

By Mr. STRONG: Two petitions, respectively, of F. R. Stewart and F. H. Gibens, of Fostoria, Ohio, for the removal of the charge of desertion against Theodore Werner—to the Committee on Military Affairs.

Also, petition of T. E. Hunter and 53 others, praying for the passage of a bill to secure a better grade of immigrants—to the Committee on Immigration and Naturalization.

By Mr. TRACEWELL: Petition and papers in support of House bill No. 3520, for the relief of Allen W. Philips—to the Committee on Claims.

Also, petition and papers in support of House bill No. 3524, for the relief of James McGowan from the charge of desertion—to the Committee on Military Affairs.

Also, petition and papers in support of the following House bills: No. 3516, granting an increase in the pension of Sarah J. Paynter; No. 3517, for the relief of George Heishman; No. 3518, for the relief of David Melton; No. 3519, for the relief of John R. Watson; No. 3522, granting a pension to Handy Deputy; No. 3533, granting a pension to Catharine Pee—to the Committee on Pensions.

Also, petition and papers in support of the following House bills: No. 3521, granting a pension to Mrs. Ellen Quinn; No. 3523, for the relief of Sarah L. Smith; No. 3525, granting a pension to Mrs. Nancy Thurman; No. 3526, granting a pension to Mary J. Turner; No. 3528, granting a pension to David B. Salts; No. 3530, granting a pension to Peter Wendell; No. 3531, granting a pension to Dennis Sheedy; No. 3532, granting a pension to Lucy Nichols—to the Committee on Invalid Pensions.

Also, petition and papers in support of House bill No. 3534, to remove the charge of desertion from John Dickson—to the Committee on Military Affairs.

## SENATE.

THURSDAY, January 16, 1896.

Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.  
The Journal of yesterday's proceedings was read and approved.

### TITLES OF NOBILITY.

Mr. ALLEN. Mr. President, I wish to call attention to a matter that occurred yesterday. The chairman of the Committee on Foreign Relations reported back the bill (S. 654) to prevent citizens of the United States from soliciting or receiving and accepting titles, patents of nobility, or degrees of honor from foreign nations, and for other purposes, with a recommendation that it be indefinitely postponed, which was agreed to. I was in the Chamber during the entire morning hour, but owing to the confusion which usually characterizes the transaction of business in the Senate I did not hear the report submitted by the Senator from Ohio, and did not know of it until I read the paper last evening. It is my desire to have the bill placed upon the Calendar, so that it may come up and be discussed and acted upon by the full Senate, and not by the committee alone. The Senator from Ohio in making the report said:

The committee are of opinion that it is hardly worth while to dignify with the form of legislation the fact that some American citizens receive titles from a foreign government; that they ought to be laughed at rather than be sent to the penitentiary for a crime.

I do not believe that the American people think that way. I believe the patriotic people, the true American citizens of this country want to see a law passed by Congress that will punish as a crime any man who may accept a title or patent of nobility from a foreign government. I hope the Senator who had charge of this measure will permit an order to be made this morning placing the bill upon the Calendar for consideration. I call the attention of the Senator from Ohio to the matter.

Mr. SHERMAN. I have not the slightest objection to the course suggested. If the Senator desires, he has a right to move to reconsider the vote by which the bill was indefinitely postponed. So far as I am concerned, I am perfectly willing that it shall be placed upon the Calendar. It was the opinion of the committee uttered by me, and I am surprised that the Senator did not hear my statement.

Mr. ALLEN. I did not hear the Senator.

Mr. SHERMAN. I spoke loud enough to call the attention of the Senate to the bill. I saw the Senator from Nebraska in his place and looking at me, and I supposed as a matter of course he heard what I said. However, I have no objection to the vote by which the bill was indefinitely postponed being reconsidered and having it placed on the Calendar with the adverse report of the committee.

Mr. ALLEN. I was surprised that the Senator did not call my attention to the bill.

Mr. SHERMAN. I thought the Senator heard me.

Mr. ALLEN. I have no doubt the Senator thought so; but in consequence of the confusion in the Chamber I did not hear the Senator. I should like to have an order made placing the bill on the Calendar.

The VICE-PRESIDENT. If there be no objection, the vote by which the bill was indefinitely postponed will be reconsidered, and the bill will be placed on the Calendar with the adverse report of the committee. The Chair hears no objection, and it is so ordered.

### STATE WAR CLAIMS.

The VICE-PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of January 28, 1895, a report from the Auditor for the War Department as to the amounts due the several States, from the claims now on file in the Treasury Department under act of July 27, 1861, for expenses incurred in raising troops, as provided for by the order of the Secretary of the Treasury of February 8, 1893; which, with the accompanying papers, was referred to the Committee on Military Affairs, and ordered to be printed.

### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 3018) to amend the act approved March 3, 1891, granting the right of way upon the public lands for reservoir and canal purposes; in which it requested the concurrence of the Senate.

### PETITIONS AND MEMORIALS.

Mr. PEPPER. I present the petition of Rev. A. M. Campbell, of Catasauqua, Pa., representing an association known as the American Anti-Usury Association, suggesting a means to abolish usury. I move that the petition be referred to the Committee on Finance. The motion was agreed to.

Mr. ALLEN presented sundry affidavits and petitions of members of the Santee Sioux tribe of Indians, of Nebraska, praying for the payment of annuities withheld from them by reason of alleged participation in the outbreak at Redwood Agency in the year 1862; which were referred to the Committee on Indian Affairs.

Mr. SEWELL presented petitions of Monroe Lane and 18 other citizens of New Bedford; of Thomas W. Ross and 53 other citizens of Vincentown; of Charles A. Morris and 18 other citizens of Hamilton; of E. C. White and 33 other citizens of Glendola; of A. A. Tilton and 75 other citizens of Monmouth, and of L. L. Hansell and 44 other citizens of Jersey City, all in the State of New Jersey, praying for the passage of the so-called William A. Stone immigration bill; which were referred to the Committee on Immigration.

He also presented a petition of the Society of the United States Military Telegraph Corps, praying that they be granted by the Government the same recognition for their services in the late war as is given to the soldiers who served in the Regular Army; which was referred to the Committee on Military Affairs.

Mr. SHERMAN presented sundry petitions of citizens of Hannibal, Andover, and Middletown, all in the State of Ohio, praying for the passage of the so-called William A. Stone immigration bill; which were referred to the Committee on Immigration.

He also presented a petition of the Ministerial Association of Troy, Ohio, praying for the enactment of legislation in the interest of morality; which was referred to the Committee on Education and Labor.

He also presented a petition of Given Post, Grand Army of the Republic, of Wooster, Ohio, praying for the enactment of legislation granting pensions in certain cases to families or relatives of pensioners instead of to the pensioners themselves; which was referred to the Committee on Pensions.

Mr. GRAY presented a memorial of the Delaware Peace Society, remonstrating against the enactment of any legislation which is designed or is liable to encourage wars and warlike movements, whether internal or foreign; which was referred to the Committee on Foreign Relations.

Mr. SQUIRE. I present a petition of the Pastors' Union of the city of Snohomish, Wash., comprising the resident pastors of the Evangelical churches in that city, urging upon Congress the passage of the resolution relative to giving relief to the Armenian people of Asiatic Turkey. The petitioners go on to recite that the massacre of guiltless thousands, the outraging of helpless women, selling into slavery innocent girls, the total destruction of the homes and the necessities of life of vast multitudes can not find a parallel short of the darkest days of the Middle Ages. They urge that the great Governments should unite for their suppression, and if diplomatic methods can not avail that they then invoke the arbitration of force.

I call attention to the following passages in the petition proceeding, as it does, from the churches of Snohomish: These pastors ask that Congress insist that the Executive protect our American missionaries in Turkey, and the property which they hold for mission and educational work, and for personal comfort and good. They also ask that the Government extend to Cubans, struggling for liberty, the rights of belligerents and recognition at the earliest moment when their achievements shall show that they are entitled to it.

I move that the petition be referred to the Committee on Foreign Relations.

The motion was agreed to.

Mr. SQUIRE. I also present a petition of citizens of Mason County, State of Washington, representing that the chief industries of the Pacific Coast, agriculture and horticulture, are to a great degree unremunerative and threatened with extinction for lack of cheap means of transportation to Eastern and European markets. The petitioners state that they are handicapped by the distance of nearly 10,000 miles in their competition with agriculturists in the Argentine Republic. They represent that the construction of the interoceanic ship canal at Nicaragua would enable them to compete with Argentina, and make their industries again prosperous and profitable. Therefore the petitioners, with the utmost earnestness, pray that Congress shall take immediate steps to secure the construction of the Nicaraguan Canal in a manner as rapid as modern engineering shall permit.

I move that the petition be referred to the Select Committee on the Construction of the Nicaragua Canal.

The motion was agreed to.

Mr. SQUIRE. I also present a petition of sundry citizens of San Juan County, in the State of Washington, expressing their belief that Senate bill 735, entitled "A bill to reorganize and increase the efficiency of the personnel of the Navy, to increase the usefulness and numbers of the Corps of Naval Engineers, to induce the scientific institutions to provide a naval engineering reserve for time of war, to establish a naval engineering experimental station, and to encourage the study of the mechanic arts and sciences, and particularly that of naval engineering, in the technological colleges of the country," is of the highest importance for the prosperity of that State and of the United States, and the petitioners urge that the bill be made a law. I move that the petition be referred to the Committee on Naval Affairs.

The motion was agreed to.

Mr. TURPIE presented a memorial of representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware to the President and Congress of the United States, on the dispute between Great Britain and Venezuela relative to the boundary of the latter and the intervention of the United States; which was referred to the Committee on Foreign Relations.

He also presented a petition of the Grand Army of the Republic, Department of Indiana, of Indianapolis, Ind., praying for the enactment of legislation providing a service pension of \$12 a month to each ex-Union soldier who has been honorably discharged from the service when he shall have arrived at the age of 60 years; which was referred to the Committee on Pensions.

Mr. CALL presented the petition of Henry P. Fritot and sundry other citizens of Jacksonville, Fla., praying for a speedy recognition as belligerents of the Cuban patriots in their struggle for freedom; which was referred to the Committee on Foreign Relations.

Mr. VILAS presented petitions of H. C. Rogers and 80 other citizens of Wisconsin; of Frank Patterson and 13 other citizens of Stevens Point, Wis.; of C. H. Tenant and 37 other citizens of Oshkosh, Wis.; of E. D. Bentley and 29 other citizens of Stevens Point, Wis.; of S. L. Priser and 14 other citizens of Stevens Point, Wis.; of A. E. Chase and 49 other citizens of Oshkosh, Wis., and of C. H. Crittenden and 15 other citizens of Wisconsin, praying for the passage of the so-called Stone immigration bill; which were referred to the Committee on Immigration.

Mr. THURSTON. I present a resolution of the house of representatives of the State of Nebraska, praying that on the abandonment of Fort Omaha as a military post it be granted and conveyed to the State of Nebraska, on condition that the State convert it into a military academy and maintain it as such at State expense. I move that the petition be referred to the Committee on Military Affairs.

The motion was agreed to.

Mr. GEAR presented a memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware to the President and Congress of the United States, on the dispute between Great Britain and Venezuela relative to the boundary of the latter and the intervention of the United States; which was referred to the Committee on Foreign Relations.

Mr. VEST presented the petition of E. H. Robbins and sundry other citizens of Kansas City, Mo., praying for the passage of the so-called Stone immigration bill; which was referred to the Committee on Immigration.

Mr. WILSON presented a petition of sundry citizens of Skagit County, Wash., praying for the improvement of the Skagit River, in that State; which was referred to the Committee on Commerce.

Mr. LINDSAY presented sundry petitions of citizens of Owensboro, Ky., praying for the passage of the so-called Stone immigration bill; which were referred to the Committee on Immigration.

#### REPORTS OF COMMITTEES.

Mr. BERRY. I am directed by the Committee on Public Lands, to whom was referred the bill (S. 502) to approve a compromise and settlement between the United States and the State of Arkansas, to report it without amendment and submit a report thereon. I ask that the report, together with the agreement and the report

attached as an appendix, be printed, and that the bill be placed on the Calendar.

The VICE-PRESIDENT. The bill will be placed on the Calendar and the report printed, as suggested.

Mr. FRYE, from the Committee on Commerce, to whom was referred the bill (S. 1450) to reconvene the delegates of the United States to the International Marine Conference of 1889, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. 1423) to protect the wages of seamen, reported it with amendments.

Mr. BAKER, from the Committee on Pensions, to whom was referred the bill (S. 248) granting a pension to Martha Allen, reported it without amendment, and submitted a report thereon.

Mr. GALLINGER, from the Committee on Pensions, to whom was referred the bill (S. 549) for relief of William Martin, asked to be discharged from its further consideration and that it be referred to the Committee on Military Affairs; which was agreed to.

Mr. HALE, from the Committee on the Census, to whom was referred the joint resolution (S. R. 47) relating to the Federal census, reported it with an amendment.

Mr. CAFFERY, from the Committee on Commerce, to whom was referred the bill (S. 1230) to extend the limits of the port of entry of New Orleans, reported it without amendment, and submitted a report thereon.

Mr. MITCHELL of Oregon, from the Committee on Claims, to whom was referred the bill (S. 227) to permit the withdrawal of certain papers and the signing of certain receipts by John Finn or his attorney, reported it with amendments, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 535) for the relief of William A. Starkweather, of Oregon, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 82) for the relief of the heirs of James Bridger, deceased, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 529) for the relief of Peter Grant Stewart, of Oregon, reported it without amendment, and submitted a report thereon.

He also, from the same committee, to whom was referred the bill (S. 709) for the relief of W. L. Adams, of Oregon, reported it without amendment, and submitted a report thereon.

Mr. HANSBROUGH. I am authorized by the Committee on Agriculture and Forestry, to whom was referred the joint resolution (S. R. 43) directing the Secretary of Agriculture to carry into effect the provisions of the act making appropriations for the purchase and distribution of valuable seeds and for the printing and distribution of farmers' bulletins, to report it with an amendment.

I will state that two members of the committee, the Senator from Mississippi [Mr. GEORGE] and the Senator from Tennessee [Mr. BATE] desire to be recorded as opposed to the joint resolution.

I will state, further, that yesterday the honorable Secretary of Agriculture appeared before the Committee on Agriculture and Forestry and was heard on this measure, and that as soon as the report of the hearing can be printed and laid upon the desks of Senators I shall ask for the consideration of the joint resolution.

The VICE-PRESIDENT. The joint resolution will be placed on the Calendar.

Mr. JONES of Arkansas, from the Committee on Indian Affairs, to whom was referred the bill (S. 1046) to amend an act entitled "An act to authorize the Kansas City, Pittsburg and Gulf Railroad Company to construct and operate a railroad, telegraph and telephone line through the Indian Territory, and for other purposes," approved February 27, 1893, reported it with an amendment.

Mr. CHILTON, from the Committee on Indian Affairs, to whom was referred the bill (S. 879) to amend an act entitled "An act to grant to the Gainesville, McAlester and St. Louis Railroad Company a right of way through the Indian Territory," reported it with an amendment.

#### BILLS INTRODUCED.

Mr. BATE introduced a bill (S. 1586) for the relief of Mary Sharp College, of Winchester, Tenn.; which was read twice by its title, and referred to the Committee on Claims.

Mr. CALL introduced a bill (S. 1587) granting a pension to John D. Carpenter; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1588) to remove the charge of desertion from the military record of John D. Carpenter; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. SMITH (by request) introduced a bill (S. 1589) in relation to refunding certain sums to port wardens; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Claims.

Mr. BLANCHARD introduced a bill (S. 1590) for the relief of Edward H. Murrell; which was read twice by its title, and referred to the Committee on Claims.

Mr. WILSON introduced a bill (S. 1591) to extend the mineral-land laws of the United States to lands embraced in the north half of the Colville Indian Reservation; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. WOLCOTT introduced a bill (S. 1592) for the relief of James G. Field; which was read twice by its title, and referred to the Committee on Naval Affairs.

He also introduced a bill (S. 1593) for the relief of Meyer B. Haas; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1594) granting a pension to Maria L. Meserve; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1595) granting a pension to William H. H. Walker; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1596) for the relief of H. K. Palmer; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 1597) for the relief of William H. Tibbitts; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. CULLOM introduced a bill (S. 1598) for the relief of Richard L. Taylor, late private Company F, Fifty-first Illinois Volunteers; which was read twice by its title, and, with the accompanying paper, referred to the Committee on Military Affairs.

Mr. SEWELL introduced a bill (S. 1599) to place Francis W. Seeley on the retired list of the Army; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 1600) to amend chapter 67, volume 23, of the Statutes at Large of the United States; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. PRITCHARD introduced a bill (S. 1601) for the relief of W. R. Albright; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1602) granting an increase of pension to Mrs. Jane L. Fagg, widow of Col. John A. Fagg; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GRAY (for Mr. JONES of Arkansas) introduced a bill (S. 1603) for the relief of Henry P. Grant, of Phillips County, Ark.; which was read twice by its title, and referred to the Committee on Claims.

Mr. DANIEL introduced a bill (S. 1604) for the relief of John A. Fairfax, of the District of Columbia; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1605) for the relief of the administrator of the estate of John Kelly, deceased, late of Alleghany County, Va.; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 1606) for the relief of Mrs. C. N. Graves, widow, etc.; which was read twice by its title, and referred to the Committee on Claims.

Mr. FRYE introduced a bill (S. 1607) for the relief of the Grand Trunk Railway Company of Canada; which was read twice by its title, and referred to the Committee on Claims.

Mr. SHOUP introduced a joint resolution (S. R. 55) relative to the medal of honor authorized by the acts of July 12, 1862, and March 3, 1863; which was read twice by its title, and referred to the Committee on Military Affairs.

#### TENNESSEE STATE CLAIMS.

Mr. HARRIS submitted an amendment in the nature of a substitute intended to be proposed by him to the joint resolution (S. R. 2) providing for the adjustment of certain claims of the United States against the State of Tennessee and certain claims of the State of Tennessee against the United States; which was ordered to be printed, and referred to the Committee on Military Affairs.

#### THOMAS W. SPARROW, N. B. NOLAND, AND OTHERS.

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

*Resolved*, That the Secretary of State be, and he is hereby, directed, if in his judgment not incompatible with the public interest, to communicate to the Senate all information which has been received by him or by the Department of State in reference to the claims of Thomas W. Sparrow, N. B. Noland, and others, members of the hydrographic commission employed by the Government of Peru in 1872, against that Government for services on said commission, with the correspondence and documents bearing on the subject.

#### RIGHTS OF CITIZENS OF ARMENIAN BIRTH.

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

*Resolved*, That the Secretary of State be, and he is hereby, directed to inform the Senate, if consistent with the public interests:

First. Whether naturalized citizens of the United States of Armenian birth are allowed to visit Turkey on business or to visit their families, and whether United States passports held by them are recognized by the Turkish Government.

Secondly. Whether the families of such naturalized citizens, residing in Turkey, are permitted to leave that country and come to the United States. Also, whether naturalized citizens of the United States of Armenian birth have the same rights and protection in that country as have naturalized citizens of Great Britain, France, Germany, or Russia.

#### HEARINGS BY COMMITTEE ON COMMERCE.

Mr. FRYE. I submit a resolution which under the rule will be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution was read, and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

*Resolved*, That the Committee on Commerce be, and the same is hereby, authorized to employ a stenographer from time to time, as may be necessary, to report such hearings as may be had on bills pending before said committee, and to have the same printed for the use of the committee, and that such stenographer be paid out of the contingent fund of the Senate.

#### WAR IN CUBA.

Mr. CALL. I submit a resolution, and ask for its immediate consideration.

The resolution was read, as follows:

*Resolved*, That the Secretary of State be directed to send to the Senate the dispatches of the consuls of the United States relating to the war now carried on in Cuba.

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

Mr. FRYE. It seems to me the form of the resolution should be somewhat changed. It is a direction to the Secretary of State. I think it should be in the form of a request that the information shall be communicated if not incompatible with the public interests.

Mr. CALL. I accept the suggestion, though I do not see any reason for it. It seems to me that the Senate ought to command whatever information is in the State Department which may, in the judgment of the Senate, be deemed advisable. If it be desired to communicate the information in confidence, I have no objection to so modifying the resolution, but I think it should stand as it is unless objection is made by the Department to sending in the information.

I do not know that there is any information on the subject of importance. I have had no information from the State Department, but I have been informed by a person much interested in Cuban affairs, who has been in conference with some members of Congress, that there are such dispatches, and that they are known to some persons in Cuba, and it may be to the Spanish authorities. I know of no reason why Senators, charged with the responsibility, with the Representatives, of making war or preserving peace, of making treaties or rejecting them, should not have access to all state papers.

Mr. SHERMAN. I think it is very doubtful whether even the President ought to be called upon to disclose matters pending in respect to a country which is in a state of civil war evidently of great proportions, extending to every part of the Island of Cuba. To call for the information which is communicated by consuls and even by citizens of the United States to the executive authority might create embarrassment. It might cause even the killing of persons who gave the information on either side. They might be arrested for treason if they were on one side; on the other, they might be arrested for interfering with the progress of the rebels, as they are called.

I think we ought not to ask for the information. Certainly if it is asked for it ought to be requested from the President, with the usual condition that he should communicate it only in case it does not interfere with the public interests. I think, though, that it would be better, and that the Senator from Florida must see that in an inquiry of this kind an exposure of the communications made perhaps in confidence would not be wise. It would not be safe to the persons who sent the communications, and it might be injurious in every way.

Mr. CALL. If there be objection I will allow the resolution to lie over, though it seems to me that if any authority in this country ought to have the information upon this subject which is in the State Department, it ought to be the Senate. If it is necessary that it should be sent in confidence, it might be sent in confidence. It is my desire to have immediate action on the part of the Congress of the United States in regard to the recognition of the Cuban Republic and according to it belligerent rights, and I shall ask at an early day for a vote of the Senate, if the Committee on Foreign Relations does not think fit to report the resolution, discharging the committee, and asking that the sense of the Senate be taken upon the question whether the people of Cuba shall have recognition in their resistance to the tyranny that is now imposed upon them.

Mr. PLATT. Mr. President, I should like to be heard for a single moment upon the question after the remarks made by the Senator from Florida. I have heard a great deal during this session from the Senator to the effect that it was the duty of Congress to take some action with reference to the recognition of the insurgents in Cuba as belligerents, but I had supposed that that was a matter, primarily at least, for the executive branch of the Govern-

ment, and not for Congress. I think in the whole history of the country there has never been an instance in which Congress has passed any resolution whatever upon the subject of declaring neutrality as between contending parties in other countries, but that in every instance where it has been done in the United States it has been done by the proclamation of the President.

I do not know that the President is open to any censure for not having already communicated to Congress the facts with reference to the conflict going on in Cuba. I should suppose, however, that if Congress took any action upon the subject and expressed an opinion upon it, it would be in the nature of a criticism upon the President for having failed to do his duty in this respect. Certainly the whole subject lies primarily with the President.

Recognition of the insurgents as belligerents is not a matter which is due to them, but it is a question which pertains solely to the interests of the United States. If a proclamation of neutrality were issued—which is the only way in which belligerent rights are recognized—for the purpose of moral support or for the purpose of expressing sympathy with the people struggling to throw off a monarchical form of government alone, it would be considered, and justly considered under international law, as an unfriendly act to the parent Government.

I think we had better go a little slowly about this business, Mr. President. We in this country sympathize naturally with every people that is seeking to establish a republican form of government, but I think that we ought not to rush hastily into a matter of according belligerent rights to such a people. We ought to observe the rules which have been laid down by international comity with reference to such matters.

I should be very sorry to see any resolution passed here which in any way would indicate that the President of the United States and the State Department were not doing all that that branch of the Government ought to do with reference to the conflict now pending in a neighboring foreign country.

Mr. CALL. Mr. President, I do not desire to say more than a word. The proposition of the Senator from Connecticut is a subject which will properly come up for consideration before the Senate when the resolution shall be acted upon, and I will not therefore discuss it, though I differ entirely in opinion with him. But for the purpose of avoiding any further debate on this subject, I will consent that the resolution may lie on the table for future action.

The VICE-PRESIDENT. The resolution will lie on the table for the present.

#### THE MONROE DOCTRINE.

Mr. SEWELL. I submit a resolution and ask that it be read for information, printed, and lie on the table. I give notice that I shall at an early day submit a few remarks upon the resolution.

The resolution was read, and ordered to be printed and lie on the table, as follows:

*Resolved*, That the Monroe doctrine, as originally propounded, was directed to the special prevention of the threatened action of the allied powers in reference to the revolted colonies of Spain and the occupation, by way of colonization, of any supposed derelict territory on this hemisphere.

2. That the question of resisting any acquisition of territory by conquest was limited, as stated by Mr. Webster, to cases in which, by reason of proximity, such acquisition would be dangerous to our safety and the integrity of our institutions.

3. That the true ground upon which the Monroe announcement was based and upon which any similar position has been taken rests for its justification upon what may be our interests, and our interests only; and that neither by the Monroe doctrine, nor any other official declaration, have we ever come under any pledge to any power or State on this continent that binds us to act merely for their protection against invasion or encroachment by any other power.

4. That when a case arises in which a European power proposes to acquire territory by invasion or conquest, it is then for us to determine whether our safety and the integrity of our institutions demand that we shall resist such action by armed force if necessary.

5. That the Executive has pressed the Monroe doctrine beyond what was contemplated at the time of its announcement, and that the resultant sequence of the positions thus taken seems to be a committal of this Government to a protectorate over Mexico and the Central and South American States; that this would be most unwise and dangerous, and would violate the sound and well-established policy that we should avoid all entangling alliances with foreign powers, whether they be European or American.

6. That this action was premature, looking to the history of the controversy, and inopportune in view of the business and financial condition of the country.

7. That neither Congress nor the country can be, or has been committed by the action or position of the executive department, in reference to the Venezuelan boundary controversy, as to the course to be pursued when the time shall have arrived for a final determination. It will then be our province and our duty to adopt such a line of policy and to take such action as may be then demanded by our sense of duty to the country and by a due regard for its honor and dignity, the welfare and safety of our people, and the integrity of our institutions.

#### HOUSE BILL REFERRED.

The bill (H. R. 3018) to amend the act approved March 3, 1891, granting the right of way upon the public lands for reservoir and canal purposes, was read twice by its title, and referred to the Committee on Public Lands.

#### DISTRICT OF COLUMBIA AFFAIRS.

Mr. CALL. Mr. President, there are lying upon the table several resolutions heretofore offered by me, which, by unanimous consent, were allowed to retain their places, one of them asking for certain information from the District Commissioners desired

by the labor organizations of the District. The Senator from Tennessee [Mr. HARRIS] some time ago asked to have the resolution lie over until the succeeding day. I suppose he has no objection to its passage at this time.

Mr. HARRIS. The only objection I can urge against the resolution, as it simply asks for information, is that if passed it will involve an immense amount of clerical labor that I hardly think ought to be devoted to the collection and presentation of the information sought. I shall, however, interpose no objection to the resolution.

Mr. CALL. I will only say that the information is desired by labor organizations, as I am informed, and I have presented the resolution at their request. Certainly they ought to be informed as to the taxes and expenditures proposed to be made for public improvements in the District. I ask for the immediate consideration of the resolution.

Mr. COCKRELL. Let the resolution be read.

The VICE-PRESIDENT. The resolution will be read.

The Secretary read the resolution submitted by Mr. CALL December 24, 1895, as follows:

*Resolved*, That the Commissioners of the District of Columbia be, and are hereby, directed to furnish, as soon as practicable, for the information of the Senate, a statement showing—

First. The names of all streets, avenues, alleys, and reservations in the limits of the cities of Washington and Georgetown which are partially or wholly unpaved, and the total length thereof so unpaved; also the length thereof unsewered; also the length thereof without water mains, together with the estimated cost of fully improving the same.

Second. An estimate of the full amount required to carry out the provisions of the act of March 2, 1893, to provide a permanent system of highways in the District of Columbia outside of the cities of Washington and Georgetown; the total number of feet of land in streets, avenues, and reservations required to be condemned in each subdivision or piece of land and the value of the same; the number and estimated value of buildings required to be condemned to carry out the provisions of said act in such districts as are prepared by the Commissioners of the District of Columbia; the total number of feet of land in streets, avenues, etc., in each subdivision or piece of land that will be abandoned, and the amount and nature of improvements of such streets, avenues, etc., the amount of said improvements at public and private expense. Also an estimate of the cost of fully improving said streets, avenues, and reservations by grading, paving, sewerage, and laying water mains, building bridges, culverts, etc., in such streets, avenues, and reservations as are to be condemned by the provisions of said highway act; an estimate of the value of property held by the United States, and the assessed value of private property held in the county, outside of Washington and Georgetown.

Third. A statement showing the amount of taxes collected in the cities of Washington and Georgetown and the county, respectively, by years, from 1878 to 1894, both inclusive, and in like manner the amount expended in each of said sections by the District of Columbia for the same period.

Fourth. The amount of the revenues of the District of Columbia applied by the Treasurer of the United States to liquidate any undue debt of the District of Columbia to the United States or other parties from 1878 to 1895 and from what fund taken and to what debt applied, and if any of such revenue has been refunded and the amount and time of such refunding; an estimate of the amount of the revenues of the District of Columbia that will remain above the appropriation asked for at the end of the years 1895 and 1896.

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

The resolution was agreed to.

#### TELEGRAPHIC CABLES IN THE PACIFIC OCEAN.

Mr. HALE. Mr. President, I ask that Senate bill No. 1316, which I introduced a few days ago, may be taken from the table and laid before the Senate, as I desire to submit, not at great length, some remarks upon it.

The VICE-PRESIDENT. The Chair lays before the Senate the bill referred to by the Senator from Maine, the title of which will be stated.

The SECRETARY. A bill (S. 1316) to facilitate the construction and maintenance of telegraphic cables in the Pacific Ocean for the use of the Government in its foreign intercourse.

Mr. HALE. The bill has not been read. I ask that it be read.

Mr. COCKRELL. Does the Senator desire to discuss the bill?

Mr. HALE. I desire to submit some remarks after the reading of the bill.

The VICE-PRESIDENT. The bill will be read, in the absence of objection.

The Secretary read the bill:

Mr. HALE. Mr. President, the bill which is now before the Senate involves not only a question of sentiment touching our relations with a foreign people, but embodies a plain business enterprise which, if undertaken by the United States, increases our communication with the Hawaiian Islands, bringing them and their affairs, by the electric current, close to our doors, and enabling us to act as our constituted authorities may deem wise, on the happening of any significant event in what were formerly known as the Sandwich Islands.

Its consideration raises none of the domestic controversies in Hawaii during the past three years, which so occupied the attention of Congress and of the American people, but looks straight ahead to the accomplishment of a purpose which is much more in the domain of the real and the practical than the sentimental.

The subject of our relations with the Hawaiian people, under whatever form of government they have lived, for the last forty years has never been long absent from the interest and consideration of the people of the United States. Bright, keen, strong, and

accomplished men have gone out from us and made their homes in these islands, and have there lived and prospered and come to be leading figures in the land where they have fixed their new homes. They have acquired land, built up estates, intermarried and reared families, and have, at times, held the highest offices under the Government.

It is safe to say that during these forty years the leading sentiment in the Hawaiian Islands has looked to the United States for interest and friendship, rather than to any other country, and that this, and no other, has been regarded by this people as the mother country. Trade between us and them has largely increased, and the current business between the two countries has been mutually profitable to each.

I give the following comparative statement of the number of American vessels and the amount of tonnage arriving at the principal seaports of the world for the year ended June 30, 1894, compiled from statistics in the Bureau of Navigation:

Port.	Number of vessels.	Tonnage arriving.
Antwerp	19	45,024
Bombay	No report	
Bremen	No report	
Calcutta	None	
Hamburg	2	4,350
Havre	10	16,453
Hongkong	79	137,473
Honolulu	165	146,993
Liverpool	43	* 92,932
Manila	10	13,591
Rio Janeiro	64	46,310
Southampton	29	* 177,573
Sydney, New South Wales	29	33,568
Valparaiso	10	9,204
Yokohama (Kanagawa)	65	* 165,074

\*The amount of tonnage is augmented at these three ports by regular lines of American steamers. At Liverpool by the *Ohio* and *Indiana*, running regularly between that port and Philadelphia; at Southampton by the steamships *New York* and *Paris*; at Yokohama by four large steamships of the Pacific Mail Steamship Line. (See pages 57, 58, Report of Commissioner of Navigation, 1894.)

Statement of the nationality, number, and aggregate tonnage of vessels arriving at the ports of the Hawaiian Islands for the year ended December 31, 1893. (From the Annual Report of the Hawaiian Collector of General Customs.)

Nationality.	Number of vessels.	Aggregate tonnage.
American	238	181,817
Hawaiian	* 23	15,759
British	58	+ 111,655
German	5	5,062
Japanese	4	7,167
Other nationalities	2	2,245

\* Owned almost entirely by Americans.  
 † The greater part of this tonnage represents calling steamships of trans-pacific lines; those of the Canadian Pacific Company, running between Vancouver and Yokohama; the Occidental and Oriental, between San Francisco and the same port, and a chartered British steamer in the Oceanic Line, from San Francisco to Sydney, New South Wales.

These islands are set, like precious gems, in the middle of the sea, and have been looked upon with greedy eyes by other nations than ours who have, from time to time, sought to establish an influence with the people or the Government of the Hawaiians, which efforts, if successful, would involve nothing but detriment to us.

I propose to give, at no great length, some of the events which touch our relations with the Hawaiian Islands and which bring their history down to the present moment as affecting the objects of the bill before the Senate.

In the last forty years, Mr. President, wherever intercourse and business relations have been maintained between one country and another, the laying of submarine cables as a means of facilitating such business and intercourse has been constantly going on upon the beds of rivers, lakes, bays, gulfs, and oceans in every continent. So marked and beneficent have been the results of these submarine cables that, aside from what has been done by private and corporate enterprise, many of the nations of the world have undertaken the laying of these cable lines, either by assuming governmentally the whole cost and maintenance and ownership of the lines, or by liberal subsidies to companies which but for such aid could not afford the cost of these enterprises.

I have here a list showing the number of cables and the governments by which they are owned or subsidized, and it may be a surprise to Senators, as it was to me, to find how many of these lines, both long and short, have been fostered and aided or absolutely owned by the different nations of the world.

I give here first a list of ocean cables owned and operated by different governments:

Ocean cables owned and operated by governments.

Country.	Number of cables.	Country.	Number of cables.
Austria	31	Great Britain (international)	9
Belgium	2	England and France (jointly)	6
Spain	2	England and Belgium (jointly)	2
Italy	34	British India	93
Germany (internal)	43	Canada	22
Germany (international)	3	Queensland	13
Greece	46	South Australia	5
France	50	New Zealand	3
Denmark	40	Tasmania	1
Norway	255	Victoria	1
Holland	18	Turkey	10
Russia	7	Japan	19
Sweden	7	Netherland Indies	4
Senegal	1		
Cochin China and Tonquin	2		
Brazil	15		
Argentina	1		
Great Britain and Ireland (internal)	102	Total number	754

The number of cables maintained partly by government assistance and which would be impracticable without such assistance is much greater.

