin this bridge company that constructed this bridge at the place suggested had the right to do it then, that bridge is lawfully there, and if lawfully there by virtue of any authority, in my opinion Congress can not change it and widen its draw without the Government paying the expense for so doing.

Mr. MINOR. I wish to say further that the plans and specifications of the bridge were submitted to the War Department and approved.

Mr. REEVES. I do not think that that would have anything to do with it.

Mr. MANN. May I interrupt the gentleman?

Mr. REEVES. Certainly.

Mr. MANN. I do not desire to break into the gentleman's argument, but I have a specific case in mind that I would really like to have his opinion upon. The Calumet River is in the States of Illinois and Indiana. As we understand, the statute provides that the War Department may issue a permit for the construction of a bridge wholly within the limits of a State. There were originally three bridges over the Calumet River—the Baltimore and Ohio, the Lake Shore and Michigan Southern, and the Pennsylvania Railroad bridges—side by side. A few years ago, when the bridges were nearly worn-out, the War Department, I think under an erroneous assumption, gave authority to reconstruct these bridges so that they are still there, and constructed in such a manner that it is almost impossible to make use of the river at that point. Would not the Government, in the opinion of the gentleman, have authority to require the removal of that obstruction without expense to the Government, assuming that no competent authority gave a legal right to reconstruct the bridges, although originally the bridges were undoubtedly put there by competent authority?

Mr. REEVES. Answering specifically the inquiry of the gentleman, I should say yes. The Government can order any bridge removed or altered in its construction or amended in any way, I have no doubt. That they will have to pay for it if in the granting of the authority it has not reserved the right to do this I think is equally true.

Perhaps, however, I should await the opinion of the Attorney-General before becoming too explicit on these given cases. But I have made the suggestion that members who have not had occasion to think of it may know what is confronting us.

Mr. HEPBURN. Before the gentleman leaves the subject of bridges, would it incommode him if I asked him a question?

Mr. REEVES. Oh, no.

Mr. HEPBURN. I find on page 98 of the bill this authority:

That the Secretary of War is hereby authorized to extend the time of completion of any bridge, the construction of which has been or may hereafter be authorized under any law of Congress, etc.

I want to ask if there were any cogent reasons presented to the committee for usurping in this way the authority of another committee, and what was the reason that they took upon themselves jurisdiction over the matter of bridges? I suppose there must have been some cogent reason for it, and I would be glad to be enlightened on the subject. I am not criticising the committee; I simply want to know why.

Mr. REEVES. I do not seek any controversy with the chairman of the Committee on Interstate and Foreign Commerce as to the jurisdiction of the respective committees. In so far, however, as any of these bridges that are in process of construction anywhere interfere with the reasonable and proper navigation of the stream which they cross, I do not think there is any question but that the Committee on Rivers and Harbors has the jurisdiction to insist upon a modification of the plans.

Now, there are a few bridges—I think over the Ohio River, but of that I am not sure—in process of construction, bridges where modifications have been required by the Secretary of War in the interest of the river navigation. This is an effort not to cripple the bridge companies on the one hand, but where alterations have been required in the interest of navigation, to give power to the Secretary of War to extend the time for the construction.

Mr. HEPBURN. I presume the gentleman knows that it is not unfrequent that matters of that character extending the time for the construction—there being almost invariably a time of

limitation introduced into this House, and has been for twenty years—and it is always sent to another committee than the one of which the gentleman is a member.

Mr. REEVES. That is true.

Mr. HEPBURN. And that the committee has had a recognized jurisdiction over that subject?

Mr. REEVES. I think that is absolutely true.

Mr. HEPBURN. Now, the gentleman may not know that it very often occurs that committees are deceived as to the purpose of corporations and individuals seeking this franchise; that they get them for the purpose of holding other people up, of speculating in them, and that perhaps the question ought not to be referred to one gentleman or one man.

Mr. REEVES. That may be a reason for an objection to this provision of the bill. I know of no case such as the gentleman speaks of, where some company has procured the right to build a bridge for the purpose of keeping some one else from building it.

Mr. HEPBURN. I can say, as Falstaff said to another, discussing the question of paternity, "That thou art my son. I have in part thy mother's word and in part my own belief." [Laughter.]

Mr. REEVES. The views of the gentleman may be well founded, but I regard it as a proper criticism and a proper suggestion that if the Secretary of War has a right to extend the time for the completion of a bridge of this kind, the provision should be most carefully guarded. But in so far as this committee is concerned this provision only pertains, or was designed to pertain, to bridges in process of construction where alterations are required during the time of the construction, and to give a reasonable opportunity for the extension of time to complete the work.

Mr. BISHOP. And in the interest of navigation?

Mr. REEVES. Yes; in the interest of navigation.

Mr. HEPBURN. If that was the only purpose, the committee were unfortunate in the use of language.

Mr. REEVES. That is a mere matter of opinion.

Mr. HEPBURN. Well, from the gentleman's position I have no doubt he will join me at the proper time in raising and maintaining a point of order that should be made against this proposition.

Mr. REEVES. My friend should not be too sure that in this little colloquy in this pleasant way I have come over to his side of the question and intend to join him in any attack, directly or indirectly, upon any of the provisions of this bill.

Mr. HEPBURN. No member of the committee ever did. [Laughter.]

Mr. REEVES. And I do not believe that rule will be violated now. I was about to suggest further, Mr. Chairman, in speaking of some of these projects that confront the River and Harbor Committee and in which we feel we have practically no discretion except to recommend money enough to do the work required; there is the Mississippi River, for instance, carrying the largest single appropriation of any of the projects in the country, with her 3,000,000 tons of freight at the mouth of the river. I do not know of anything we can do but to go ahead and complete the project that has been proposed.

There is the Columbia River—with nearly 2,000,000 tons of freight—in that part of the country that has not received the greatest consideration along this line, and I know of nothing that we can do but to complete it, and in that connection, while the project at the mouth of the river will cost three or four millions of dollars, let me say there is one up the river, at The Dalles, where the present project for getting around that contemplates \$4,000,000, and I want to say right here that I do not know of any project in the country that, in my judgment, is entitled to earnest consideration and fair dealing more than the building of a canal around The Dalles in the Columbia River.

We did not do it in this bill. We did not provide for it, and the reason we do not is simply because we can not do everything in this bill, and we are already doing much for that river in this bill—nearly a million of dollars to be expended at the mouth of the river—and some critic of this kind of legislation may rise up after a while and point to the mouth of the Columbia River as one of the places where we have most foolishly expended money. I for one have grave doubts as to whether or not the project at the mouth of this river at an expense, in round numbers, of \$4,000,000 will not be a total failure when it is finished. The reason for it is simply this: That in building these extended jetties out into the ocean to deep water silt, sand, and material that is carried out into the ocean is deposited, and it may be that we are simply moving the bar farther out into the ocean.

At the mouth of the Mississippi River the cross currents are such as to catch up this sand and carry it away, and we may fairly hope that the improvement may be lasting. I personally interrogated the engineer in charge of the Columbia River within the last year upon the question of the permanency of the improvements

at the mouth of the Columbia River, and the most that I could get him to say was that he hoped the improvement would be lasting and permanent. The truth is that there are no sufficient cross currents to make it certain that this sand that is carried down there will be carried away, as will be the case at the mouth of the Mississippi River.

Boston Harbor—and I have a friend here who will talk to you about that, I presume, directly—is to cost us in round numbers \$8,000,000, to make a proper channel out to deep water. Well, she has 20,000,000 tons of freight annually in that harbor. If there is any gentleman in this House who can say in good faith that he thinks we ought not to spend the money and make that channel, no matter whether it is eight millions or ten millions or twelve, or six, or five, if we are not to have a channel to get that 20,000,000 tons out and away, then that gentleman may have my position on this committee, and present some other scheme that will save this money to the Government. I know of no way except to appropriate the money and do the work.

Galveston Harbor has nearly 2,000,000 tons of freight and occupies the same position. The Delaware River leading up to Philadelphia has 24,000,000 tons of freight annually, and I know of nothing we can do but to give them deep water to the sea, although it will cost several millions. Of this 24,000,000 tons of freight on the Delaware, nearly 5,000,000 tons is foreign trade. Cleveland Harbor has her 7,500,000 tons of freight annually. The Chicago harbors, the Chicago River and the Calumet River, have in round numbers 14,000,000 tons of freight. I do not know how much New York Harbor has. It is so great that at most it could only be stated in figures, and to the mind of the average man it would mean nothing. The Hudson River has 15,000,000 tons of freight. I know of nothing that we can do but to recommend the appropriation of the money and go on and complete these improvements, whatever they cost.

There is one other class of cases that I want to call attention to, and that is the Black Warrior and Tombigbee rivers in Alabama. A gentleman speaking a few moments ago made comparison between what we had done in this river and what was done in North Carolina. Now, I want to tell you what actuated the committee in making the appropriations for this continuous stream of the Black Warrior and Tombigbee.