I give next a list of subsidies granted by the British Government alone for submarine telegraph cables. They embrace subsidies aggregating £90,100 per annum, about \$450,000 in our money, and cover lines to an extent in all nearly 10,000 miles:

Particulars of subsidy granted by the British Government for submarine telegraph cables.

Date.	To whom granted.	Amount of subsidy per annum.	Term.	For what cable.	Length (nautical miles).
1879	Eastern Telegraph Co. and Telegraph Construction Co.	£17,500	Years. 20	Natal-Zanzibar	1,943
1886	do	17,500	20	Zanzibar-Aden	1,908
	Eastern Telegraph Co. and Brazilian Submarine Telegraph Co.	19,000	20	St. Vincent and West African ports to the Niger.	2,740
1889	International Cable Co.	8,100	20	Halifax-Bermuda	850
1893	Eastern and South African Telegraph Co.	14,000	20	Zanzibar-Seychelles.	1,119
	do	14,000	20	Seychelles-Mauritius.	1,064

The subsidies granted to the Eastern Extension Australia and China Telegraph Company, Limited, amount to nearly \$300,000 per annum, as shown by the following table:

Particulars of subsidy arrangements made with Eastern Extension Australia and China Telegraph Company, Limited.

Government granting subsidy.	Amount of subsidy per annum.	Term.	For what purpose.	Length of cable in question.
Victoria, New South Wales, South Australia, Western Australia, Tasmania.	£32,400	Years. 20	For duplicating cables between Penang and Australia.	Knots. 2,500
New Zealand, New South Wales.	7,500	10	For laying and working cable between New South Wales and New Zealand.	1,223
Tasmania	4,200	40	For connecting Victoria with Tasmania by submarine cable.	123
France	10,600	20	For laying and maintaining submarine cable connecting Cape St. James (Cochin China) with Haiphong (Tonquin).	774
Spain	48,000	10	For laying and working cable from Hongkong to Cape Boliano (Island of Luzon).	555
Portugal	500	10	For connecting Hongkong with Macao.	41

Mr. FRYE. Can my colleague state what that would average a mile?

Mr. HALE. I have not made the figures that my colleague asks for, but Great Britain gives the Eastern Telegraphic Company, which has a cable of 1,943 nautical miles, a subsidy of \$85,000 annually; she gives to the Northern Construction Telegraph Company another subsidy of 17,500 pounds sterling, or \$85,000, for twenty years for another line of 1,908 miles.

Mr. FRYE. Will my colleague give me the figures for the 10,000 miles?

Mr. HALE. About \$450,000.

Mr. FRYE. That would make an average of about \$45 per mile.

Mr. HALE. Yes; \$45 per mile annually.

Mr. FRYE. I suppose, of course, the calculations are based on nautical miles in all cases.

Mr. HALE. They are all reckoned in nautical miles.

Besides this, Great Britain and her colonies give to a single company, the Eastern Extension Australia and China Telegraph Company, Limited, the amount of nearly \$300,000 per annum, lines that aggregate nearly 5,000 miles, to a single company for this method of communication with her colonies. This includes subsidies by outlying provinces of Great Britain, and also two or three lesser items to the same company by France, Spain, and Portugal.

Mr. FRYE. Does my colleague know whether under these subsidies Great Britain has the privilege of sending her messages free?

Mr. HALE. There is an arrangement, but what the terms of it are I do not know. My recollection of my reading upon the subject is that they vary with different companies. The present arrangement provides that the Government messages may be sent free over this line.

With one exception, these lines have been laid in the great waters of the globe, between all its continents. That exception is the great space of ocean water lying between the two hemispheres, and forming that immense, mighty, and majestic sea known as the Northern Pacific Ocean.

The maps and charts, which I have here, and which any Senator may unroll for himself, show where these lines have been laid, and they illustrate, most graphically, their absence from the great ocean lying between the Americas and the great continent of Asia. Therefore, it has happened, Mr. President, that the countries whose shores this great ocean washes have cast their eyes over these waters and have sought a favorable line where a submarine cable could be laid between the continents of North America, Asia, and Australasia, the great requisite for such a line being some midway stopping place where the circuit could be broken, and where the danger of so long an unbroken stretch would be so great as to render the enterprise of laying the interoceanic cable impossible.

The Hawaiian Islands, over and above all other spots in the great Pacific Ocean, furnish this resting place, this division of the great breadth of waters. Whether such a line should be built from some port of the United States or of our southern sister Republic, Mexico, or the vast domain lying at our north, which forms that great English colony, the Dominion of Canada, has been the question, and it is interesting to watch and note what has been done or attempted to be done, by the United States and by Great Britain, to this end.

In the closing session of the Fifty-first Congress the following provision was embodied in the naval appropriation bill, which I had the honor of conducting through the Senate, and which became a law March 2, 1891:

To enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of the laying of a telegraphic cable between those points, \$25,000, or so much thereof as may be necessary, and the President is hereby authorized to direct the use of any vessel or vessels belonging to the United States in making such survey.

Under this authority the Navy Department proceeded to prosecute the survey, under the direction of accomplished officers of the Navy, with ships and crews and appliances furnished by the Government.

The result of this movement, which laid the foundation for any subsequent action on the part of our Government, is found in the documents which I now present to the Senate, making them a part of my remarks. They consist of the report of Lieut. Commander Richardson Clover, Hydrographer of the United States Navy, giving the general results of the survey, and made to Commodore Ramsay, Chief of the Bureau of Navigation, in the Navy Department. This report is transmitted by Commodore Ramsay to Hon. B. F. Tracy, Secretary of the Navy, and by him sent to the President, and by President Harrison sent to Congress in his message which came to the Senate on the 27th day of July, 1892, and was then referred to the Committee on Foreign Relations. Executive Document No. 153, Fifty-second Congress, first session, contains these messages of transmittal and the detailed report of the course and the result of the survey, which will be interesting to any Senator who desires to follow these events.

Message from the President of the United States, transmitting a report of the results of the survey for the purpose of determining the practicability of laying a telegraphic cable between the United States and the Hawaiian Islands.

July 27, 1892.—Read, referred to the Committee on Foreign Relations, and ordered to be printed.

To the Senate and House of Representatives:

I transmit herewith, with its accompaniments, a report from the Secretary of the Navy of the results of the survey made pursuant to the act of March 2, 1891, "to enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of the laying of a telegraphic cable between those points."

BENJ. HARRISON.

WASHINGTON, D. C., July 27, 1892.

NAVY DEPARTMENT, Washington, July 25, 1892.

SIR: Under the act of March 2, 1891, providing for a deep-sea survey to determine the practicability of laying a telegraph cable between California and the Hawaiian Islands, the steamer *Albatross* began to take deep-sea soundings in October, 1891, and by January, 1892, two lines had been run between Monterey Bay, California, and Honolulu, Hawaiian Islands. The *Albatross*, being required for special investigations in Bering Sea, was detached from the work in February, and the steamer *Thetis* was detailed to run a third line between Point Concepcion, California, and Hilo Bay, Hawaii, which was completed in May.

The result of the survey shows that a practicable route can be easily selected. The report, prepared by the Hydrographic Office of the Bureau of Navigation, is herewith transmitted.

Respectfully submitted.

B. F. TRACY,  
Secretary of the Navy.

The PRESIDENT.

BUREAU OF NAVIGATION, NAVY DEPARTMENT,  
Washington, July 25, 1892.

SIR: I have the honor to transmit the report of the Hydrographer to the Bureau of Navigation concerning the survey of a lane along the bottom of the Pacific Ocean between California and the Hawaiian Islands, for the purpose of determining a practicable route for a submarine telegraph cable between those places.

Very respectfully,

Hon. B. F. TRACY,  
Secretary of the Navy.

F. M. RAMSAY, Chief of Bureau.

HYDROGRAPHIC OFFICE, UNITED STATES NAVY,  
BUREAU OF NAVIGATION, NAVY DEPARTMENT,  
Washington, D. C., July 25, 1892.

SIR: I have the honor to submit a report of the results of the investigations undertaken in connection with the survey made pursuant to the act of March 2, 1891, "to enable the President to cause careful soundings to be made between San Francisco, Cal., and Honolulu, in the Kingdom of the Hawaiian Islands, for the purpose of determining the practicability of the laying of a telegraphic cable between those points."

The survey was prosecuted with all the care and accuracy that the means for modern deep-sea research afford, and it is believed that the accompanying maps and observations present a good knowledge of the route and establish the fact that the laying of a cable on almost any line between California and the Hawaiian Islands is practicable. A lane about 300 miles wide was developed between California and Hawaii, and the results, as shown in the report seem to indicate the most favorable route to be a rhumb line between Monterey Bay, California, and Honolulu.

Very respectfully,

RICHARDSON CLOVER,  
Lieutenant-Commander, United States Navy, Hydrographer  
Commodore F. M. RAMSAY, U. S. N.,  
Chief of Bureau of Navigation, Navy Department.

In the Fifty-second Congress, as the RECORD will show, a provision was incorporated by the Senate on the diplomatic and consular appropriation bill for a subsidy of \$250,000 a year for, as my memory recalls, fifteen years' time to enable a private company to construct, lay, and maintain a submarine cable from this country to Honolulu. When that proposition reached the other House it was opposed and defeated there somewhat upon the ground that as the Hawaiian Government had taken no interest in the matter our own Government, if it embarked in the enterprise, would better do the work and pay the bills and own the line than to connect itself by subsidy with a private corporation having no recognition by the Hawaiian Government.

This ended the matter for the time, and the project slept till the stirring events of the last three years forced the subject again upon the attention of Congress and demonstrated the almost absolute necessity of our having quick communication with the Hawaiian Islands if this Government expected to maintain its influence with that people.

I might be led aside, Mr. President, from the strict line of my discussion to refer to the events which led to the subversion of the Hawaiian monarchy and establishment of a republican government, which exists there to-day, but upon this I invoke the memory of Senators who were interested in these events and took part in the rather acrimonious discussion that followed in this body to establish the proposition that had a submarine cable been operating at the time, so that immediate action not only by the President, but by Congress, could have been taken, many of the untoward events of those days would have been averted, and the interest and solicitude upon this side of the water and the agonizing suspense of the people of the Hawaiian Islands might have all been saved.

Growing out of these exciting events came the next proposition

for action on the part of our Government, when, upon the diplomatic and consular appropriation bill, which was before the Senate on February 6, 1895, the following amendment, which I had offered in the Committee on Appropriations, and which had been by that committee adopted and made a part of the bill, came before the Senate. Its language was as follows:

The President is hereby authorized to contract for the entire work of laying a telegraph cable between the United States and the Hawaiian Islands, and to direct the prosecution of such work whenever such a contract shall be made, and as a part of the cost of such cable the sum of \$500,000 is hereby appropriated.

A somewhat lengthy discussion of this provision, its purpose, scope, and necessity, followed, and the amendment was further amended, at the suggestion of the Senator from Nebraska, Mr. ALLEN, by adding the words:

Said cable to be owned and operated by the United States Government.

Many Senators took part in the discussion, and in its course the following communications were read to the Senate:

DEPARTMENT OF STATE, Washington, January 29, 1891.

SIR: I have the honor to acknowledge the receipt of your letter of the 28th instant, inclosing a copy of House bill No. 13372, present session, "to incorporate the Pacific Cable Company, and for other purposes." You accordingly ask for any views which I may have to offer upon the subject.

This Department feels a deep interest in the prosecution and completion of a submarine cable between the United States and the East, via Hawaii, as shown by the bill under consideration. Recently this subject was presented to this Department by the chairman of the Committee on Foreign Relations of the Senate, and I take pleasure in inclosing, for information, a copy of my reply, dated the 22d instant, in the hope that it will suffice for your present needs.

I have the honor to be, sir, your obedient servant,

JAMES G. BLAINE.

Hon. MARK H. DUNNELL,

Chairman of the Subcommittee on Foreign Affairs,  
House of Representatives.

DEPARTMENT OF STATE, Washington, January 22, 1891.

SIR: A letter from you, on behalf of the Committee on Foreign Relations, under date of December 3, 1890, requested the views of this Department on the subject-matter of the following resolution, adopted by the Senate on the 2d ultimo:

"Resolved, That the Committee on Foreign Relations be, and it is hereby, instructed to inquire into the advisability of the passage of a law authorizing a survey for a transpacific submarine cable route from some suitable point on the Pacific Coast to the Hawaiian Islands, thence via Samoa and New Zealand to Australia, and of legislation encouraging the formation of a company for such purpose, and to report by bill or otherwise."

The general subject-matter of the resolution has for some time been under attentive consideration in this Department, and efforts have been made to obtain trustworthy indications of the disposition of the Hawaiian Government and of other powers interested in the problem of transpacific communication, to promote the cable connection of the East and Australia with the western coast of the United States via Honolulu and the Samoan Islands. It is only very recently that the plan favored by the Hawaiian Government has been authoritatively laid before me.

I have no doubt of the great importance to the United States of possessing cable communication with Hawaii. Besides subserving the close interests which we maintain with those islands, and tending to exert a positive and potential influence on the political autonomy of the Hawaiian group, such a cable would be a necessary factor in a great scheme of direct communication with China and Japan, and with Australasia by way of the Samoan Islands.

There has already been made to this Government a proposition on the part of Germany and Great Britain to consider the feasibility of a concurrent action and aid toward laying a telegraphic cable to Samoa via Honolulu. It is quite certain that the Japanese Government would, in its turn, welcome a direct line to the United States, and would in all probability contribute, by proportionate guaranty or otherwise, toward its realization. The interest of Japan in the subject has been evinced by recent inquiries. A late dispatch from the United States minister at Peking indicates that a transpacific cable company would receive material encouragement from Chinese quarters.

A comprehensive Pacific system of telegraphy would not only of necessity make Honolulu a radial point, but would supply the single line between the United States and Hawaii with a large volume of business.

The terms of the Hawaiian concession are contained in the annexed letter, addressed to me a few days ago by the concessionary, Mr. Alfred S. Hartwell. It is to be observed that the calculations of working cost and revenue therein presented rest on the operation of the proposed Americo-Hawaiian cable alone, without regard to the increased returns which would doubtless flow from an extension of communication westward. As the system expands working expenses may be expected to diminish in proportion to receipts. A single repair ship, for instance, stationed at Honolulu, would probably suffice for the efficient maintenance of all the cables centering there.

In the course of events telegraphic communication throughout the Pacific Ocean and with the shores of America, Asia, and Australasia is indispensable and certain to come. The section joining Hawaii to the American continent, besides being the shortest and least costly link in the general chain, is by far the most important from political points of view; and I deem it of the highest consequence to the United States that it be promptly constructed by American effort, and with the sanction of our Government.

I have the honor to be, sir, your obedient servant,

JAMES G. BLAINE.

Hon. JOHN SHERMAN,

Chairman of the Committee on Foreign Relations,  
United States Senate.

The upshot of it all was that, on the 9th day of February, 1895, the Senate adopted the amendment providing for the laying and maintaining of the cable by the Government, and the whole matter went into conference with the House of Representatives.

Not to take up more time of the Senate, I may say that the whole project failed, owing to the hostility of the other legislative branch of the Government to the project, and, so far as we are concerned, there it has remained till to-day.

In the meantime Great Britain has not been idle, and the history of her efforts to secure a landing place for a British cable,

which should traverse the bed of the Pacific Ocean, from some point in her Canadian possessions, probably Vancouver, to a resting point in the middle of the sea, from which two branches would diverge, one to some point in Australasia and the other to the Chinese or Japanese coast, is most interesting.

Colonial conferences of all British dependencies were held, in 1887 in London, in 1888 in Sydney, in 1893 in Auckland, in 1894 in Ottawa, and all urged the Imperial Government to conduct the survey of a route between Canada and Australia for the purpose of laying and maintaining a submarine cable between Canada and Australia. In order to accomplish this such a cable must find a resting place and land on one of the Hawaiian Islands or on Fanning Island; but the British project found a lion in the path in the provisions of the existing treaty between the United States and Hawaii, under which such landing of a foreign company for the purpose of laying its cable could only be permitted by the consent of the United States to a modification of the treaty to that end.

In October, 1894, a commission, consisting of the new British consul, Captain Hawes, Mr. Sanford Fleming, of Ottawa, and Mr. W. Hepworth Mercer, of the British colonial office, London, visited the Hawaiian Islands and sought to obtain permission to acquire property, by lease or purchase, as a landing place and intermediate station for the British Pacific cable.

The Hawaiian Government, acting under the provisions of the treaty, and evidently with no sympathy for the movement or for the lodgment of any European or Canadian cable upon their territory, invoked the provisions of the treaty with the United States, which I have before recited, and, in a communication addressed to our Government, asked that Congress might consider the question of permitting the British company to acquire an interoceanic station upon one of the Hawaiian Islands.

This British commission had gone to Honolulu and, in communication with the Hawaiian Government there, was very pertinacious in seeking for permission to land their cable on one of the lesser islands of the Hawaiian group, and went so far as to claim that under the treaty with us a lease to an individual was not prohibited, and that such instrument might be made to Mr. Mercer for the benefit of such company as he might form.

To this proposition the Hawaiian Government refused to listen, declaring that the concessions asked for are counter to the spirit of the reciprocity treaty, and nothing more could be done under it. The most that the Hawaiian Government undertook to do was to refer the subject to the United States. They did not request the United States to agree to the British arrangement. They reported the fact of such negotiation and asked for an expression of our policy on the subject.

This proposition was submitted by President Cleveland in his message of January 9, 1895, which I read to the Senate, recommending its assent to the proposition of the British company.

To the Senate and House of Representatives:

I submit herewith certain dispatches from our minister at Hawaii and the documents which accompanied the same.

They disclose the fact that the Hawaiian Government desires to lease to Great Britain one of the uninhabited islands belonging to Hawaii as a station for a submarine telegraph cable to be laid from Canada to Australia, with a connection between the island leased and Honolulu.

Both the Hawaiian Government and the representatives of Great Britain in this negotiation concede that the proposed lease can not be effected without the consent of the United States, for the reason that in our reciprocity treaty with the King of Hawaii he agreed that as long as said treaty remained in force he would not "lease or otherwise dispose of or create any lien upon any port, harbor, or other territory in his dominion, or grant any special privilege or right of use therein to any other power, state, or government."

At the request of the Hawaiian Government this subject is laid before the Congress for its determination upon the question of so modifying the treaty agreement above recited as to permit the proposed lease.

It will be seen that the correspondence which is submitted between the Hawaiian and British negotiators negatives the existence on the part of Hawaii of any suspicion of British unfriendliness or the fear of British aggression.

The attention of the Congress is directed to the following statement contained in a communication addressed to the Hawaiian Government by the representatives of Great Britain:

"We propose to inform the British Government of your inquiry, whether they would accept the sovereignty of Necker Island or some other uninhabited island on condition that no subsidy is required from you. As we explained, we have not felt at liberty to entertain that question ourselves, as we were definitely instructed not to ask for the sovereignty of any island, but only for a lease simply for the purpose of the cable."

Some of the dispatches from our minister, which are submitted, not only refer to the project for leasing an uninhabited island belonging to Hawaii, but contain interesting information concerning recent occurrences in that country, and its political and social condition. This information is valuable because it is based upon the observation and knowledge necessarily within the scope of the diplomatic duties which are intrusted solely to the charge of this intelligent diplomatic officer representing the United States Government at Hawaii.

I hope the Congress will see fit to grant the request of the Hawaiian Government, and that our consent to the proposed lease will be promptly accorded. It seems to me we ought not, by a refusal of this request, to stand in the way of the advantages to be gained by isolated Hawaii through telegraphic communication with the rest of the world, especially in view of the fact that our own communication with that country would thereby be greatly improved without apparent detriment to any legitimate American interest.

GROVER CLEVELAND.

EXECUTIVE MANSION, January 9, 1895.

This recommendation was not received with favor by the Senate, which had more than once committed itself to the proposition that this Government should aid a United States cable, either by building it or by subsidy, and nothing came of it.

The artful project of the British commission had most ignobly failed, and with it, for the present, their hope of securing a concession in the Hawaiian Islands for the benefit of a British cable company.

That great interest had been felt in this commission and great hopes entertained in its action is shown in the reports of the proceedings of the colonial conference at Ottawa in June and July, 1894. I have succeeded in obtaining a copy of these proceedings, and any Senator who hesitates as to the duty of prompt action on our part on this subject will be enlightened as to the objects and hopes of Great Britain upon this matter.

At one of the sessions of the conference Sir Henry Wrixon, a delegate from Victoria, said, speaking of the danger that if England did not take up the cable project, those interested in laying it might secure French assistance:

The hope we cherish is that we will get France out of New Caledonia, and we are all in favor of England having supreme control of the Pacific. We regard that as essential to our rights and to our existence as a nation. We in Australia dearly cherish the idea that England should control absolutely in the Pacific. That is my argument. The imperial view or national view we regard as important. We want to prevent any other nation from becoming dominant in the Pacific.

The conference, at the time, appears to have been somewhat in fear of interference by the French Government. But its whole proposition was covered by the repeated expressions of the desire that Great Britain should become the mistress of the Pacific Ocean and of the trade on its great waters, and that a submarine cable was the first essential to this control.

Some of the advantages to Great Britain, both from a commercial and military standpoint, were set forth in the conference, as will be found upon pages 301 and 302 of the report by Mr. Fleming, who submitted to the conference certain propositions which had been made touching the importance of the subject to the Imperial Government by General Herbert, then in the service of the Canadian Government.

His first proposition is as follows:

Such a cable would double the existing means of telegraphic intelligence between Great Britain and Australia, and ultimately between Great Britain, the Cape, and India.

Another proposition was as follows:

Canada would be provided with an alternative line of intelligence with Great Britain in the improbable, yet possible, event of the general interruption of the transatlantic lines landed in Canada at a time when those landed in the United States might not be available.

This of course refers to the possibility of a conflict between the United States and Great Britain.

Another proposition was as follows:

A direct line of telegraphic intelligence would be established between the northernmost station of the British Pacific squadron and the stations of the Australian squadron—an incalculable advantage in facilitating the cooperation of these naval forces with one another.

And General Herbert is quoted as winding up his suggestions with the following words:

In military as in commercial affairs the importance of a rapid and secure interchange of intelligence between distant points can not be overestimated. The proposed transpacific cable will doubtless find many advocates upon purely commercial grounds, but I will venture to report that viewed solely as a military line of intelligence its value is so great that it should secure the unhesitating support of all the governments whose interests and very existence demand the fullest development of an organized system of imperial defense.

Mr. CHANDLER. I should like to have the Senator from Maine state a little more clearly what the conference was and who attended it.

Mr. HALE. The report is made by Mackenzie Bowell, then minister of trade and commerce, and at present premier to his excellency the Right Honorable Mr. John Campbell Hamilton-Gordon, Earl of Aberdeen, Governor-General of Canada, etc. He says:

The undersigned has the honor to present to your excellency the report of the proceedings of the colonial conference held in Ottawa from 28th June to 9th July, 1894.

The make-up of the conference consisted of delegates from the Government of Her Majesty, the Earl of Jersey; the Dominion of Canada, represented by Hon. Mackenzie Bowell and other members of the ministry; New South Wales, the Hon. F. B. Suttor, minister of public instruction; Tasmania, by the Hon. Nicholas Fitzgerald; Cape of Good Hope, the Government of South Australia, the Government of New Zealand, the Government of Victoria, the Government of Queensland.

Nothing, Mr. President, could show more clearly the spirit that animates our great commercial rival in dealing with just such questions as the one now before the Senate. All through General Herbert's suggestions or reflections runs the one dominating purpose which controls English administrations in dealing with the

whole world, outside of the British Islands, which is to push out and push forward, to gain territory, to gain the control of great seas and waterways, and all to build up the imperial power and imperial authority. It is time that something of this spirit should be interfused with the policy of the United States.

In the meantime an interesting incident had occurred in the Hawaiian Islands, showing the watchfulness of Great Britain and its determination in some way to gain a foothold in some part of the Hawaiian group. At the Ottawa conference, in the early part of the year 1894, the same Mr. Fleming whom I have before quoted took occasion to say that—

Another island, considerably nearer Vancouver than Fanning Island, was available for a mid-ocean station. On the 23d September I prepared a memorandum which was sent from Honolulu by Mr. Bowell, informing the Canadian Government that this island was unoccupied and unclaimed. I refer to Necker Island. When I reached Australia the same statement was repeated by me in a memorandum dated October 11, which was submitted to the various Australian Governments. And again in January last I had, with the agents-general and the high commissioner for Canada, an opportunity of seeing Lord Ripon, and I placed in his hands a third document, dated January 6, in which I pointed out that this island, 800 miles nearer than Fanning Island, was still unoccupied and unclaimed by any maritime power. That island, however, is not now available. On the 27th May last formal possession was taken of it by the Hawaiian authorities, so that if we want Necker Island we must now apply to those who have so recently laid claim to it.

It will be interesting to Senators to hear the story of the British attempt to get possession of Necker Island and how that attempt was checkmated by the action of the Hawaiian Government. The island lies about 400 miles northwest from Honolulu, and is in a direct line, as are all of the Hawaiian islands, where a cable would naturally be laid from Canada to Australia or to the shores of upper Asia. It had been claimed by the Hawaiian Government as one of the Hawaiian group from 1857, when the Hawaiian Government sent Captain Paty on an expedition to inspect its outlying islands. Captain Paty reported that he had sailed around Necker Island, but found no place where a landing could be made.

From that date to 1894, when the incident of which I am about to speak occurred, the island attracted no attention. The Hawaiian Government seemed to have been conscious of the defect in its title to Necker Island by reason of not ever having taken possession of it. In the month of May the Hawaiian Government became aware that this defect as to possession had been discovered by the Canadian Government or by persons connected with the British Pacific cable enterprise.

A person whose movements were conducted quietly and perhaps furtively landed from one of the Canadian steamers and went at once to the survey department of the Hawaiian Government, where he made minute and pointed inquiries regarding Necker Island. He also sought out and found a son of Captain Paty, of whom he solicited the possession of Captain Paty's log on the voyage of 1857. These facts were brought to the attention of the Hawaiian Government, which at the same time observed that the British cruiser *Champion*, then in port, was prepared to go to sea, ostensibly on a target-practice cruise. The Hawaiian Government determined to act at once in order to save any question about ownership of Necker Island. They chartered one of the inter-island steamers, coaled and provisioned it and dispatched it to Necker Island within six hours from the time they had learned of the danger and of the near departure of the British ship *Champion*.

The Hawaiian vessel and the *Champion* left port at the same time, heading in the same direction. It was commonly believed that both vessels were bound for the same destination. The smaller vessel, however, that employed by the Hawaiian Government, was enabled to make greater speed than her rival on account of her lighter draft and ability to ignore the reefs, the avoidance of which would prolong the voyage. The Hawaiian expedition was successfully accomplished and the Hawaiian flag was raised upon Necker Island, and proclamation was there made that possession was taken in the name of the Hawaiian Government.

The British ship *Champion* did not extend her voyage to Necker Island, having stopped at one of the islands on the way. Further advance by her would have been useless.

For once the wit and enterprise and aggressive force of Great Britain had all been met and outwitted by a smaller Government. This is why Mr. Fleming rather pathetically says in the Ottawa conference that Necker Island is no longer available as a British midway point for the laying of their cable.

Mr. CHANDLER. May I ask the Senator from Maine a question?

Mr. HALE. Certainly.

Mr. CHANDLER. I desire to ask whether the *Champion* did not have upon her some British botanist or British geologist whom the war vessel might have landed to make botanic or geographical explorations on the island, notwithstanding the fact that the Hawaiian flag was flying there?

Mr. HALE. I do not know, of course, what prevented any further action upon the part of the *Champion*. I presume that as a British ship she was fitted out with everything that was necessary for any kind of an exploration or lodgment, but the little

vessel got there first and raised the Hawaiian flag, and whether the British ship had botanists or not, it was of no use for the *Champion* to go there. Hawaii in that way maintained her title to the island.

It shows, Mr. President, as many incidents and events show all along the way of the history of this transaction, how determined our rivals are to gain the commercial and military control of the great Pacific Ocean, and that we can afford to lose no time in moving if we determine to move at all.

During the last half dozen years England has been quietly taking possession of group after group of islands in the South Pacific, with the intention of utilizing the most suitable bits of land for telegraph stations on the great transoceanic route. The process has been carried on unobtrusively but systematically. Protectorates were established wherever it was not practicable to assume ownership. In 1888 the British flag was raised on Kingman, Palmyra, Washington, Fanning, Christmas, Dudos, Bier-son, and Penrhyn islands. In the same year Her Majesty the Queen took under her protection Elice Island and the Phoenix, Union, and Gilbert groups. She already had a protectorate over the Fiji Islands. In 1889 she took Suwaroff Island, and in 1891 Johnston Island, which is about 500 miles west of the south end of the Hawaiian archipelago. In 1892 Gardiner and Danger islands were appropriated. All of these islands and groups have been examined with a view to determining their availability for the purpose mentioned.

The PRESIDING OFFICER (Mr. FAULKNER in the chair). The hour of 2 o'clock having arrived, it is the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue.

The PRESIDING OFFICER. The Senator from Kansas [Mr. PEPPER] is entitled to the floor on the unfinished business.

Mr. PEPPER. Having the floor, I will yield for the purpose of affording the Senator from Maine an opportunity to conclude his remarks, if he desires to do so.

Mr. HALE. I thank the Senator from Kansas. It will not take me very long to conclude.

The PRESIDING OFFICER. The unfinished business will be informally laid aside, and the Senator from Maine will proceed.

Mr. HALE. The events which I have recited, showing the purpose of the British Government to establish a Pacific Ocean cable from Canada to Australasia and Asia, with some midway point of rest on or near the Hawaiian Islands, together with the feeling of necessity for close communication with the United States which the occurrences at Honolulu during the past three years had made most intense, had at last brought the Government of the islands to see the necessity of taking steps toward encouraging and aiding some project for telegraphic communication with this country.

It is to the credit of that Government, I can justly say, that whenever it has been confronted with any real emergency it has shown resources adequate to successful action.

On the 12th day of August, 1895, an act to facilitate the construction and maintenance of telegraphic cables in the Pacific, which had been passed by the Legislature of the Republic of Hawaii, was approved and became a law. It is the enabling act under which the concession to which I shall refer later was made. Its provisions are as follows:

An act to facilitate the construction and maintenance of telegraph cables in the Pacific.

*Be it enacted by the Legislature of the Republic of Hawaii:*

SECTION 1. The President, with the consent of the Cabinet, is hereby authorized and empowered to negotiate and conclude a contract or contracts with any person or persons, corporation or corporations, government or governments, for the construction, maintenance, and operation of a telegraphic cable or cables connecting the several islands of the Republic or connecting the Republic of Hawaii with the countries lying in or bordering upon the Pacific Ocean.

SEC. 2. There may be incorporated in any such contract or contracts provisions to allow the free use of any Government lands necessary for the construction, maintenance, or operation of such cable or cables;

To admit free of duty all material to be used exclusively in the construction, maintenance, or operation of any such cable or cables;

To allow the condemnation and appropriation, according to law, of such land, property, or rights of way as may be necessary for the construction, maintenance, or operation of such cable or cables and the land connections thereof;

To remit for a term of years, therein to be stated, all taxes upon the property located within the Republic belonging to or connected with such cable or cables and necessary or properly appertinent to the construction, maintenance, or operation of such cable or cables;

To remit all harbor and port dues and charges upon any vessel or vessels engaged in laying or maintaining any such cable or cables, or which may be stationed in the waters of the Republic for such purpose; and

To render to such enterprise or enterprises such financial assistance as may seem just and advantageous to the interests of the Republic.

SEC. 3. Such financial assistance may consist of—

1. A fixed semiannual cash payment or subsidy for a stated period; or,  
2. A guaranty by the Republic of a payment of the principal or interest or both of a stated amount of the bonds of any person or company controlling or operating such cable or cables; or,  
3. A subsidy by issuing to the party or parties indicated in such contract a

stated amount of the bonds of the Republic, bearing interest at the rate and payable at the time or times therein stated; or,

4. A subscription to the stock of any corporation or corporations formed for the purpose of constructing and operating any such cable or cables; or,  
5. A combination of any two or more of the methods hereinbefore mentioned.

SEC. 4. Such contract or contracts shall also contain such provisions as to the President and Cabinet shall seem necessary or proper for the protection of the interests of the Republic in and concerning the use and maintenance of such cable.

SEC. 5. No contract or contracts concluded under or by authority of this act shall be binding upon the Government of Hawaii until the same shall have been ratified and approved by the Legislature thereof.

SEC. 6. The President is hereby authorized and empowered to employ an agent or agents to assist, either within the Republic or in any foreign country, in negotiating any such contract or contracts.

SEC. 7. For the purpose of defraying the expenses which may be incurred by virtue of this act the sum of \$10,000 is hereby appropriated out of any moneys in the treasury otherwise unappropriated, which, or so much thereof as may become necessary, shall be expended in such manner as may be directed by the President.

SEC. 8. This act shall take effect and become a law from and after the day of its approval.

Approved August 12, 1895.

It will be seen that it authorizes and empowers the President of the Hawaiian Republic, with the consent of his cabinet, to negotiate contracts with persons or corporations or governments for constructing, maintaining, and operating telegraph cable or cables connecting the several islands of the Republic with the countries lying in or bordering on the Pacific Ocean. The sections succeeding section 1 cover all the details necessary to effectuate such concession, and there are ample clauses touching all questions relating to the accession of lands, the subsidy to be given by the Hawaiian Government, the constitution of any corporation to which the concession shall be granted, and, in short, everything authorizing the President and his cabinet to set in motion the machinery necessary to make and put in operation such concession as would be an incentive and aid to the project for telegraphic communication with the United States.

Closely following this act and directly upon its heels is the concession granted by the President of the Republic of Hawaii to Z. S. Spalding "for laying, working, and maintaining submarine telegraph cables from San Francisco to Honolulu and between the several Hawaiian islands, with exclusive landing rights and subsidy for twenty years."

I have here an official copy of this concession, which takes the form of an agreement between "Sanford Ballard Dole, President of the Republic of Hawaii, and Zephaniah Swift Spalding, of Honolulu, party of the second part, hereinafter called the contractor." I have looked at it, and examined it, and it has been examined by other Senators and Members, and it undoubtedly conveys the exclusive right with the subsidy to Mr. Spalding or to any company that he may form or to which he may assign.

Mr. FRYE. My colleague is aware, of course, that there is another bill already pending, and he will excuse me for interrupting him, but I am chairman of the subcommittee having charge of the bill.

Mr. HALE. I am very glad to hear from my colleague.

Mr. FRYE. The bill to which I refer provides for the landing of a cable at Pearl River Harbor. Has the Senator examined the question as to whether or not the grant of Hawaii to the Spalding Company, or whatever it may be called, is so exclusive as to prevent the landing at Pearl River Harbor of a cable built by a corporation and not by the Government of the United States?

Mr. HALE. I have very grave doubts whether under these two instruments, the enabling acts and the concession coming from it, any right can be granted, during the time when Mr. Spalding is allowed to build the cable, to any other person or to any other company whatever. I am inclined to believe, and I think the Senator and his committee—I am glad they are considering the matter, and I hope they will take it up at an early day—will find, that all this right has been parted with to this company, and that it alone during the time which is fixed, the termination of which is November 1, 1898, has the right to occupy Pearl Harbor or any other portion of the territory of the Hawaiian Islands for this purpose.

It is provided in terms that the Spalding Company shall not be entitled to an exclusive franchise or to a subsidy unless the construction of the cable shall begin on or before May 1, 1897, and be completed not later than November 1, 1898.

I may say here that Mr. Spalding is a man well and favorably known, not only in Honolulu, where he has large business interests, but in the United States and upon the other side of the Atlantic. He is a native of the State of Ohio, was a Union soldier in the late war, and went to Hawaii as an agent for the United States Government about the time of the negotiation of the early treaties, and has since served for several years as United States consul-general at Honolulu. He undoubtedly feels that the success of this cable project, while it benefits the people of Hawaii, also will add to the value of his own property, and that with the prosperity of the islands will increase his own prosperity.

I look upon this as fortunate, because it establishes the fact that

the scheme upon which this cable is to be built is not that of an adventurer or a visionary, but that Mr. Spalding and his associates are men of probity, enterprise, and business ability and of sufficient means.

I will not take the time of the Senate by reading the concession or agreement in full, but will, with the leave of the Senate, append it as a supplement to my remarks. I have gone over it with some care and find that it covers all necessary details as to terminal points of the cable, the time which it shall be maintained, the space of time to be devoted to its construction, and I may say here is that "such telegraphic communication shall be established not later than the 1st day of November, 1898"; and the amount of subsidy granted, dependent upon the Government of the United States joining in this undertaking by the granting of substantial assistance to the contractor, his representatives or assigns, is \$40,000 per annum.

I can say, in short, of this concession that the intention which evidently animated the Hawaiian Government in making it to connect the enterprise with such aid as the United States might give to it is manifest in all its provisions.

Following this the Pacific Cable Company was organized under the laws of the State of New Jersey, and is the successor and assign of Mr. Spalding's interest, and is the company with which this Government deals, as provided in the bill to which I shall allude later.

I have here a copy of the charter, which, rather than take the time of the Senate in reading in full, I will insert as a supplement to my remarks.

This brings us to the bill which I introduced on January 3, 1896, and which, if it becomes a law, marks the bounds of the obligations of this Government, and all its rights, whether of use or of possession or of ownership, assumed under its provisions.

The bill which has just been read to the Senate has been most carefully drawn. I have examined it thoroughly, as have other Senators and Members of the other branch of the National Legislature, and the Committee on Foreign Relations, which is to carefully consider its provisions, will no doubt examine them in detail and give hearings to all parties from whom information can be gained.

I shall not take up the time of the Senate to comment at length upon each section and clause. It, in short, gives to the Postmaster-General authority to contract with the Pacific Cable Company for transmission by electrical means between San Francisco and Honolulu of all messages on the business of the United States for twenty years from July 1, 1897. The obligation of the United States is to pay in each of the twenty years the actual cost of maintaining, operating, and renewing the cable for that year, and to this is to be added a sum sufficient to pay interest at 4 per cent on the sum expended by the company for constructing and laying the cable and acquiring lands and buildings appurtenant to it for its operation.

From this sum is to be deducted the Hawaiian subsidy of \$40,000 per annum, which is thus turned over by the company to this Government. The extent of this obligation is shown by the following computation, which covers the entire cost of the plant, the acquisition of stations, rights of way, and the short interisland connections in Hawaii, the cable repair steamers, and all expense incident to the successful laying and maintaining of the cable, this amount being \$3,789,417.45. The annual fixed charges for which this Government will be obligated under the bill amount to \$293,324.26, from which is to be deducted the \$40,000 annual subsidy given by the Hawaiian Government. So that, in round numbers, the bill commits the United States to the subvention of about \$250,000 per annum. I think this is exactly the amount fixed in the bill providing for a subsidy to another company, and to which I have alluded as having, three years ago, in the Fifty-second Congress, passed the Senate. The details are a little more fully given in the paper which I present and make part of my remarks.

Cost of constructing, laying, connecting, and establishing cable lines between the cities of San Francisco and Honolulu, and between points upon the Hawaiian Islands, together with estimate of annual fixed charges, including interest at 4 per cent per annum upon the cost of such cables, ships, stations, land lines, etc.

Cost in cash, based upon estimate of the Compagnie Francaise des Cables Telegraphiques de Paris.

Construction and laying.

	Francs.	Dollars.
San Francisco and Honolulu cable.....	15,110,000	2,933,980.58
Interisland cables.....	1,000,000	194,174.75
Cable-repair steamers.....	2,000,000	388,340.51
Interest on advance payments.....		
Supervising expenses, etc., at 5 per cent.....	905,500	175,825.24
Land lines, stations, rights of way, and supplies.....	500,000	97,087.37
Total.....	19,515,500	3,789,417.45

Annual fixed charges.

Interest, at 4 per cent on cost, as above, 19,515,500 francs, \$3,789,417.45.....	\$151,576.70
Maintenance of cables, renewals, etc., San Francisco and Honolulu line, 600,000 francs.....	116,504.85
Interisland lines, 130,000 francs.....	25,242.71
Total.....	293,324.26

I will here incorporate with my remarks a copy of Senate bill 1316, introduced by me:

*Be it enacted, etc.*, That the Postmaster-General is hereby authorized to contract with the Pacific Cable Company, a corporation of New Jersey, for the transmission, by electrical means, between the cities of San Francisco, Cal., and Honolulu, Hawaiian Islands, of messages on the business of the United States during a period of twenty years from the 1st of July, A. D. 1897; and to stipulate in the said agreement that the amount paid to said company for such service by the United States shall in each year be a sum to be computed as follows:

First. To the amount actually expended during that year by said company in maintaining, renewing, and operating a line of submarine telegraph from San Francisco, Cal., to Honolulu, Hawaiian Islands, there shall be added a sum sufficient to pay interest at 4 per cent on the sum actually expended by said company for constructing and acquiring such telegraph line, together with the lands, buildings, land lines, and other appurtenances fairly requisite to its efficient working; such cost to be certified to and approved by the Postmaster-General or otherwise determined as hereinafter provided.

Second. From such sum to be so computed and paid in each year there shall be deducted in each year the sum of \$40,000.

Third. The remainder shall be paid to said company by the United States in four equal quarterly payments: *Provided, however*, That the amount so paid shall not in any one year exceed a maximum sum to be agreed upon in said contract, unless the tolls upon messages transmitted for the United States, computed at the rates charged by said company to the public as hereinafter provided for like service, would be in excess of such sum; in which case the tolls so in excess shall be computed at one-half the current rates; and the deduction of \$40,000 hereinbefore provided for shall for that year be diminished to the extent of such excess.

SEC. 2. That said company shall in said agreement stipulate that on or before the 1st day of July, 1897, it will have laid and in operation a line of submarine telegraph extending from the city of San Francisco to the city of Honolulu, capable of transmitting from either of said cities not less than fifteen words per minute; and during said period of twenty years will maintain and renew the same, as may be necessary, to maintain such capacity for electrical transmission between the cities above mentioned.

If from any cause which said company in the judgment of the Postmaster-General could control or avoid, said company shall, at any time within the said term of twenty years, be incompetent to convey the messages of the United States, as aforesaid, for a period of more than one hundred and twenty consecutive days, then, and in that case, the Postmaster-General shall deduct for that year a proportionate part of the sum so named by him as aforesaid: *Provided*, That in the event of a break or damage to such cable at a distance of more than 600 miles from either of its shore ends, the said term shall be extended to one hundred and eighty days before any deduction from the annual payment by the United States shall result from such incapacity: *And provided further*, That in the event such failure or incapacity to transmit said messages shall continue for one year, the Postmaster-General may, at his option, cancel the contract made with said company, and from and after that date the Government shall be under no obligation to pay said amount or any sum whatsoever.

SEC. 3. That said company shall in said agreement further stipulate that the United States may at its option at any time during the said term of twenty years, and without notice, assume and take exclusive possession of all and singular the telegraph line of said company to be constructed as aforesaid, extending from said city of San Francisco to the city of Honolulu, together with all lands, buildings and property of every kind appurtenant thereto, and may exercise absolute and exclusive control of and over the business of said telegraph line between San Francisco, Cal., and Honolulu, Hawaiian Islands, for and during such time or times as may be deemed necessary or proper by the President, or the official acting in his behalf, the Government to pay unto the said company, in addition to any sum or sums otherwise agreed upon, such amount as shall and will recompense and make good to the said company any and all loss of subsidy from either Government or receipts from business that may be caused by such taking possession or assumption of control by the United States as aforesaid. The said agreement shall further stipulate that the United States may at its option at any time during the said term of twenty years take over from said company and thereafter own and hold, free of all lien or other incumbrance thereon, the telegraph line of said company to be constructed as aforesaid, extending from said city of San Francisco to the city of Honolulu, together with all lands, buildings, and property of every kind appurtenant thereto, upon payment of said company's just debt then existing and incurred for the acquisition, maintenance, and operation of the property so acquired by the United States, and the payment also to the stockholders of said company, or their assigns, of the sums originally subscribed and paid by them in money to said company, with interest at 5 per cent per annum, less any sum or sums repaid to them by said company, as dividends or otherwise, with interest on every of said sums at 5 per cent per annum from the date of such repayment; such provisions to expressly recite that the intent is that the United States shall have a right, at its option, to acquire said property at the strict cost to such company of its acquisition, maintenance, and operation, less any sum which said property may have earned or in any manner repaid, and shall in addition pay the stockholders of said company or their assigns such sums as will reimburse merely their original and actual outlay, less any sum received back by them from any source, with interest in either case at 5 per cent per annum.

Such provision shall further recite that the amount so to be paid for the purchase of said line of telegraph and appurtenances shall be fixed, exclusive of interest, by a sworn exhibit of any and all contracts for construction, maintenance, and operation, any or all of them, and the amount paid thereon by said company; such exhibit as to the cost of construction to be filed with the Postmaster-General within six months after the completion of said telegraph line or lines between said cities of San Francisco and Honolulu; and as to the cost of operation, maintaining, and renewing, by annual sworn statements to be filed with the Postmaster-General not later than May 1 in each year, showing the cost of operation, maintenance, and renewal during the year preceding; showing also all sums received by said company from any source and what part thereof has in any manner been repaid to the stockholders of said company. Every such annual exhibit shall be the basis upon which shall be made the quarterly payments for operation, maintenance, and renewal during the following year, but the amount so paid shall be subject to readjustment to whatever extent at the end of the year it shall at the end of the year be found more or less than the actual cost to said company during the year in which said quarterly payments were made.

Upon the filing of such statement of cost of construction and upon the

filing of any such annual statement thereafter, the Postmaster-General, in his discretion, may, at any time within one year, refer the same to the Court of Claims for audit, in which case the judgment of said court shall be final and binding upon the United States and upon said company, but every such exhibit not so referred within one year shall be binding upon the United States and said company.

SEC. 4. That during the continuance of said period of twenty years the maximum rates for the transmission of any message other than United States Government messages hereinbefore provided over such cable between Honolulu and San Francisco shall not exceed \$1 per word, and the rates for news messages or items of news to any newspaper or association of newspapers of the United States (commonly known as press messages) shall not exceed one-half the rate which shall be charged for ordinary messages: *Provided however*, That it shall not be obligatory upon the said company to transmit any messages for a less sum than \$1.

SEC. 5. That the company for itself and its representatives shall, upon the execution of said contract, deposit with the Secretary of the Treasury of the United States, Government bonds to the amount of \$100,000 to secure to the United States that the said company, its representatives and assigns, will construct, lay, and equip the said cable in accordance with the terms and conditions of this agreement: *Provided*, That upon the completion of the construction, equipment, and laying of the said telegraph line the obligation secured by such bonds shall be deemed to have been fulfilled and performed, and such bonds shall thereupon be returned to the said Pacific Cable Company, its representatives and assigns. But if after the execution of such contract there shall be any failure to complete the construction, laying, and equipment of such telegraph line within the time herein specified, then in such case such bonds shall be forfeited to the United States Government as liquidation damages, and there shall be no further or other claim by way of damages by the Government against the Pacific Cable Company, its representatives or assigns.

Under the provisions of this bill the Pacific Cable Company invest the sum of \$1,000,000 and become responsible for the future payment of the balance of the cost of construction and laying of the cables and connecting land lines, repair steamers, fittings and supplies, stations, offices, lands and buildings, and rights of way necessary for the business. To secure them in this investment they are to receive the earnings or receipts of the cable systems from all business outside the messages carried and business transacted for the two Governments free of charge.

Assuming the entire cost of the cables and appurtenant property to be from \$3,500,000 to \$4,000,000, and that the average receipts from outside business would amount to \$100,000 per annum, the company would find themselves still with a debt of \$1,500,000 upon their line when the Governments cease to pay at the end of twenty years.

If, on the other hand, the Government makes use of its right to take over the ownership of the cable line at any time before the expiration of the twenty years, the Pacific Cable Company will receive and be paid back their investment of \$1,000,000, with interest at 5 per cent per annum, less any sum or sums they may have received by way of dividends or otherwise.

All these considerations, Mr. President, lead unwaveringly to one end—the prompt, immediate cable connection between us and the Hawaiian Islands. Without the light thrown upon the subject by the late events which I have recited, President Cleveland has put the matter more strongly than I can in his message of the 3d of December, 1886, in which he says:

I express my unhesitating conviction that the intimacy of our relations with Hawaii should be emphasized. As a result of the reciprocity treaty of 1875 those islands, on the highway of Oriental and Australasian traffic, are virtually an outpost of American commerce and a stepping-stone to the growing trade of the Pacific.

The Polynesian Island groups have been so absorbed by other and more powerful Governments that the Hawaiian Islands are left almost alone in the enjoyment of their autonomy, which it is important for us should be preserved.

Our treaty is now terminable on one year's notice, but propositions to abrogate it would be, in my judgment, most ill advised. The paramount influence we have there acquired, once relinquished, could only with difficulty be regained, and a valuable ground of vantage for ourselves might be converted into a stronghold for our commercial competitors.

I earnestly recommend that the existing treaty stipulations be extended for a further term of seven years. A recently signed treaty to this end is now before the Senate.

The importance of telegraphic communication between those islands and the United States should not be overlooked.

And again, in his message of December 3, 1888, from which I quote:

Proclamation was duly made on the 9th of November, 1887, of the conventional extensions of the treaty of June 3, 1875, with Hawaii under which relations of such special and beneficent intercourse have been created. In the vast field of Oriental commerce now unfolded from our Pacific borders no feature presents stronger recommendations for Congressional action than the establishment of communication by submarine telegraph with Honolulu.

The geographical position of the Hawaiian group in relation to our Pacific States creates a natural interdependency and mutuality of interest which our present treaties were intended to foster, and which make close communication a logical and commercial necessity.

Mr. President, the way to do what President Cleveland has so clearly stated we ought to do has been made clear by the events which I have so imperfectly recited. The path is open to us. If we do not occupy it, if we do not improve the occasion, if we let the project fail, or are laggard in adopting it, Senators may be certain that in some way, by hook or by crook, the British Government will take up this thing which we have left.

The alternative to which they have been driven, by the efficient proceedings of the Hawaiian Government, of laying their Pacific cable by the way of Fanning Island, involves an almost impracticable

cable enterprise. There has been, thus far, no continuous, unbroken line of submarine cable laid longer than about 2,700 miles, and experts in this business, many of them, believe that to lay a line more than 3,000 miles in length, with no resting place, is impossible.

No cable can be laid from the British North American possessions to Fanning Island without involving a length of at least 3,600 miles. If it can be done at all for this long distance, the additional cost, compared to the shorter and more practicable line, is very great, and the fact that the English colonial office is taking no steps now toward the construction of a line from Vancouver to Fanning Island indicates the difficulties under which it is placed.

I may be asked if the project which I am urging involves the accession of these islands by the United States or is a part of some concerted plan to that end. My answer is that I can not tell whether the construction of this line by our aid and subject to our control will or will not greatly shorten the time when annexation will come, nor do I very much care. There is in my mind no doubt that at some not distant day these islands will be ours. I do not care to precipitate that annexation; but I do know this, Mr. President, that with this line established by our aid and substantially in our hands we have taken a step which forbids forever all interference in these islands by any other nation, and that the whole world will then look upon it as a simple question of time when we shall take them into our fold.

It is no great burden; it involves little immediate outlay, and the expenditure from year to year for the twenty years will never be felt by the American people. But I do not, looking into the future, expect that as a business enterprise the matter will stop here. Almost as a business necessity, the projectors of this plan will be compelled to go farther and to lay the line from the Hawaiian Islands to Japan or some point on the Asiatic coast.

We shall not be compelled, and perhaps not called upon, to aid in that work; but when that additional line shall be laid, Mr. President, it will open a new world, with all its business, for the new line, and when it becomes profitable, and this end of the line which we have substantially built also becomes profitable, long before the twenty years have ended, business men who have and will put their money into the enterprise expect that the entire line, over its two parts, on this side and the other side of Honolulu, will be a paying investment.

I do not deem it worth the while to discuss the question whether our Constitution permits the action which is asked for here, or whether there be or not precedents in favor of such action.

The clauses of the Constitution touching the regulation of commerce and the conduct of postal operations are, to me, entirely ample. If we build ships of war and buy foreign lands for naval stations, surely we may expend money for establishing our communications with these stations or ships that frequent them.

#### APPENDIX A.

This agreement, made this 12th day of August, A. D. 1895, by and between Sanford Ballard Dole, President of the Republic of Hawaii, for himself and his successors in office, and in behalf of the Hawaiian Government, and by and with the consent of the cabinet, party of the first part, hereinafter called "the Government," and Zephaniah Swift Spalding, of Honolulu, Hawaiian Islands, party of the second part, hereinafter called "the contractor," witnesseth:

#### AGREEMENTS BY THE GOVERNMENT.

##### ARTICLE I.—*Grant of exclusive franchise.*

SECTION 1. In consideration of the covenants, agreements, and undertakings hereinafter contained on the part of the contractor or his representatives or assigns to be kept or performed, the said party of the first part, in the exercise of the power to him granted by the provisions of an act entitled "An act to facilitate the construction and maintenance of telegraphic cables in the Pacific," approved on the 12th day of August, A. D. 1895, and of every other power, if any, him hereunto enabling, doth hereby grant, concede, and confirm unto the contractor and his representatives and assigns, upon the terms and conditions hereinafter contained, the sole and exclusive privilege and franchise for and during the full term of twenty years from the 1st day of November, A. D. 1895, to construct or land upon the shores of the Hawaiian group a submarine electric telegraph cable or cables to or from any point or points on the North American continent or any island or islands contiguous thereto.

SEC. 2. *Cable to terminate at San Francisco and be maintained for twenty years.*—*Provided, however*, and this agreement is upon these express conditions, viz, that the first cable which shall or may be constructed or laid under this franchise, and for the maintenance of which a subsidy is herein agreed to be paid, shall have its eastern terminus at or near San Francisco, Cal., and its western terminus at or near Honolulu, and shall be maintained in working order in conformity with and subject to the specifications, conditions, and agreements hereinafter contained for the full term of this agreement.

SEC. 3. *Exclusive grant not to conflict with treaty rights of foreign governments.*—And further, that this grant shall not be construed to prevent any foreign government, having existing treaty rights with the Republic of Hawaii allowing any such government so to do, to land a cable upon the Hawaiian group for other than commercial purposes from any point on the North American Continent.

##### ARTICLE II.—*Grant of subsidy.*

SECTION 1. *Amount and term of subsidy.*—And the Government doth hereby further covenant with the contractor, and his representatives and assigns, that there shall be paid to him, his representatives or assigns, by the Government of the Hawaiian Islands, upon the terms and conditions hereinafter set forth, subject to ratification hereof by the Legislature of the Republic of Hawaii, an annual subsidy of \$40,000, gold coin of the United States, for and

during the period of twenty years from the date of the establishment by the contractor, or his representatives or assigns, of telegraphic communication between the city of Honolulu, in the Republic of Hawaii, and a point at or near San Francisco, Cal.; and between the said city of Honolulu and the islands of Hawaii, Maui, Molokai, and Kauai.

SEC. 2. *Time and place of payment of subsidy.*—Such subsidy shall be paid to the contractor, his representatives or assigns, at the treasury of the Government in said Honolulu, by the minister of finance of the Government, or his successor in office, in equal quarterly installments of \$10,000 each, during each and all of the years of said above-mentioned term of twenty years.

Subject, however, to suspension or cancellation upon the terms and conditions hereinafter set forth.

SEC. 3. *Grant conditioned upon beginning and completion of cable upon specified dates and performance of other agreements.*—Provided, however, and this agreement is upon these further express conditions, viz:

(a) That the contractor and his representatives and assigns shall not be entitled to such exclusive franchise, nor to the payment of such subsidy, nor any part thereof, unless the construction of such cables shall begin on or before the 1st day of May, A. D. 1897, and such telegraphic communication be established not later than the 1st day of November, A. D. 1898.

(b) And further, that the Government of the United States shall join in this undertaking by the grant of substantial assistance to the contractor, his representatives or assigns,

And provided further, That upon the failure to obtain the assistance of the United States Government, as herein specified, or upon the breach by or failure of the contractor, his representatives or assigns, to perform or observe all or any of the terms, agreements, or conditions herein contained, the party of the first part or his successors in office may cancel and terminate this agreement and all obligations on the part of the Government thereunder, by notifying the contractor, his representatives or assigns, of such cancellation and termination by delivering a written notice thereof at the house of Bishop & Co., in said Honolulu, not less than sixty days before such cancellation and termination shall take place.

But the rights and privileges of the contractor and his representatives and assigns under this agreement shall not be terminated by his or their failure to begin the construction of the cable herein provided for, and establish communication thereon as herein provided for, upon the dates herein specified, or upon or by reason of any other breach of any condition, or any failure to keep or observe any covenant or agreement herein contained on the part of the contractor, or his representatives or assigns, to be kept or performed, unless and until the Government shall in writing notify him or them that it has canceled this agreement by reason of such breach or failure, by delivering such written notice at the said house of Bishop & Co. not less than sixty days before the date upon which such termination and cancellation are to take effect.

SEC. 4. *Suspension of subsidy during temporary failure of cable.*—(c) And further that in case of a failure or interruption of efficient electrical connection and communicating power over the said cable or cables between the points hereinafter specified, or any of them, for a period of more than ninety consecutive days, from any cause other than governmental restraint or illegal obstruction, the Government shall not be bound to pay the said subsidy in full, but may deduct therefrom a proportionate amount for the period of such interruption, as follows: For the time of failure or interruption of such communication between San Francisco and the Hawaiian Islands, beyond said term of ninety consecutive days at the rate of \$30,000 per annum; for the time of failure or interruption of such communication between the said islands, or any of them, beyond said term of ninety consecutive days, at the rate of \$10,000 per annum.

SEC. 5. *Cancellation of contract in case of failure for one year.*—And provided further, That if the said line or lines, or either of them, shall fail to furnish such communication for a period exceeding one year beyond such term of ninety consecutive days, then and in such case the Government may, at its option, cancel this contract as far as it refers to the line or system so interrupted, and it shall thereupon be freed from all obligations to pay any further subsidy on account of the line or system so interrupted.

That is to say, if the line upon which such communication is so interrupted shall be a part of the interisland cable system it shall be relieved from the obligation to pay \$10,000 per annum of said subsidy.

And if the interruption of such communication for such period be on the line between San Francisco and Honolulu, it shall be relieved from the obligation to pay \$30,000 per annum of such subsidy, and the grant of an exclusive franchise to lay and maintain a cable to or from the North American Continent to the Hawaiian group and of all other rights and privileges referring or relating to such line or system herein contained shall thereupon and thereby become and be null and void.

#### ARTICLE III.—Other privileges.

SECTION 1. *Rights of way and building sites.*—And the Government doth hereby further grant to the contractor, his representatives and assigns, for the said term of twenty years, the free use of a right of way across all Government lands for the landing of any such cable or cables or the construction of any land lines connecting the same, and of suitable sites on any Government lands which may be approved by the Government, for the construction of stations and storehouses for the maintenance or operation of the cable or cables, and doth covenant with the contractor, his representatives and assigns, that during the period of twenty years from the date of the establishment by the contractor, his representatives or assigns, of telegraphic communication between the said city of Honolulu and the other points herein specified, the contractor, his representatives and assigns, shall continue to have the free use of such rights of way and sites.

SEC. 2. *Exemption from duties.*—And also that during the said term of twenty years there shall be admitted into the Republic, free of all duties, all material to be used exclusively in the construction, maintenance, or operation of any such cable or cables.

SEC. 3. *Exemption from taxes.*—And also that for the said term of twenty years no taxes shall be levied upon the property of the contractor, his representatives or assigns, located in the Republic, belonging to or connected with such cable or cables and necessary or properly appurtenant to the construction, maintenance, or operation of such cable or cables.

SEC. 4. *Exemption from port charges.*—And also that during such term of twenty years no harbor or port dues or charges, except pilotage, shall be levied upon or collected from any vessel or vessels exclusively engaged in laying or maintaining any such cable or cables, or which may be stationed in the waters of the Republic for such purposes.

SEC. 5. *Grant of power of eminent domain.*—And also that during such term of twenty years the contractor, his representatives and assigns, shall have the power and privilege to condemn and appropriate, according to law, such property or rights of way as may be necessary for the construction, maintenance, or operation of such cable or cables and the land connections thereof.

#### AGREEMENTS OF THE CONTRACTOR.

##### ARTICLE IV.—Location and equipment of lines.

SECTION 1. *Specification of location of lines.*—In consideration of the several grants and covenants of the Government hereinafter contained, the con-

tractor, for himself and his representatives and assigns, doth hereby covenant to and agree with the said party of the first part and his successors in office that he, the said contractor, his representatives or assigns, will, on or before the 1st day of May, A. D. 1897, begin to construct the cables necessary to connect the several points herein specified, and that he, the said contractor, his representatives or assigns, will, on or before the 1st day of November, A. D. 1898, construct, complete, lay, equip, and establish in efficient working condition cables as follows:

From a point on the west coast of California, at or near the city of San Francisco, to a point at or near the said city of Honolulu.

And also from the Island of Hawaii, at or near Kawaihae, to the Island of Maui, at or near Nuu.

And also from the Island of Maui, at or near Napili, to the Island of Molokai, at or near Pukoo.

And also from the Island of Molokai, at or near its west point, to the Island of Oahu, at or near Waikiki.

And also from the Island of Oahu, at or near Waianea, to the Island of Kauai, at or near Nawiliwili.

And also will construct all necessary stations and connections, so as to make such cable and cables available for communication to and from each of such islands.

The landing places at the several termini mentioned shall be at such points on the said respective shores as shall be determined by the engineer in charge of the work.

SEC. 2. *Interisland land lines.*—And the contractor doth further covenant with the Government that he, his representatives or assigns, will, on or before the said 1st day of November, A. D. 1898, construct and equip and connect with such cable and cables all necessary land lines and stations on each of the said enumerated islands, so that efficient telegraphic communication may be maintained between Honolulu and a point at or near said San Francisco, and between Honolulu and each of the said islands, and between each of said islands and any other of said islands.

SEC. 3. *Maintenance of lines.*—And further, that after such cables and land lines are so constructed, laid, and placed in operation the said cables and land lines, and each and every one of them, shall be, during the term of twenty years thereafter, continuously and fully equipped, operated, and maintained, so that the same shall and will constitute and form reliable means of telegraphic communication between the points enumerated.

SEC. 4. *Proviso for delay in certain cases.*—Provided, however, That if any delay in constructing, laying, and completing the said cable or cables shall be caused or arise from any strike, lockout, or any other combination preventing the contractor's works, or any of the trades or occupations upon which the contractor, his representatives or assigns, or manufacturers of cable from which he is or they are obtaining the cable, shall be dependent in carrying out any contract or work necessary to the proper fulfillment of the contract; or shall be caused by any restraints or obstructions occasioned by any governmental authority, or otherwise than by the default of said contractor, his representatives or assigns, then or in any such case the time for completing such cable or cables shall be extended for such period or periods as shall be certified to be reasonable by a competent electrical engineer, who shall be approved by the Government.

SEC. 5. *Exemption of contractor from liability under certain conditions.*—And provided further, That the contractor, his representatives or assigns, shall not be responsible in damages to the Government for any delay or failure in manufacturing or laying the said cable or cables, except such as may be caused by the culpable neglect of the contractor, his representatives, agents, or assigns, in carrying out the terms of this agreement, the true intent and meaning of this agreement being that the contractor, his representatives and assigns, shall take all reasonable precautions and use their best endeavors to construct, lay, and operate the said cable or cables between the said respective points within the time specified, but that he and they shall not be responsible in damages if he and they shall bona fide use his or their best efforts to accomplish such object.

#### ARTICLE V.—Ownership of interisland lines.

SECTION 1. *Government option to assume ownership of interisland lines.*—And the contractor, for himself and his representatives and assigns, doth hereby further covenant with the Government that if so requested in writing by the Government, within one year after the said interisland cable system is completed, he, the contractor, or his representatives or assigns, shall and will sell, transfer, and convey to the Government all of the said interisland cable and cables, and the equipment, stations, and appurtenances, poles and land lines, and everything thereunto appertaining, charging and receiving therefor only the actual cash cost of the said land lines, stations, and equipments, and making no charge for the construction, laying, or furnishing of such submarine cables.

SEC. 2. *Government title to interisland cables to be free from all liens.*—If the Government shall so acquire such interisland cable system it shall acquire and hold it free from any obligation to pay any indebtedness or any bond or bonds or interest thereon, or any part thereof, which may have been incurred, created, or executed in, upon, or concerning the same, and free from any and every other debt, obligation, and lien of any kind whatever.

But nothing herein contained shall be so construed that such acquiring of such interisland cable system shall release the Government from the obligation of continuing to pay the full amount of the subsidy hereinafter granted.

SEC. 3. *Government acquisition of interisland cable to release contractor from responsibility therefor.*—If the said interisland cable system shall be so acquired by the Government, the maintenance and operation, and all costs, charges, and expenses of maintaining and operating such interisland cable so conveyed shall, from the date of such conveyance, be conducted, borne, and sustained by the Government; and the contractor, his representatives and assigns, shall, from and after such date, be relieved from all responsibility and expense for or concerning such system, and no interruption or failure of communication occurring in such interisland cable system after the same shall have been so acquired by the Government shall work, or be made the cause, directly or indirectly, of the suspension or forfeiture of the subsidy hereby granted, or any part thereof, or be made a ground for the forfeiture of this agreement or any privilege thereby granted.

#### ARTICLE VI.—Use of cable ship.

And the contractor, for himself and his representatives and assigns, doth further covenant with the Government: That if the said interisland cable shall be so conveyed to the Government, the contractor, his representatives and assigns, will at all times allow the cable repairing ship owned by or controlled by him or them to be used by the Government in the repair or replacing of any of the cables in such interisland system, charging therefor only the actual cash outlay of the contractor, his representatives or assigns, in making such repairs or replacement.

#### ARTICLE VII.—Specifications of size, weight, materials, and efficiency of cables.

And the contractor doth hereby further covenant with the Government that the manufacture, size, and weight of the material used in and the method of storing and laying the said cable and cables shall be in accordance with the several specifications hereunto annexed, and made a part of this agreement.

And further, that all of such cable or cables so to be constructed, laid, equipped, operated, and maintained and all instruments and appliances shall and will be manufactured and constructed throughout in a good and workmanlike manner and of the best materials.

And further, that each and every of the said sections of cable shall, during the said term of twenty years, be continuously, except as herein provided, capable of efficiently transmitting not less than fifteen words per minute between the several points herein specified.

And further, that during the said term of twenty years efficient operators shall be maintained at each of the stations on said lines, who shall and will transmit over said cable lines all messages at such stations received for transmission at such rate of speed for the rates of tariff herein provided for.

ARTICLE VIII.—Schedule of rates.

SECTION 1. *Interisland rates.*—And the contractor, for himself and his representatives and assigns, doth hereby further covenant with the Government that during the continuance of the terms of this agreement the maximum charge for messages transmitted over the said interisland cable system, from the point of receiving such messages to its point of destination, shall not exceed the following prescribed limit, viz, not to exceed 10 cents for each word so transmitted.

*Provided, however,* That it shall not be obligatory upon the contractor, his representatives or assigns, to send any message for less than \$1.

SEC. 2. *Foreign rates.*—And further, that during such period the maximum rates for the transmission of any message, other than Government messages, to or from the Hawaiian Islands over such cable between Honolulu and San Francisco, shall be such as shall be agreed upon in any contract which shall be made between the contractor, his representatives or assigns, and the United States Government, not exceeding \$1 per word, and any contract with such Government shall prescribe a maximum scale of rates.

And further, that if telegraphic communications shall be hereafter established between the Hawaiian Islands and Australasia or Japan, the rate to be charged for any message transmitted from Honolulu to San Francisco, or from San Francisco to Honolulu, shall not exceed a pro rata proportion, based on distance, of the regular rate for transmitting a similar message to or from San Francisco and Australasia or Japan.

And further, that messages from Honolulu to points beyond San Francisco shall not be charged higher rates beyond San Francisco than the rates which the contractor may be charged for the transmission of the same.

SEC. 3. *Press rates.*—And further, that the rates for ordinary messages or items of news to any newspaper or news bureau of the Republic of Hawaii (commonly known as press messages) shall not exceed one-half the rate which shall be charged for other messages, excepting messages to or from the Hawaiian Government, or any officer thereof in his official capacity, or to or from any foreign Government.

*Provided, however,* That it shall not be obligatory upon the contractor, his representatives, or assigns, to send any press message for less than \$1.

SEC. 4. *Hawaiian Government rates.*—And further, that during the said term of twenty years all messages concerning the official business of the Hawaiian Government, to or from the Hawaiian Government or any of its officials, transmitted over said interisland system of cables, or over the said cable from Honolulu to San Francisco, shall be transmitted free up to the amount of the annual subsidy paid by the Government to the contractor, his representatives or assigns, reckoning the charge and scale of rates for such Government messages at the rate herein prescribed or provided for ordinary messages.

ARTICLE IX.—Security for execution of contract.