There are in Alabama immense coal fields. The supply is simply inexhaustible. A condition exists in the world on the coal question that commanded our attention. Briefly, it is this: In England to-day there are only about 3,000 square miles of coal, and in Germany about 5,000 square miles. England has been exporting 40,000,000 tons of coal annually, and Germany has been exporting a large amount. Both these countries to-day are trying to preserve their coal for their own future use.

Men interested in this line of industry have calculated that we to-day in this country are on the eve of exporting coal in a sufficient quantity to bring into the coffers of the people of the United States in round numbers \$150,000,000 per year. Now, this coal field in Alabama, with this stretch of river reaching down to Mobile Bay and from there down into the ocean, affords about the best opportunity for getting coal sent out of the country of any of the places in the United States. And, by the way, we have here in the United States, in comparison with the volume of coal in England and Germany, 200,000 square miles of coal. So our supply is inexhaustible in any fair sense of that term, and I for one, as a member of the committee, only agreed with other members in holding that we were in favor of spending a million or two dollars on the Tombigbee and Black Warrior rivers, to open a channel from these coal fields to deep water, as the readiest and best means of exporting coal, and taking advantage of the situation in that line of industry, of any place in the country.

Mr. HEPBURN. Will the gentleman permit me to ask him a question there?

Mr. REEVES. Yes.

Mr. HEPBURN. Does the gentleman regard it as a public advantage to export coal to our manufacturing rivals?

Mr. REEVES. Yes.

Mr. HEPBURN. Is it not true that every ton of coal that is sent by us to England or Germany simply increases their power to rival us in manufactures?

Mr. REEVES. I do not think so. I do not think that conclusion is by any means correct. England or any other country 3,000 or 5,000 miles away from us can not compete with the United States if she has to haul her coal from here to do it. But the coal industry of this country has in its capabilities of bringing into this country, in round numbers, I think, \$150,000,000 a year from outside, and any line of business that has that possibility in it is, in my judgment, worth fostering by reasonable appropriations for facilities to do it.

Now, Mr. Chairman, I think the time awarded to me has about expired. I have no purpose in holding the committee longer. I have only desired to suggest a few general facts, some of which,

at least, tend to show the difficulties that have confronted us in the preparation of a river and harbor bill. [Applause.]

Mr. TALBERT. Will the gentleman allow me?

Mr. REEVES. Yes.

Mr. TALBERT. Speaking of the immense amount of coal that will be exported from the United States, is it not a fact that English vessels coming to the ports of the United States—Savannah and other ports—bring an immense amount of coal as ballast?

Mr. REEVES. I do not know that to be true.

Mr. TALBERT. Do you know it not to be true?

Mr. REEVES. I do not think it is true. That is as near the point as I can go.

Mr. TALBERT. I only wanted to ask the question for information, if it was not a fact that English vessels do bring coal as ballast to the ports of the United States.

Mr. REEVES. I know of no such carrying properties as that. I only want to add, in conclusion, Mr. Chairman, that I for one do not claim this bill to be absolutely perfect. I do not believe it to be possible to make an absolutely correct river and harbor bill any more than you can make an absolutely correct tariff bill. It is an approximation at best. It is coming as close to the mark as you can. We have considered as best we could the interest of every river and harbor in this country from the standpoint of its commercial help to the whole country, and we have appropriated among these different rivers in cash appropriation and authorization a little over \$60,000,000 in that way which has seemed fairest and best to us. [Applause.]

Mr. CANDLER. Mr. Chairman, I shall at the proper time introduce the following amendment:

Amend by inserting in the bill, on page 55, between lines 16 and 17, the following:

"Improving the Tombigbee River from Demopolis, Ala., to Columbus, Miss.: Continuing improvement with a view to securing a navigable depth of 6 feet at low water in said river from Demopolis, Ala., to Columbus, Miss., \$100,000, and the Secretary of War is authorized and directed to cause a survey to be made of the necessary lock sites in said river between Demopolis, Ala., and Columbus, Miss."

I offer this amendment in all seriousness and sincerity to carry out a policy already indicated in law heretofore enacted by this body. In the river and harbor bill which passed Congress in the first session of the Fifty-first Congress, and which was approved September 19, 1890, and which is still the law, being unrepealed, Congress enacted this provision: "Improving Tombigbee River from Demopolis, Ala., to Columbus, Miss., extending improvement to secure 6 feet draft at low water," thereby adopting a channel depth of 6 feet in this river from Demopolis to Columbus. This was pursuant to the recommendation of the United States engineer. No appropriation, however, has been made for carrying out this important provision thus adopted by the Government, and in order to carry it out I offer this amendment.

This is no fad, and if accomplished will be no ornamental improvement, but will be one of practical results. It is a matter that interests my whole State and commands the interest and attention of our best citizens and highest officers, and is also of vital interest to our neighboring States. In order to demonstrate this I call your attention to the proceedings of a river improvement convention, held in the beautiful little city of Columbus, Miss., on the 30th day of July, 1901, and I especially ask you to note those present at that convention, which was presided over by Mississippi's distinguished and able governor, the Hon. A. H. Longino.

You will find these proceedings in the memorial I sent to the members of this House in the hope of interesting you in the improvement of this important river, and I now call your special attention to the same, which I read:

PROCEEDINGS OF THE TOMBIGBEE RIVER IMPROVEMENT CONVENTION,
HELD IN COLUMBUS, MISS., JULY 30, 1901.

[From the Columbus Dispatch, July 31, 1901.]

The Tombigbee River Improvement Convention assembled in Columbus yesterday at noon at the opera house. The auditorium of that building was filled with delegates from all the counties interested in this important project. Delegations were present from Monroe, Lowndes, Clay, and Noxubee counties in Mississippi, and Pickens, Sumter, Greene, Marengo, Washington, Mobile, Choctaw, and Clarke counties in Alabama. In addition there were a number of the leading and distinguished men from both States. On the platform were Governor Longino, Senator A. J. McLaurin, Congressman PATRICK HENRY, from the Vicksburg district; Congressman CANDLER, from this district; Congressman J. H. BANKHEAD, from Alabama; Gen. S. D. Lee, Lieutenant-Governor Harrison, Hon. E. S. Craighead, the editor of the Mobile Register; Hon. E. O. Sykes, of Monroe; Hon. T. R. Maxwell, De Soto; Col. Thos. J. O'Neill, Hon. J. T. Senter, Hon. M. A. Franklin, Maj. John P. Mayo, Hon. E. R. Sherman, Capt. C. G. McGee, Mr. W. M. Pentecost, Prof. Joe Cook, and others.

The convention was called to order by Hon. E. R. Sherman, who introduced Col. Thomas J. O'Neill, who had been selected to formally welcome the delegates to Columbus. Colonel O'Neill read his address, and in it he took occasion to not only emphasize the welcome which this city had for every man who came here to lend his support and influence toward the improvement of the Tombigbee River, but he reviewed the wonderful progress and development which Columbus had made in the past few years, and pointed with pride to the fact that education and morality have kept step with our material progress. He closed by assuring the delegates that the full measure of our hospitality was extended all those who had come within our gates to aid in the good work which the convention was about to undertake.

At the conclusion of Colonel O'Neill's address Mr. Sherman placed in nomination the name of Mississippi's distinguished governor, A. H. Longino, as permanent chairman, and he was elected by acclamation. Messrs. John P. Mayo, of Lowndes, and Walter Windham, of Pickens, were appointed a committee to escort the permanent chairman to the stand, and as he appeared he was greeted with an ovation. Governor Longino thanked the convention for the honor which it had paid him, and said it was a pleasure for him to be identified with any movement which had for its end the material development of the State. He pointed with pride to the changed conditions of the present as contrasted with the past, when conventions were held almost solely for the purpose of nominating candidates and declaring political platforms, and he stated that it was a splendid omen for the future to see the men of all sections coming together in a movement to develop their country and to add to their material wealth. Governor Longino stated that the convention had work before it and he would not make an extended talk. His address was dignified and appropriate, and was heartily appreciated by the assembly, which applauded him enthusiastically at its conclusion.

He asked the further pleasure of the convention, and Capt. Willis B. Harris moved that Mr. P. W. Maer be made secretary of the convention. Mr. J. T. Senter was also nominated as assistant secretary, and Lieutenant-Governor Harrison presented the name of Mr. Craighead, of Mobile, as assistant secretary also, and the nominees were elected.

After the election of secretaries the work of the convention was undertaken, and upon motion of P. W. Maer a committee of three was appointed on credentials, and he suggested that during the performance of their work the convention hear from Senator McLaurin, a suggestion which was received with great favor. The motion for a credentials committee prevailed, and Governor Longino appointed on that committee Col. T. J. O'Neill, Capt. C. G. McGee, and Mr. William Pentecost. The committee retired to undertake their work, and Senator McLaurin was introduced.