SECTION 1. *Deposit of bonds with minister of finance.*—And the contractor, for himself and his representatives and assigns, doth hereby further covenant with the Government that he will, upon the execution of this agreement, deposit with the minister of finance of the Republic of Hawaii, Hawaiian Government bonds to the amount of \$25,000 as security that he and his representatives and assigns will construct, lay, and equip the said cables and land lines in accordance with the terms and conditions of this agreement.

Upon the completion of the construction, equipment, and laying of said systems of cable and land lines in the manner herein provided for, the obligation and obligations secured by such bonds shall be deemed to have been fulfilled and performed, and such bonds shall thereupon be returned to the contractor, his representatives or assigns.

But if after the beginning of the construction of said cables, in manner herein specified, there shall be any failure to complete the construction, laying, and equipment of such systems and such land lines within the time herein specified, then and in such case such bonds shall be forfeited to the Hawaiian Government as liquidated damages, and there shall be no further or other claim by way of damages by the Government against the contractor, his representatives or assigns.

SEC. 2. *Contractor may cancel this contract within a specified time.*—*Provided, however,* That the contractor, his representatives or assigns, may at any time prior to the 1st day of May, A. D. 1897, notify the Government of his or their desire to cancel this contract, whereupon this contract shall become null and void, and such bonds so deposited as security shall thereupon be forthwith returned to the contractor, his representatives or assigns.

ARTICLE X.—Definition of "beginning of construction."

It is hereby mutually agreed that the beginning of the construction of the cables specified in section 1 of Article IV of this agreement shall be construed to mean, and shall mean, the completion and execution of a contract between the contractor and a responsible cable construction company or companies for the construction and laying of such cable and cables within the period limited by the terms of this contract, and the actual beginning of the work of construction under such contract with such construction company or companies, and a written notice to the Government by the contractor, his representatives or assigns, accompanied by proofs of the execution of such contract.

ARTICLE XI.—Contract binding on and in favor of representatives, assigns, etc.

It is hereby mutually agreed by and between the parties hereto, on behalf of themselves and their respective successors, representatives, and assigns, that all terms and conditions herein contained upon the part of the Government to be observed, kept, or performed, shall be equally binding and obligatory as well upon the Hawaiian Government and the said party of the first part and his successors; and that all of the agreements and covenants herein contained upon the part of the contractor to be kept or observed or performed, are and shall be as well in favor of and enforceable by the Hawaiian Government and the party of the first part as his successors in office.

And further, that all of the terms and conditions and covenants herein contained upon the part of the contractor to be observed, kept, or performed shall be equally binding and obligatory upon the said party of the second part as upon his representatives and assigns; and that all of the agreements and covenants herein contained on the part of the Government, or of said party of the first part, or his successors, to be kept, observed, or performed, are, and shall be, as well in favor of and enforceable by the party of the second part as his representatives and assigns.

[Specifications of cables hereinbefore referred to. Proposed telegraph cable from San Francisco to Honolulu and Hawaiian interisland cables.]

SAN FRANCISCO-HONOLULU CABLE.

The landing place near San Francisco may be at Monterey Bay, and the landing place near Honolulu at Waikiki.

Lengths of cable required.

	Nautical miles.
Shore end (type A) .....	2
Intermediate No. 1 (type E) .....	3
Intermediate No. 2 (type B) .....	51
Deep sea (type D) .....	2,444
Total .....	2,500

SPECIFICATION.

Core.

(a) *Conductor.*—The conductor to be a strand of copper wires weighing 400 pounds per nautical mile, or within 5 per cent thereof, and the resistance at 75° Fahrenheit shall not be more than 3.117 ohms.

(b) *Insulator.*—The conductor is to be insulated with three coatings of gutta-percha of improved inductive capacity, prepared according to Mr. Willoughby Smith's system, alternating with three coatings of Chatterton's compound, and to weigh 300 pounds per knot, or within 5 per cent thereof. The resistance of the completed core to be not less than 150 megohms per nautical mile after one minute's electrification, when tested at a temperature of 75° Fahrenheit, after twenty-four hours' immersion in water, fourteen days after manufacture, and the average inductive capacity per nautical mile throughout the entire length is not to exceed 0.414 microfarad.

(c) *Sheathing.*—The core of types A, E, and B to be covered with Clifford's patent sheathing for protection against the ravages of insects.

(d) *Serving.*—The core of all the types to be served with a good and sufficient serving of jute yarn, steeped in cutch or other preservative mixture, and applied wet.

Outer coverings.—Shore end.

(e) *Outer coverings.—Type A.*—Type B to be served with tarred jute yarn, and again closed with fourteen galvanized BB iron wires, No. 1 B. W. G., equal to three hundred one-thousandths of an inch when galvanized, or within 2½ per cent thereof.

Intermediate, No. 1.

(f) *Type E.*—The served core to be covered with twelve galvanized BB iron wires, No. 4 B. W. G., equal to two hundred and thirty-eight one-thousandths of an inch when galvanized, or within 2½ per cent thereof.

Intermediate, No. 2.

(g) *Type B.*—The served core to be covered with twelve galvanized BB iron wires, No. 6 B. W. G., equal to two hundred one-thousandths of an inch when galvanized, or within 2½ per cent thereof.

Deep-sea.

(h) *Type D.*—The served core to be covered with seventeen galvanized steel wires, each wire being taped and compounded. The steel wires to be No. 14 B. W. G., equal to eighty-three one-thousandths of an inch when galvanized, or within 2½ per cent thereof, and to bear a breaking strain of not less than 85 tons per square inch, with an elongation of not less than 4 per cent.

(i) Before being used for the sheathing of types A, E, and B, the galvanized iron wire is to be heated in a kiln or oven just sufficiently to drive off all moisture, and while warm is to be dipped into a hot compound or black varnish.

Outside serving.

(j) Types A and E, manufactured as above, to be covered with two servings of jute yarn laid on spirally in opposite directions, alternately with two coatings of Clark's compound.

(k) Types B and D, manufactured as above, to be covered with two of Johnson & Phillip's patent tapes, laid on spirally in opposite directions, alternately with two coatings of Clark's compound.

HAWAIIAN INTERISLAND CABLES.

Lengths of cable required.

	Nautical miles.
Shore end (Type A) .....	10
Intermediate (Type B <sup>1</sup> ) .....	25
Deep-sea (Type D) .....	142
Total .....	177

SPECIFICATION.

Core.

(a) *Conductor.*—The conductor to be a strand of copper wires weighing 100 pounds per nautical mile, or within 5 per cent thereof, and the resistance at 75° F. shall not be more than 12.22 ohms.

(b) *Insulator.*—The conductor is to be insulated with three coatings of gutta-percha of improved inductive capacity, prepared according to Mr. Willoughby Smith's system, alternating with three coatings of Chatterton's compound, and to weigh 100 pounds per nautical mile, or within 5 per cent thereof. The resistance of the completed core is to be not less than 150 megohms per nautical mile after one minute's electrification when tested at a temperature of 75° Fahrenheit, after twenty-four hours' immersion in water, fourteen days after manufacture.

(c) *Sheathing.*—The core of Types A and B<sup>1</sup> to be covered with Clifford's patent sheathing for protection against the ravages of insects.

(d) *Serving.*—The core to be covered with a good and sufficient serving of jute yarn, steeped in cutch or other preservative mixture, to be applied wet.

Outer coverings.—Shore end.

(e) *Outer coverings.—Type A.*—Type B<sup>1</sup> to be served with tarred jute yarn, and again closed with twelve galvanized BB iron wires, No. 1 B. W. G., equal to three hundred one-thousandths of an inch when galvanized, or within 2½ per cent thereof.

Intermediate.

(f) *Type B<sup>1</sup>.*—The served core to be covered with twelve galvanized BB iron wires, No. 9 B. W. G., equal to one hundred and forty-eight one-thousandths of an inch when galvanized, or within 2½ per cent thereof.

*Deep sea.*

(g) *Type D.*—The served core to be covered with fifteen galvanized homogeneous iron wires. The homogeneous wires to be No. 13 B. W. G. equal to ninety-nine one-thousandths of an inch when galvanized, or within 2½ per cent thereof, and to bear a breaking strain of not less than 52 tons per square inch with an elongation of not less than 3 per cent.

(h) *Dipping.*—Before being used for the sheathing the galvanized iron wire is to be heated in a kiln or oven just sufficiently to drive off all moisture, and while warm is to be dipped into a hot compound or black varnish.

*Outside serving.*

(i) *Outside serving.*—Type A to be covered with two servings of jute yarn laid on spirally in opposite directions, and two coatings of Clark's compound.

(j) Types B<sup>1</sup> and D to be covered with two of Johnson & Phillips's patent tapes, laid on spirally in opposite directions, alternately with two coatings of Clark's compound.

GENERAL CLAUSES.

(k) *Cable to be kept under water.*—The cable when completed to be coiled in suitable water-tight tanks, and kept, as far as practicable, constantly under water.

(l) *Tanks on board ship.*—The completed cable to be coiled on board ship in water-tight tanks, and kept, as far as practicable, under water until submerged.

(m) *Final electrical condition of cable.*—The electrical condition of the cable when laid to be such as, having regard to its previous condition and making due allowance for the mean actual temperature of the water, as shown by the resistance of the conductor, to give no good grounds for believing that any fault exists in the insulator or conductor.

In witness whereof the said Sanford Ballard Dole, President of the Republic of Hawaii, hath hereunto set his hand and caused the great seal of the Republic of Hawaii to be hereunto attached; and Francis M. Hatch, minister of foreign affairs; Samuel M. Damon, minister of finance; James A. King, minister of interior; and William O. Smith, attorney-general, constituting the cabinet of the Republic of Hawaii, in token of their consent to and approval of this agreement, and the said Zephaniah Swift Spalding have hereunto set their hands and seals, the day and year first above written.

Done in triplicate.

[SEAL.]

SANFORD B. DOLE,

FRANCIS M. HATCH,

*Minister of Foreign Affairs.*

J. A. KING, *Minister of the Interior.*

S. M. DAMON, *Minister of Finance.*

WILLIAM O. SMITH, *Attorney-General.*

ZEPHANIAH SWIFT SPALDING.

We, William C. Wilder, president of the Senate of the Republic of Hawaii, and J. F. Clay, secretary of the Senate of the Republic of Hawaii, do hereby certify that the foregoing agreement between Sanford Ballard Dole, President of the Republic of Hawaii, and Zephaniah Swift Spalding was submitted by the President to the said Senate on the 12th day of August, A. D. 1895, and was ratified, approved, and confirmed by the said Senate on the 13th day of August, A. D. 1895.

W. C. WILDER,

*President of the Senate of the Republic of Hawaii.*

J. F. CLAY,

*Secretary of the Senate of the Republic of Hawaii.*

HONOLULU, August 14, 1895.

We, D. L. Naone, speaker, and James N. K. Keola, clerk of the House of Representatives of the Republic of Hawaii, do hereby certify that the foregoing agreement between Sanford Ballard Dole, President of the Republic of Hawaii, and Zephaniah Swift Spalding was submitted by the President to the said House of Representatives on the 12th day of August, A. D. 1895, and was ratified, approved, and confirmed by the said House of Representatives on the 13th day of August, A. D. 1895.

D. L. NAONE,

*Speaker of the House of Representatives of the Republic of Hawaii.*

JAS. N. K. KEOLA,

*Clerk of the House of Representatives of the Republic of Hawaii.*

HONOLULU, August 14, A. D. 1895.

APPENDIX B.

CERTIFICATE OF INCORPORATION OF THE PACIFIC CABLE COMPANY.

This is to certify that we, the undersigned, do hereby associate ourselves into a company under and by virtue of the provisions of the acts of the legislature of the State of New Jersey, entitled "An act concerning corporations" (approved April 7, 1875), and the several supplements thereto and acts amendatory thereof, for the purposes hereinafter mentioned, and to that end we do by this our certificate set forth—

First. That the name which we have assumed to designate such company and to be used in its business and dealings is the "Pacific Cable Company."

Second. That the places in this State where the business of the said company is to be conducted are the city of Jersey City, in the county of Hudson and State of New Jersey, and in such other townships and cities in this State as the nature and the progress of the business of the corporation shall from time to time render necessary or desirable.

The principal part of the business of said company within the State of New Jersey is to be transacted in the city of Jersey City, county of Hudson aforesaid.

The principal office or place of business of the said company outside the State of New Jersey is San Francisco, in the county of San Francisco and State of California.

The company will carry on a portion of its business without the State of New Jersey, and the places out of the State of New Jersey where the same is to be conducted and where the company proposes to carry on operations are in the State of California and in the Hawaiian Islands, and in such other places in the several States and Territories of the United States and in such foreign countries as shall from time to time be found necessary and convenient for the purposes of the company's business.

Third. That the objects for which this company is formed are to do any or all of the things herein set forth to the same extent as natural persons might or could do, and in any part of the world, as principals, agents, contractors, trustees, or otherwise, and either alone or in company with others, viz:

The construction, laying, operating, and maintaining of electric submarine cables in the Pacific Ocean, with telegraph lines and connections for the transmission of messages by electrical means, including the acquisition, by purchase, by manufacture, or otherwise, of all materials, supplies, machinery, and other articles necessary or convenient for use in connection with and in carrying on the business herein mentioned or any part thereof.

(a) To manufacture, purchase, or otherwise acquire, hold, own, mortgage, pledge, sell, assign, and transfer, invest, trade, deal in and deal with goods, wares, and merchandise, and property of every class and description.

(b) To the same extent as natural persons might or could do, to purchase or otherwise acquire, to hold, own, to mortgage, sell, convey, or otherwise

dispose of, without limit as to amount, within or without the State of New Jersey, real estate and real property of every class and description.

(c) To acquire the good will, rights, and property of any kind, and to undertake the whole or any part of the assets and liabilities of any person, firm, association, or corporation, and to pay for the same in cash, stock of this company, bonds, or otherwise.

(d) To apply for, obtain, register, purchase, lease, or otherwise acquire, and to hold, own, use, operate, introduce, and to sell, assign, or otherwise dispose of, any and all trade-marks, trade names, and distinctive marks, and all inventions, improvements, and processes used in connection with or secured under letters patent of the United States or elsewhere or otherwise;

And to use, exercise, develop, grant licenses in respect of, or otherwise turn to account, any such trade-marks, patents, licenses, concessions, processes, and the like, or any such property, rights, and information so acquired, and with a view to the working and development of the same to carry on any business, whether manufacturing or otherwise, which the company may think calculated directly or indirectly to effectuate these objects.

(e) To purchase or otherwise acquire, to hold, sell, assign, transfer, mortgage, pledge, exchange, or otherwise dispose of bonds, mortgages, debentures, obligations, or shares of the capital stock of any corporation, and to exercise while the owner thereof all the rights, powers, and privileges, including the right to vote thereon, which natural persons, being the owners of such stock and property, might, could, or would exercise.

(f) To draw, make, accept, indorse, discount, execute, and issue promissory notes, bills of exchange, warrants, bonds, debentures, and other negotiable or transferable instruments.

(g) To procure the company to be registered or recognized and to carry on its operations and business in any State or Territory of the United States and in any foreign country or place.

To do all and everything necessary, suitable, or proper for the accomplishment of any of the purposes or attainment of any of the objects hereinbefore enumerated or which shall at any time appear conducive or expedient for the protection or benefit of the company as holders of or interested in any such properties mentioned or referred to herein or otherwise, and in general to engage in any and all lawful business whatever, necessary or convenient (excepting always from this charter the business of an insurance company, a banking company, a savings bank, or other corporation intended to derive profit from the loan and use of money, a railroad or other company which shall need to possess the right of taking and condemning lands in the State of New Jersey), with all the powers which are now or may hereafter be granted to corporations under the laws of the State of New Jersey.

It is the intention that the objects specified in the third paragraph shall, except where otherwise expressed in said paragraph, be nowise limited or restricted by reference to or inference from the terms of any other clause or other paragraph in this charter, but that the objects specified in each of the clauses of this paragraph shall be regarded as independent objects.

Fourth. The portion of the business of the said company which is to be carried on without the State of New Jersey is a part of its financial business, any part or all of its purchasing, manufacturing, and selling business, any part or all of its dealings in personal or real property of all kinds and choses in action, any part or all of the negotiation, sale, and delivery of its stocks, bonds, and other securities, any part or all of its business pertaining to patents, patent rights, trade-marks, and any and all other parts of its business described in paragraph 3 herein which may be or become necessary or convenient or deemed profitable for the company.

Fifth. The total amount of the capital stock of this company is to be \$1,000,000, and the number of shares into which it is to be divided is 10,000 shares of \$100 each.

Sixth. The amount of capital with which said company will commence business is \$1,000,000, which is divided into 10,000 shares of \$100 each.

Seventh. The names and addresses of the stockholders, and the number of shares of stock held by each, are as follows:

Name.	Residence.	Number of shares.
Abram S. Hewitt.....	New York City.....	1,500
D. O. Mills.....	do.....	1,000
G. M. Dodge.....	do.....	1,000
Fred. D. Grant.....	do.....	500
Wager Swayne.....	do.....	500
Jas. J. Hill.....	St. Paul, Minn.....	1,000
Z. S. Spalding.....	San Francisco, Cal.....	2,500
Jno. H. Browning.....	Tenafly, N. J.....	1,000
Mason W. Tyler.....	Plainfield, N. J.....	1,000

Eighth. The period at which said company shall commence is the 1st day of January, 1896, and the period at which it shall terminate shall be fifty years thereafter.

Ninth. (1.) The board of directors shall have full and unrestricted power without the assent or vote of the stockholders to authorize and cause to be executed mortgages and liens upon the real and personal property of this company, upon such terms and conditions as shall to the board seem proper, and upon like terms and conditions to sell, in the usual course of business, property both real and personal.

With the consent in writing and pursuant to vote of the holders of a majority of the stock issued and outstanding, the stockholders having been formally convened in a meeting, the directors shall have power and authority to sell, assign, transfer, mortgage, or otherwise dispose of the whole property of this corporation, or any part or portion thereof, on such terms and conditions as the directors shall deem fit, right, and just.

(2.) The board of directors, in addition to the powers and authorities by statute and by the by-laws expressly conferred upon them, may exercise all such powers and do all such acts and things as may be exercised or done by the corporation, but subject, nevertheless, to the provisions of the statute, of the charter, and to any regulations that may from time to time be made by the stockholders, provided that no regulations so made shall invalidate any provisions of this charter, or any prior acts of the directors which would have been valid if such regulations had not been made.

(3.) The company may in its by-laws confer powers additional to the foregoing upon the directors, and may prescribe the number necessary to constitute a quorum of its board of directors, which number may be less than a majority of the whole number.

(4.) The board of directors may, by resolution passed by a majority of the whole board, designate two or more of their number to constitute an executive committee, which committee shall for the time being, as provided in said resolution or in the by-laws of said company, have and exercise all the powers of the board of directors in the management of the business and affairs of the company, and have power to authorize the seal of the company to be affixed to all papers which may require it.

(5.) No stockholder holding less than 10 per cent of the total stock issued shall be entitled to an examination of the books of account, or documents, or papers, or vouchers of this company, except by a resolution of the board

of directors giving such privilege, and an examination shall then be had only at the time and place, in the manner, to the extent, and by the person named in such resolution of the board of directors, excepting from this entire restriction only such corporate records as are, by statute, open to the inspection of stockholders.

This restriction shall not be construed to limit the right or power of any director or officer of the corporation to examine the books, papers, or vouchers of the said corporation.

(6.) The company may use and apply its surplus property earnings or accumulated profits, authorized by law to be reserved to the creation and maintenance of a surplus fund, or to the purchase and acquisition of property, and to the purchase and acquisition of its own capital stock, and may take the same in payment or satisfaction of any debt due the company from time to time, and to such extent and in such manner and upon such terms as its board of directors shall determine; and neither the surplus fund, nor the property nor the capital stock so purchased and acquired, nor any of its capital stock taken in payment or satisfaction of any debt due the company, shall be regarded as profits for the purpose of the declaration or payment of dividends unless a majority of the board of directors, or a majority of all the stock then issued and outstanding, shall otherwise determine.

In witness whereof we have hereunto set our hands and seals this 13th day of December, A. D. 1895.

ABRAM S. HEWITT.	[SEAL.]
D. O. MILLS.	[SEAL.]
G. M. DODGE.	[SEAL.]
FRED. D. GRANT.	[SEAL.]
WAGER SWAYNE.	[SEAL.]
JAS. J. HILL.	[SEAL.]
Z. S. SPALDING.	[SEAL.]
MASON W. TYLER.	[SEAL.]
JNO. H. BROWNING.	[SEAL.]

In presence of—

JOSEPH B. BRAMAN.

Swayne & Swayne, counsel, 120 Broadway, New York City.

STATE OF NEW YORK, *City and County of New York*, ss:

Be it remembered that on this 13th day of December, A. D. 1895, before me, Joseph B. Braman, a commissioner of deeds for the State of New Jersey, in and for the State of New York, resident in said city of New York, personally appeared Abram S. Hewitt, D. O. Mills, G. M. Dodge, Frederick D. Grant, Wager Swayne, James J. Hill, Z. S. Spalding, Mason W. Tyler, and Jno. H. Browning, who, I am satisfied, are the persons named in and who executed the foregoing certificate, and I, having first made known to them, and each of them, the contents thereof, they did each acknowledge that they signed, sealed, and delivered the same as their voluntary act and deed.

In witness whereof I have hereunto set my hand and affixed my official seal the day and year last above written.

[SEAL.]

JOSEPH B. BRAMAN,

Commissioner of Deeds for the State of New Jersey in and for the State of New York, resident in said City of New York.

Offices: Equitable Building, 120 Broadway, New York City. Branch and residence, 1274 Broadway, New York City.

(Indorsed:) Received in the Hudson County (N. J.) clerk's office, December 14, A. D. 1895, and recorded in clerk's record No. — on page —.

JOHN G. FISHER, Clerk.

(Indorsed:) Filed December 16, 1895.

HENRY C. KELSEY,  
Secretary of State.

STATE OF NEW JERSEY, *Department of State*:

I, Henry C. Kelsey, secretary of state of the State of New Jersey, do hereby certify that the foregoing is a true copy of the certificate of organization of the Pacific Cable Company and the indorsements thereon, as the same is taken from and compared with the original filed in my office on the 16th day of December, A. D. 1895, and now remaining on file therein.

In testimony whereof I have hereunto set my hand and affixed my official seal, at Trenton, this 16th day of December, A. D. 1895.

HENRY C. KELSEY,  
Secretary of State.

Mr. HALE. I move that the bill be referred to the Committee on Foreign Relations.

Mr. ALLEN. Before the Senator from Maine takes his seat I should like to ask him what became of the amendment that we put upon the Post-Office appropriation bill last year appropriating \$500,000 for the construction of a cable line between the United States and Hawaii.

Mr. HALE. I have stated. That amendment, as the Senator will remember, was amended at his suggestion so as to provide that the Government should own the property.

Mr. ALLEN. Yes, sir.

Mr. HALE. In that form it passed the Senate. It was voted down in the other House, and the matter went into conference. The Senate insisted upon its proposition for two several conferences; but as the session waned and the bill could not be lost, the Senate at last receded from its own action and the project fell.

Mr. ALLEN. I should like to ask the Senator if he does not believe that it would now be better policy for us to put such an amendment upon the Post-Office appropriation bill this year to the same effect, and insist upon it, by which the Government would own and control this cable line?

Mr. HALE. The main reason for the change in the manner of acting that has operated in my mind is, that since the time to which the Senator refers the Hawaiian Government has come in with a subsidy of \$40,000 a year, to be given to any company that, in connection with the United States, will lay the cable. At that time nobody had shown any interest in the matter. Hawaii had done nothing; there was no indication that it would help pay the bills; and therefore the only thing to do was to build the cable ourselves. But since then, as I have before stated, Hawaii comes in and is ready to assume what I think is her share, one-sixth of the expense of the whole subsidy, and that, therefore, puts the question in a different light.

Mr. ALLEN. I suppose the Senator has no doubt that the Ha-

waiian Government would cooperate with this Government in the construction of a telegraph line by the Government of the United States?

Mr. HALE. The answer is that the Hawaiian Government has now parted with its rights to do that to Mr. Spalding or to his assigns for the time between now and November 1, 1898.

Mr. ALLEN. Let me make a suggestion to the Senator, if I am not unnecessarily interrupting him.

Mr. HALE. Not at all.

Mr. ALLEN. I suggest that that is such a concession as the Government of Hawaii would have perfect power to cancel. It is not a vested right. It is a grant of sovereignty which may be recalled. Has the Senator any doubt that if the Government of the United States would make a proper appropriation for the construction of a line to be owned and controlled by this Government the Hawaiian Government would properly cooperate with us in that construction?

Mr. HALE. As I have said, I do not know. I have no doubt there is a feeling in Hawaii to cooperate with us in every form possible, but it has chosen this other way of showing its cooperation, and has endowed Mr. Spalding and his company with this gift, so that for two years and more they have a right, if the United States Government will join with them, to lay the cable, and the participation of the United States in the enterprise must be in the form of a subsidy. We, I will say to the Senator, to all intents and purposes own it if we want it. If the Senator will examine the provisions of the bill he will find that on any emergency, of which we are to be the judge, we may take entire possession, control it, operate it, own it, only making the members of the company good their advances.

So we get the cable built. We get the enterprise, with these men enlisted in it. We do not have to do it by governmental means, by the paternal methods. We get the line constructed. Our obligation is not large. It is one that will not be felt by the people; and at any moment we can do what I agree with the Senator is desirable in an emergency, take it and own it; but we do not have to go through the steps and the processes necessary to construct it. As I reflect upon it, in connection with this act of the Hawaiian Government, I think this is, perhaps, the better way to do it. I should not think so if there were not ample provisions for our taking it and owning it on any emergency.

Mr. ALLEN. I observe by the Senator's bill, however, that we guarantee them 4 per cent interest upon their investment. There is no safeguard in the bill, that I can see, against the overcapitalization of the company. They may actually put in one sum of money and capitalize for two or three times that sum, and under the Senator's bill we would be compelled to guarantee them 4 per cent upon their capitalization.

Mr. HALE. Oh, no; the Senator is mistaken. It is all safeguarded in that regard. It is only 4 per cent upon moneys actually expended and shown to be expended in stock of the company.

Mr. ALLEN. How are we to know what has been actually expended?

Mr. HALE. Undoubtedly the Government, as a matter of administration, will appoint proper persons, as we would do in any case where we subsidize a line; we have somebody who sees that the men perform the service. We would require a strict system of accounts, and every dollar that was expended would have to be vouched for.

Mr. ALLEN. I understand that the Senator does not doubt the power of the Government of the United States to construct such a cable line?

Mr. HALE. No; I have not any doubt.

Mr. ALLEN. That is conceded. Then it becomes a question of policy whether it would be better for the Government directly to own and operate the line or to subsidize it and assist some private corporation in operating it.

Mr. HALE. That is one of the questions, as I have said, that the committee must consider.

Mr. ALLEN. The Senator from Maine prefers to assist some private corporation in the construction and operation of this line rather than have the Government of the United States construct and operate it itself?

Mr. HALE. I repeat, in the present condition of this enterprise, the Hawaiian Government having selected its method of giving a subsidy to Mr. Spalding or to the company, having given them the exclusive privilege of laying the cable there, I think rather than to go into any doubtful question as to what we could do, aside from that it is better to seize this opportunity and help the company to construct the line under every safeguard we can throw about it. Every dollar of the expenditure will be vouched for. Our obligations will be known as clearly as they are known when we build a ship of war, or when we improve a river and harbor, or any other work in which Government money is expended. Then, above all, at any day, or any hour night or day, we may lay hands upon and take that property and it becomes ours. I do not see any embarrassment about it. I think there

are some advantages in this way over and above our going through the machinery of laying the cable ourselves. I think it will be laid cheaper. I think it will not cost so much by private enterprise aided by us as it would for the Government to do the work. I think the latter course would repeat the history we have made on the construction of war ships, where the most expensive ship, the longest time taken, and the less results shown are when the work has been done by the Government rather than by companies and individuals outside.

I have learned in my experience in that branch of the Government that we get a better ship by far for less money and in less time out of a private than out of a governmental yard.

The PRESIDING OFFICER. If there be no objection, the motion of the Senator from Maine to refer the bill to the Committee on Foreign Relations will be considered as agreed to.

Mr. ALLEN. Before the question is put on the motion, I desire to say a few words.

At the last session of the last Congress an amendment was placed upon the Post-Office appropriation bill appropriating \$500,000 for a survey for a cable line between the United States and the Hawaiian Islands, and also to commence the construction of the line when the survey was completed. On my motion that amendment was so amended as to vest the title of the cable line in the Government of the United States when it was completed, the amendment in fact providing that it should be constructed by the Government and paid for as the work progressed, and that the line should always remain Government property and be operated at actual cost and kept in repair. The honorable Senator from Maine and a former distinguished member of this body from South Carolina, Senator Butler, agreed with me that there was no doubt as to the power of this Government to construct such a line, to own it and operate it, and, if I recollect rightly, they were fully in accord with me at that time as to the desirability of pursuing that course.

I wish to place myself on record as being opposed to this bill, but not as opposed to the construction of a cable line between the United States and the Hawaiian Islands, because I believe that such a line should be constructed. I had the honor in the last Congress to introduce a resolution in the Senate for the annexation of the Hawaiian Islands to the Government of the United States, which I am in favor of. That resolution came within 2 votes of passing, and I have always thought if it had not been a Populistic measure, introduced from a Populistic source, it would have been adopted here and possibly it would be a law at this time.

I am opposed to this bill because I believe it to be not only within the power of the Government to construct such a line, but because I believe it to be the policy of the Government to do so. I do not believe the Government of the United States should be mixed up in the form of a partnership with any private individual or private corporation in this or any like enterprise.

Mr. CHANDLER. May I interrupt the Senator from Nebraska?

Mr. ALLEN. Certainly.

Mr. CHANDLER. I sympathize entirely with his idea that the Government of the United States should not guarantee interest on the overcapitalization of any telegraphic company. I take it for granted, according to the statement of the Senator from Maine, that there would be nothing of that kind in the bill; that the guaranties of the Government of Hawaii and the Government of the United States will be upon the actual cost of laying a cable. That being the case, it seems to me, if the Senator will allow me to say so, that this method is preferable to his method. If the Government of the United States or the two Governments build a cable, I ask the Senator may it not be necessary after all to turn about and lease it to some private company? Is it going to be wise for the two Governments to be carrying on the commercial business of running a cable between the Pacific Coast and the Sandwich Islands? I will put my question in this form: Can not a judicious, economical, and wise contract be made by the two Governments with a private company, properly safeguarded, which would be preferable to making it purely a Government enterprise? I venture to ask the question because the Senator is broad in his notions, and patriotic, and very much in favor of the independence of the Sandwich Islands, and I think of their annexation, and very much in favor of a telegraph line, which we need very much, and yet he is opposed to the only method that is proposed for getting the telegraph line.

Mr. ALLEN. The Senator from New Hampshire misunderstands my position. I am decidedly in favor of the construction of this cable line, but I want the Government of the United States to own it, and to control it and operate it. The Senator asks me if I do not believe that it would be wiser and better for the Government, even if it owned such a line, to lease it to private parties under a properly drawn contract. I do not believe so. I do not believe it would be any wiser to lease a cable line that is used for postal purposes than it would be to lease the post-offices and the post-routes of the United States. Those were private enterprises at one time in the history of this country. I am told by those who are older than I am that they remember distinctly the time when

in this country it cost 25 cents to send a letter from one State to another, and in some instances more. The entire postal system of the United States was a private enterprise, exactly as the old stage lines and stage coaches were private enterprises. Yet the Government of the United States saw proper to discontinue the postal service as a private enterprise. Through its sovereign power the Government took control of the postal service throughout the length and breadth of the land, and eventually it assumed control of the postal service emanating from this country and going abroad. Why was that done? Because it made the service more uniform and better, cheaper, and quicker. It was in the interest of the public that that was done.

Now, if we give the money of this Government to the Pacific Cable Company or to any other private enterprise we are simply going into a line of business where we have sunk and are liable to sink in the next twenty years four or five hundred million dollars. The Senator from Maine looks at me with some surprise. I mean to say that the system of subsidizing Pacific railroads, for instance, and the attempt that was made in this Chamber to subsidize the Nicaragua Canal last year will, before they are completed, if they become consummated, cost this Government \$500,000,000, if not more. The experience we have had in that line is not such, in my judgment, as to make it satisfactory to our people.

Mr. CHANDLER. Will the Senator allow me to interrupt him again?

Mr. ALLEN. Certainly.

Mr. CHANDLER. I sympathize with a great many of the Senator's ideas, but he seems to me to go wild in his differences from all the rest of the world, which seems to be the Populistic function. The Senator criticises the construction of the Pacific roads. A great deal of time might be spent in censuring the method that was adopted, but the fact was that under that method railroad communication across the continent was accomplished in less than seven years. The Senator from Maine will correct me if I am wrong. I say in less than seven years of the ten years that were allowed for that purpose that line was built, while if the Government had undertaken to build the roads for itself the work would have probably dragged for fifteen years.

Does the Senator mean to say, going back to that magnificent enterprise, that because he can find fault with the methods that were adopted for building the Pacific railroads the Government itself ought to have built the roads across the continent and to have continued to operate the roads for all time? Is that the Senator's notion about railroads?

Mr. ALLEN. I have not opposed and do not now oppose or criticise the construction of the Pacific roads per se. I criticise the method by which they were constructed and the means employed.

Mr. CHANDLER. Does the Senator think the Government ought to have built those roads itself?

Mr. ALLEN. I certainly do.

Mr. FRYE. And run them?

Mr. ALLEN. And run them. Why not? It is paternalism, is it? Yes, that is the only trouble. There is the great bugaboo.

Mr. CHANDLER. Not for me.

Mr. ALLEN. Not for the Senator from New Hampshire. I am glad to hear that. Populism is growing; it is spreading into the Northeastern portion of this country. Mr. President, that is the only objection that any man ever made in public or private, and I am glad to do the Senator from New Hampshire the justice of saying that at all times he has had the courage of his convictions in this Chamber.

Mr. CHANDLER. I am not willing to join the Populistic party quite yet. I am much more ready to take the Senator from Nebraska into my party than to join his. I say the paternalism of those methods would not deter me from adopting them. I do not think that I am in favor of such methods of governmental intervention in public works. It is a question of policy. One method may be adopted in one case and another method may be adopted in another case. It is not the fear that the Government will overstep its functions that would prevent me from adopting the method which the Senator proposes. In this case the speediest way to get a cable, which ought to be built right away, is to take the method that is close at hand. I hope the Senator, who is all right on the main question, will waive his objections to the method and cooperate with the one that is the practical method of accomplishing the result which all agree is desirable.

Mr. ALLEN. Mr. President, the Populist party will not take the honorable Senator from New Hampshire into its ranks and into full membership fellowship just yet. I think we prefer to take him, very much as a friend of mine used to say that the Methodist Church took new converts, "for six months on suspicion." [Laughter.] We prefer to have him meet for repentance for a time; and if he proves himself worthy and well qualified, we will at the proper time receive him into full fellowship.

But I am glad to note the fact that light is dawning even in New England, and it is not as bad a thing now as it used to be when I first came here for a man to talk of the doctrine of owner-

ship of railways by the Government. I have never heard a man upon the other side of the Chamber or upon this side, and I never expect to hear one, who can offer a decent reason against those arguments. I understand that gentlemen hold up their hands in holy horror and say, "that is populism;" "that is paternalism;" but you never undertake to define paternalism. You undertake to scare the country with a word, just as you do with the word "parity" and the word "flat."

No, Mr. President, I am in favor of this Government owning and controlling this cable line for several reasons. In the first place, it would be cheaper, in my judgment, and directly in line with the policy of the Government in owning and controlling the Post-Office Department in all its features; and it would be directly in line with the true policy of this Government never to farm out to private individuals or private corporations any of its sovereign power. We might just as well say that the decisions of the Supreme Court of the United States should be farmed out to private enterprise (and I presume they would, in many instances, be as valuable as they are now if they were) as to say that the sovereign power to control the mail service of this Government, or any feature of it, should be farmed out to private corporations. The truth is, we are, every day of our lives here, delegating sovereign powers to private corporations and private enterprises that the Constitution places in this Government to be exercised in the interest of the people. Senators seem to be bent upon having these powers delegated to private corporations. When it comes to the question of the power and policy of this Government to own and operate such lines by itself unaided, and unaiding any private corporation in a like enterprise, I believe it is the true policy and the patriotic policy for the Government to own and operate them.

In the next place, there is another serious objection to the bill. Another great corporation is to be raised up, whose fangs eventually are to enter into the legislative and executive departments of this Government, if not into the judicial department, and one more enemy of free government is to be fed and encouraged by liberal appropriations made by Congress. How long will it be until this Pacific Cable Company will place in this Chamber and in the other House of Congress such servile tools as it wants to do its bidding in the form of legislation, and by that means stifle the cries and wishes of the people and enact legislation in the interests of private enterprise and in such a way as to lay additional burdens upon the masses of our people? I do not believe that we should encourage enterprises of this kind where it is in the interests of the Government to construct the work and where it is conceded that we have ample power to construct it ourselves.

Let me recur briefly to our experience with reference to Pacific railroads, for I do not want to be misunderstood upon that question. I admit that it was good policy to construct the Pacific roads, at least one of them, possibly all of them; it was the proper thing to do; but the originator of that enterprise, Mr. Asa Whitney, never expected it to be a private enterprise. His first petition to Congress, in 1846, I think, possibly in 1844, was to the effect that he was to construct the road out of a land grant to be given to him by Congress, and within a certain time after that he was to turn the road over to the Government, and it was to be a great governmental highway. That was his plan. I believe it would have been better policy, and that it would have been a great deal cheaper for this Government to have made a direct appropriation to construct the Pacific railroads from the Mississippi and Missouri rivers as they have been constructed to the Pacific Slope and to have owned and controlled them to-day.

We have a debt of \$120,000,000 due us now. We have guaranteed bonds to the amount of \$60,000,000, if not more, 6 per cent bonds, that we must make provision for at this Congress—subsidy bonds that were given to those roads. One of the strange things in the history of such transactions is that when the Government of the United States had the first lien upon the roads for the subsidy bonds through some kind of legerdemain, I know not what, that lien was taken off and certain stockholders and bondholders were given a lien prior to the Government's lien. We voluntarily relinquished the first lien upon those roads; we waived our right to foreclose upon the roads and reduce them to Government ownership, and gave to certain moneyed interests in this country a first lien, who now threaten to take the roads and leave the Government without a penny to pay the subsidy bonds or to recoup for the interest that has been paid upon the debt. Is it not likely that the time will come within fifteen or twenty years when a like policy will be pursued with reference to this Pacific Cable Company if it is subsidized?

I believe if we owned and controlled and operated a great transcontinental line of railway to-day we could squeeze a hundred per cent of water out of watered stock. By fixing the rates of passenger and freight tariff upon that road we could force every competing road in the United States to come to the prices fixed by the Government of the United States. It would go as far as anything we can do, if not further, to bring about an adjustment of this great railroad problem.

Mr. President, a railway is a public corporation; that is, it gets

its power to go across your land and mine and to exercise the power of eminent domain because the Government farms out to it the sovereign power. That question first arose in this country in the case of *Bloodgood vs. The Mohawk River Railroad Company*, when the old court of errors of New York was composed of a few judges and the senators. It was a serious question for a great many years whether a private corporation or a corporation in the nature of a railroad company could exercise the sovereign power of eminent domain and force itself across the property of private individuals. Finally that position was sustained; the Supreme Court of the United States followed it, and every court in the Union follows it to-day.

Does any lawyer or any layman doubt that if a railroad company gets a right to construct a road in consequence of the Government farming out to it the right of eminent domain, there goes with that power, as an incident of the grant, the power to control the road that exercises the right of eminent domain? Has not this Government power, whenever necessity may bring about the occasion to exercise its sovereign power of eminent domain, to reduce every corporation of that kind in this country to Government ownership? The same power that the corporation exercises with reference to private property may be exercised by the Government with reference to the property of the corporation itself. It is a supreme power that knows no limit but the limit of necessity and desirability.

Why not, then, own and control those railroads? Out in the State in which I have the honor to live oats are being sold to-day for 11 cents a bushel—oats as fine as were ever grown upon the face of the earth. It costs 16½ cents of freight tariff to put a bushel of oats in market from Nebraska to New York—60 per cent more than the farmer can get for it there. So with corn, wheat, and all other farm products, and with meat products. I believe they are taking from the State of Nebraska and Kansas and other Western States every year \$50,000,000 to pay interest upon watered stocks. No restraint is placed upon them by the State government. The State government has no power to place it upon the subsidized roads, in so far as they are doing an interstate traffic business. No restraint is placed upon them by Congress. They are at liberty under our laws to take a road that cost \$25,000 a mile of honest money for its construction and to capitalize that road for \$140,000 or \$150,000 per mile, and by that means take the profits from the grain grower and the meat grower of the States through which they run. It amounts to millions and hundreds of millions of dollars in the course of a year. Is not that a matter of sufficient importance to awake at least some slight interest on the part of Congress?

Mr. HOAR. I desire to ask the Senator a question.

The PRESIDING OFFICER. Does the Senator from Nebraska yield to the Senator from Massachusetts?

Mr. ALLEN. Certainly.

Mr. HOAR. Do any of the transcontinental roads that run through Nebraska pay dividends on their stock, whether watered or otherwise?

Mr. ALLEN. They have done so until they have been looted.

Mr. HOAR. But they are in the hands of receivers now?

Mr. ALLEN. Yes, sir; and they ought to have been in the hands of receivers years ago.

Mr. HOAR. So the particular hardship which the Senator describes does not exist with the farmers of his State to-day? I put the question for information merely.

Mr. ALLEN. I am willing the Senator should interrupt me and ask a question, but I can not understand the policy of it. The Senator asks me if the stockholders of the railroad companies are drawing dividends to-day. I say some of them are and some of them are not, but throughout their history they have been drawing dividends.

Mr. HOAR. I hope the Senator will not understand that I put the question as differing from him in his comment about the Government's policy in regard to those roads. He can not express himself more strongly than I should wish to express myself if I had occasion to do so.

Mr. PEPPER. I suggest to Senators that all of this discussion is out of order. It is going on by unanimous consent, and I hope they will not protract it unnecessarily.

Mr. ALLEN. I will yield to the Senator from Kansas in a few minutes.

The PRESIDING OFFICER. If a point of order is made the Chair is of opinion that the Senator from Nebraska is not in order, as unanimous consent was simply given that the speech of the Senator from Maine [Mr. HALE] should be concluded, after which the unfinished business would be again laid before the Senate, when the Senator from Kansas would be recognized on the unfinished business.

Mr. PEPPER. I have no doubt the Senator from Nebraska will conclude his remarks soon. I was rather suggesting to other Senators not to interfere with the Senator from Nebraska in order that he might conclude his remarks, if it can be done soon.

Mr. ALLEN. I shall be through in about five minutes.

No, Mr. President, some of those roads are in the hands of receivers, and they ought to go into the hands of receivers. Those roads have been looted from one end to the other. They have been the subject of private plunder in many instances. If they had been managed as they should have been managed they would have yielded a fair compensation upon the actual capital and some compensation upon the entire capitalization. It is a godsend to the people of the United States that they are passing into the hands of receivers and going into liquidation.

Mr. President, I believe it would have been better for the Government to have constructed those roads and to own and operate them to-day. With reference to the construction of the Nicaragua Canal, I favor it. I want to see this Government, by the construction of a canal about 170 miles long, cut off the 10,000 miles of travel around the Horn. But I shall never vote for an interest-bearing obligation of this Government in aid of that or in aid of any other enterprise. It means the expenditure of \$300,000,000 upon the part of this Government before that enterprise is finally paid for under such a system. Whenever we can issue the money here and commence the construction of the Nicaragua Canal and pay for it as we go along it will have my vote. But whenever it comes to the question of issuing bonds and subsidizing some private corporation that is to own and construct it and take its profits where we pay the interest and principal of the subsidy bonds, I shall oppose it, not because I do not realize the importance of the enterprise, not because I do not fully approve of it, but because I do not believe that this Government, as a matter of policy, should issue its bonds and incur an endless debt which future generations will be taxed to pay.

Mr. President, for these reasons I am opposed to the bill brought in by the Senator from Maine.

The PRESIDING OFFICER. If there be no objection, the motion of the Senator from Maine [Mr. HALE] will be considered as agreed to, and the bill will be referred to the Committee on Foreign Relations.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed the concurrent resolution of the Senate to print, in one volume, all of the acts as they appear in the United States statutes, heretofore passed by Congress, imposing duties on imports.

#### ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (S. 628) to provide an American register for the steamer *Miami*.

#### SILVER COIN AND COIN REDEMPTION.

The PRESIDING OFFICER. The unfinished business will be proceeded with.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2904) to maintain and protect the coin redemption fund, and to authorize the issue of certificates of indebtedness to meet temporary deficiencies of revenue, the pending question being on the amendment of Mr. BUTLER to the amendment reported by the Committee on Finance.

[Mr. PEPPER resumed and concluded the speech begun by him yesterday. See Appendix.]

#### DEATH OF REPRESENTATIVE COGSWELL.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, communicated to the Senate the intelligence of the death of William Cogswell, late a member of the House from the State of Massachusetts, and transmitted the resolutions of the House thereon.

The PRESIDING OFFICER. The Chair lays before the Senate resolutions from the House of Representatives, which will be read.

The Secretary read the resolutions, as follows:

#### IN THE HOUSE OF REPRESENTATIVES, January 16, 1896.

Resolved, That the House has heard with profound sorrow of the death of Hon. William Cogswell, late a Representative from the State of Massachusetts.

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

Mr. HOAR. Mr. President, I ask for the immediate consideration of the resolutions which I send to the desk.

The PRESIDING OFFICER. The resolutions submitted by the Senator from Massachusetts will be read.

The Secretary read the resolutions, as follows:

Resolved, That the Senate has heard with profound sorrow the communication of the death of the Hon. William Cogswell, late a Representative from the State of Massachusetts.

Resolved, That as a mark of respect to the memory of the deceased the Senate do now adjourn.

The resolutions were unanimously agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate adjourned until Monday, January 20, 1896, at 12 o'clock meridian.

## HOUSE OF REPRESENTATIVES.

THURSDAY, January 16, 1896.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY M. COUDEN.

The Journal of yesterday's proceedings was read and approved.

#### QUESTION OF PRIVILEGE.

Mr. GROW. Mr. Speaker, I rise to a question of privilege affecting the proceedings of this House, and ask the Clerk to read from a pamphlet issued by the Chamber of Commerce of the State of New York a paragraph which I have marked bearing upon the question.

The Clerk read as follows:

Then came the *Alabama* claims and the fisheries dispute, the first being decided in our favor and the latter against us, each side accepting the decision and paying the award like business men. Then came the seizure of Canadian sealing vessels by the United States in Bering Sea, which was arbitrated, and about \$400,000 awarded to the owners of the seized vessels, which has not been paid, owing to the failure of Congress to make an appropriation therefor, and which we are in honor bound to settle without further delay.

Mr. CRISP. Mr. Speaker, I make the point of order that this is not a question of privilege. The gentleman from Pennsylvania stated that he rose to a question of privilege. The gentleman has stated no such question, nor does the article read from the desk constitute a privileged matter.

Mr. GROW. It is a privileged matter, for if it be untrue, as I shall demonstrate, it is a direct reflection upon the good faith of this House in the discharge of a national obligation. The alleged failure on the part of the House is not true—

Mr. CRISP. I beg pardon; the gentleman presents no privileged question. My friend would no doubt like to submit remarks upon it; but, nevertheless, it is not a matter of privilege.

I will refer the Chair to the rule in a moment.

Mr. GROW. I did not propose to take more than a minute. I simply desire to correct the statement. It is not true.

Now, does the gentleman from Georgia think that a direct reflection upon the House and its membership such as this does not constitute a question of privilege?

Mr. CRISP. I insist that the gentleman must wait until the Chair decides whether he has presented a privileged question or not. I make the point that the gentleman has not presented a question of privilege, and it is for the Chair to determine.

I am looking for the rule. I desire to call it to the attention of the Chair. The rule of the House is in the following words:

Questions of privilege shall be, first, those affecting the rights of the House collectively, its safety, dignity, and the integrity of its proceedings; second, the rights, reputation, and conduct of its members individually, in their representative capacity only; and shall have precedence of all other questions except motions to adjourn.

Now, I insist, Mr. Speaker, that the gentleman has not presented a question of privilege. The Chair heard the reading of the paragraph, and I invoke the judgment of the Speaker upon it.

Mr. GROW. Now, Mr. Speaker—

The SPEAKER. The gentleman from Pennsylvania can be heard upon the point of order.

Mr. GROW. In response to the gentleman from Georgia, Mr. Speaker, I claim that any charge made against the good faith of the House with reference to its legislation upon any subject presents a question of privilege for the whole House, being just the same as a misrepresentation of the views and acts of the members themselves.

The arbitration, to which reference is made in this pamphlet, did not award a dollar of damages for the seizure of the fishing vessels; but if so, the representatives of the people on this floor are false to the discharge of their duty and to their country for refusing to assent to what an arbitration had agreed to. Now, I take it that that presents a question of privilege for the whole House. If not, I wish to make a statement which will bring it strictly within the rule, so that the Chair will be fully informed of the question.

Mr. CRISP. I ask a ruling of the Chair—

Mr. GROW (continuing). The joint high commission agreed on between Great Britain and this country, sitting at Paris, refused to consider the question of damages for the seizure of the sealing vessels, hence they made no award, but on the contrary the Secretary of State and the President of the United States agreed with the ambassador of Great Britain on a lump sum if Congress should approve of it.

Mr. CRISP. I call the gentleman to order.

The SPEAKER. The gentleman should confine himself to the question of order.

Mr. GROW. My question of order is that whatever affects the vote of a member of the House presents a question of privilege.

But, Mr. Speaker, in order to bring it strictly within the rule I will make it personal to myself. I will raise the question of personal privilege. Before the House, when we voted on it, was the question of raising \$400,000 in a lump sum, and we are told that two-thirds of this was claimed by American citizens who made sham sales of their vessels to unnaturalized citizens—

Mr. CRISP. Mr. Speaker—

The SPEAKER. The Chair does not think that any question of privilege has been made out.

Mr. GROW. I am satisfied. [Laughter.]

PRINTING OF TARIFF ACTS.

Mr. PERKINS. Mr. Speaker, I am directed by the Committee on Printing to favorably report the resolution which I send to the Clerk's desk.

The SPEAKER. The gentleman from Iowa [Mr. PERKINS], chairman of the Committee on Printing, presents the following report, which the Clerk will read to the House.

The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Joint Committee on Printing be, and are hereby, authorized to cause to be printed, indexed, and bound in cloth, in one volume, all of the acts as they appear in the United States Revised Statutes, heretofore passed by Congress, imposing duty on imports, 1,000 copies for the use of the Senate and 2,000 copies for the use of the House of Representatives.*

The resolution was agreed to.

On motion of Mr. PERKINS, a motion to reconsider the last vote was laid on the table.

DUTIES OF ASSISTANT SECRETARY OF WAR.

Mr. STEELE. I desire to offer the resolution which I send to the Clerk's desk.

The resolution was read at length. It provides that the Secretary of War be, and is hereby, requested to inform the House whether or not, in his opinion, the duties of the Assistant Secretary of War can not, after March 4, 1897, be more satisfactorily performed by the designation or assignment by the Secretary of War of the commanding officers of the Army or the Adjutant-General of the Army to perform said duties during the illness or temporary absence of the Secretary of War.

Mr. STEELE. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution.

Mr. CANNON. I will say to the gentleman that it seems to me that resolution should be investigated by a committee. The positions of Assistant Secretary of War and Assistant Secretary of the Navy were authorized in order that there might be a little civil blood in those two Departments. I think it would be better to have the resolution go to the Committee on Military Affairs.

Mr. STEELE. I will state to the gentleman that there is no purpose in this resolution to try to amend the law. This is only a resolution for information.

Mr. CANNON. I should not mind the recommendation of the Secretary of War, even if he should recommend the change. I think it would be better to have the resolution go to the Committee on Military Affairs.

The SPEAKER. Objection is made to the consideration of the resolution.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, the following Senate bills were taken from the Speaker's table and referred by the Speaker as follows:

The bill (S. 1) granting a pension to Mrs. Eva Davis Cogswell, widow of Brig. Gen. William Cogswell—to the Committee on Invalid Pensions.

The bill (S. 941) granting to the Atchison and Nebraska Railroad Company and the Chicago, Burlington and Quincy Railroad Company, its lessee in perpetuity, the right of way over a part of the Sac and Fox and Iowa Indian Reservation, in the States of Kansas and Nebraska—to the Committee on Indian Affairs.

UNCOMPAHGRE INDIAN RESERVATION, UTAH.

Mr. SHERMAN. Mr. Speaker, I am instructed by the Committee on Indian Affairs to report back favorably the resolution which I send to the Clerk's desk.

The Clerk read as follows:

Mr. CANNON of Utah submitted the following, which was referred to the Committee on Indian Affairs:

*Resolved, That the Secretary of the Interior is hereby requested to inform the House in detail as to the proceedings had and expenditures made by his Department in carrying out the provisions of sections 20, 21, and 22 of an act making appropriations for current and contingent expenses of the Indian Department, etc., approved August 15, 1894; with the names and residences of commissioners appointed under the provisions of said sections; with copies of instructions given by his Department to said commissioners, and with a statement, if not incompatible with the public service, of the probable time when that provision of said sections can be executed which provides for a restoration to the public domain of certain lands within the Uncompahgre Indian Reservation in the Territory of Utah.*

Mr. SHERMAN. This is simply a resolution of inquiry. The act provided for the appointment of a commission to allot in severalty the lands of the Uncompahgre Indians in Utah, and also that the same commission should negotiate with the Uintah Indians in Utah in reference to allotting their lands in severalty. This resolution simply asks what action the Secretary of the Interior has taken under that act.

Mr. SAYERS. I should like to ask the gentleman a question. Was the appropriation to which the gentleman refers embraced in a special act?

Mr. SHERMAN. No; it was in the Indian appropriation act of 1894.

Mr. SAYERS. Did not the last Congress pass an act in reference to those tribes?

Mr. SHERMAN. No; I think not. I am quite sure no such action was had.

Mr. SAYERS. I may be mistaken as to the tribes, but I am quite confident that the Delegate from Utah was insisting last session on the passage of a special act with reference to two Indian tribes.

Mr. SHERMAN. If that is true, I am not informed of it.

Mr. DOCKERY. I desire to ask the gentleman whether these lands include certain valuable asphalt deposits?

Mr. SHERMAN. They do include those lands.

Mr. DOCKERY. This is simply a resolution of inquiry?

Mr. SHERMAN. That is all.

Mr. DOCKERY. It proposes to make no disposition of those lands at this time?

Mr. SHERMAN. No disposition at all.

The resolution was agreed to.

LEASE OF SCHOOL LANDS IN ARIZONA.

Mr. MURPHY of Arizona. Mr. Speaker, I ask unanimous consent for the present consideration of House bill No. 2769. It has been reported favorably from the Committee on Public Lands.

The SPEAKER. The gentleman from Arizona asks unanimous consent for the present consideration of a bill which will be reported by the Clerk.

The Clerk read as follows:

A bill (H. R. 2769) to authorize the leasing of lands for educational purposes in Arizona.

*Be it enacted, etc., That the lands reserved for university purposes, and all of the school lands in the Territory of Arizona reserved by law for school purposes, may be leased under such laws and regulations as may be hereafter prescribed by the legislature of said Territory, but until such legislative action the governor, secretary of the Territory, and superintendent of public instruction shall constitute a board for the leasing of said lands under the rules and regulations heretofore prescribed by the Secretary of the Interior for the respective purposes for which the said reservations were made, except that it shall not be necessary to submit said leases to the Secretary of the Interior for his approval; and all necessary expenses and costs incurred in the leasing, management, and protection of said lands and leases may be paid out of the proceeds derived from such leases.*

Mr. MURPHY of Arizona. Mr. Speaker, I wish to say in explanation of the bill that it simply makes available—

The SPEAKER. Without objection, the gentleman from Arizona will be allowed to explain the bill.

There was no objection.

Mr. MURPHY of Arizona. The bill simply makes available the reserved school lands of the Territory for revenue during the Territorial condition. The bill is identical with one passed last session for the Territory of Oklahoma. It confers no title and sells no land, but simply makes the school lands available now while they are idle and doing no good to anybody; and the bill gives authority to the Territory to lease them.

Mr. SAYERS. Is there a report from a committee?

Mr. MURPHY of Arizona. There is a favorable report from the Committee on Public Lands.

Mr. SAYERS. Is it a unanimous report?

Mr. MURPHY of Arizona. Yes, sir.

Mr. BARTLETT of New York. Mr. Speaker, I should like to ask the gentleman from Arizona as to whether there is any limit to the time of the leases?

Mr. MURPHY of Arizona. It is simply during the time Arizona remains a Territory. When it became a State, the State would own the lands.

Mr. BARTLETT of New York. Would not the lands be then burdened by existing leases?

Mr. MURPHY of Arizona. Not by any means. I suppose that would all be regulated at the time when Arizona became a State, when it would be the owner of this land and have the fee simple to it.

Mr. FLYNN. I will state that this bill is identical with the Oklahoma bill which was drawn by the Department and passed at the last session. It is a question of allowing the authorities of the Territory to get the proceeds from the vacant lands in the reservation known as school lands in that Territory.

Mr. LACEY. I will state further that it relieves the Interior Department from being compelled to approve all these leases.

Mr. BARTLETT of New York. Is there any communication from the Interior Department in favor of this bill?

Mr. FLYNN. The same proposition has heretofore been approved by the Department.

Mr. LACEY. They prefer to be relieved from the approval of the leases, and the bill allows them to be made by the Territorial officers, without the approval of the Department.

Mr. McRAE. If my friend from New York will allow me, I will state that I do not think there can be any objection to this bill. It provides, as has already been stated, only a question of authority for the local officers of the Territory to lease the lands

now reserved for school purposes, which will eventually be given for the education of the youth of that country, so as to enable them to receive some rent for a school fund from lands that are now given free, almost, to graziers. This bill itself perhaps has not been referred to the Department, but a bill to the same effect, in relation to Oklahoma, was indorsed by the Department last year, and I can not see why the same principle should not apply to the Territory of Arizona which has already been applied to that of Oklahoma.

The SPEAKER. Is there objection to the present consideration of the bill? [After a pause.] The Chair hears none.

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

On motion of Mr. HENDERSON, a motion to reconsider the vote by which the bill was passed was laid on the table.

#### ORDER OF BUSINESS.

Mr. WILLIAM A. STONE. Mr. Speaker, I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of general appropriation bills.

Mr. STEELE. Pending the announcement of that vote, Mr. Speaker, I ask unanimous consent to withdraw the resolution I introduced this morning.

The SPEAKER. Without objection, it will be so ordered.

There was no objection, and it was so ordered.

The question was then taken; and the motion to go into Committee of the Whole House on the state of the Union was agreed to.

#### PENSION APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. DINGLEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of general appropriation bills, and the Clerk will report the unfinished business.

The Clerk read as follows:

A bill (H. R. 3537) making appropriation for payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1897, and for other purposes.

Mr. WILLIAM A. STONE. Mr. Chairman, I yield to the gentleman from Iowa [Mr. CLARK]; but, Mr. Chairman, before the gentleman from Iowa begins his remarks, I would like to have the attention of the committee for a moment in reference to the order of debate for to-day.

The committee in charge of this bill has been requested by a great many members that the bill be not taken up by paragraph to-day, but that the committee proceed to consider it under general debate; and the committee is disposed to do so, and to remain in session as long as there are members who are anxious to speak in general debate, without taking up the bill by paragraphs, and unless there shall be some considerable objection to it, the bill will not be taken up by paragraphs under the five-minute rule to-day.

Mr. NORTHWAY. The bill will not be voted on to-day?

Mr. WILLIAM A. STONE. No; there will be no vote taken to-day.

The CHAIRMAN. Does the gentleman from Pennsylvania desire to make any arrangement for closing general debate?

Mr. WILLIAM A. STONE. I have no particular desire, as there seems to be no disposition manifested on the other side; but I will simply announce that general debate will be closed to-day, and that the bill will not be taken up under the five-minute rule to-day.

Mr. DOCKERY. Why do you not ask unanimous consent to close general debate to-day?

The CHAIRMAN. Does the gentleman desire to ask unanimous consent to close general debate to-day?

Mr. WILLIAM A. STONE. That is my wish.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that general debate upon the pending appropriation bill be closed to-day, and that the bill be taken up tomorrow under the five-minute rule. Is there objection? [After a pause.] The Chair hears none, and it is so ordered. The gentleman from Iowa [Mr. CLARK] is recognized.

Mr. CLARK of Iowa. I have no purpose, Mr. Chairman, to occupy the time of this committee in any general discussion of the measure now pending. I merely desire to call attention to a case or two within my personal knowledge, as contributions to the mass of testimony that is being submitted as constituting reasons why this Congress, representing the American people, making the appropriation of money for payment of pensions, shall define more fully and emphatically the conditions under which the Department or the Bureau of Pensions shall administer its service and distribute those funds. I favor the amendment offered by my friend the gentleman from Illinois [Mr. GRAFF] because it is in the line of needed legislation. Whether it be held germane to this bill or not, discussion of it will at least be useful as contributing

to the proper and complete pension law which Congress should enact.

I will cite first an instance within my personal knowledge. Mr. Francis M. Ross, formerly a private in Company B, Forty-second Indiana Infantry, a resident of my own county, drew a pension under the laws of the United States. He made application for an increase of pension. Dr. John J. Rigg, a townsman of his, a physician of character and repute, a member of the board of examining surgeons in that county, gave a certificate as to his condition, which I will read:

STATE OF IOWA, Lee County:

KEOKUK, June 10, 1892.

This certifies that I am a resident of Keokuk, Iowa, Lee County; was formerly of Montrose, Iowa; was a practicing physician of Montrose for ten years; have known Francis M. Ross for several years; became his family physician in 1883, and have continued to be such ever since; was called to see him for heart trouble on the 13th day of September, 1885, and have examined him and treated him for said trouble on a number of occasions since. He has a chronic organic lesion of the heart; hypertrophy with valvular insufficiency, also regurgitation (mitral); such disability bringing about a very serious train of symptoms, such as difficulty in breathing, smothering spells when lying down, pain in the region of the heart, and upon the least exertion there occurs a severe attack of palpitation. He is unfit for manual labor and especially labor that would require much walking or lifting. His degree of disability is more than it would be from the loss of leg or arm. I have no interest in the prosecution of this claim.

JOHN J. RIGG, M. D.

The gentleman giving this certificate is, as I have already stated, a physician of high character, and is at present a member of the board of examining surgeons for pension applicants in my county.

Dr. J. M. Anderson, was a resident of my county for fifty years, a gentleman of the very highest character, a gentleman of such standing and repute in his lifetime that when he died last year almost the whole county gathered at his burial, and I felt honored, Mr. Chairman, when, as a personal friend and representative of the district, I was asked to be one of the pallbearers who should bear that honored man, a citizen of my county from the Territorial period, to his grave.

He was a man as honest as Washington and as courageous as Jackson. He would not have borne false testimony for his life. He furnished a certificate to Mr. Ross, which is as follows:

MONTROSE, LEE COUNTY, IOWA, September 16, 1890.

In the matter of the claim of F. M. Ross, late private in Company B, Forty-second Regiment of Indiana Volunteer Infantry, for increase of pension.

Personally appeared before me, a notary public in and for said county and State, J. M. Anderson, M. D., whose post-office address is Montrose, Lee County, Iowa, whom I certify to be reputable and entitled to credit, and declares in reference to the above case as follows:

I have been intimately acquainted with said soldier for twenty-five years, and a portion of that time was his family physician. I treated soldier about eighteen years ago for pleuro-pneumonia, and discovered at that time that he had chronic pleurisy with lesion. The exact date of my first treatment I can not give. I have prescribed for him at different times since, and have made a careful physical examination of his condition quite recently, and find cardiac enlargement and mitral insufficiency, also enlargement and induration of liver and spleen, and inability to lie down except upon his abdomen, his face down on his pillow. By reason of these complicated diseases he is incapacitated from manual labor, and the degree of his disability is, in my opinion, equal to the loss of an arm or leg.

I am 70 years old; have practiced medicine forty-eight years, and I have no interest in the prosecution of this claim.

J. M. ANDERSON, M. D.

Dr. A. Weisman, also a member of the board of examining surgeons, gave a certificate to the same effect; which is as follows:

KEOKUK, IOWA, December 22, 1894.

A. Weisman, M. D., a citizen of Keokuk, Iowa, whose post-office address is 1123 Main street, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows: I am a practicing physician and have been acquainted with said soldier for a short time. I never attended claimant professionally, but have made an examination of his physical condition at this date at his own request, and have found the following disabilities:

He has chronic pleurisy, affecting both lungs. Some emphysema of left lung, slight over base of right lung. Pleuritic adhesions of left lung, causing dry, hacking cough, particularly at night. Can't lay on his back, or on either side, for any length of time, causing dyspnea; bowels tympanitic, spleen enlarged, hypertrophy of heart, and anemia. Disabilities increase in cold and damp weather, and are in such a degree as to disable him from doing any manual labor. The disability did exist, as claimant states, while in the service.

The above affidavit is in my own handwriting, and, in making the same, I did not use and was not aided or prompted by any written or printed statement verified, prepared, or dictated by any other person and not attached as on credit of my testimony.

A. WEISMAN, M. D., Keokuk, Iowa.

Dr. J. J. Rigg, of whom I have already spoken, after he became a member of the board of examining surgeons supplemented his first statement by an additional one, which is as follows:

KEOKUK, IOWA, January 15, 1894.

In the pension claim No. 204667, of Francis M. Ross, of Montrose, Iowa, I respectfully submit the following in regard to the case: I have known said soldier intimately over ten years and have been his family physician the greater part of this time. He has suffered from chronic pleuritis, with adhesion over the lower lobe of left lung; also hypertrophy of heart, with valvular insufficiency; also fermentative dyspepsia, resulting in a chronic gastritis; has dropsical effusions around the heart and in the abdominal cavity, also of the left leg and foot, and hyperthetia of entire left side. Is now totally disabled so far as earning a support by manual labor is concerned. His disabilities are permanent and progressive and were not caused by vicious habits; and in view of the above facts, and knowing the condition of soldier, both physio-

ally and financially, I would regard his case deserving of more than his present rating, and respectfully recommend the increase asked for.

Respectfully submitted.

JOHN J. RIGG, M. D.,

Member Board United States Pension Examiners, Keokuk, Iowa.

Dr. H. Carnes, another reputable physician, examined this pensioner, and gave the following certificate:

MONTROSE, IOWA, December 18, 1894.

In regard to the case of F. M. Ross would state that I have this day examined him and found the following conditions in regard to pleurisy, viz:

Adhesions of all the lower lobe of left lung; also emphysema of lower lobe of left lung; would further state that I have been intimately acquainted with claimant for past six years, have prescribed for him frequently during that time for pleurisy, and, in fact, whenever he contracts a cold he is troubled more or less; it is chronic form, is progressive and permanent. His disability is real without the least shadow of doubt; would state that I have no interest whatever in the prosecution of this claim.

H. CARNES, M. D.

At this point, Mr. Chairman, I may remark that these gentlemen, besides being physicians of high repute, are all of them Democrats.

Here, Mr. Chairman, were four physicians of his county, of high personal and professional character, who united in personal knowledge and professional treatment of this man's case, and certifying that the pensioner was entitled to an increase of pension. Now, here is the answer received to the pensioner's application:

DEPARTMENT OF THE INTERIOR, BUREAU OF PENSIONS,  
Washington, D. C., May 27, 1895.

SIR: I have to advise you that your name has this day been dropped from the pension roll, certificate No. 204667, for the reasons set forth in my letter to you under date of December 11, 1894, viz, that the disability for which the pension was allowed has ceased to exist in a pensionable degree.

[Laughter.]

That is signed, "William Lochren, Commissioner."

That soldier, Mr. Chairman, is now laboring through me, and through my distinguished colleague at the other end of this Capitol, Senator GEAR, to be reinstated on the pension roll of the Government, not upon his personal testimony, but upon the testimony of four of the chief physicians of my county, as I personally know. Now, sir, I want to take from that Bureau of Pensions, by whatever party it may be administered, the right to drop a pensioner from the rolls under such conditions without an adjudication of his case by a tribunal where he shall have a right to be heard. [Applause.]

There is another case and phase of Department policy to which I wish to call the attention of this committee. Mr. William Smith, of Company K, Nineteenth Iowa Volunteer Infantry, a resident of Mount Pleasant, in my district, applied for a pension. In the progress of time and in the discretion of the Bureau of Pensions he received a pension. He applied for a rerating under the conditions which I am about to set forth, and he received this notice from the United States pension agency at Des Moines, acting as the representatives of the Pension Bureau. The pension agent wrote to Mr. Smith as follows:

UNITED STATES PENSION AGENCY,  
Des Moines, Iowa, September 29, 1892.

DEAR SIR: I hand you herewith blank voucher for pension accrued under your certificate to October 4, 1892. The terms of your certificate are such that former payments erroneously made to you are to be recovered to the amount of \$1,007.20, and checks drawn for your quarterly payments will therefore be forwarded to the Assistant Treasurer of the United States until that amount shall have been recovered.