If Senator McLaurin had any doubts as to his standing in Lowndes County it was removed in the hearty reception given him when he advanced to address the convention. He was applauded to the echo and applauded again. He thanked those present for their manifestation of esteem for him and stated that he was not prepared for a speech. He came to Columbus to show his interest in the movement and to aid and help it in any way which it was possible for him to do. He said he desired to have a business talk with the delegates, and he proceeded to make a fine speech, in which he reviewed the industrial conditions of the South and the increasing demand from all sections for means of cheaper transportation. He said the rivers of the South were the means of affording it, and no matter what were our ideas and convictions as to the wisdom of expending money in those channels, it seemed to be the fixed policy of the Government to continue it, and he was in favor of the South getting her share.

He stated that he had long since made up his mind to do what he could to secure appropriations to open up and develop the streams in Mississippi and to improve her harbors on the coast and the improvement of the Bigbee was one subject which would receive his special attention. When he pledged anew his influence and support to the movement of making the river navigable through Government appropriations, he was given an ovation, and it was some time before he was allowed to continue. Senator McLaurin made a fine speech, and he was attentively and favorably received by the convention.

After Senator McLaurin's speech, the hour being late, an adjournment was taken until 3 o'clock in the afternoon.

As Major Rossell, United States engineer, and Congressman BANKHEAD and other members of the convention were compelled to leave the city last night, it was decided at the afternoon session to dispense with the session of the convention to-day and to transact all the business before the assembly yesterday afternoon.

Governor Longino called the convention to order at 3 o'clock, sharp, and introduced Hon. PATRICK HENRY, from the Vicksburg district. Judge HENRY said that he came from a district already committed to appropriations from Congress, and that as the Representative of that district he would use his influence and exert every effort that the appropriations would continue. If the improvement of the Tombigbee could be furthered by his influence or work, he assured his hearers that the project would receive it.

He was followed by Congressman BANKHEAD, from Alabama, who made a splendid speech. If the convention had accomplished nothing else but to secure Mr. BANKHEAD's address, it would have been voted a success from this one feature alone. From his long years in Congress and his service on the River and Harbor Committee he gave his hearers the benefit of his experience in river and harbor matters, and it was advice and counsel worth receiving and heeding. Mr. BANKHEAD stated that the improvement of the Tombigbee was a feasible project, and that he was already committed to it. He told the convention how to proceed with its work, and the delegates later followed his advice in the appointment of a permanent memorial committee to bring the matter before Congress.

Mr. E. R. Sherman moved that the chairman appoint a permanent committee on memorial and other matters to prepare same for presentation to Congress, the chairman to be chairman of that committee. Colonel McClung, of Pickens, introduced another resolution, that a committee of 200 be appointed from Columbus and 100 from each county contiguous to the river to prepare said memorial as a substitute for Mr. Sherman's resolution, but Congressman BANKHEAD stated that he thought better results could be accomplished by a smaller committee, and Mr. Sherman's motion prevailed. The chair appointed the following committee: Messrs. E. R. Sherman, William Pentecost, C. G. McGee, John P. Mayo, and P. W. Maer, from Lowndes County; Hon. Walter Windham, of Pickens; Dr. R. L. Patty, of Noxubee; Hon. Sam Jones, of Sumter; Hon. E. O. Sykes, of Monroe, and Hon. A. C. Danner, of Mobile. This committee will immediately take up the work of preparing the memorial to Congress.

There being no further business, the convention adjourned sine die.

A. H. LONGINO, Chairman.
P. W. MAER, Secretary.

I have gone into this thus fully to show those present and the interest manifested. An improvement which interests the Governor and the United States Senator and the Congressmen of a State, and the Congressman of another State, and brings together an opera house full of prominent and patriotic citizens of different States to consider it, is not a matter of mere local importance but is of national interest. I now desire to read to you and impress upon your earnest and candid consideration the memorial prepared by the committee appointed at this convention, of which committee you will note the Governor of Mississippi is chairman and the other members are prominent and influential gentlemen of Alabama and Mississippi, who are anxious to see the country built up and developed.

This is the memorial:

MEMORIAL.

To the honorable Senate and House of Representatives in Congress assembled:

Your memorialists beg leave to show that the Tombigbee River after improvement for perennial navigation will become a waterway of great national importance.

The length of the Tombigbee River from its mouth to Columbus, Miss., is 347 miles, being 191 miles from Mobile to Demopolis and 156 miles from Demopolis to Columbus. The fall in the river from Columbus to Demopolis is 107.8 feet.

By the river and harbor act of September 19, 1890, Congress adopted a channel depth of 6 feet at low water from Demopolis to Columbus, but no provision has as yet been made for carrying out this work.

To secure such a channel locks and dam will be necessary, and for inaugurating their construction it is earnestly urged that appropriations be made at the present session of Congress. Barge navigation from Columbus, Miss., to Mobile, Ala., will develop a carrying trade of immense proportions, not only in outgoing products for export, but in the incoming to the Tombigbee Valley and contiguous territory of great tonnage in corn, flour, meat, grain, and other necessities of life from the West via the Mississippi River at a minimum cost of transportation.

NATIONAL IMPORTANCE OF THE IMPROVEMENT OF THE TOMBIGBEE.

In order to set forth the importance of this project and its far-reaching effect upon the country at large and the tremendous impetus which it will give to American commerce, your memorialists with all possible brevity present the following statistics and suggestions:

INCOMING WESTERN PRODUCTS.

There have been brought into the valley of the Tombigbee during the planting year just closed 6,000 cars of corn, 1,500 cars of flour, 1,000 cars of hog products, 1,750 cars of oats, besides many carloads of mules, live stock, and agricultural implements. These commodities were purchased from a wide area of grain-producing territory, embracing Illinois, Iowa, Kansas, Missouri, Ohio, Tennessee, Kentucky, and Nebraska.

That with a cheapening of freights there will be a corresponding increase in the consumption of the above-enumerated articles is axiomatic and beyond contravention, carrying the twofold blessing of better living to the consumer and a larger market to the producer.

But this up-river tonnage, large as it is, is the mere return of empties in ballast by comparison with the vast freight that would move out down the river with all the year round navigation.

COAL AND IRON.

The Tombigbee River parallels the great iron and coal district of Alabama for 150 miles, being within 25 miles of the finest deposit of brown hematite ore on the North American continent, and as near as 40 miles to inexhaustible quantities of bituminous coal of unequalled quality. There have passed across the Tombigbee River at Columbus during this year to the tippie on the Mississippi River for transshipment to New Orleans and points south 16,000 carloads of coal. How much more than this would pass down the Tombigbee to Mobile can only be guessed at; but, beyond peradventure, Mobile, with its improved harbor and nearness to the coal fields, must become the great coaling station of the Gulf, supplying our war vessels and merchant marine at less cost than will be possible in any other port in the United States.

Alabama, now occupying second place in the American production of pig iron, must have an outlet to the markets of the world, and the cheaper and more direct this outlet can be made the greater will become the annual output of her mines, with its consequent beneficence to producers and carriers alike. With the building of the Nicaragua Canal the cheaply made pig iron of Alabama would float out to the Far East in such bulk as to make our present conception of trade seem small and despicable. To this great volume of traffic must be added the finished products of iron and steel for bridges, structural uses, boiler plates, armor plates, and the thousand other tools and implements the world has need of.

Five railroads already in operation connect by short haul the Tombigbee River with the coal and iron of Alabama, and the Illinois Central has recently had a survey made for the building of another road into a section of the coal fields hitherto undeveloped.

COTTON.

There is produced in the fertile valley of the Tombigbee and along its tributaries, one-twelfth of the raw cotton of the South. This cotton is of very superior quality and in high favor with spinners at home and abroad. Whatever part of it may go for export, and by coastwise transportation to New England points will, perforce, seek the sea through this open waterway to get the profit of reduced freight rates; a reduction which will amount to half the rate now in effect. In addition to cotton in bales must be comprised its by-products, cotton-seed oil, meal and hulls, equal in value to the cotton itself and twice its tonnage.

The seed of all the cotton produced along the Tombigbee is crushed by mills situated upon its banks or nearly adjacent to it. Surely cotton, which has kept the pendulum of American finances a-swing so long, rounding out the favorable balance sheet of each year's trade, is entitled to all the fostering conditions that can be created for it.

TIMBER AND LUMBER.

Nowhere in America, with its fast-disappearing forests, can finer virgin timber be found than along the Tombigbee River. This timber is of great variety and size, including white oak, pitch pine, black walnut, beech, cypress, and sycamore. This timber heretofore has been left standing because of a lack of adequate and cheap transportation. Efforts have been made to reach the port of Mobile from time to time by rafting at high stages of water, but these ventures have been found to be unremunerative and unsafe and have been abandoned altogether.

At many points along the river there are stave factories and sawmills that could easily increase their output if water carrying facilities could be had. The business of one stave factory alone, located in Columbus, now amounts to 1,000 carloads annually.