Very respectfully,

S. A. MARINE, Pension Agent.

WM. L. SMITH,

Mount Pleasant, Henry County, Iowa.

Mr. Chairman, in the case of a private soldier in my own town an application for a rerating led to an equivalent order, and I was informed by the commandant of the Grand Army post of my town that under that order it would take sixteen years to settle the debit and credit account between that pensioner and the Government—that sixteen years must elapse before that pensioner can draw a dollar of pension, and in the meantime he is being maintained by the charity of the people of Keokuk day after day and year after year. I submit, Mr. Chairman and members of this House, that there needs some reversal of policy like this.

I am done, Mr. Chairman, but in closing let me say I can easily find a reason why this policy, unless we check it, may increase. The President of the United States and the Secretary of the Treasury have had their hearts made sick by the deferred hope of the promise that the Wilson-Gorman tariff would yield an adequate revenue. They have been disappointed on the line of the regular receipts by the operations of that bill. But, Mr. Chairman, if the Pension Department can sit there and by facile and deft bookkeeping of its clerks swop all the pension money between debit and credit, so that it appears merely upon the bookkeeping of the Department and no dollar of it is paid out, probably there will come a surplus to the revenues of this Government by way of the back door of the Pension Department which can be credited hereafter to the operation of the Wilson-Gorman tariff. [Laughter and applause.]

Mr. GRIFFIN. Mr. Chairman, it is not to be denied that the air gun which the gentleman from the Seventh district of New

York [Mr. BARTLETT] charged and exploded the other day possessed greater recoil than any piece of ordnance ever used in the gigantic struggle out of which arises the question which is before this committee to-day for determination. Its echoes have been heard in this Chamber for several days, and it is very evident that the greatest point of danger about that gun was its rear and not its front. [Laughter and applause.] These echoes to which we have listened, Mr. Chairman, are but as gentle zephyrs compared with the tornado that will in time come up from the valleys and down from the mountain sides of the regions from which the Union boys came marching in 1861, and from that to 1865—"three hundred thousand" and "five hundred thousand more." These reverberations from distant States in this land will come from the yeomanry, from localities where patriotism is engendered, where it is given birth, where it grows and expands as true patriotism deserves to. You will not find it in the marts of commerce, you will not find it in a part of the Seventh Congressional district of New York represented by the gentleman who has spoken here, for there it is overshadowed by other considerations. You will find it in the rural districts of this land, where love of country is supreme over considerations of business and home comforts—that love of country which actuated every Union soldier who abandoned his home and all that which he held dear, for what? Not for his own protection, not for his own gratification, but for the preservation of a principle which might redound to the benefit of this country and of succeeding generations.

The gentleman from the Seventh Congressional district of New York informs this House that the Democracy of his State and the best Republicans of New York are not in favor of a further extension of pension legislation which shall result in "looting" the Treasury without proper justification. This statement, Mr. Chairman, I am pleased to say, was refuted by his colleague from the Tenth district of New York; and I believe that the great majority of the constituents of the gentleman from the Seventh district of New York will repudiate his statements.

The great difficulty with the gentleman to whom I refer is that where we on this side of the House find justification he can see none. And I regret exceedingly that such is the fact. The gentleman has called out such a rain of invective upon his head as no member of this House has before, certainly during this session, been so unfortunate as to invite, and were it not for the provocation contained in his remarks I should not now presume to engage the attention of this committee for one moment. But, Mr. Chairman, every man who is a true friend, not a false friend, of the Union soldier should rise here before this debate shall close and in his place denounce the stigma and the reproach which is heaped upon the Union soldiers and their dependents, living and dead, by the unfortunate language made use of by the distinguished gentleman from the distinguished Seventh district of New York, when he charges this kind of legislation as an attempt to "loot the Treasury" of the United States.

Mr. Chairman, the term "looting" means pillage; it means plunder; and this is the first time in my brief experience that I have ever heard or known of legalized "looting" and legalized "pillage." I presume very few of those here on this side of the House who advocate this kind of legislation are pensioners. Very few of them are participants in the benefits afforded by pension legislation, and we do not resent the stigma because of its application to us individually, but we refute it, and we hurl it back as false in every particular, in every element, in behalf of those whose voices can not be raised in their own defense in this Chamber. [Applause.] That, Mr. Chairman, is our duty, and it is because I claim the privilege of discharging this duty that I stand here for the moment.

Now, sir, we are in accord with the gentleman in every measure that shall tend to prevent any "looting" of the Treasury, if there be anything of that kind; but the difficulty with the gentleman is that he can not see any necessity for pension legislation such as this amendment proposes. The term "looting" implies in the connection in which it is used by the gentleman that the Union soldiers were a set of rascals, that they were dishonest. In refutation of that I say that patriotism and dishonesty do not go hand in hand. What kind of men, Mr. Chairman, did the country call for in the time of its need? It did not look for bankers; it did not look for preachers; it did not look for statesmen; it did not look for men of the highest integrity in the different communities of our land. It did not seek those who could give the best bonds for their honesty and their good behavior. No; it sought able-bodied, patriotic, brave-hearted heroes, with good teeth to masticate hard-tack, with good eyes so that they could take true aim, with sufficient physical ability to carry a knapsack, forty rounds and a musket, a haversack and a canteen. That is the kind of men that were sought—men not necessarily of the highest repute for probity or integrity; and yet, Mr. Chairman, I assume to say, and I challenge contradiction, that taking the same number of men from the higher and the better walks of life—aye, even from the distinguished Seventh district of New York—the stand-

ard of honesty and integrity which has been exhibited by the Union soldier will surpass the standard of honesty and integrity established by the best class of men from the best walks of life.

This, Mr. Chairman, is proven by the very few convictions, the very few dishonest acts, the very few cases in which perjury has been charged in the dispensing of pensions to the 970,000 pensioners on the part of this Government. So that I say patriotism, valor, honesty, and integrity have traveled hand in hand together. They can not be separated. He who was so self-sacrificing as to say he owed the country his life, if need be, is the last man to-day who ought to be charged with being ready to "loot its Treasury" and "ruin its credit."

Now, what is the justification for the amendment introduced here on this bill, providing that widows may, in case that they have not a fixed income of \$500 per year, receive the pittance which the Government is willing to give them in the shape of pensions. We find it, Mr. Chairman, in the fact that when the widow and her little ones may have a few dollars of income, under the strict construction of the law, she is deprived of the bounty of the Government.

Little does the gentleman from the Seventh Congressional district of New York appreciate this state of things. He goes to his club; sits before his grate fire toasting his extremities, with his pedal appendages incased in soft silken slippers, smoking his cigarette [laughter] and sipping his wine with genial friends about him. The winter wind howling outside disturbs not his peace or his drinks. The howling blasts that come from the homes of want and poverty penetrate not to his abode. Everything is lovely; and surrounded with luxury and comfort, what conception, what knowledge, what information can he have to move the liberal hearts of our citizens? But go to the other place, and what do you find? A house with but a single room; nothing but a tallow dip, if it be at night, to cast a lurid glare over the few objects in it; you find huddled about the dying embers of a once perhaps comfortable fire the widow, with emaciated countenance and frame poorly clad, her little ones shivering by her side over the few fragments that remain still unconsumed, their dimpled fingers blue with cold, no food, no fuel, no nothing but want and misery, not even the common comforts, say nothing about luxury—nothing in view but want and suffering.

The few dollars income which the widow may have for herself and her little ones are insufficient, with her efforts, to support and take care of them; and yet there are the two extremes. There is a case, not an isolated one, for they are numerous in this country of ours, rich and plenteous in every other respect. There is a case, Mr. Chairman, which appeals to the favorable action of this House on this amendment. If she could add to the little pittance she has the bounty which the Government—in case this bar shall be removed—would afford her, she may be lifted up from the condition of penury, poverty, and want, and placed where she ought to be placed; and any man who gets up here or elsewhere and announces to the world that he is "the friend of the Union soldier," and yet will not be moved to act with justice by such a recital, by such an instance, by such an example as that, for him the Union soldier has no need, for he does not want any such friends. [Applause.]

Now, Mr. Chairman, who are the men and what are the elements that oppose liberal pension laws? Why they are a class who live wholly within themselves. They are a class whose hearts do not beat in sympathy with their fellow-men, unless they be of that class whom they number among their "chums." They are those who were opposed to the Union during the struggle for its preservation. They are those who opposed a protective tariff that would give this country prosperity, because that enabled the country to pay the pensions, and would overcome many of the objections made by the gentleman who urges the depleted state of the Treasury as a reason why we should not pass this amendment. They are those who are rich and know not want in any case; those who are members of fashionable clubs; those who ape foreign airs; who send their orders for their wearing apparel abroad; those who wear spike-toed shoes [laughter]; those who want the earth and everything in it without paying anything for it. [Laughter.]

They are those, Mr. Chairman, who, if they see a Union soldier with an empty sleeve, would elevate their olfactory organs as they passed by; those whose hearts are no larger than wooden nutmegs; in short, those who are entirely wanting in the elements of patriotism and valor and the recognition of valorous deeds, those totally lost to the impulses of a humane spirit, and whose ultimate destination will, I trust, be that bottomless pit described by the distinguished gentleman from the distinguished Seventh district of New York [Mr. BARTLETT] where they can revel in the luxury afforded by the money which the gentleman is so fearful will be unnecessarily thrown therein.

Now, Mr. Chairman, the gentleman has said that we could not monopolize patriotism. Where did he ever hear the sentiments uttered by a man worthy to speak for those on this side of the

House who claimed we had a monopoly of all the patriotism in this country? I deny that that claim has ever been made, either by those on this side of the House or those who thought politically as they do, away back from 1861 to 1865. In those days, Mr. Chairman, all parties furnished men for the defense of the Union, and we accord to them, we accord to those who came from the party of the distinguished gentleman from New York, the same credit as we claim for ourselves. But I will say to the gentleman that we have a monopoly of one thing; that a Democratic Administration in 1860 and 1861 confessed the inability of this Government, in the exercise of its constitutional powers, to suppress the rebellion, to compel a State to remain in the Union if it sought, without just cause, to absolve its allegiance to this Government. When the Republican Administration came into power, it stamped that doctrine out of existence, and because of that, Mr. Chairman, the gentleman from New York [Mr. BARTLETT], with every gentleman who holds a seat in this Chamber to-day, is here under the guise and protection of the law, in a free country, and in a united American Union. [Applause.]

The CHAIRMAN. The gentleman from Indiana [Mr. HATCH] is recognized.

Mr. HATCH. Mr. Chairman, in the very few moments that I shall occupy the time of this committee I wish to place myself on record as being in favor of liberal pensions. I also wish to place myself on record in regard to my admiration for the American soldier, for in my estimation marvelous men have these American volunteers proved themselves, on land and on sea. General Grant, our great commander, after the war said to his soldiers:

Soldiers of the United States, your marches, your battles, your sieges, in endurance, in distance, in brilliancy of results, have dimmed the luster of the world's past military achievements.

And, sir, we can truthfully say that no grander scenes of courage or of devotion have ever been displayed than were displayed by the American volunteers. They have equaled in courage the Spartans at Thermopylae and the immortal Six Hundred at Balaclava; and, sir, we all know that a large majority, that most of these pensioners, served in a war whose armies were the mightiest hosts ever sent forth by a republic, and in point of magnitude of cost, of blood, and treasure it far outranks any war in the history of this Republic.

And, sir, let me call attention to a few of the battles of that war. There was Cold Harbor, where it was said that in less than twenty minutes after the first gun was fired 10,000 Union men, 10,000 men on one side, lay writhing and bleeding on the sod or calm and still in death. There was Kenesaw Mountain, around whose bloody crest 12,000 men fell in one day. There was that affair at Hampton Roads, when the grand old ship, the *Cumberland*, went down with all on board, her crew firing her guns as she went beneath the water; and her flag, the Stars and Stripes, was never struck, but floating above the water after the vessel went down. There was Shiloh, upon whose bloody field 15,000 men on both sides, 15,000 Americans, were killed or wounded. There were Gettysburg and Vicksburg and the battles around Richmond and Chickamauga, and Mission Ridge, and the battle in the clouds on Lookout Mountain.

These are but a few of the 112 great battles fought during that war, with more than a thousand minor battles and skirmishes, a war whose mighty death roll reached nearly 400,000, with fully as many more maimed and crippled for life. Surely it was no frolic, no pleasant pastime, this sacrifice of home and home comforts, to go forth to such a war, where every inch of ground was contested by a brave and gallant foe. These older men well remember that during that time there were many dark and gloomy days, for some of these great battles were not victories for us, but were terrible and bloody defeats.

Sir, it seemed at times that He who rules over the destiny of nations had forgotten us, and it has been truly said that if time had been counted by events this nation lived a century during those four years. But, thanks to an overruling Providence, and thanks to these old pensioners and their comrades, this Government of the people, for the people, and by the people was not blotted from the face of the earth; and, sir, after four years of terrible and bloody civil war the world understood that the States of this Union were not loosely held together by a bond that could be easily broken, but that they were, in the language of an eminent statesman, many States but one people, having one Government, one flag, and one common destiny.

Yes, we are one people. We are more than that. We are a free people in every sense of the word, and all of our vast territory is, and whatever territory we may acquire in the future will be, dedicated to freedom forever. Abraham Lincoln proclaimed freedom to 4,000,000 slaves, and the Union Army, taking new hope, pressed forward, carrying freedom and victory together, and made them one. And that memorable appeal to arms also decided that the nation was supreme and that no State could leave the Union even by force of arms. No State has ever seceded, but many have been added to it. It is settled beyond controversy that this

Union can not shrink or contract, but it can grow, increase, extend. Growth, extension, greater power, grander destiny are before us, and to-day we rejoice that we are one great, united, harmonious people, stretching from the Gulf to the Lakes and from ocean to ocean, and in the lines of the poet we can truthfully say:

We know no North, nor South, nor West,  
One Union binds us all;  
Its Stars and Stripes are o'er us flung,  
'Neath them we stand or fall.

We also rejoice that this Republic, with its glorious institutions, its grand power, its bright future, its matchless possibilities, still exists, this mother of republics, whose lullaby ought to be heard over every cradle of liberty throughout the world. [Applause.]

Yes, sir; all these things have been made possible, are in fact accomplished facts, through the sacrifices, the sufferings, and the bravery and heroism of those old pensioners and their comrades; and, I say to you that, for one, I am opposed to the pension of a single one of these men being taken away from him unless he has had a fair trial, a fair chance given to him for defense, and a fair court to hear him in. [Applause.] Therefore, I am in favor of the amendment of the gentleman from Illinois [Mr. GRAFF]. [Loud applause on the Republican side.]

The CHAIRMAN. The gentleman from Pennsylvania is recognized.

Mr. BRUMM. Mr. Chairman, I must confess a great deal of surprise that at his late hour there should be any objection urged against the widows of deceased soldiers receiving the pension due them unless they prove that they are paupers. It seems to me that instead of doing these widows a favor you are punishing them. You make the criterion of their deserts their poverty; you brand them as paupers; you place a placard upon their backs, as it were; you make it a matter of record, and you make that old stooped and gray-headed lady exhibit to the public and her posterity the record, "I, too, am a pauper." It strikes me, Mr. Chairman, that the criterion of pensions should not be how many dollars are you worth, but what are your deserts, either as a soldier, or the widow of a soldier, or the mother of a soldier, or the orphan of a soldier.

The question as to whether the soldier himself received injuries during the war and while in service seems to be, also, at this late date, a back number, and especially when you consider that a certain class of our soldiers, to wit, the Mexican soldiers, have for some years received a service pension. There is no reason why there should be this invidious distinction between Mexican soldiers and the soldier of the Union. The pension, the sum of money itself, is not so great, and there is no reason that can be advanced why the Union soldier should not be placed precisely on the same footing as every other soldier that has a pension under our Government. It has been urged that a great many soldiers who never heard a gun fired would probably be pensioned under that system. However, the same objection would lie as well against the Mexican soldier. The fact is, a large majority of the Mexican soldiers pensioned are men who never were near the front, and who never left their homes. The mere fact that they had enlisted entitles them to a pension. While I am finding no fault with that, yet I do find fault with gentlemen who raise objection to the Union soldier being placed on the same footing with the Mexican soldier. You may tell us that a longer time has elapsed. In my judgment time has nothing to do with the matter. A matter of justice is justice one day after the act as well as it is one year, twenty or thirty years after.

It has been urged that this means an extra tax upon the people of the United States. To my friends on the Democratic side of the House I simply want to say that we adhere to the position of a protective tariff which will never make an American citizen pay one penny of tax. Under a revenue tariff it is true you make the American citizen pay the tax. A protective tariff (and at the proper time that shall be illustrated more at large) must be paid at all times by the foreign producer and foreign importer. When it is not paid by them it is of itself a revenue tariff, I mean a tariff for revenue only, a tariff that must be paid by enhancing the price of the article upon which the tariff is laid. A protective tariff means that it lowers the price of the article, and on that I challenge contradiction. I ask any gentleman on that side of the House to show me a single article upon which there has been a protective tariff for ten to twenty years that has not fallen in price, while on the other hand take any article upon which there has been a revenue tariff laid, it has enhanced in price, and the result is that the consumer of this country must pay the additional duty as a tax.

I only speak of this incidentally. I speak of it because it has been thrust in our teeth in the discussion of the revenue bill in the beginning of this session, that we have been endeavoring to burden our people with taxes. But let that be as it may. The point I am most particular about in the consideration of this bill is the infamous system that has been established, I believe, Mr. Chairman, not by the Pension Bureau, but by a power higher than the Pen-

sion Bureau itself, a system that I say is infamous because it stands without a precedent, a system that is infamous because it is so unjust that the most tyrannical nation of the world would not have dared to adopt anything of the kind.

One of the fundamental principles of human government is the presumption that every man is innocent until he is proven guilty. Another is that no man shall be declared guilty except by due process of law after a fair and impartial trial, at which he may be present personally or be represented by counsel, where he may have an opportunity to confront his accusers and to examine and cross-examine witnesses, in other words, to make for himself a defense against any charges that may be alleged against him. Why, sir, the veriest vagabond that travels the streets, the worst criminal that has ever been known, is, in the eyes of the law, an innocent man until he is proven guilty. I care not how low in life he may be, I care not what his reputation or his standing is, being charged with an offense, he is still innocent until that offense is proven according to law. No government, no human society, could possibly exist and tolerate a system so infamous as the one that has been adopted by this Administration with reference to our soldiers.

Let us examine it. The applicant for a pension files his application. There are certain forms and processes of law prescribed, and he conforms to them. He introduces his evidence to show that he is entitled to a pension. There is a critical examination of it, and in every case where any doubt exists a special commissioner is appointed who goes to the vicinage, meets the witnesses face to face, carefully and critically investigates the case, and finally the pension is allowed. Years roll on, witnesses die, records are destroyed, evidence is lost, and then, when the pensioner is in that dilemma, an order comes from somewhere in Washington through the Pension Bureau saying to the pensioner: "Unless you show within sixty days that you are not a perjurer, unless you show within sixty days that you have not been guilty of fraud, your pension will be taken from you."

The pensioner stands utterly and absolutely helpless. His witnesses are dead, his evidence, much of it, is destroyed; or, even if some of his witnesses be still alive, owing to the fallibility of human memory, they may perhaps in some small matter contradict some of their former statements, and that is made a pretext for permanently depriving the old veteran of his pension. Instead of holding men innocent until they are proven guilty, this Administration hangs them first and tries them afterwards. [Laughter and applause on the Republican side.] They put the brand of fraud upon the pensioner. They denounce him and his witnesses as perjurers. They make that record and they hand it down to posterity. His children and his children's children must face that record standing in the archives of this nation, and he has no remedy, because he is forced to prove a negative, which is almost an impossibility. I repeat, sir, that it is the most infamous proceeding that can be found in the history of any government pretending to civilization or justice.

Gentlemen here tell us that something must be done to cut down expenses, resting their opposition to the pensioning of our soldiers entirely on the amount of money involved. That is the only argument that has been used, and it has been put in the most offensive form. The gentleman from New York [Mr. BARTLETT] does not content himself with saying that this is taking money out of the Treasury in a legal way. He speaks of "looting" the Treasury, robbing the Treasury. To "loot" means to rob, to plunder, to take by brute force, and that is the description which the gentleman from New York gives of legislation designed to pay the honest debt which this Government owes to the veterans of the late war.

Mr. MILLIKEN. Will the gentleman permit a question?

Mr. BRUMM. Certainly.

Mr. MILLIKEN. Will the gentleman inform us how the Treasury can be looted after it has been emptied by the policy of the party now in power? [Laughter on the Republican side.]

Mr. BRUMM. To be sure, there is very little substance left to loot, but the gentleman from New York [Mr. BARTLETT] seems to think that we are "going for" the shadow. [Laughter.]

Now, Mr. Chairman, these gentlemen talk about "looting" the Treasury to pay the soldier, whether he received his wound or other disability in the line of service or not. I do not so regard it. I maintain that the debt which this Government owes to the soldiers of the late war can never be paid. In the shape of a debt it stands beyond the possibility of mathematical calculation. It grows with the growth of our nation. It enlarges with the blessings of this great Republic. Whatever advance we make, whatever blessings we enjoy as a nation, we make and we enjoy because the boys in blue saved them for us. Yet men here halt and quibble about a mere matter of from \$8 to \$12 a month for the short lives these old veterans still have to live or for the lives of their widows, orphans, or dependent parents, and then call it "looting" the Treasury.

Sir, in considering the great achievements of the soldiers of the Grand Army of the Republic history furnishes no parallel.

Their heroism, loyalty, devotion, self-sacrifice, and success can not be equaled anywhere in the history of the world. They were not hired butchers, but the free citizen soldiers of our land, who held the power of sovereignty as well as the sword and musket. The soldiers of the Union were citizens, as it were, yesterday, soldiers to-day, and citizens to-morrow. The grand spectacle of the aggregation of that Union Army is incomparable. Their heroic work is equal to the best; but in their segregation they loom so far above anything that history has recorded that men should blush with shame when they say, "We will not even give you enough to provide for the ordinary necessities of life during the remainder of your short existence." When the Army of the United States disbanded, these citizen soldiers by the hundreds of thousands, although paid only 50 per cent of the amount due them, went back to their homes, entered into civil life, and without a murmur became the best citizens of our land. No other people could have done it, no country could have risked it but this glorious Republic of ours.

And here I want to say to my friends on the other side that your "boys" deserve the same credit. History accords them this proud honor as well as us. When your "boys" were done fighting, though beaten, they did not become bands of marauders and robbers. They went back, as did our "boys," and again became citizens of this mighty Republic. Sir, on both sides they were the citizen soldiers that only this Republic can produce.

Mr. Chairman, the cheapest thing that this Government can pay is the price it expends to establish the precedent that it will ever be just to its soldiers and let our posterity know that when soldiers will so loyally make sacrifices as did the boys in blue, this Republic will ever remember them and no future soldiers shall be treated worse than the best of those who served in the last rebellion.

#### MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. JOHNSON of North Dakota having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. PLATT, one of its clerks, announced that the Senate had passed joint resolution (S. R. 39) making an appropriation to defray the joint expense of locating the boundary line between the Territory of Alaska and the British North American territory; in which the concurrence of the House was requested.

#### PENSION APPROPRIATION BILL.

The committee again resumed its session, Mr. DINGLEY in the chair.

Mr. DOVENER. Mr. Chairman, it had been my purpose to remain silent and merely listen to the criticisms that were showered upon my friend from the State of New York [Mr. BARTLETT]. But in view of a letter which my mail has brought me this morning from the Pension Department in this city, in answer to a letter of inquiry in regard to the application of a respectable widow of a Union soldier, I should be recreant to my trust and false to my constituents if I did not lay that letter before this House. I intend, after reading this letter, to send it to this widow, a woman whom I know well. This letter is dated "Washington, D. C., January 14, 1896," and I hope my friend from New York is here and will take a memorandum of the case and have it inquired into, so that possibly he may explain that which is inexplicable to me as to the neglectful attitude of the Commissioner of Pensions and his department toward this old soldier, his widow, and his orphans.

MADAM: In response to the personal inquiry of Hon. B. B. DOVENER relative to your claim for pension as widow of the above-named soldier, you are advised that Dr. W. H. McCullom—

A gentleman whom I know well—

testifies that Ira was born December 3, 1879, and you allege that his correct name is Ira Lawson—

Now I want to call the attention of the House, and especially my friends on the other side, to the capricious and unjust manner in which pensions are hung up year after year. This doctor (a gentleman whom I know myself) it appears had stated that this widow's son "Ira" was born December 3, 1879, and the widow stated that her son's name was Ira Lawson. After that it seems some gentleman was sent out to make inquiry as to this apparent discrepancy (and we get such communications frequently) and he had examined the old family Bible. This old lady was unable to write, although she was filled with patriotism and self-sacrificing love for this Union, under the promptings of which she had sent her husband to a soldier's grave in defense of his country. It appears that, some other person having entered the name on the record, it was not spelled Ira Lawson, but Ira Clawson, the difference being merely an additional letter, and this family record also stated that the child was born December 20, 1879, instead of December 3, 1879, as the doctor had stated. The letter continues—

While the certified copy of Bible record shows that Ira Clawson was born December 20, 1879. The correct date of his birth and his correct name should be stated and this discrepancy explained.

Now notice what follows:

Evidence showing that the children are all living should also be furnished, as the last on file only covers November 12, 1892.

So that this pension has been ready for consideration, has been

ready to be passed upon, since 1892, and only after an inquiry by me has been made in the year 1896, something like four years later, is this widow informed that some person has come across a Bible record showing a discrepancy of seventeen days as to the birth of her child, and possibly, through a misunderstanding of the name, has misspelled it. So her case is sent back for further information, and not only that, but she must prove over again that her children are living, because more than three years have elapsed while the Department has been waiting to inform her of this technical difficulty. And inclosed in this letter is the famous Order No. 229, which has already been read and its contents commented upon before the House during this discussion, so that I need not read it again. This is the claim of Esther P. Orum—claim No. 534385—and for the benefit of my friend from New York I will say that this is a respectable lady, the widow of a soldier, and residing at the town of Sherrard, W. Va. Here is another letter which I have received to-day, addressed to myself:

McMEEHANS, January 1, 1896.

DEAR SIR: I received to-day an answer to your call on the Department of the Interior about the pension for myself. They say the claim was rejected on account of not having proof of my father's marriage. I am very thankful to you for what you have done for me, and hope you will assist me a little further.

There is only one way for me to get proof of the marriage, and that is by finding a family by the name of Jefferson, who lived in Wheeling in 1864, but moved to Washington, D. C. If it is not asking too much, would you please send me a list of the Jeffersons as they appear in the directory of Washington? I will write to them and maybe I can find the one I am looking for.

Respectfully, yours,

H. J. DRUMM.

Hon. B. B. DOVENER, M. C., First District, West Virginia.

My friend who opened the debate on the other side of this question used this language, which is found in the RECORD, page 724:

For myself, I can say that I truly believe, had I been of years sufficiently mature when the first cannon boomed across the harbor of Charleston on the morning of April 12, 1861, I should have found my place among the enlisted men in the civil war.

I have no doubt, Mr. Chairman, the gentleman from New York is in earnest in the use of that language; and when the extract which I have read from his speech was delivered on the floor of the House he firmly believed that he would have done so. Let us look at the facts. I am of the opinion that my friend from New York need not have been deprived of that privilege if he had chosen to go into the Army. He was born in 1847, and was 14 years of age when the "cannon boomed across the harbor of Charleston." Down in my State, situated differently from the gentleman from New York, born and reared in the State of Virginia, where we were divided in sentiment, when but a few years older than himself, I parted with family and friends and entered into the Union Army in response to that "boom that was sent across Charleston Harbor" of which the gentleman from New York speaks, and in the company which I had the honor to command were men, loyal mountaineers, of what was afterwards the State of West Virginia, who came to the camp, boys of 13 or 14 years of age, and offered their services in defense of the old flag. They were too young, some of them, to be recognized or received into the Army, but they remained with us and underwent the trials as well as the hardships of camp life and finally succeeded in getting their names upon the rolls, and when they did it by convincing us by services, entirely voluntary, that they were capable of performing the duties required of them. And, Mr. Chairman, when they enlisted they placed their names upon the rolls as 18 years of age; and after the war was over when some of these men applied for pensions it has come to my personal knowledge that this Commissioner of Pensions has asked to have it explained how it was that they said their age was 18 at that time, while the records of the War Department show very differently, because they seemed to be four years older at that time than they really were, and hence they could have not been in the service, for they were not old enough.

Those are cases of which I have personal knowledge. I say we were differently situated down in West Virginia from the situation in which the gentleman from New York found himself. But let us go a little further. In 1862 the war was still going on, and the gentleman from New York was 15 years of age. In 1863 we were still in that terrible trouble, and the gentleman from New York was 16 years of age. In 1864 he was 17 years of age, and still the war went on and the draft riots of New York went on at the same time in the presence of that gentleman, knowing that the Government was needing forces.

I have already said that in my State we labored under considerable disadvantages. We raised seventeen loyal regiments and sent them into the United States Army, with thirty-six or thirty-seven thousand men from my section, and we did not have any draft either. We raised these regiments, and in 1863, on the 20th day of June, they recognized us as a free, sovereign, and independent State, and placed one of the brightest stars upon the flag of our country in honor of West Virginia. When they did that the General Government said "You have assumed the duties of statehood; you must assume also the responsibilities of it and must furnish your quota of men," and, Mr. Chairman, we did so. Therein we were a little unfortunate no doubt. Possibly if some of us had been less

patriotic and the draft had come on us, there are some no doubt among us who might have had the pleasure of hiring a substitute, and then we would have been in the direct line of promotion and possibly President of the United States some day. [Laughter.]

Now, my friends, I want to say to you this: I recall another instance of patriotic sacrifice, and I commend the history of the man to my friend from New York. At 16 years of age—much younger than my friend was—a youth left the State of Ohio who served honorably in the ranks of the Union army. He returned to his State and has been an honored ornament to it ever since; and on yesterday, recognizing his worth and merit, he was unanimously chosen by his party as Senator from the great State of Ohio to represent that State from the 4th day of March, 1897. I speak of the Hon. Joseph B. Foraker, who at 16 years of age went into the Union army. [Applause.] So that my friend need not have been deprived of the opportunity to serve in the Army if he had desired.

As I said, I think my friend hardly appreciated the situation when he made the remarks which he made the other day. During the war I heard the expression "Lincoln hirelings" applied to us. Since the war, in the newspapers of the country, I have seen the words "pension bummers." I have also heard the pensioners called "Treasury looters," but I never expected to hear a gentleman who regretted that his age prevented him from being in the ranks of the Union Army, and who claimed to be so loyal to this Government, make use of language of the same character, such as "looters and pillagers of the Treasury" and men "indulging in a carnival of pillage"—such language as I heard the gentleman use the other day. As suggested by a friend at my side, that fixes his condition very safely.

Does my friend from New York [Mr. BARTLETT] apprehend—does he for one moment comprehend who it is that he is insulting by calling them "looters of the Treasury" and "organized pillagers of the Treasury"? Aye, although he may not have been disposed to risk his younger days in the Army of the Union, yet he was of age sufficient to have at least read and known the history of his country, to have known something of the men whose surviving comrades he calls, with their widows and orphans, "looters of the Treasury." If he would refer to the books that he was then studying, to the history of the times when he was 16 or 17 years of age, he would recollect who these men were. Does he remember when that grand old vessel of which we all speak with pride, the old ship of state, was out on the sea of dissolution? Does he remember when the clouds hung low? Does he remember when the lightnings flashed, when the thunder rolled, and when the gale bent the masts of that old vessel, when in her distress Abraham Lincoln, of sainted memory, grasped the helm of state and cried for men to man that vessel, and the response came from shore to shore, "We are coming, Father Abraham, 300,000 more"?

The sons and widows of these men and their surviving comrades are the ones who are charged here with being looters of the Treasury. Their comrades, their husbands, and their fathers—many of them lie dead. They are required to prove that death came in the line of service. Many of them sleep in unknown graves in front of Richmond. Many of them sleep in the Wilderness, and at Gettysburg, and along the banks of the Ohio and the great Father of Waters, amid the pine woods of Georgia and the Everglades of Florida. They sleep in honored graves, although unknown. Their sunken graves may be unmarked by any stone or monument, but I will say to the gentleman from New York [Mr. BARTLETT] that in the heart of every loyal American citizen there is erected to their memory a monument around which the flowers of remembrance will bloom in eternal verdure, when the remarks of the gentleman I hope will have been forgotten.

Mr. Chairman, having said this much, I do not wish to detain the committee longer. I shall support the amendment of the gentleman from Illinois. I am willing to go further and to support the amendment suggested by the gentleman from Indiana and to pass a law commanding the Commissioner of Pensions not only to cease persecuting and striking from the roll arbitrarily the veterans, their widows and their children, but to place back every soldier and soldier's widow and soldier's orphan who has been stricken from the roll under the arbitrary orders and technical rules of this Department; and then if there are any charges against them let them be informed of that fact; let the man who makes the charge substantiate it. Until that is done, let them remain upon this roll of honor as brave and honorable soldiers of the Union or as the widows and orphans of such. [Applause.]

Mr. LINNEY. Mr. Chairman, it may appear a little odd for a Representative upon this floor from the State of North Carolina, who himself served upon the other side in the late war between the States, to make an argument upon the subject of pensions or to attempt to do so.

The best definition I have ever seen of the word pension is this:

A sum due a soldier, and sometimes poor authors, for services rendered.

Now, Mr. Chairman, the consideration moving the heart of any great government to pay this class of meritorious citizenship is public service, and when these services are performed by soldiers

they require the exercise of the very highest qualities of the human heart—courage, constancy, patience—and in this country the very highest capacities of American manhood are displayed in the performance of the duties of the soldier.

Now, Mr. Chairman, it was not only so in the late civil war in which the States participated, but it will be an obligation resting upon this great Government of ours in all probability at all times to recognize the right of these meritorious classes.

Let us see. I turn to the report of the Secretary of the Interior, made in 1894, and I find that the Government has not yet entirely discharged its obligation to pay pensioners of the war of the Revolution. You will find that there are names upon the roll to-day from the Revolutionary struggle, from the war of 1812, and from the Mexican war.

Mr. Chairman, in the best essay that I have ever seen by mortal man, that wonderfully strong intellectual document from the pen of the immortal Lord Bacon, the title of which is "The true greatness of nations and states," it is recorded that all republics, all nations, all states, must have motion; that the oceans of the world have been put in a cradle by the direction of the Deity in order that the waters may be rocked and the oceans preserved from impurity. Says this great author:

There must be action, motion, on the part of nations and states, and the true motion of a nation is foreign war. Foreign war in its effect upon the state or nation strengthens, purifies, and preserves. A civil conflict has exactly the opposite effect; like the fever heat upon the human form, it extracts the light of the eye and the life of the heart.