LIME AND CEMENT.

Touching, and contiguous to the river for miles and miles, there are great fields of lime rock from which can be and has been made the highest standard of merchantable lime. Water transportation is the life of the lime industry.

At Demopolis, on the high lime-rock cliffs overlooking the river, there is nearing completion a \$2,000,000 plant for the manufacture of cement. The capacity of this establishment is from 400 to 500 barrels per day. The building of this important enterprise was made possible by the improvement of the river to that point, and by the fact that that part of the river has been placed on the continuing-improvement list. These bluffs are a feature of the bank formation of the Tombigbee River. They are all of the same geologic character and extend, at intervals, from Demopolis to Columbus, and for miles above. That mills for converting them into cement of great commercial value will follow the course of the river as it is made navigable seems as certain as that light will follow the sun around the world. Not only so, but

should work be begun on the river at once, the Government could, in all probability, be supplied at the very lowest cost with all the cement needed to construct the masonry of the Nicaragua Canal.

Having as succinctly as possible enumerated some of the great benefits, national in scope, to accrue from the opening up of the Tombigbee River, your memorialists most earnestly urge that this great work be inaugurated and continued with rapid prosecution until a channel depth of 6 feet at low water shall have been obtained from Mobile to Columbus. The mind of man can but vaguely conceive and imperfectly conjecture the future greatness and industrial development of the United States, and in that development no factor will be greater in importance than an unobstructed passage through its waterways. In this development the Tombigbee River will play no minor part. Never blocked by ice, it flows through a country better timbered, richer in agricultural resources and mineral deposits than any other river of like length on the globe.

A. H. Longino, Governor of Mississippi; E. R. Sherman, Wm. Pentecost, C. G. McGee, Jno. P. Mayo, P. W. Maer, of Lowndes County; Walter Windham, of Pickens County; Dr. R. L. Patty, of Noxubee County; Sam Jones, of Sumter County; E. O. Sykes, of Monroe County; A. C. Danner, of Mobile County, Committee.

In the pamphlet containing this memorial no doubt you noticed the map, on which is indicated the vast coal and iron beds contiguous to this river; and also you noticed in the same pamphlet the pictures of the steamer *Vienna* plowing the waves of this beautiful river, loaded with the fleecy staple cotton. The difficulty is that the *Vienna* can only navigate this river during high water and for only a small part of the year. But you will say the tonnage is small. Yes, comparatively so at present; but it takes navigation to make tonnage. Open up this river to navigation the year round and the tonnage will leap to an undreamed-of amount. [Applause.]

On the banks of this river is Columbus, the queen city of east Mississippi, which has a number of factories now, and above it is Aberdeen, the pride of the prairie belt, and Fulton, the gem of the historic hills. Open up this river and these wide-awake, progressive places will be filled with factories and new business enterprises, and the contiguous country will blossom like American Beauty roses. This river flows through the Bigbee Valley, which vies with the valley of the Nile in fertility and richness of production. Along it the cotton and agricultural grain products are in abundance, like the crops of ancient Egypt, inexhaustible, pleading for an outlet to the world, ready to furnish tonnage. An abundant virgin forest, to make enough lumber to supply untold demand, nods in the breezes and beckons you to gaze upon this river and behold the great national advantage to be attained by opening it up, and enough lime rock is contiguous to the river to make sufficient high-standard cement to construct the masonry of the Nicaragua Canal. [Applause.]

With all this to be obtained by making this river navigable, how can you have the heart to defeat my amendment?

Mr. TALBERT. Will the gentleman allow me to ask him a question?

Mr. CANDLER. Certainly.

Mr. TALBERT. Does this amendment which the gentleman proposes to offer begin a new line of improvement?

Mr. CANDLER. No, sir.

Mr. TALBERT. Is it just a continuation of an improvement, or does it open up an entirely new field?

Mr. CANDLER. It does not open up an entirely new field.

Mr. TALBERT. Then an appropriation has been made heretofore?

Mr. CANDLER. An appropriation has been made heretofore.

Mr. TALBERT. But has been discontinued?

Mr. CANDLER. An appropriation has been heretofore made of a temporary character, and we want to make it of a permanent character, and do it in the interest of this trade. I think we ought to make appropriations for permanent improvements to the commerce, and that is the reason why I am going to offer this amendment.

Mr. TALBERT. I hope it will pass.

Mr. CANDLER. River improvement is for the purpose of making commerce, adding to trade, and increasing business, and nowhere is there a more inviting field than this to which I invite you. The people of east Mississippi are struggling with railroad monopoly, and I appeal to you to give them relief by giving them water navigation.

Up to a short time ago they had railroad competition, but the use of aggregated capital has deprived them of this by combining all the railroad interest there in one great system, and now I appeal to the Government to come to the relief of the people by improving this river and thereby giving them cheap freight rates through the means of river navigation. I plead with you to thus come to the relief of the masses by the adoption of this amendment. There is an available appropriation of \$16,000, in round numbers, for this river from Demopolis to Columbus, and in this bill there is an item of \$4,000 for the river above Columbus. Now, adopt this amendment and we can go to work and permanently improve this river. It ought to be done, and I appeal to this House to do it in the interest of commerce, trade, and business, and for the direct benefit of the masses of the people of that sec-

tion of the country and for the general good of the country at large. [Applause.]

[Mr. COCHRAN addressed the committee. See Appendix.]

Mr. BURTON. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. OLMSTED, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 12346, the river and harbor appropriation bill, and had come to no resolution thereon.

EDWARD KERSHNER.

The SPEAKER laid before the House the bill (H. R. 5224) for the relief of Edward Kershner, with a Senate amendment.

The Senate amendment was read, as follows:

Line 4, strike out "director" and insert "inspector."

Mr. DAYTON. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

C. R. DICKSON.

The SPEAKER laid before the House the bill (H. R. 3278) to correct the military record of C. R. Dickson, with a Senate amendment.

The Senate amendment was read, as follows:

Line 6, after "Volunteers," insert "by setting aside the finding and sentence of the court-martial of October 27, 1898."

Mr. PARKER. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

BRIDGE at SOUTH OMAHA.

The SPEAKER laid before the House the bill (H. R. 4607) to provide for the construction of a bridge and approaches thereto across the Missouri River at or near South Omaha, Nebr., with a Senate amendment.

The Senate amendment was read, as follows:

Page 3, line 19, after "war," insert "and said structure shall be changed at the cost and expense of the owners thereof from time to time as the Secretary of War may direct, so as to preserve the free and convenient navigation of said river."

Mr. MERCER. Mr. Speaker, I move that the House concur in the Senate amendment.

The motion was agreed to.

MARINE HOSPITAL AT SAVANNAH, GA.

The SPEAKER laid before the House the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the bill (S. 1545) to establish a marine hospital at Savannah, Ga.

Without objection, the resolution was agreed to.

INVITATION TO GOVERNMENT AND PEOPLE OF FRANCE.

The SPEAKER laid before the House the following resolution:

Resolved, That the Secretary be directed to request the House of Representatives to return to the Senate the joint resolution (S. R. 68) authorizing and requesting the President to extend to the Government and people of France and the families of Count de Rochambeau and Marquis de Lafayette an invitation to join the Government and people of the United States in the dedication ceremonies of the monument of Count de Rochambeau, to be unveiled in the city of Washington.

The SPEAKER. Without objection, the resolution will be agreed to.

There was no objection.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 11471. An act making appropriations for the diplomatic and consular service for the fiscal year ending June 13, 1903;

H. R. 3297. An act to correct the military record of William T. Pratt; and

H. R. 3762. An act for the relief of Emanuel Klausner.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 3261. An act authorizing the Eldorado and Bastrop Railway Company to construct and maintain a bridge across the Ouachita River in the State of Arkansas; and

S. 3312. An act for the establishment of a light-house at the mouth of Oyster Bayou, near the Louisiana coast, in the Gulf of Mexico.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had presented this day to the President of the United States for his approval bill of the following title:

H. R. 4381. An act to authorize the Central Railway of West

Virginia to build a bridge across the Monongahela River at or near Morgantown, in the State of West Virginia.

WITHDRAWAL FROM THE FILES.

By unanimous consent, Mr. LAWRENCE had leave to withdraw from the files of the House, without leaving copies, papers in the case of Fannie E. Walker, Fifty-seventh Congress, no adverse report having been made thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted Mr. DAVEY of Louisiana for two weeks, on account of important business.

PERSONAL PRIVILEGE.

Mr. WACHTER. Mr. Speaker, I rise to a question of personal privilege. I desire to send to the Clerk's desk a clipping handed to me this morning from the Cincinnati Commercial-Tribune which relates to a certain matter interesting to the Speaker and myself.