This Republic, Mr. Chairman, is young, and yet in its first century this fever of which the great author tells us came upon the infant Republic. The north of us was engaged in deadly conflict with the south of us, if you will allow the expression. There never has been such a conflict, in many respects, in the history of the nations of the world. It was the dashing, gallant South against the iron resolution of the North; and I was glad to hear the distinguished gentleman who sits over there accord honor this morning to the brave Confederates who fell without success. In my humble judgment, Mr. Chairman, this war was a war of necessity. It must of necessity have fallen upon this young Republic. Why so? Let me see if I can not show it. It was a conflict between the States and the Federal Government. The State courts, therefore, were utterly incompetent to pass upon the great question. Why? Because they were parties to it. The Federal Government was likewise incompetent to pass upon it, because in this conflict of opinion between the States and the Federal power it likewise would be a party to it. The prayers of the good and pious of the land and the expostulations of the great of the land were all unavailing. The courts were incompetent for its adjudication.

This great war of opinion, the bloody chasm, had been dug through this Republic before there ever was a gun fired. How was it to be settled? The courts could not settle it, neither State nor Federal. The prayers of the great could not settle it. No power on God's green earth could settle it, save the arbitrament of the sword. That arbitrament was had. Neither side to-day is ashamed of the part it took in it. I have not seen a single Northern soldier who is ashamed of the side he took in it; and I have not seen a single Southern soldier who is ashamed of the part he took in it. Why, Mr. Chairman? Simply for the reason that this great question could only be settled by the arbitrament of the sword, and when my associates fell into the gulf, when their bones bleach and probably dissolve, in this chasm of public sentiment made by this conflict of opinion before the war, I can claim for them that they have performed at least this office—they have helped to fill up the bloody chasm which seemed to threaten the impairment of this Union, and made it indissoluble. [Applause.]

But while that is so, for one, I recognize the complete decision of the great question by this arbitrament of the sword. My section went under. I recognize the great principle that the Government owes to this class of its public servants, the soldiers who fought to preserve it, the duty now of pensioning them, but at the same time, Mr. Chairman, while that is so, I want to call the attention of the committee to some little matters that have given me some trouble. It is this, and if there can possibly be a remedy all patriots will unite in trying to bring it about: It is the inequality resulting from the operation of our pension system. I want to give you some figures which I prepared hurriedly this morning from documents. The internal revenues collected from this Republic to-day amount to enough to pay the pensions of the Republic, and very little more.

Now, Mr. Chairman, it turns out that North Carolina, the State I in part represent, pays \$2,632,779.69 under the operation of the internal-revenue system. I mean, of course, the entire revenue obtained from the internal-revenue system. You never hear me say a word in disparagement of that system of revenues which we collect from customs duties, because in my opinion it is the light and life of this Republic, North and South. [Applause.] But so far as the internal revenues are concerned, if gentlemen will but think for a moment of their operation in the light of the amount of the pensions of this country they must see that it is absolute death to the State of North Carolina. How can we remedy this?

Mr. BRUMM. Repeal them.  
Mr. LINNEY. This moment should that be done if I had such power.

Mr. BRUMM. I am in favor of their repeal.

Mr. LINNEY. God bless my friend. Will you help me to do it?

Mr. BRUMM. I will.

Mr. LINNEY. Then I will introduce a bill to-day. Now mark it, we pay \$2,632,779, as I have said. We get back in pensions how much? Five hundred and seventy-two thousand dollars. We lose by the arrangement over \$2,000,000 every year. Yet we have only \$7 per capita circulation, while many of the great States of the North have over \$200 per capita circulation.

The great State of Massachusetts pays, under this system of internal revenue, \$2,687,178.35 and gets back, under the system of pensions which now exists and will continue to exist of necessity, \$5,948,985.49.

The great State of Ohio pays \$12,477,148.01 of internal revenue, and she gets back, in the form of pensions, \$14,737,191.54.

The great State of Pennsylvania pays \$10,981,086.12 internal revenue, and she gets back \$13,574,346.36.

The State of Iowa pays \$465,105.87 internal revenue, and gets back in pensions \$5,760,000.

Mr. LACEY. Will the gentleman permit me to ask him a question in regard to Iowa?

Mr. LINNEY. Yes, sir.

Mr. LACEY. Are not the gentleman's figures with regard to Iowa rather misleading? For instance, we have no distilleries in Iowa, and consequently only the amount the gentleman has read—\$465,000—is paid there in the form of internal revenue, but the people who drink the whisky pay the tax in North Carolina. [Laughter.]

Mr. LINNEY. I am only taking the figures from the reports. If the reports are wrong I am not to blame for that. I am telling you how the figures talk.

Kansas, "bleeding Kansas," pays \$377,633.81 internal revenue, and she gets back in the form of pensions \$6,084,592.16.

Now, Mr. Chairman, I join heartily with my friends who desire to put a bridle upon the Secretary of the Interior in this matter of pensions. I say there is no sense in permitting him to exercise arbitrary power to exclude men from the pension rolls, and I shall vote for these amendments that are intended to curb him in that respect. But I desire to call attention to an iniquity in the internal-revenue system which demands reform almost as strongly as the cry of the widow. In North Carolina the enterprises of our people connected with the internal-revenue system consist largely in small distilleries. We have been a pretty small people anyway since the war crippled us, except, thank God, in courage, and I hope I may be pardoned for claiming a reasonable share of intelligence for my State. For this reason our financial enterprises have been on a small scale.

Now, it is a common thing for a Government officer to go around, and, by a mere view of the premises of one of these distilleries, to make what he calls a "delinquent assessment" of taxes against the distiller, and thus, by his mere declaration, that tax is almost as effectively levied as it would be after verdict and judgment by a competent court, and the property of the man is sold without a hearing before a jury, or before a justice of the peace, or before any other judicial tribunal known to the law. I hope our friends will help us to abolish that evil, and if the distinguished gentleman who answered me awhile ago so patriotically [Mr. BRUMM] will only get enough members of this House to march at elbow touch with him we will assail this entire iniquity, this accursed internal-revenue system, and blot it from the face of God's green earth, and then we will put a tariff tax upon the goods of foreigners that come into this country large enough to meet the entire demands of the Government. [Applause on the Republican side.] Then indeed North Carolina will have an equal chance in the race of life with Pennsylvania, and will make a showing equal to Kansas, equal to New York, equal to any of the other great States; and then, if in five years after that is done, we are not 100 per cent higher than we are now in all that makes a State great I will never ask another favor of this House. [Prolonged applause on the Republican side.]

Mr. BARTLETT of New York. Mr. Chairman, I had not intended to address this committee again upon the question of pension legislation, but so much has been said about my attitude and I have been made for so many days the target of attack, the target of abuse, and the object of misrepresentation and invective, that I deem it well to close the debate on this side by answering some of that abuse and some of the alleged arguments that have been advanced against my position.

I think, sir, that I am entitled to a vote of thanks from the Republicans in this Chamber. [Laughter and applause on the Republican side.] I think I am entitled to a vote of thanks for having been the means through which their mouths have been opened, for it must be manifest that we should have been deprived of all the flood of eloquence with which this committee has been

inundated for the last three or four days if it had not been for the speech which I made here a few days ago.

Now, the debating school is closed; the daily sessions which have been held for the benefit of the budding orators of every age and every "previous condition" of employment are now at an end. In some of those speeches or addresses the language has been well chosen and the words have been well delivered—although somewhat sophomoric in style and fallacious as a rule in argument. In other cases, instead of oratory and logical argument we have been favored with declamation and rant and invective. I shall only allude to one instance in which I claim the proprieties of parliamentary discussion were grossly violated; I refer to the extraordinary remarks made, I believe, by a gentleman from Michigan yesterday, in which were combined profanity and coarseness—remarks in which the gentleman did not have the courage to avow that the words were his own, but put them in the mouth of a gentleman who, it was alleged, had been sitting on the floor of this House.

Sir, it is the first time since I have had the honor to sit in the Halls of Congress that I have heard a profane word used in debate on this floor, or that I have heard an argument made by a member of Congress, presumed, at least, to have been founded upon his honest convictions, termed "rot." To such words, which I conceive to be an abuse of privilege, and which would have entitled me to summon the member before the bar of this House and to have his words taken down, I deem it only necessary to refer in my remarks to-day. The gentleman who uttered those words was not worthy of being so dignified as to be summoned before the bar of this House. I have had the honor and the pleasure of addressing the members of this House upon many occasions, and heretofore I have been treated with that respect and consideration which I hold that every member of this House, however humble, is entitled to receive.

Yesterday, for the first time, I heard an argument of mine, based at least on honest conviction and following the line of view upheld by some of the leaders of my party, including the Chief Executive of the United States and the leading Senator from Maryland, Mr. GORMAN—I heard that argument characterized by the elegant term "rot." The profane word which preceded that term, though uttered within my hearing, has in the course of revision been wisely expunged from the RECORD, so that it now appears that what I uttered, instead of being some other kind of "rot," was "mere rot." I leave it to the judgment of members of this House whether they have ever heard me make any argument, legal or otherwise, constitutional or founded on moral grounds, which deserved such opprobrium.

There is no other personal incident of this debate which is worthy of notice or answer; for, reviewing whatever was said against me, I can not even say as I look upon my robe, "See what a rent the envious Casca made!"

I have doubted, gentlemen, for the last day or two whether we are free, or bond and slaves—whether a man in the Congress of the United States has a right to raise his voice against lavish expenditure, against unnecessary squandering of the people's money, without being upheld to personal abuse and ridicule. Gentlemen on the other side of the House have not scrupled to conjure up in their fancy or imagination and to picture to this House the circumstances under which I may live in my home. It has been held up as a crime that I should sit at eventide by my fireside or that I should indulge in the use of tobacco; and it has been claimed, because some gentlemen of this House imagined that I am free from want, that my very pecuniary circumstances should form the basis of a charge of lack of sympathy with the widow and the orphan.

Mr. STEWART of New Jersey. May I ask the gentleman a question?

Mr. BARTLETT of New York. No, sir.

Mr. STEWART of New Jersey. Just one question.

Mr. BARTLETT of New York. No, sir.

The CHAIRMAN. The gentleman from New York [Mr. BARTLETT] declines to yield.

Mr. BARTLETT of New York. I should like to accord the members of this House on either side the right to pursue the line of interrogatory and query which was followed upon the day when I first had the honor of addressing this committee. But it is impossible in the limited time which is now left to me (for this debate must be closed to-day) to answer all the interrogatories which I presume are designed as shafts upon my armor and at the same time to conclude this argument within a reasonable length of time.

Now, what is all this debate about? It is well that the country should understand the question. There is, Mr. Chairman, no issue before this committee. In the Committee on Appropriations, of which I have the honor to be a member, I was in favor of the larger appropriation of \$140,000,000, rather than the appropriation of \$138,000,000. Why? Because I wish it to be within the power of the Commissioner of Pensions to pay the pensions promptly, and to have adequate resources within his reach. That was the view of the whole committee—to give the Commissioner of Pensions the larger sum, to give him the \$140,000,000 asked for under the existing provisions of law. The bill itself, dissevered from any im-

proper amendment or rider, received the unanimous support of the Committee on Appropriations, and will pass this House without dispute or division. What, then, is the excuse for all this argument? It is that certain improper amendments have been inserted in this bill, or are to be proposed to-morrow when the bill shall come up for consideration under the five-minute rule.

The first of the amendments coming to this House from the Committee on Appropriations is that which provides that when an application has been rejected and a second application is made, if it appears that at the time of the filing of the original application the disability alleged did in point of fact exist, the pension shall date back to the time of the original filing. To that amendment I accord my support; and I have already given notice that I shall invoke no point of order against it, although as a legislator I believe in the rule laid down by the Committee on Rules of this House, that no change of existing law should ever be incorporated in an appropriation bill. I believe in that broad, sound, general proposition which found favor with the Committee on Rules of this House and which formed a part of the rules of the Fifty-first Congress; which were adopted in their entirety, subject to future amendment, early in this session.

What are the other amendments? The next amendment is that one proposed by the gentleman from Illinois [Mr. GRAFF]. It is that amendment which was found inserted in the pension appropriation bill when it came before the Committee on Appropriations. It is that amendment which did not find favor even with the Republican members of that committee. It was urged against its adoption that it was not right to take away from the Commissioner of Pensions the power which had been imposed on him ever since the creation of his office. It was alleged also against it, and it has been urged also in this committee, that the inconvenience and expense to which the claimant would be subjected in traveling to the various terms of the United States courts would be too onerous, and therefore, for the benefit of the claimant himself, no such amendment should be incorporated even in a general pension bill. And I call the attention of the committee to the fact that you do not find any general agreement on the Republican side of the House with reference to this amendment.

My distinguished friend from Iowa [Mr. LACEY] told us yesterday that that amendment could not have successful practical operation; that he was opposed to it for various reasons, and he gave the reasons why it would operate unjustly and why it was an unwise provision of law. In fact, several gentlemen on that side of the Chamber urged another remedy; they urged a remedy which they hope to see come to pass in the future—that is, the installment of a Republican administration, and the replacing of General Lochren by a Republican Commissioner of Pensions. I believe, gentlemen, that that is a remedy to which you will be entitled if the suffrages of the people of the United States are accorded to you. But to change impropvidently an existing provision of law, because you claim that under certain circumstances, and in certain cases, the Commissioner of Pensions has erred, seems to me to be a very unwise mode of effecting a change or providing a remedy.

They say of General Lochren, who, if I mistake not, served honorably in the Union Army, and who is a man with a good record as a soldier, and one which no man on that side of the House or on this side of the Chamber would attempt to impeach, they say that among the enormous number of cases on which his Bureau has been called to pass judgment there have been a certain number of specific cases of error or mistake. That is the claim, and for that reason they urge that General Lochren is opposed to the interests of the Union soldier. Now, Mr. Chairman, I have had the pleasure of meeting the Commissioner of Pensions, and I have always found him, in his attitude to the soldier, to be favorable and considerate; and to be a gentleman who never volunteered to take any view which could by any means be termed detrimental or injurious in the slightest degree to the interest of the Union soldier. I have forwarded many applications and inquiries from my own district to the Commissioner of Pensions, and I believe, with the exception of one or two cases, which had been previously thereto properly rejected, every claim has been passed to a successful determination.

Now, let us see what the condition of business in that office is. In 1891 I believe there were no less than 154,000 inquiries addressed by Senators and Representatives to the Pension Office. The year before last the number was about 95,000, and last year alone 80,000 requests were sent by members of Congress—that is, forwarded by Senators or Representatives—for information. On July 1, 1895, the claims for pensions or increase of pensions amounted to 552,210, represented by 459,475 claimants, and of these there were original claims in number 210,765; and in the last six months alone—that is, until the 4th day of January, I believe, from the 1st of July, 1895—of new claims there were 55,860. Thus you can imagine, thus you can conceive, or form some idea at least, of the magnitude of the work imposed upon the Pension Bureau. What wonder, then, that in the consideration of so many cases, with a party

ready to pounce upon every possible mistake or error, ready to claim that any such mistake or error was an absolute dereliction of duty and an effort to encompass a wrong upon the Union soldier who applied for a pension, and with all the shrewdness and all the astuteness and all the time and labor given to the matter by Republican Representatives on this floor, that a few gentlemen in this large body have been able to discover a limited number of cases in which they claim that an error has been committed.

Now, Mr. Chairman, no man, no matter what his position, whether at the head of a bureau or in charge of any Department of the Government, is infallible. Fallibility, alas! is a condition of human existence; and if we were not fallible we should belong to-day, all of us, to that happier sphere to which we may at least hope to attain some day, although one gentleman on the other side of the Chamber has already consigned me to the bottomless pit. [Laughter.]

Mr. GRIFFIN. I desire to say to the gentleman from New York that that was his own misfortune in the use of language.

Mr. BARTLETT of New York. Of course it has been impossible for me to repair to the Pension Office and investigate each specific instance of alleged error. Unfortunately, placed as I am on several important committees of this House, I have other functions to discharge than that of inquiring into every pension case brought up on the floor of this House, whether such case has been brought here by the Delsartian orator from Tennessee or the gentleman from Indiana who furnished me with a single instance yesterday.

Now, let us look into these cases for a moment. There was the case of Alfred Sterrett, referred to by the gentleman from Indiana [Mr. HEMENWAY]. In that case the record shows that a pension had been paid under the act of June 27, 1890, to Mr. Sterrett for a number of years. An examination of the record of the medical board shows that it is true that they did, by a peculiar system of rating, make out that the man showed a physical incapacity of fourteen-eighteenths. Although the action of his heart was regular, he was reported to be suffering from heart affection to the extent of four-eighteenths, from eczema on his arms to the extent of four-eighteenths, and from lung trouble—it would appear not developed in any way in either lung—to the extent of six-eighteenths; and four-eighteenths, four-eighteenths, and six-eighteenths made up the aggregate of fourteen-eighteenths.

Now suppose the Bureau of Pensions or the Commissioner of Pensions to have been mistaken. Suppose that this man was really physically disabled to the extent that he maintained. At least on the papers it must be conceded that there was enough of doubt to put the Commissioner on his inquiry. But whether there were or not, it matters not. In his judgment, in his discretion, he thought that he was entitled to call for a new examination. This gentleman, Mr. Sterrett, who was, if I mistake not, a member of the One hundred and eighth United States Colored Volunteers, refused to submit to a second examination.

Mr. HEMENWAY. Will the gentleman from New York permit a question?

Mr. BARTLETT of New York. Yes.

Mr. HEMENWAY. Is it not true that this gentleman, in his affidavit, in which he declined to be examined before the board at Tell City, requested an examination before the board at Rockport, Ind., for the reason that they were physicians who did not know him, and that the physicians who formed this board at Tell City were his personal enemies? And upon the other hand, did he not only not refuse to submit to an examination, but did he not request an examination at the hands of the Rockport board?

Mr. BARTLETT of New York. I believe that this man, Mr. Sterrett, has requested an examination at the hands of another board, but I do not know what action has been taken upon that application by the Commissioner of Pensions.

Mr. HEMENWAY. Did he not, right at the time he made that affidavit, as a part of the affidavit, request an examination before the Rockport board?

Mr. BARTLETT of New York. Not that I am aware of. I have not seen any such paper.

Mr. HEMENWAY. If you will examine the papers you will certainly see that.

Mr. BARTLETT of New York. Mr. Chairman, the charge made by the gentleman from Indiana [Mr. HEMENWAY] the other day was that because the president of the medical board at Tell City wrote a letter—which I admit was a very improper letter, a letter attacking this man—because such a letter had been written, the Commissioner of Pensions must have decided upon that letter. Now, it appears from the papers on file, that the paper which must have been acted upon was the regular report from the secretary of that medical board at Tell City informing the Commissioner of Pensions that the claimant, Mr. Sterrett, refused to submit to an examination.

Mr. HEMENWAY. Will you permit me right here to ask a question?

The CHAIRMAN. Does the gentleman from New York yield?

Mr. BARTLETT of New York. No, sir; I can not yield.

Mr. HEMENWAY. The gentleman will not yield to me, as I did to him yesterday?

Mr. BARTLETT of New York. All right; I will yield.

Mr. HEMENWAY. I will ask you if there is any paper on file in that case from the secretary of the board of examining surgeons at Tell City?

Mr. BARTLETT of New York. There is a paper stamped from the secretary of the examining board saying that the claimant refused to appear before him.

Mr. HEMENWAY. And is not that paper this letter from Dr. Hutcheson?

Mr. BARTLETT of New York. No, sir; there is another paper.

Mr. HEMENWAY. Well, it has been placed on file since I examined the papers then, and belongs to that class of secret testimony that the Commissioner does not allow ordinary people to see.

Mr. BARTLETT of New York. I want to give the gentleman every chance, in fairness, to state his whole case. Of course I am not, as gentlemen seem to imagine, in active service in the Department of Pensions. I do not know anything about these cases of my own knowledge.

Mr. HEMENWAY. I concede that the gentleman is correct in that statement.

Mr. BARTLETT of New York. I merely state what the record shows. I merely state that it would appear by the papers on file that what the Commissioner of Pensions acted upon was this report sent from the secretary of the examining board at Tell City. Now, as the gentleman intimates that that paper has been filed recently, I can only state that my impression is that that paper bears a file mark showing, I think, that about the time had elapsed which would naturally have elapsed before the report was filed.

Mr. HEMENWAY. And does not show any examination by the Tell City board?

Mr. BARTLETT of New York. Mr. Chairman, I decline to yield.

The CHAIRMAN. The gentleman from New York [Mr. BARTLETT] declines to yield.

Mr. BARTLETT of New York. What was the other case? The gentleman from Tennessee [Mr. GIBSON] called my attention to the case of Selina Brewer, and he complained that the Commissioner of Pensions had required proof of marriage, or rather of nonmarriage. It appears this man Brewer and his present widow, or alleged widow, were married in 1886 (he died in 1891), and the Bureau of Pensions had required some proof from this lady that she was not married at the time she married him. In reference to these cases, involving the law of evidence as to marriage, I believe that the Bureau of Pensions has only followed the regular rule of law, which makes marriage depend on the *lex loci contractus*, and the Bureau accepts such proof of marriage as would be required by the courts of the State in which it is alleged that the marriage took place. It is all very well to say that the Commissioner of Pensions should not exact any proof of marriage, but you must bear in mind that there are many cases arising in which two women claim to be the widow of the same decedent, in which two women file applications for the payment of the same pension, and there have been some cases in which the widows were at least three in number.

Let me call the attention of the Committee to the case of an Illinois woman, Rosetta Mulligan, of Pearl, Pike County, Ill., who was pensioned as the widow of Hiram H. Mulligan, of Company D, Third Illinois Cavalry, and Company G, Thirty-third Illinois Infantry, under certificate No. 229249.

It is shown that the soldier married Sarah J. Datsen in January, 1855; that four children were born while these parties lived together as man and wife; that in the fall of 1862 the late pensioner, then a single woman, while visiting a sister living near the soldier, became acquainted with him and his family; that in the summer of 1863 the soldier deserted his wife, and on August 9, 1863, married the late pensioner. The soldier died in 1876 leaving a claim pending.

Here is the point in the case. That woman, who was not entitled to a pension, drew from the Government in all \$4,011.13, and that money can never be recovered by the Government. That case only illustrates the necessity for the exercise of due care by the Department as to marriage and as to widowhood.

Mr. QUIGG. Will my colleague allow me to interrupt him a moment for a question?

Mr. BARTLETT of New York. Yes, sir.

Mr. QUIGG. I want to preface the question by saying that I have not had the same experience with the Pension Department that has been recited by so many gentlemen on the floor, and I admit that somebody ought to ask questions somewhere during the process of getting money out of the Treasury; but does my colleague think it is suitable for the Bureau to require an applicant for a pension as widow to prove a negative proposition by independent witnesses, such as the proposition that the man she claims to have been her husband was never married before she

married him. Now, that is the only foolish question, as it seems to me, that I know of having been propounded to applicants for pension as widows, but that question seems to me to be a very unfair one.

Mr. BARTLETT of New York. There is no question that my colleague from New York could ask me that would be foolish; but that question, which you say is asked by the Commissioner of Pensions, I do not feel called upon to pronounce judgment upon this afternoon. I am well aware of the good judgment and wisdom of my colleague from New York, for whom I have generally sympathy on all questions of legislation, and there must be something in any proposition that he propounds, but I do not think it is worth while, in the course of this debate, for me to start out with the proposition that no error of judgment, no mistake in decision has ever been committed by the Commissioner of Pensions. If I were a judge on the bench and my view on any question of what the proof of marriage should be were required, or on the weight of evidence, or on the weight of testimony, were asked me, I should feel bound to answer at once; but all I am attempting to do is to explain my position on this pension question, and to defend the Commissioner of Pensions to the extent of showing that he should not be condemned, that he should not be vilified because in some case it may possibly be alleged with some show of reason or plausibility that he has erred.

Mr. FAIRCHILD. I would like to ask the gentleman if he will yield for one question?

Mr. BARTLETT of New York. Mr. Chairman, it is impossible for me to allow all the gentlemen who desire to question me to interrupt me, for this reason: Gentlemen on the other side of the House have had an unbridled run for several days. There has been no attempt to put the slightest check upon their oratorical impulses.

Mr. FAIRCHILD. I want to ask one question merely for information.

Mr. BARTLETT of New York. Mr. Chairman, notwithstanding my familiarity with addressing courts and juries and my lesser experience in addressing this House, it is impossible for me to make a continuous argument if I am to be subjected to such constant interruption.

Mr. FAIRCHILD. Only for information.

Mr. BARTLETT of New York. I can not yield. Before passing to the consideration of the rider alleged to be in favor of widows, but which I claim is a mere *ad captandum* piece of legislation by which it is proposed to give to ladies who it is conceded do not need the money a pension from this Government, before passing to the consideration of that second rider, let me say that if the amendment proposed by the gentleman from Illinois [Mr. GRAFF] be adopted fraud will be the only question that can be raised by the Pension Bureau. That is to say, for any defect in the claimant's case arising from any illegality patent upon the face of the papers, for any collusive action, for any disability which has arisen subsequent to the original grant of the pension, there will be no remedy or recourse.

The amendment will repeal several sections of the Revised Statutes, viz: Section 4707, relative to dependence; section 4708, relative to remarriage; section 4719, relative to failure to claim pension for three years; section 4720, empowering the Commissioner of Pensions to suspend payment in special-act cases during the recess of Congress, and the act of August 7, 1882, terminating the pension on account of adulterous cohabitation of widow pensioners. If this amendment were adopted the Bureau would have no power to suspend a pension in any of the cases which I have indicated, nor would it have power to suspend a pension in cases of complete recovery. In all these classes of cases the Government would be compelled to continue payment of the pension.

Some statement was made in the course of this debate, either yesterday or the day before, as to the cost of pensions in this country, and one gentleman remarked that the cost of the maintenance of the Russian army was greater than the cost of our pension system. It is true that the cost of maintaining the standing army of Russia is greater than our pension appropriation; that is, it is \$186,000,000, while our pension appropriation is \$140,000,000. But, Mr. Chairman, Russia is the only country in the world in which the cost of maintaining an immense standing army is not less than the amount which we now appropriate for the payment of pensions. For instance, in Austria-Hungary the cost of maintaining the standing army is \$55,235,000; in England it is \$89,000,000; in France it is \$127,900,000; in Germany it is \$118,000,000, and in Russia it is \$186,000,000. These are the latest official figures which the War Department has been able to obtain.

In reference to the amount of pensions paid in different countries, I desire to call attention to the fact that the pensions paid in France amount to only about twenty-nine or thirty million dollars; in Germany to \$19,500,000; in Austria to \$12,000,000, and in Russia to \$18,000,000. The gentleman who contradicted me in reference to the cost of the standing army of Russia seemed to fear that the argument might be urged that we ought not to pay for

pensions a sum greater than the cost of maintaining the standing army of any great European country, but the gentleman from Indiana [Mr. JOHNSON] interrupted him, and said that the greater the amount paid the larger the pension roll, the greater the encumbrance which should be passed upon the country.

Now, Mr. Chairman, I do not cite these figures showing the cost of maintaining the standing armies of European countries, or the figures showing the amount which is paid in pensions in European countries, as any argument on either side. I merely give these figures as statements of fact tending to show that under our statutes as they stand to-day we make appropriations which may well be considered by the most ardent advocates of an enlarged pension system to be thoroughly adequate to the needs of the widows and the veterans of the civil war.

It has been said by gentlemen in the course of this debate that I have attacked pensions. It has been said that I am unfriendly to the soldier. I denounce each of these statements as an absolute and unqualified falsehood. I, sir, am in favor, as I announced at the beginning of my speech the other day, of the payment of the pensions now provided for by law. I am in favor of the payment of all those pensions which accrue and are due under the general law, of all the pensions which are accorded either to the soldier or the soldier's widow by reason of disease contracted or injury suffered by him in the service and in the line of duty.

I am further in favor of all the sums being paid to soldiers or to their widows which can be justly claimed under any of the provisions of the dependent pension act, so called, of June 27, 1890; and I so stated explicitly on three or four occasions during my speech a day or two since. I avowed that I was in favor of letting the dependent pension act of June 27, 1890, remain unrepealed upon the statute book. I say further that in meritorious cases, in cases which do not come under the provisions of any existing statute, but cases of special or peculiar hardship, where the claim is clearly meritorious, I have always been and always shall be in favor of special pension acts and of special pension legislation.

Why all this abuse; why all this invective which you have hurled upon my devoted head hour after hour and day after day, instead of having been inspired by proper feelings of gratitude to one whom you owe the opportunity to open your maiden mouths? [Laughter.]

I will further state, Mr. Chairman, and gentlemen of the committee, that I have always aided, in so far as it has been within my power, the claim of every soldier and every soldier's widow or orphan within my district which has ever been brought to me. I have given such aid, also, in many cases beyond the limits of my own Congressional district. But notwithstanding the fact that I have voted in favor of pension legislation in the past, that I have voted in favor of special bills that have been meritorious; in spite of the fact that I announced the other day that I was in favor of all the existing pension laws (that is, in favor of the general laws and in favor of letting the act of 1890 remain upon the statute book) I have been assailed in this long debate upon the ground that because I was not in favor of a further enlargement of the pension rolls I was destitute of patriotism. Gentlemen, is he the patriot who believes that for purposes of political advantage the money wrung from the people of this nation by taxation should be paid out to people who do not really need the money? Has it come to such a pass that no Representative in this House dares to rise and say that he is opposed to the unnecessary expenditure of public funds or to the devotion of public moneys to the payment of pensions to people who do not need those pensions?

And let me say right here that in no part of my speech have I intimated that the payment of just pensions, the payment of pensions to such soldiers or widows as are entitled to them under the existing provisions of law, would be in any way an improper depletion of the revenues of this country or of the funds in the public Treasury. I do not think that such use of public moneys would be improper. But I said that if we were to enter upon the passage of an enormous number of new pension bills—if we were to increase the pension rolls enormously by the addition of persons whose income is now adequate and who are not entitled to the payment of pensions, or by the adoption of that which has been proposed and will be proposed again, a general-service pension, which will burden this country with an additional expenditure of from forty to seventy-five million dollars per annum—I said that such enlargement of the pension rolls would inaugurate a pillage of the public Treasury. But my remarks applied to such enlargement of the pension laws, and in no way to existing pensions or to the existing rights of any pensioner.

I will venture to assert that the opposition to an unnecessary and unjust enlargement of the pension rolls has found favor with others in my party than myself, and with many of our party leaders. When I spoke the other day I did not claim to speak for anybody, for any organization. I spoke as a member of the Committee on Appropriations; I spoke because I felt that it would be wrong, through any fear of misrepresentation or attack, to be

silent when a proposition came from our committee to enlarge unnecessarily the existing pension laws. I spoke as a Representative in Congress, mindful of what Noah Webster said in the early days of this century, that a Representative in Congress is not only a representative of his district but a representative of the people, a representative of the whole United States. Let me read to you a few words which have come to me showing that even the widows believe that I am right:

HON. FRANKLIN BARTLETT:

MY DEAR SIR: I had the pleasure of hearing your very able speech upon pensions, and though now a widow asking for increase of pension, I fully indorse many of your sentiments and believe there are to-day many receiving large sums from the Government who have means sufficient to support them in comfort.

One remark of yours struck me very forcibly. You said, show you the man who had fought in twenty battles and you would vote to have him pensioned accordingly. It was rather a singular circumstance that I held in my hand at that time my husband's military record, from which I could have proven to you that he had fought in several more than twenty battles.

I have also, among other letters, received one from a prominent member of the Union League Club of the city of New York—a club which, as you gentlemen are aware, represents one of the great Republican political subdivisions in my city. This gentleman says:

I am most grateful you had the monumental courage to say some words against the additional pensions. Standing up as you did in the center of a half acre of demagogues and saying what you did marks you a man of courage.

[Laughter.]

MR. MORSE. Send that to Brother HOWARD for his book.

MR. BARRETT. Will the gentleman from New York allow me—

MR. BARTLETT of New York. I can not yield.

THE CHAIRMAN. The gentleman from New York declines to yield.

MR. BARTLETT of New York. Let me call attention also to the fact that when the act of 1890 was passed one of the great leaders of the Democratic party in the Senate of the United States, the Senator from Maryland, Mr. GORMAN, said:

It is well known that the vote of Indiana controls the election of President of the United States; and I assert here and now, from the rolls of the Pension Office itself, that pensions are being distributed in that State out of all proportion to the number of soldiers furnished by Indiana in the war.

The Senator from Missouri, Senator VEST, after comparing the number of Indiana pensioners with those of Illinois, said:

Why is this enormous disproportion? Read the report of the examining committees and the evidence taken when Dudley was Commissioner of Pensions and you will find the solution. You will find that it was declared and that it was acted upon. "Give pensions freely, liberally; every man that you pension is made or induced to vote the Republican ticket."

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Sir, I do not care to indulge in speculations as to how much money will be paid upon these pensions. I shall not be here to see the end of it. But I prophesy that the people of this country will revolt against this system as at present carried on. I know that this money is being distributed, not only among the recipients themselves, but it goes to country merchants, to petty dealers, and therefore it percolates and permeates every neighborhood in the country, and is the largest campaign fund that can possibly be used. But there will come an end to it. The American people are long-suffering and patient, but their common sense and their sense of justice will at last revolt against this abuse of the most generous and holy feeling which a people can entertain toward soldiers.

And the distinguished Senator from Maryland, Senator GORMAN, in speaking of the increase of pensions, said:

You are doing it with full knowledge that you have not made provisions to pay them the amounts that are already due since 1879, and you can not do it; you do not dare to do it, because you can not go before an indignant people, as there is in this country, increasing their taxation at the time when you, as well as we, have promised that the burdens shall be taken from them.

MR. PICKLER. What was the date of that speech.

MR. BARTLETT of New York. That was about the 23d day of June, 1890.

MR. HARDY. The State of Maryland does not seem to have agreed with him.

MR. BARTLETT of New York. I decline to yield.

That was in the speech delivered by the Senator from Maryland when the conference report was brought in on the act of June 27, 1890.

MR. WILLIAM A. STONE. And he is sorry he made it now. [Laughter.] He would not do it again.

MR. BARTLETT of New York. It is unnecessary for me to discuss the views of the Senator from Maryland further than to state what were the views entertained by him at the date of his speech on this question.

In conclusion, Mr. Chairman, the views entertained by me are adverse to a further and unnecessary enlargement of the pension roll except in special cases of peculiar merit, or in cases where the circumstances alleged show that the pensioner's claim is meritorious; I desire to call the attention of the committee to the further fact that soldiers who have gone through the civil war have also rendered their judgments in favor of this side of the controversy. Read what Lieutenant Foote said in the protest of the loyal volunteers against the degradation of pensions:

I have earned the right to speak. I stood in the ranks, a loyal volunteer in 1861, and heard the hissing balls when the first guns were fired at the skirmish.

ish of Blackburn's Ford, three days before the first battle of Bull Run. I marched with my company at the last grand review at Washington, in 1865. I lost not a day from service between those dates, except when disabled by a wound received at the battle of Fair Oaks. No man can say of me that I am not with those who demand pensions for loyal service because I did not serve or did not suffer. I have written my record with my blood.