The Clerk read as follows:

While the Cuban reciprocity fight was at its warmest and the "insurgents" were making daily assaults against the Ways and Means Committee, Speaker HENDERSON sent for Representative WACHTER, of Maryland, of the Baltimore district.

"Why are you so much interested in this sugar-beet question?" demanded the Speaker, angrily. "You have no sugar-beet interests."

"Well, it seems fair enough to me," replied the Baltimore man. "Furthermore, I have some constituents who own sugar-beet factories."

"How many?"

"Oh, two or three."

"How many have you got interested in the Sparrows Point improvement, for which \$300,000 or \$400,000 are asked?"

"My whole district is virtually interested in that."

"Well, then, it is up to you, if you are a good Congressman, to choose between sugar beet and your item in the river and harbor bill."

Mr. WACHTER. Mr. Speaker, I desire to state that there is not a member on the floor of this House who has a higher regard for the press of this country than have I. I number in the press gallery among my friends a great many gentlemen in whom I have the greatest confidence. I am one of those who contend that there is and ought to be as much honor in the press gallery as on the floor of this House. Regarding this publication, I desire to say, with all the emphasis of my nature, that it is an unqualified falsehood made out of whole cloth. I never had such a conversation with the Speaker.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a point of order. I submit that there is no question of personal privilege stated in the article, and the gentleman has stated none.

Mr. WACHTER. "The gentleman" has been attacked by the public press.

Mr. RICHARDSON of Tennessee. That is not a matter of personal privilege. There is no reflection on his integrity as a member of the House, and there is no question of personal privilege involved.

Mr. WACHTER. Mr. Speaker—

Mr. RICHARDSON of Tennessee. I ask for a ruling, Mr. Speaker.

The SPEAKER. The Chair is of opinion that this is an attack upon a member of the House.

Mr. RICHARDSON of Tennessee. The Speaker holds that it is an attack upon him in his representative capacity?

The SPEAKER. In his representative capacity.

Mr. RICHARDSON of Tennessee. If the Chair holds that, I have nothing to say.

Mr. WACHTER. I am glad to hear the Chair decide that. I not only consider it an attack, but a cowardly attack.

Mr. Speaker, I am not interested in any appropriation for Sparrows Point. Sparrows Point is not in my district, and I desire also to say that no man, be he Speaker or whoever he may be, has any right to question me in an angry manner as to any position I may take as a member of this House. I am here representing a district, the same as every other man on the floor, and if I do anything wrong in this House it is for the people in my district to say whether or not I shall be here. The gentleman in his article stated that there was an appropriation for Sparrows Point for three or four hundred thousand dollars, which the Speaker spoke to me about. I desire to say that during this entire session I have not uttered a word to the Speaker as to legislation for my district or my State. As chairman of the Committee on Enrolled Bills I am frequently in the Speaker's room to present bills for him to sign, but never during the Fifty-seventh Congress have I had a talk with him upon legislation or as to legislation in my district. Now, Mr. Speaker, I send to the Clerk's desk and desire to have read a telegram from my colleague who represents the district in which Sparrows Point is located.

The Clerk read as follows:

ANNAPOLIS JUNCTION, MD., March 17.

To Hon. FRANK C. WACHTER, House of Representatives:

See chairman River and Harbor Committee for me and ask him to put cost of surveying Sparrows Point Channel in his appropriation. I am sick and can not be in Washington to-day.

A. A. BLAKENEY.

Now, Mr. Speaker, that came without any solicitation. It shows conclusively that Sparrows Point was never interested heretofore in any legislation; and for the information of this House I desire to say that the Sparrow's Point Company, or the Steel Company of Maryland, has paid for its own dredging for ten years, and it has cost them from sixty to one hundred and twenty thousand dollars. They have their own independent channel.

Mr. Speaker, I think it is high time that some steps be taken to prohibit this ambush business by the press. Who knows who will be the next victim? We are paralyzed to act. If that clipping goes to my district I can not meet and explain to everyone, although I think my people have sufficient confidence in me to know that I would not be a party to any such transaction as that. In conclusion, Mr. Speaker, I desire to say emphatically that the Speaker and I have never had a talk about any appropriation or legislation in this the Fifty-seventh Congress, and I think it is very unfair for the press of this country to vilify the Speaker, using a member of this House as a club to do it with. [Applause.]

ADJOURNMENT.

On motion of Mr. BURTON (at 4 o'clock and 57 minutes p. m.), the House adjourned until to-morrow at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of War submitting an estimate of deficiency appropriation for Soldiers' Home at Hampton, Va.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Supervising Architect submitting an estimate of urgent deficiency appropriation for plans for public buildings—to the Committee on Appropriations, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of the Interior submitting an estimate of appropriation for the Geological Survey—to the Committee on Appropriations, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, Mr. HEATWOLE, from the Select Committee on the Census, to which was referred House joint resolution 164 and House concurrent resolution 38, reported in lieu thereof a bill of the House (H. R. 12655) to amend section 5 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902, accompanied by a report (No. 979); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

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

Mr. THOMAS of Iowa, from the Committee on Claims, to which was referred the bill of the House (H. R. 10015) for the relief of Florence Lambert, reported the same with amendment, accompanied by a report (No. 975); which said bill and report were referred to the Private Calendar.

Mr. MILLER, from the Committee on Claims, to which was referred the bill of the House (H. R. 960) for the relief of James C. Drake, reported the same without amendment, accompanied by a report (No. 976); which said bill and report were referred to the Private Calendar.

Mr. GRAFF, from the Committee on Claims, to which was referred the bill of the Senate (S. 903) for the relief of William D. Rutan, reported the same without amendment, accompanied by a report (No. 977); which said bill and report were referred to the Private Calendar.

Mr. SCHIRM, from the Committee on Claims, to which was referred the bill of the House (H. R. 10254) for the relief of Daniel Tweed, reported the same without amendment, accompanied by a report (No. 978); which said bill and report were referred to the Private Calendar.

ADVERSE REPORTS.

Under clause 2 of Rule XIII, adverse reports were delivered to the Clerk, and laid on the table, as follows:

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 1213) to remove

the charge of desertion from the name of Henry A. Cryderman, reported the same adversely, accompanied by a report (No. 973); which said bill was ordered to lie on the table.

Mr. DAYTON, from the Committee on Naval Affairs, to which was referred the joint resolution of the House (H. J. Res. 116) authorizing the appointment of Martin H. Gerry as an assistant engineer with rank of junior lieutenant on the retired list of the Navy, reported the same adversely, accompanied by a report (No. 974); which said bill was ordered to lie on the table.

Mr. MONDELL, from the Committee on Military Affairs, to which was referred the bill of the House (H. R. 6654) to remove the charge of desertion against Hugh Cosgrove, reported the same adversely, accompanied by a report (No. 980); which said bill was ordered to lie on the table.

He also, from the same committee, to which was referred the bill of the House (H. R. 1254) for the relief of Howard Bonner, late of Company K, First Regiment United States Colored Troops, reported the same adversely, accompanied by a report (No. 981); which said bill was ordered to lie on the table.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were thereupon referred as follows:

A bill (H. R. 12551) to remove the charge of desertion against William H. Wheete—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 12578) granting a pension to James A. Coyne—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 11787) granting a pension to John J. Manner—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 6920) granting an increase of pension to James Moss—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

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

By Mr. OTEY: A bill (H. R. 12648) establishing a regular term of United States district court in Roanoke City—to the Committee on the Judiciary.

By Mr. JACKSON of Kansas: A bill (H. R. 12649) to provide for the allotment of lands to the Osage and Kaw or Kansas Indians in the Territory of Oklahoma, and for other purposes—to the Committee on Indian Affairs.

By Mr. OTEY: A bill (H. R. 12650) to provide good roads in the forty-five States and four Territories of the United States—to the Committee on Agriculture.

By Mr. UNDERWOOD (by request): A bill (H. R. 12651) to fix the status of officers of the Porto Rico Provisional Regiment of Infantry—to the Committee on Insular Affairs.

By Mr. RODEY: A bill (H. R. 12652) to amend section 1842 of the Revised Statutes of the United States, with reference to the Territories—to the Committee on the Territories.

By Mr. BROWNLOW: A bill (H. R. 12653) to amend joint resolution entitled "Joint resolution authorizing members to certify monthly the amount paid by them for clerk hire, and directing the same to be paid out of the contingent fund of the House," approved March 3, 1893—to the Committee on Accounts.

By Mr. SUTHERLAND: A bill (H. R. 12654) for the reimbursement of the State of Utah for expenses incurred in suppressing Indian hostilities—to the Committee on War Claims.

By Mr. HEATWOLE, from the Select Committee on the Census: A bill (H. R. 12655) to amend section 5 of an act entitled "An act to provide for a permanent Census Office," approved March 6, 1902—to the Union Calendar.

PRIVATE BILLS AND RESOLUTIONS.

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

By Mr. BARTLETT: A bill (H. R. 12656) for the relief of W. T. Morgan—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 12657) for the relief of the McCaw Manufacturing Company—to the Committee on Claims.

By Mr. BELL: A bill (H. R. 12658) granting an increase of pension to Perry Sullivan—to the Committee on Invalid Pensions.

By Mr. BINGHAM: A bill (H. R. 12659) granting an increase of pension to Eveline V. Ferguson—to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 12660) granting an increase of pension to David B. Smith—to the Committee on Invalid Pensions.

By Mr. COOPER of Texas: A bill (H. R. 12661) for the relief

of Nathaniel D. Fuqua, sole heir of Sarah Montgomery, deceased—to the Committee on War Claims.

By Mr. DAHLE: A bill (H. R. 12662) to remove the charge of desertion against Thomas Kelley, of Madison, Wis.—to the Committee on Military Affairs.

Also, a bill (H. R. 12663) granting an increase of pension to Henry C. Noyes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12664) granting an increase of pension to John Hotchkiss—to the Committee on Invalid Pensions.

By Mr. DALZELL: A bill (H. R. 12665) to remove the charge of desertion from the military record of John Lawton—to the Committee on Military Affairs.

By Mr. EVANS: A bill (H. R. 12666) granting a pension to David C. Yingling—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12667) granting a pension to Samuel Fleegle—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12668) granting an increase of pension to Robert Alexander McNaught—to the Committee on Pensions.

Also, a bill (H. R. 12669) granting an increase of pension to James S. McCartney—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12670) granting an increase of pension to John H. Martens—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12671) granting an increase of pension to L. H. Peck—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12672) granting an increase of pension to John Boughamer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12673) granting an increase of pension to Harry E. Fettinger—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12674) to correct the military record of Martin Cupples—to the Committee on Military Affairs.

Also, a bill (H. R. 12675) to correct the military record of Franklin Heckler—to the Committee on Military Affairs.

By Mr. GILBERT: A bill (H. R. 12676) for the relief of John H. McBrayer—to the Committee on Claims.

By Mr. HOLLIDAY: A bill (H. R. 12677) for the relief of W. W. Coffin—to the Committee on Military Affairs.

Also, a bill (H. R. 12678) granting a pension to Mary McEvoy—to the Committee on Pensions.

Also, a bill (H. R. 12679) granting an increase of pension to Elijah J. Vickers—to the Committee on Invalid Pensions.

By Mr. HAUGEN: A bill (H. R. 12680) granting an increase of pension to Benjamin W. Gaylord—to the Committee on Pensions.

By Mr. KERN: A bill (H. R. 12681) referring to the Court of Claims the claim of the heirs and legal representatives of John P. Maxwell and Hugh H. Maxwell, deceased—to the Committee on Claims.

By Mr. KNAPP: A bill (H. R. 12682) granting an increase of pension to Thomas Donald—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 12683) granting a pension to Sarah L. Bates—to the Committee on Invalid Pensions.

By Mr. MADDOX: A bill (H. R. 12684) for the relief of the First Presbyterian Church, Dalton, Ga.—to the Committee on War Claims.

By Mr. MOON: A bill (H. R. 12685) granting a pension to H. J. Springfield—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: A bill (H. R. 12686) granting a pension to Fidelia I. Losch—to the Committee on Invalid Pensions.

By Mr. RODEY: A bill (H. R. 12687) for the relief of Serapio Romero, late postmaster at Las Vegas, N. Mex.—to the Committee on Claims.

By Mr. SHAFROTH: A bill (H. R. 12688) granting an increase of pension to Edwin Sikes—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12689) granting an increase of pension to Horace H. Sickels—to the Committee on Invalid Pensions.

By Mr. SHALLENBERGER: A bill (H. R. 12690) granting a pension to Robert H. Gilmore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12691) granting a pension to Willard E. Bemis—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12692) granting a pension to Jennie Stock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12693) granting a pension to William Taylor—to the Committee on Invalid Pensions.

Also, a bill (H. R. 12694) granting an increase of pension to Chauncey Barber—to the Committee on Invalid Pensions.

By Mr. SHERMAN: A bill (H. R. 12695) for the relief of Benjamin Franklin Handforth—to the Committee on Military Affairs.

By Mr. SLAYDEN: A bill (H. R. 12696) to correct the military record of James Stringer—to the Committee on Military Affairs.

By Mr. SPIGHT: A bill (H. R. 12697) granting a pension to M. C. Rogers—to the Committee on Invalid Pensions.

By Mr. WILEY: A bill (H. R. 12698) authorizing the payment of the claim of Eve Gorman for the death of her husband, a Government employee, who was killed on Coosa River Lock in December, 1894—to the Committee on Claims.

By Mr. GROSVENOR: A bill (H. R. 12699) granting an increase of pension to Edwin A. Brown—to the Committee on Invalid Pensions.

By Mr. McCLEARY: A bill (H. R. 12700) granting an increase of pension to Eberhard P. Lieberg—to the Committee on Invalid Pensions.

By Mr. ZENOR: A bill (H. R. 12701) granting a pension to Milton Noakes—to the Committee on Invalid Pensions.

By Mr. NORTON: A resolution (H. Res. 166) authorizing and directing the Committee on Accounts to provide for the payment of conductors of the House elevators—to the Committee on Accounts.

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. ACHESON: Petition of Will F. Stewart Post, No. 180, Grand Army of the Republic, Department of Pennsylvania, for investigation of administration of Bureau of Pensions—to the Committee on Rules.

Also, resolutions of Mine Workers' Unions No. 1359, of Bowerston, and No. 1254, of McGovern, Pa., favoring a further restriction of Chinese immigration—to the Committee on Foreign Affairs.

By Mr. ALEXANDER: Resolution of Order of Railway Conductors, Division 155, of Syracuse, N. Y., favoring the passage of the anti-injunction bill—to the Committee on the Judiciary.

Also, resolutions of Carpenters' Union, Retail Clerks' Union, Bakers' Union, Iron Molders' Union, Order of Telegraphers, Boiler Makers' Union, Stonecutters' Association, Clothing Cutters' Association, Brewery Engineers and Firemen's Union, Pattern Makers' Association, and Niagara Lodge, No. 330, of Machinists, all of Buffalo, N. Y.; Core Makers' Union of Depew, and Barbers' Union No. 227 and Plasterers' Union, of Tonawanda, N. Y., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. BARTLETT: Resolution of Brewery Workers' Union No. 191, of Macon, Ga., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of Order of Railroad Telegraphers, Union No. 75, of Macon, Ga., urging continuance of Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. BELL: Resolutions of Painters' Union of Leadville and Miners' Union of Kokomo, Colo., favoring an educational restriction to immigration—to the Committee on Immigration and Naturalization.

By Mr. BROWNLOW: Petition of D. A. Harvey, of Washington County, Tenn., for reference of war claim to the Court of Claims—to the Committee on War Claims.

By Mr. BURKETT: Resolutions of Company C, Second Regiment Nebraska National Guard of Nebraska City, Nebr., favoring the passage of House bill to increase the efficiency of the militia—to the Committee on Militia.

Also, resolution of Tailors' Union No. 273, Lincoln, Nebr., favoring the construction of naval vessels at Government navy-yards—to the Committee on Naval Affairs.

Also, affidavits of Clarence Seward and O. M. Veile, to accompany House bill granting a pension to T. A. Wilson—to the Committee on Invalid Pensions.

Also, resolution of Boiler Makers' Union of Havelock, Nebr., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of the bill increasing the salary of letter carriers in cities of first class to \$1,200 and in cities of the second class to \$1,000—to the Committee on the Post-Office and Post-Roads.

By Mr. CANNON: Resolution of Painters and Decorators' Union of Joliet, Ill., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. CROMER: Resolutions of Typographical Union No. 284, of Anderson, Ind., and citizens of Monroe, Adams County, Ind., in relation to immigration and Chinese exclusion—to the Committee on Immigration and Naturalization.

Also, petition of Company E, First Infantry, Indiana National Guard, Evansville, Ind., urging the enactment of House bill 11654, to promote the efficiency of the militia—to the Committee on Militia.

By Mr. CUMMINGS: Petition of captains and masters of steamship and sailing vessels in coastwise trade along the South Atlantic coast, Gulf, and West Indies, praying for the establishment of a light ship off Cape Lookout, on the coast of North Carolina—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the New York Board of Trade and Transportation, in favor of the Spooner-Ray bill—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of Bricklayers' Union No. 34, of New York City, favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 34, of New York City, favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

By Mr. DARRAGH: Papers to accompany House bill 12458, granting an increase of pension to William M. Barstow—to the Committee on Invalid Pensions.

Also, papers in support of House bill 11552, granting a pension to Henry J. Baker—to the Committee on Invalid Pensions.

By Mr. DRAPER: Resolutions of the United Retail Grocers' Association of Brooklyn, N. Y., and New York Retail Grocers' Union of Manhattan, N. Y., favoring the passage of House bill 9352, the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, relating to salaries of clerks in first and second class post-offices—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Thomas Dickson Division, No. 171, Railway Conductors, Mechanicsville, and Bricklayers' Union No. 10, of Troy, N. Y., in favor of excluding Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 71, of Hudson, and Masons' Union No. 10, of Troy, N. Y., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. ESCH: Resolutions of Wisconsin Lumber Dealers' Association, favoring amendment of the interstate-commerce acts—to the Committee on Interstate and Foreign Commerce.

By Mr. EVANS: Petitions of Bricklayers' Union No. 40, of Johnstown, Pa., and citizens of Cambria and Blair counties, Pa., asking for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 10727, granting a pension to Augustus Thomas—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 4807, granting a pension to Thomas Parfitt—to the Committee on Invalid Pensions.

Also, petition of William H. Hawkins, to accompany House bill 10722, for increase of pension—to the Committee on Invalid Pensions.

Also, petition of Daniel J. Horner, to accompany House bill 10721, for increase of pension—to the Committee on Invalid Pensions.

Also, papers to accompany House bill 12673, for the relief of Henry E. Fettinger—to the Committee on Invalid Pensions.

By Mr. FLEMING: Resolution of Macon Lodge, No. 246, Brotherhood of Locomotive Firemen, of Macon, Ga., favoring the anti-injunction bill—to the Committee on the Judiciary.

By Mr. GRIFFITH: Petition of Hon. Z. T. Sweeney, commissioner of fisheries and game of Indiana, asking for the passage of House bill 10306—to the Committee on Agriculture.

By Mr. GREEN of Pennsylvania: Petition of Reading Union No. 192; Team Drivers' Union No. 273, and Stone Masons' Union No. 8, of Reading, Pa., favoring restrictive immigration laws—to the Committee on Immigration and Naturalization.

Also, resolution of Shirt, Waist, and Laundry Workers' Union No. 74, of Reading, Pa., for the reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

Also, petition of citizens of Reading, Pa., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

Also, petition of Metal Polishers and Brass Workers' Union No. 46, of Reading, Pa., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

By Mr. GROSVENOR: Petition of Boiler Makers' Union of Chillicothe, Ohio, favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolution of William Bush Post, No. 455, Racine, Ohio, Grand Army of the Republic, favoring the building of war vessels in the navy-yards—to the Committee on Naval Affairs.

By Mr. HASKINS: Petition of D. B. Leslie and others, of Wheelock, Vt., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. HEDGE: Memorial of Reformed Presbyterian Church of Morning Sun, Iowa, for the amendment or radical modification of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. HEMENWAY: Resolution of Painters' Union No. 156, of Evansville, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

By Mr. HEPBURN: Petition of citizens of Iowa, for an amendment to the Constitution defining legal marriage to be monogamic—to the Committee on the Judiciary.

By Mr. HILL: Resolutions of Machinists' Lodge No. 160, and Woodworkers' Union, of Danbury; Printers' Union No. 190, of Bridgeport, and Carpenters' Union No. 746, of Norwalk, Conn., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. HITT: Petition of Marine Engineers' Beneficial Association, relating to licensing marine engineers—to the Committee on the Merchant Marine and Fisheries.

By Mr. HOLLIDAY: Resolution of Typographical Union No. 75, of Terre Haute, Ind., in favor of the reenactment of the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolution of Typographical Union No. 75, of Terre Haute, Ind., favoring an educational test in the restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KNAPP: Petitions of various labor organizations in the Twenty-fourth Congressional district of New York, for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. KLUTTZ: Petition of Textile Workers' Union of Salisbury, N. C., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

By Mr. KNOX: Resolution of Bay State Lodge, No. 88, Brotherhood of Railroad Trainmen, of Worcester, Mass., to exclude Chinese laborers—to the Committee on Foreign Affairs.

By Mr. LACEY: Resolution of Retail Clerks' Union of Ottumwa, Iowa, for more restricted immigration—to the Committee on Immigration and Naturalization.

Also, petition of citizens of Fort Madison, Iowa, to amend sections 2307 and 2308, Revised Statutes, relating to homesteads—to the Committee on the Public Lands.

By Mr. LESTER: Petition of Union No. 211, United Brewery Workmen, Savannah, Ga., for the exclusion of illiterate immigrants—to the Committee on Immigration and Naturalization.

By Mr. LITTLEFIELD: Petition of citizens of Dixfield, Me., in favor of the reenactment of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. MANN: Petition of Marine Engineers' Beneficial Association No. 4, of Chicago, Ill., regarding necessary experience required on shipboard to obtain a license as marine engineer—to the Committee on the Merchant Marine and Fisheries.

Also, petitions of Federal Labor Union No. 8851, of Chicago, and Painters' Union No. 265, of Pullman, Ill., favoring restrictive legislation on immigration—to the Committee on Immigration and Naturalization.

By Mr. MAYNARD: Resolutions of Farragut Post, No. 1, of Portsmouth, Va., Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolution of Carpenters' Union of Hampton, Va., for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. McCLEARY: Paper to accompany House bill 6871, granting an increase of pension to Harmon Scramlin—to the Committee on Invalid Pensions.

Also, paper in support of House bill 3869, granting an increase of pension to Isadore F. Maxfield—to the Committee on Invalid Pensions.

By Mr. MICKEY: Resolution of Bricklayers' Union No. 6, of Quincy, Ill., asking that the naval dock at New Orleans, La., be built by union labor—to the Committee on Naval Affairs.

Also, petition of Trades and Labor Assembly of Quincy Ill., in relation to the transportation of prison-made goods from one State to another—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 6, of New York City, urging the passage of bill increasing the salary of letter carriers in cities of first class to \$1,200 and in cities of the second class to \$1,000—to the Committee on the Post-Office and Post-Roads.

Also, resolutions of Gem City Lodge of Machinists, No. 315; Leather Workers' Union No. 26, of Quincy, Ill., and Pearson Post, No. 408, Colchester, Ill., Grand Army of the Republic, favoring the construction of war vessels in the Government navy-yards—to the Committee on Naval Affairs.

Also, resolutions of Leather Workers' Union No. 26, Trades and Labor Assembly, Bakers and Confectioners' Union No. 82, Stone Masons' Union No. 6, and Painters' Union No. 66, all of Quincy, Ill., favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, resolutions of Bricklayers' Union No. 1, Retail Clerks' Union No. 35, Drillers' Union No. 3, Leather Workers' Union No. 26, Iron Molders' Union No. 44, Confectioners' Union No. 82, and Trades and Labor Assembly, all of Quincy, Ill., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. MOODY of Massachusetts: Resolutions of the Brotherhood of Railroad Trainmen; Bay State Lodge, No. 88, and Bricklayers and Masons' Union of Beverly, Mass., favoring Chinese exclusion—to the Committee on Foreign Affairs.

Also, resolution of the Bricklayers and Masons' Union of Beverly, Mass., favoring an educational immigration test—to the Committee on Immigration and Naturalization.

Also, resolutions of the city council of Boston, Mass., favoring the construction of war vessels in the United States navy-yards—to the Committee on Naval Affairs.

Also, resolutions of the New England Brewers, relating to the tax on beer—to the Committee on Ways and Means.

Also, letter of Lithographers' Beneficial Association of Boston, Mass., relating to House bill 5777—to the Committee on Patents.

Also, resolutions of the New England Shoe and Leather Association, favoring a department of commerce—to the Committee on Interstate and Foreign Commerce.

By Mr. MOON: Resolution of Rock City Division, No. 185, Order of Railway Conductors, Nashville, Tenn., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

Also, papers to accompany House bill 11596, granting an increase of pension to Mrs. Inez Clipt—to the Committee on Invalid Pensions.

Also, paper to accompany House bill 12616, to enable Samuel H. Jenkins, formerly of New York City and now of Chattanooga, Tenn., to make application to the Commissioner of Patents for the extension of letters patent—to the Committee on Patents.

By Mr. MUTCHLER: Petition of Easton Division, No. 259, Locomotive Engineers, of Easton, Pa., favoring the passage of Senate bill 1118, limiting the meaning of the word "conspiracy," etc.—to the Committee on the Judiciary.

Also, resolutions of Easton Division, No. 259, Locomotive Engineers, of Easton, Pa., praying for the further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. NEVILLE: Resolutions of Black Hills Lodge, No. 190, Railroad Trainmen, of Chadron, Nebr., opposing the importation of cheap labor—to the Committee on Immigration and Naturalization.

By Mr. OTEY: Resolutions of members of the bar of Roanoke, Va., for the creation of a Federal court for the city of Roanoke, Va.—to the Committee on the Judiciary.

By Mr. OTJEN: Resolutions of Bricklayers' Union No. 8, of Milwaukee, Wis., for the further restriction of immigration—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 8, of Milwaukee, Wis., asking for reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. RIXEY: Petition of citizens of Alexandria, Va., for restriction of immigration, etc.—to the Committee on Immigration and Naturalization.

By Mr. ROBINSON of Indiana: Resolutions of Order of Railway Conductors of Garrett, Ind., favoring the passage of the Hoar-Grosvenor bill, defining "conspiracy," etc.—to the Committee on the Judiciary.

By Mr. RODEY: Resolutions of Cigar Makers' Union No. 443, of Albuquerque, and Local Union of Cloudfrof, N. Mex., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

Also, resolutions of Railroad Trainmen's Union No. 608, of Roswell; Division No. 70, of Las Vegas, and No. 389, of Albuquerque, N. Mex., Order of Railroad Conductors, favoring the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SHALLENBERGER: Papers to accompany House bill 4170, granting an increase of pension to Henry P. Macloon—to the Committee on Invalid Pensions.

Also, resolutions of Nebraska Real Estate Dealers' Association, favoring irrigation of arid lands, etc.—to the Committee on Irrigation of Arid Lands.

Also, petition of the Woman's Christian Temperance Union and Congregational Church societies of Naponee, Nebr., for the passage of a bill to prohibit prostitution in the Philippines—to the Committee on Insular Affairs.

Also, petition of L. S. Cook Division, No. 389, Brotherhood of Locomotive Engineers, favoring the election of United States Senators by direct vote of the people—to the Committee on Election of President, Vice-President, and Representatives in Congress.

Also, papers to accompany House bill 7019, to amend the military record of Miles F. Durkee—to the Committee on Military Affairs.

Also, resolutions of C. W. Bronson Lodge, Brotherhood of Railroad Trainmen, No. 487, of McCook, Nebr., to exclude Chinese laborers—to the Committee on Foreign Affairs.

Also, resolutions of J. D. Moore Lodge, No. 134, of Grand Island, and C. W. Bronson Lodge, No. 487, of McCook, Railroad

Trainmen, and Division 95, Railway Conductors, of McCook, Nebr., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SHERMAN: Resolutions of District Council No. 5, Utica, N. Y., advocating extension of Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. SHOWALTER: Petition of citizens of Beaver County, Pa., to forbid the selling of liquor in the Pacific Islands—to the Committee on Alcoholic Liquor Traffic.

Also, petitions of citizens of Middlesex, Callery, Myoma, Utica, Slippery Rock, Enon Valley, Sewickley, and county of Butler, Pa., for amendment of Constitution to prohibit and punish polygamy and defining legal marriage—to the Committee on the Judiciary.

By Mr. SIBLEY: Resolutions of Carpenters' Union No. 124, of Bradford, Pa., and Bricklayers' Union No. 43, of Franklin, Pa., favoring an educational qualification for immigrants—to the Committee on Immigration and Naturalization.

Also, resolutions of Bricklayers' Union No. 43, of Franklin; Glass Bottle Blowers' Union No. 65, of Bradford, and Federation of Musicians No. 61, of Oil City, Pa., favoring an educational test for restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SIMS: Resolution of Jackson Division, No. 149, Order of Railway Conductors, Jackson, Tenn., favoring the continued exclusion of Chinese laborers—to the Committee on Foreign Affairs.

By Mr. SLAYDEN: Papers to accompany House bill to amend the military record of James Stringer—to the Committee on Military Affairs.

By Mr. WM. ALDEN SMITH: Petition of Lodge No. 493, Railroad Trainmen, Ionia, Mich., favoring a reenactment of the Chinese-exclusion law—to the Committee on Foreign Affairs.

By Mr. SPIGHT: Papers to accompany House bill 12697, granting an increase of pension to M. C. Rogers—to the Committee on Invalid Pensions.

By Mr. STEELE: Resolutions of Cigar Makers' Union No. 473, of Wabash; Retail Clerks' Association No. 77, of Marion; Association of Machinists of Kokomo; Typographical Union No. 347, of Wabash, and Bricklayers' Union No. 12, of Marion, Ind., favoring restriction of immigration of persons, other than wives and children, who can not read—to the Committee on Immigration and Naturalization.

Also, resolution of Typographical Union No. 77, of Peru, Ind., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, petition of Lawton Herd, No. 5, Noble Order of Buffaloes, Fairmont, Ind., and Frank L. Littleton, favoring the passage of House bill No. 10306, for the preservation of wild animals and game birds—to the Committee on Agriculture.

By Mr. SULLOWAY: Resolutions of Coopers' Union of Nashua and Carpenters' Union of Manchester, N. H., favoring a further restriction of immigration—to the Committee on Immigration and Naturalization.

By Mr. SULZER: Petition of New York Retail Grocers' Union, Manhattan, N. Y., in favor of the passage of the pure-food bill—to the Committee on Interstate and Foreign Commerce.

Also, resolution of Typographical Union No. 97, of Peru, Ind., and Typographical Union of Houston, Tex., in opposition to House bill 5777, amending the copyright law—to the Committee on Patents.

Also, resolutions of the New York Board of Trade and Transportation, favoring a reorganization of the consular service—to the Committee on Foreign Affairs.

By Mr. THOMAS of Iowa: Resolutions of Kate Shelby Lodge, No. 204, Brotherhood of Railroad Trainmen, of Boone, Iowa, urging the passage of the Hoar-Grosvenor anti-injunction bill—to the Committee on the Judiciary.

By Mr. TOMPKINS of New York: Resolutions of Bricklayers' Union No. 5 and Union No. 18, of Newburgh, N. Y., and Machinists' Lodge No. 467, of Pearl River, N. Y., favoring restrictive immigration—to the Committee on Immigration and Naturalization.

Also, resolution of Bricklayers' Union No. 5, of Newburgh, N. Y., favoring extension of the Chinese-exclusion act—to the Committee on Foreign Affairs.

By Mr. WARNOCK: Petitions of Laundry Workers' Union and Brewers' Union, of Findlay, Ohio, for an amendment to the immigration laws—to the Committee on Immigration and Naturalization.

By Mr. WOODS: Petition of the Stockton (Cal.) Chamber of Commerce, urging an appropriation for a diverting canal—to the Committee on Rivers and Harbors.

By Mr. ZENOR: Resolution of Association of Machinists No. 192, of New Albany, Ind., for the passage of laws which will prevent the immigration of persons who can not read—to the Committee on Immigration and Naturalization.

SENATE.

TUESDAY, March 18, 1902.

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

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

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

ANN DEMONBRUN.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 462) granting an increase of pension to Ann Demonbrun; which was, in line 10, to strike out after "the," where it occurs the first time, down to and including the word "determine," line 12, and to insert:

Case of the death of the helpless child, Sallie Demonbrun, on whose account the pension of Ann Demonbrun is increased, the pension of said Ann Demonbrun shall continue only at the rate of \$8 per month from and after the date of death of said helpless child.

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

ANNIE D. TAGGART.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 628) granting a pension to Annie E. Taggart; which was to amend the title so as to read: "An act granting a pension to Annie D. Taggart."

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

ANNIE M'ELHENY.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3329) granting an increase of pension to Annie McElheny; which was, in line 10, to strike out all after "the," where it occurs the first time, down to and including the word "determine," line 12, and to insert:

Case of the death of the helpless child, Mary T. McElheny, on whose account the pension of Annie McElheny is increased, the pension of said Annie McElheny shall continue only at the rate of \$12 per month from and after the date of death of said helpless child.

Mr. GALLINGER. I move that the Senate agree to the amendment made by the House of Representatives.

The motion was agreed to.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Pensions:

A bill (H. R. 283) granting an increase of pension to Robert M. McCullough;

A bill (H. R. 291) granting a pension to Christina Heitz;

A bill (H. R. 351) granting an increase of pension to Robert Carpenter;

A bill (H. R. 658) granting an increase of pension to John H. Jack;

A bill (H. R. 669) granting an increase of pension to Richard C. Smith;

A bill (H. R. 671) granting an increase of pension to Orra H. Heath;

A bill (H. R. 699) granting an increase of pension to Robert Miller;

A bill (H. R. 750) granting a pension to Martin Essex;

A bill (H. R. 809) granting an increase of pension to James P. Burchfield;

A bill (H. R. 918) granting an increase of pension to Charles Misner;

A bill (H. R. 1086) granting an increase of pension to Francis W. Pool;

A bill (H. R. 1090) granting a pension to James E. Bates;

A bill (H. R. 1190) granting an increase of pension to Albert S. Whittier;

A bill (H. R. 1278) granting an increase of pension to La Myra V. Kendig;

A bill (H. R. 1326) granting an increase of pension to Thomas Thatcher;

A bill (H. R. 1479) granting an increase of pension to Michael Marnane;

A bill (H. R. 1636) granting an increase of pension to James Austin;

A bill (H. R. 1694) granting an increase of pension to Henry Ball;

A bill (H. R. 1696) granting an increase of pension to Frederick A. Condon;