And here I have a still higher authority. I have the words of a gentleman, of a great officer in the Union Army, whose name is familiar throughout this whole country, but who, alas! to-day is no longer with us. I refer to Gen. Henry W. Slocum, of the State of New York. His article was entitled "Pensions; time to call a halt," and was written, if I mistake not, in 1891:

Congress is besieged at every session so to change the laws as to increase the roll of pensioners and vastly to increase the expenditures of the Government. I believe that the time has come when this agitation should cease. I earnestly hope that it will be checked for two reasons: First, I believe the tendency of these constant demands will be to lessen the esteem and affection which our people have always felt for the veterans of the late war. The liberty of the people and their desire to be generous toward the nation's defenders have been evinced not only by this vast pension roll, but by the establishment by the General Government of national homes in different sections of the country, and by several States of like institutions. In these homes the disabled veteran is as kindly cared for as in any similar institution supported by any government in the world. Laws have also been passed giving the veterans preference in the employment of the Government. In fact, nothing has been left undone by our people to testify their gratitude to the veteran soldiers.

But I have still a stronger reason for opposing the further agitation of this question, and that is the interest I feel in the welfare of the many thousands of honest and deserving people whose names are now on our pension roll. There is great danger, if we allow the pension-claim agent to represent the soldiers as a body of cormorants who are discontented with what they have received, that sooner or later we shall "kill the goose that lays the golden eggs." It is for the interest of the pension-claim agent constantly to change our pension laws, so as to enable him to bring in new claims, each of which brings money to his coffers. At the rate pensions are now being granted the claim agents are in receipt of \$3,500,000 per year. It is this class of men, and not the honest pensioner, who is interested in continuing this agitation. I fear that eventually a reaction will take place and honest and deserving pensioners will suffer with the undeserving.

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The best friend of the old soldier is not he who is pressing these exorbitant demands upon our Government, but he who by counseling moderation voluntarily takes the risk of incurring the hatred of the pension-claim agent and the unthinking condemnation of his comrades.

[Here the hammer fell.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PICKLER. May I ask the gentleman from New York a question?

The CHAIRMAN. The gentleman's time has expired.

Mr. WILLIAM A. STONE. Mr. Chairman, it is getting pretty late. We are to close general debate to-day, and my colleague on the committee [Mr. BLUE] desires to make some remarks.

The CHAIRMAN. The Chair will recognize the gentleman from Kansas [Mr. BLUE], a member of the committee.

Mr. BLUE. Mr. Chairman, in behalf of the committee which prepared this bill, it is proper, I think, that the bill should be fully explained before it is submitted to discussion under the five-minute rule.

On the first item of \$140,000,000 the committee made no change from the recommendation of the Commissioner of Pensions, giving the full amount that he estimated would be required for the next fiscal year.

In the item of \$800,000, submitted by the Commissioner of Pensions as the needed appropriation, the committee thought best to make a reduction of \$50,000. The expenditures of last year were but \$729,677.78, and from the information the committee received it was believed that the appropriation would be ample to meet the service.

In the section of the bill pertaining to clerk hire there was in the appropriation bill of last year a provision which the committee has left out, which is in this language:

But the appointment of the clerk to sign official checks, who shall receive the same compensation at each agency as was paid during the fiscal year ending June 30, 1894, shall be made by the pension agent, without other or further approval.

That, it appears, was amended in the bill last year for the purpose of protecting an appointee of the pension agent at Columbus. The pension agent insisted on appointing his daughter as the clerk to sign pension checks. An amendment was placed on the bill in the Senate, which left the approval to the pension agent himself. Before that time it had been subject to the approval of the Secretary of the Interior. This leaves the bill precisely as the law was prior to that interpolation in the last appropriation bill. That the Commissioner advised, and the committee adopted.

In the item of \$500 for fuel the expenditure was \$165.05. We reduced the amount to \$250 in this bill, which is something more than was expended last year. It seems that fuel is used at only two places, Washington and San Francisco. At the other pension agencies the Secretary of the Treasury furnishes the building and fuel.

In the item of light we have made a reduction of \$250, the estimated amount being \$750, and the actual expenditure \$451.85.

In the further item of \$35,000, suggested by the Commissioner of Pensions for stationery and other necessary expenses, it was found that the actual expenditure for last year was \$31,136.15; but of that actual expenditure about \$1,400 was paid out for clerk hire, which should not be in that item, but should be covered by the appropriation made in another place. We have therefore reduced that item to \$30,000 instead of \$35,000, and put in the words "exclusive of clerical services."

On the question of rent, the actual expenditure of last year was \$23,070. The Commissioner recommended on additional item of \$3,000 for the rent of a building at the Buffalo agency.

Mr. DANIELS. I desire to say to the gentleman that I propose to bring that up again by way of amendment.

Mr. BLUE. I will explain it now. The committee refused to place that additional item in the bill for the reason that they regarded \$23,070 as sufficient to meet all the rents which the Government should pay. We were informed that a building at Detroit, and also another at Milwaukee, are in course of completion, and that before the money is made available by this appropriation, beginning with the 1st day of next July, the expenditures for rent at Detroit and Milwaukee will be no longer necessary. For that reason we made no addition to the amount for rents.

The bill as reported does not reduce the appropriation for pensions, but it has cut down the other estimates as made by the Commissioner \$55,750, as I have stated.

In reference to the amendments proposed by the committee, it was believed that the two provisions incorporated into this bill should go there as a just criticism of the inhospitable and unfriendly action of the Pension Department. They were not made more general, nor to extend beyond the time for which this appropriation is made, by reason of the rule of the Fifty-first Congress, which says:

Nor shall any provision changing existing law be in order in any general appropriation bill, or in any amendment thereto.

It is believed by the committee that these amendments do not change existing law, but that they are a legislative interpretation of what the law is and what it should be interpreted to be, in consonance with what was the ruling of the former administration; and that they are not new legislation, but are simply in the interest of a fair and just interpretation of the existing law, for the protection of the pensioner, during the time this money is to be expended.

That, in substance, is the explanation of the bill as reported. It is not my purpose at this time to enter into any general discussion of the subject of pensions, and were it not for the fact that the gentleman from New York [Mr. BARTLETT] has indulged in some expressions which seem to need reply, I should not at this time say anything further.

At some time in the future I hope to claim indulgence for the purpose of speaking upon the question of pensions at some length, when a measure is here upon that subject.

The gentleman from New York seems to be aggrieved at the treatment he has received, and what seems to have troubled his fastidious taste more than anything else is that some gentleman from Michigan, as he recollects the fact, spoke of some of his language as "rot."

Now, Mr. Chairman, that may not have been as elegant as it was expressive, but I think that the committee will bear me out in saying that it was quite as elegant as the language of the cultured gentleman from New York who spoke of "looting the Treasury." It is also quite as elegant as the expression in the anonymous communication which he has just read to this House, speaking of this House as being "an acre of demagogues." The gentleman seems to be fresh from the classics, and prides himself upon the use of the English language; but I apprehend when he consults with other gentlemen around him, who are equally as cultured, he will feel that the gentleman from Michigan, although coming from the Western country, was equally as elegant and tasteful as he in the selection of his phrases.

Now, the gentleman has quoted Noah Webster, as I recollect him, as giving the proper definition of the duties of a Representative upon this floor. I shall not differ with him in regard to the definition, in the main, but, Mr. Chairman, I do believe that a constituency that sends a representative here is responsible for him. [Laughter.] And while I would not disparage the loyalty of the great city of New York, with its splendid patriotism and the heroism of its soldiers, I do say that a constituency that sends a representative here who talks as he does ought to answer for the man who pretends to represent them. [Laughter and applause.] We have been deluged on this floor with circulars and letters and comments of the press criticising the action of the representatives of the people in standing up for the honor of this nation, in asserting the rights of this Republic against the aggressions of Great Britain; and where do they come from? They come from a place so near the gentleman's district that it seemed to me when I heard him that he must properly represent a constituency somewhere there, a constituency boasting of its wealth, but which

would seem to place dollars above patriotism and self above that higher duty we all owe to a common country.

Ill fares the land, to hastening ills a prey,  
Where wealth accumulates, and men decay;  
Princes and lords may flourish or may fade;  
A breath can make them, as a breath has made;  
But a bold peasantry, their country's pride,  
When once destroy'd can never be supplied.

[Applause.]

It was from the farms and workshops, from the hives of industry, from the homes of this great Republic that the men came who bore the heat and burden of this great conflict. Simple and plain were they, but they represented the great heart of the people of this splendid nation. And in that hour when they were offering their lives that the nation might live, throughout this broad land, everywhere above Mason and Dixon's line, the common sentiment was that the disabled soldier and the widow and orphan of the soldier should be cared for. There were put on the statute books of those times the pension laws of this great Republic, and a very large proportion of the men who are now the care of this nation, the wards of this great Republic, enlisted after very liberal provisions for pensions were put upon the statute books, enlisted after that chosen leader of Republican conviction had announced the doctrine that "to care for him who has borne the battle and for his widow and orphan is a sacred obligation of this nation." That has come down to us as from a prophet of old from a man whose fame and great name will last long after this Republic shall have ceased to exist.

And now, my fellow-citizens. [Great laughter.] Excuse me, Mr. Chairman, I had gotten out of the presence of the gentleman from New York into the greater presence of the plain people of this country. [Renewed laughter and applause.] If the gentleman from New York had recalled the expressions that he used he certainly could not have found it in his heart to speak of being insulted from this side, and when a member stands in his place and reads encomiums of himself and fails to give names of authors, it seems to me that those encomiums are of doubtful origin and doubtful authority. [Renewed laughter and applause.]

The gentleman from New York [Mr. BARTLETT] says the Republican side owes him a debt of gratitude for his criticism of proposed pension legislation. In that he is correct. No more potent or convincing argument could be offered in support of the policies of the Republican party than the gentleman's assault upon its liberal pension provisions.

The gentleman also wanders off into the classics, and speaks of the rents which the envious Cascas proposed to make in his garment. If the gentleman harbors the idea that any member on this side of the House envies him the reputation he has won in this debate, he is mistaken.

I do not know how true it is, but it is intimated to me that the gentleman from New York is a constituent of his colleague, Mr. CUMMINGS. If that be so, his speech has already been answered. [Laughter.]

Mr. BARTLETT of New York. Mr. Chairman, I ask permission to interrupt.

Mr. BLUE. I will be more generous than you were in permitting interruptions.

Mr. BARTLETT of New York. I have the honor to be the constituent of the Hon. JAMES J. WALSH. I have not the pleasure of being the constituent of the Hon. AMOS J. CUMMINGS.

Mr. BLUE. Of whom did you say you were the constituent?

Mr. BARTLETT of New York. Mr. WALSH.

Mr. BLUE. You are a constituent of Mr. WALSH. It had been suggested to me that you did not reside in your district, and you seem to be willing to testify in that direction yourself. [Laughter.] That being the case, Mr. Chairman, I do not desire to pursue that inquiry any further.

In conclusion, permit me to say that it is my judgment that we ought to put this bill through with very few, if any more, amendments. That rule of the Fifty-first Congress has been to a certain extent the rule of this body, I understand, for many years. It is in the interest of good legislation. The gentleman from South Dakota [Mr. PICKLER] has intimated clearly and distinctly his purpose and intention to bring into this body some general pension legislation soon. This is a matter of appropriation of money, and under the rules it seems to me that we ought not to waste any great length of time in seeking to amend this bill, but should pass it promptly, so that the Senate may get to it.

Mr. WILLIAM A. STONE. Mr. Chairman, I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DINGLEY, from the Committee of the Whole House on the state of the Union, reported that they had had under consideration the bill (H. R. 3537) making appropriation for payment of invalid and other pensions of the United States for the fiscal year ending June 30, 1897, and for other purposes, and had come to no resolution thereon.

Mr. WILLIAM A. STONE. Mr. Speaker, before making the motion to adjourn, I desire to announce that to-morrow we shall take up this bill by paragraphs under the five-minute rule.

ARANSAS PASS.

Mr. HOOKER, by unanimous consent, reported from the Committee on Rivers and Harbors the bill to amend an act of Congress approved May 12, 1890, entitled "An act for improving Aransas Pass," etc., with a substitute therefor; which was referred to the Committee of the Whole House on the state of the Union, and ordered to be printed.

ENROLLED BILL SIGNED.

Mr. HAGER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled Senate bill 628, to provide an American register for the steamer *Miami*; when the Speaker signed the same.

REPRINT OF A BILL.

Mr. PICKLER. Mr. Speaker, I desire to have an order made for a reprint of the bill No. 3543, introduced by me, for the purpose of preventing the improper discontinuance of pensions. Many members desire to examine the bill and the supply is exhausted, so that even the committee have not a sufficient number of copies.

There being no objection, the reprint was ordered.

Mr. WILLIAM A. STONE. Mr. Speaker, I now yield to the gentleman from Massachusetts [Mr. MOODY].

THE LATE REPRESENTATIVE COGSWELL OF MASSACHUSETTS.

Mr. MOODY. Mr. Speaker, as the successor to the seat of Gen. William Cogswell it is my painful office to formally announce the intelligence of his death in this city on the 23d day of May of last year. General Cogswell was a member of the Fiftieth, the Fifty-first, the Fifty-second, and the Fifty-third Congresses, and was elected, by a majority that swept away party lines in his district, to membership in this House. I need not call the attention of those members who served with him to the fidelity with which he always performed every public duty. It is not my purpose at this time to enter into any extended eulogy of his life and services, but at some later day I shall ask the House to set apart a time when its membership may express formally their appreciation of his life, his character, and his services. I content myself now with sending to the desk resolutions which I ask the House to adopt in honor of his memory.

The resolutions were read, as follows:

Resolved, That the House has heard with profound sorrow of the death of Hon. William Cogswell, late a Representative from the State of Massachusetts.

Resolved, That as a mark of respect to his memory the House do now adjourn.

Resolved, That the Clerk communicate these resolutions to the Senate.

The resolutions were unanimously adopted; and in pursuance thereof the House (at 3 o'clock and 50 minutes p. m.) adjourned.

#### EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following Executive communications were taken from the Speaker's table and referred by the Speaker, as follows:

A letter from the Acting Secretary of the Treasury, transmitting estimate of appropriation for removal of certain furniture and records from the custom-house building in Chicago, etc.—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of the Navy relating to a deficiency in the "Contingent, Navy," appropriation—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a communication from the General Superintendent of the Life-Saving Service relating to officers of the Revenue-Cutter Service on detached duty during 1896 with the Life-Saving Service—to the Committee on Appropriations, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a communication from the Secretary of State, submitting an estimate of appropriation for the clerical force in the Bureau of Statistics for the remainder of the current fiscal year, and for the fiscal year 1897—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the finding filed by the court in the case of James P. Layne, administrator of Elizabeth Layne, deceased, against The United States—to the Committee on War Claims, and ordered to be printed.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS.

Mr. BARNEY, from the Committee on the Public Lands, to which was referred the bill of the Senate (S. 103) relating to final proof in timber-culture entries, reported the same without amendment, accompanied by a report (No. 56) in writing thereon; which

said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. HULL, from the Committee on Military Affairs, to which was referred the bill of the Senate (S. 1179) to repeal section 1218 of the Revised Statutes of the United States, as amended by chapter 46 of the laws of 1884 relating to appointments of officers in the Army or Navy of the United States, reported the same without amendment, accompanied by a report (No. 55) in writing thereon; which said bill and report were referred to the House Calendar.

Mr. PERKINS, from the Committee on Printing, to which was referred the concurrent resolution of the Senate providing for the printing of 1,500 extra copies of the annual report of the Commissioner of Railroads for the year 1895, with appendixes, for the use of the Commissioner of Railroads, reported the same without amendment, accompanied by a report (No. 57) in writing thereon; which said concurrent resolution and report were referred to the Committee of the Whole House on the state of the Union.

#### REPORTS OF COMMITTEES ON PRIVATE BILLS.

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

By Mr. WOOD: The bill (H. R. 711) to increase the pension of Uzziel B. Church. (Report No. 58.)

By Mr. KIRKPATRICK: The bill (H. R. 2340) granting a pension to Caroline Parker. (Report No. 59.)

Also, the bill (H. R. 1616) to pension Michael E. Bricker, of Edgerton, Ind. (Report No. 60.)

By Mr. MILLS: The bill (H. R. 3698) granting an increase of pension to Mrs. Jane Dulany. (Report No. 61.)

By Mr. BAKER of Kansas: The bill (H. R. 2800) granting a pension to Martha Brooks. (Report No. 62.)

By Mr. POOLE: The bill (H. R. 952) granting a pension to Susan D. Wright. (Report No. 63.)

By Mr. KERR: The bill (H. R. 995) granting a pension to Kate A. Pitman. (Report No. 64.)

#### PUBLIC BILLS, MEMORIALS, AND RESOLUTIONS.

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

By Mr. SKINNER: A bill (H. R. 4141) to reduce the compensation of all persons in public service and thereby to meet the deficiency in the Treasury—to the Committee on Reform in the Civil Service.

By Mr. McRAE: A bill (H. R. 4142) to protect settlement rights where two or more persons settle upon the same subdivision of agricultural public lands before survey thereof—to the Committee on the Public Lands.

By Mr. ROBINSON of Pennsylvania: A bill (H. R. 4143) to increase the efficiency of the Marine Corps, and to equalize the grades of officers therein—to the Committee on Naval Affairs.

By Mr. HYDE: A bill (H. R. 4144) to amend an act entitled "An act to provide for the times and places to hold terms of the United States courts in the State of Washington"—to the Committee on the Judiciary.

By Mr. CURTIS of New York: A bill (H. R. 4145) to amend section 1309, Revised Statutes—to the Committee on Military Affairs.

By Mr. HYDE: A bill (H. R. 4146) to authorize the First National Bank of Sprague, Wash., to change its location and name—to the Committee on Banking and Currency.

By Mr. CULBERSON: A bill (H. R. 4147) to authorize the Chickasaw Nation of Indians to bring suit against the United States in the Court of Claims—to the Committee on the Judiciary.

By Mr. BABCOCK (by request): A bill (H. R. 4148) to license billiard and pool tables in the District of Columbia, and for other purposes—to the Committee on the District of Columbia.

Also (by request), a bill (H. R. 4149) in relation to taxes and tax sales in the District of Columbia—to the Committee on the District of Columbia.

By Mr. WHEELER: A bill (H. R. 4150) to separate the duties of professor of ethics, etc., from those of chaplain at the United States Military Academy—to the Committee on Military Affairs.

By Mr. CRAIN: A bill (H. R. 4151) to make Aransas Pass, Tex., a subport of entry—to the Committee on Interstate and Foreign Commerce.

By Mr. HILBORN: A bill (H. R. 4152) for the construction of two steam revenue-cutters for service on the Pacific Coast—to the Committee on Interstate and Foreign Commerce.

By Mr. LITTLE: A bill (H. R. 4153) to grant the Fort Smith and Western Coal Railroad Company a right of way through the Indian Territory, and for other purposes—to the Committee on Indian Affairs.

Also, a bill (H. R. 4154) to amend section 9 of an act entitled "An act to provide for the appointment of additional judges of the United States court in the Indian Territory, and for other purposes"—to the Committee on the Judiciary.

By Mr. EVANS: A bill (H. R. 4155) to provide for the completion of the improvements of the Falls of the Ohio River at and near Louisville, Ky.—to the Committee on Rivers and Harbors.

By Mr. LOUD: A bill (H. R. 4156) to amend the postal laws providing limited indemnity for loss of registered mail matter—to the Committee on the Post-Office and Post-Roads.

Also, a bill (H. R. 4157) to amend the postal laws relating to use of postal cards—to the Committee on the Post-Office and Post-Roads.

By Mr. TRACEY: A bill (H. R. 4158) to abolish the fee system for the payment of officers of United States courts and pay them salaries instead—to the Committee on the Judiciary.

By Mr. CURTIS of Kansas: A bill (H. R. 4159) authorizing and directing the Secretary of the Treasury to pay the transportation and one year's subsistence of 274 Creek Indians, and for other purposes—to the Committee on Indian Affairs.

By Mr. HERMANN: A bill (H. R. 4160) providing an appropriation for continuing the improvements on the Willamette River above Portland, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4161) providing an appropriation for the improvement of the Nestugga River, Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4162) providing for the improvement of navigation of the Alsea River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4163) providing an appropriation for the improvement of the navigation of Coos River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4164) providing an appropriation for continuing the improvements on the Willamette and Columbia rivers below Portland, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4165) making an appropriation for the improvement of the Siuslaw River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4166) providing an appropriation for the improvements at the entrance to Yaquina Bay, Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4167) providing an appropriation for continuing the improvements in the navigation of Tillamook Bay, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4168) providing an appropriation for continuing the improvements at the entrance to Coos Bay, Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4169) making an appropriation for the improvement of the Nehalem River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4170) providing an appropriation for continuing the improvements at the mouth of the Coquille River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4171) providing an appropriation for continuing the improvements on the upper waters of the Coquille River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4172) making an appropriation for the improvement of the Umpqua River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4173) providing an appropriation for the improvement of the Alsea River, in Oregon—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 4174) providing an appropriation for the improvement of the harbor of Port Orford, in Oregon—to the Committee on Rivers and Harbors.

By Mr. CHICKERING: A bill (H. R. 4175) to restore the pensions of widows in certain cases—to the Committee on Invalid Pensions.

By Mr. LOUD: A bill (H. R. 4176) to extend the uses of the mail service—to the Committee on the Post-Office and Post-Roads.

By Mr. HILBORN: A bill (H. R. 4177) to enable naval courts-martial and courts of inquiry to secure the attendance and testimony of civilian witnesses—to the Committee on the Judiciary.

Also, a bill (H. R. 4178) providing for the use by the United States of devices covered by letters patent—to the Committee on Patents.

Also a bill (H. R. 4179) to amend section 3719 of the Revised Statutes—to the Committee on Expenditures in the Navy Department.

By Mr. HOOKER: A bill (H. R. 4241) for improving Aransas Pass—to the Committee on Rivers and Harbors.

By Mr. MAHANY: A joint resolution (H. Res. 86) directing the Secretary of War to provide and to distribute to the National Guard of New York the medals promised them by General Order No. 195 of the War Department, for services rendered at President Lincoln's call in 1863—to the Committee on Military Affairs.

By Mr. HARDY: A resolution (House Res. No. 116) for the relief of the estate of the late Lycurgus Dalton, late Postmaster of the House of Representatives—to the Committee on Accounts.

By Mr. BREWSTER: A memorial from the legislature of New York State relating to canals—to the Committee on Railways and Canals.

By Mr. SHERMAN: A memorial from the senate of the State of New York relating to maintenance of canals—to the Committee on Railways and Canals.

By Mr. PAYNE: A memorial from the legislature of the State of New York in reference to canals—to the Committee on Railways and Canals.

By Mr. ELLIS: A memorial from the legislative assembly of the State of Oregon, asking the forfeiture of unearned land grants in what is known as the quadrant in Oregon—to the Committee on the Public Lands.

Also, a memorial from the legislative assembly of the State of Oregon, asking that a portion of the Cascade Forest Reserve in Oregon be opened to settlement—to the Committee on the Public Lands.

Also, a memorial from the legislative assembly of the State of Oregon, asking for the appointment of a guardian for Crater Lake Reserve, in Oregon—to the Committee on the Public Lands.

Also, a memorial from the legislative assembly of the State of Oregon, asking legislation to protect the eggs of wild fowl on their breeding grounds in the Territory of Alaska—to the Committee on the Territories.

#### CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the following changes of reference were made:

The bill (H. R. 3384) granting a pension to Mrs. Ann Smith—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1883) for the relief of David Vickers—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1033) for the relief of Mrs. R. C. Jones—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1103) granting a pension to James V. Burch—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1236) granting a pension to John W. Starr—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1330) granting a pension to Mary Jane Debois—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1610) granting a pension to Jane L. Buckingham—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1786) granting an increase of pension to John W. Owens—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 2848) for the relief of Archibald P. Cooper—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3051) for the relief of Lucy A. Branham—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3155) granting a pension to Annie E. Park—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 138) granting an increase of pension to Mary E. Hazlip—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 157) restoring Julia L. Roberts, late Julia L. Doty, to the pension rolls—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 158) granting a pension to Mary Collins—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3759) granting an increase of pension to Edward Geller, of Toronto, Kans.—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3721) for the relief of Sarah J. Warren—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3256) for the relief of Alfred T. Morey—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3310) granting a pension to Patrick Bogan—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 2476) granting a pension to George W. Eveleth—

Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3059) for the relief of Sarah A. Moore—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 2195) to increase the pension of James F. Campbell—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 2842) to place the name of Mary A. Fowler upon the pension roll—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1043) granting a pension to Mrs. Hannah Flanders—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1627) to pension Mrs. Elizabeth T. Palmatier—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 967) for the relief of Theodore Huesman—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 1040) granting a pension to Mrs. Nancy T. Eastman—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 494) granting a pension to Christopher Rupp, of Pennsylvania—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 676) for the relief of Newton L. Crow—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3605) granting a pension to Grotius N. Udell—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 3495) granting a pension to Isabella Clary—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 2034) for the relief of Patrick Montgomery—Committee on Claims discharged, and referred to the Committee on War Claims.

Memorial of Ed Hamlin Post, Grand Army of the Republic, as to pensions—Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

The bill (H. R. 2241) for the relief of Francis Scala—Committee on Naval Affairs discharged, and referred to the Committee on Claims.

#### PRIVATE BILLS, ETC.

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

By Mr. BROWN: A bill (H. R. 4180) for the relief of William S. Dugger, of Hamilton County, Tenn.—to the Committee on War Claims.

Also, a bill (H. R. 4181) for the relief of William L. Dugger, of Hamilton County, Tenn.—to the Committee on War Claims.

By Mr. COFFIN: A bill (H. R. 4182) granting increase of pension to Georgianna C. Hall, dependent mother of Maj. John W. Williams, deceased, late surgeon, United States Army—to the Committee on Pensions.

By Mr. CONNOLLY: A bill (H. R. 4183) to remove the charge of desertion from the record of Peter Gehm, late of Company I, Fourteenth Regiment of Illinois Infantry Volunteers—to the Committee on Military Affairs.

Also, a bill (H. R. 4184) granting a pension to Nancy Hollenbank, formerly Nancy Boaz, formerly Nancy Yeley, a hospital nurse during the war of the rebellion—to the Committee on Invalid Pensions.

By Mr. DALZELL (by request): A bill (H. R. 4185) for the relief of Warren Hall—to the Committee on War Claims.

By Mr. DOLLIVER: A bill (H. R. 4186) to correct the military record of John G. Riley—to the Committee on Military Affairs.

Also, a bill (H. R. 4187) to correct the military record of Ebbert Sutton—to the Committee on Military Affairs.

Also, a bill (H. R. 4188) to correct the military record of Joseph Graham—to the Committee on Military Affairs.

By Mr. FISCHER: A bill (H. R. 4189) for the relief of Capt. James Regan, United States Army—to the Committee on Military Affairs.

By Mr. HANLY: A bill (H. R. 4190) to reimburse Isaac D. Armstrong for stolen bonds—to the Committee on Claims.

By Mr. HADLEY: A bill (H. R. 4191) granting a pension to George Schamberger—to the Committee on Invalid Pensions.

By Mr. HARDY: A bill (H. R. 4192) to correct the military record of James K. P. Summers—to the Committee on Military Affairs.

Also, a bill (H. R. 4193) to correct the military record of William F. Souger—to the Committee on Military Affairs.

Also, a bill (H. R. 4194) to correct the military record of Frank B. Lamb—to the Committee on Military Affairs.

By Mr. HERMANN: A bill (H. R. 4195) for the relief of Charles H. Peirce—to the Committee on War Claims.

Also, a bill (H. R. 4196) to pension John Hoffman for services in Mexican war—to the Committee on Pensions.

Also, a bill (H. R. 4197) to pension Josiah Biggs—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4198) to pension J. E. Allen, of Company D, Second Regiment California Infantry Volunteers—to the Committee on Invalid Pensions.

By Mr. HENRY of Connecticut: A bill (H. R. 4199) to correct the military record of Edward H. Munson, late a private in Company H, Thirty-second New York Regiment Infantry—to the Committee on Military Affairs.

By Mr. HOWELL: A bill (H. R. 4200) to authorize and direct the Auditor for the Post-Office Department to credit the account of George H. Tice, postmaster at Perth Amboy, N. J., for postage stamps and money-order funds stolen from his office—to the Committee on Claims.

By Mr. JOHNSON of Indiana: A bill (H. R. 4201) granting a pension to Nicholas Gardner—to the Committee on Invalid Pensions.

By Mr. HULICK: A bill (H. R. 4202) directing the Quartermaster-General to certify and transmit to the Court of Claims all papers on file in his office pertaining to the claim of the heirs of Samuel Mitchell, deceased, for the value of a horse taken by the United States troops in the Morgan raid—to the Committee on War Claims.

Also, a bill (H. R. 4203) to pay Mary Galley \$5,503, with interest from the 21st day of March, A. D. 1864, for the destruction of her property by the Seventy-fourth Regiment Ohio Volunteer Infantry—to the Committee on War Claims.

Also, a bill (H. R. 4204) authorizing and directing the Secretary of the Interior to place the name of John P. Biehn on the pension roll—to the Committee on Pensions.

Also, a bill (H. R. 4205) for the relief of Dr. William A. Johnson, late a contract surgeon in the United States Army—to the Committee on Military Affairs.

Also, a bill (H. R. 4206) to refer to the Court of Claims the claim of William T. Scales for compensation for the loss of his flouring mill and contents, located at California, Ky., on the 10th day of September, 1862, by order of Gen. Lew Wallace—to the Committee on War Claims.

Also, a bill (H. R. 4207) directing the Quartermaster-General to certify and transmit to the Court of Claims all papers on file in his office pertaining to the claim of Israel Dehass, for the value of a horse taken by the United States troops in the Morgan raid—to the Committee on War Claims.

By Mr. LEIGHTY: A bill (H. R. 4208) granting pension to William Sible, of Hellers Corners, Ind.—to the Committee on Invalid Pensions.

By Mr. LINNEY: A bill (H. R. 4209) for the relief of Abraham C. Bryan, of Traphill, N. C.—to the Committee on War Claims.

Also, a bill (H. R. 4210) for the relief of Abram C. Bryan—to the Committee on Military Affairs.

By Mr. LINTON: A bill (H. R. 4211) granting a pension to William Lagore—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4212) to correct the military record of Almon McNinch—to the Committee on Military Affairs.

Also, a bill (H. R. 4213) granting a pension to Victor M. Cromwell—to the Committee on Invalid Pensions.

By Mr. MAGUIRE: A bill (H. R. 4214) for the relief of John W. Ferris—to the Committee on Claims.

Also, a bill (H. R. 4215) for the relief of James L. Ord, lately acting assistant surgeon in the United States Army—to the Committee on Claims.

Also, a bill (H. R. 4216) granting a pension to George Sylvester—to the Committee on Invalid Pensions.

By Mr. MERCER: A bill (H. R. 4217) granting a pension to Julia Beauchamp—to the Committee on Invalid Pensions.

By Mr. MEREDITH: A bill (H. R. 4218) for the relief of Richard H. Marshall, heir of Louisa Sommers, deceased, late of Fairfax County, Va.—to the Committee on War Claims.

Also, a bill (H. R. 4219) for the relief of the legal representatives of James B. McNair, deceased—to the Committee on War Claims.

By Mr. PAYNE: A bill (H. R. 4220) granting a pension to Charles A. Foster, late acting assistant surgeon, United States Army—to the Committee on Invalid Pensions.

By Mr. PRINCE: A bill (H. R. 4221) for removal of charge of desertion against George M. Totten, late Company G, Fifty-eighth Regiment Illinois Infantry Volunteers—to the Committee on Military Affairs.

By Mr. RUSSELL of Connecticut: A bill (H. R. 4222) granting a pension to Elizabeth A. Anderson—to the Committee on Invalid Pensions.

By Mr. SMITH of Illinois: A bill (H. R. 4223) for the relief of Curtis P. Wise—to the Committee on Military Affairs.

Also (by request), a bill (H. R. 4224) for the relief of Thomas J. Spencer—to the Committee on Military Affairs.

Also, a bill (H. R. 4225) for the relief of John A. Hill—to the Committee on Military Affairs.

Also, a bill (H. R. 4226) for the relief of John J. Vincent—to the Committee on War Claims.

Also, a bill (H. R. 4227) for the relief of Emeline E. Musgrave—to the Committee on Claims.

Also, a bill (H. R. 4228) to remove the charge of desertion from the record of Amos B. Howland—to the Committee on Military Affairs.

By Mr. SNOVER: A bill (H. R. 4229) for the relief of J. Seymour Taylor—to the Committee on Military Affairs.

Also, a bill (H. R. 4230) for the relief of Newell A. Burrows—to the Committee on Military Affairs.

By Mr. SULLOWAY: A bill (H. R. 4231) for the relief of James E. Morrill—to the Committee on Military Affairs.

Also, a bill (H. R. 4232) to restore Edward L. Bailey to the United States Army and to place him on the retired list with the rank of captain of infantry—to the Committee on Military Affairs.

By Mr. STEELE: A bill (H. R. 4233) granting a pension to Henry M. Hyde—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4234) granting a pension to Martha E. Grant—to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 4235) granting a pension to Adelia A. Eastman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 4236) granting a pension to Lorada Pierce—to the Committee on Invalid Pensions.

By Mr. TRACEY: A bill (H. R. 4237) granting a bounty to Thomas W. Kirby—to the Committee on Claims.

By Mr. WILLIAMS: A bill (H. R. 4238) for relief of Sarah McClenachan—to the Committee on Pensions.

By Mr. DOLLIVER: A bill (H. R. 4239) to pension Garrett H. Wilber—to the Committee on Pensions.

By Mr. DRAPER: A bill (H. R. 4240) granting an increase of pension to Dexter B. Freeman—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ACHESON: Three petitions, respectively, of 73 citizens of Connellsville, New Haven, and vicinity, Fayette County; 122 citizens of Blair, Camden, Coal Valley, Mendelssohn, and vicinity, Allegheny County, and 163 citizens of McKeesport, Reynoldton, Christy Park, Duquesne, and vicinity, Pennsylvania, praying for the passage of the Stone immigration bill—to the Committee on Immigration and Naturalization.

Also, resolutions of a public meeting held at Claysville, Pa., on the trouble in Armenia—to the Committee on Foreign Affairs.

By Mr. BAKER of New Hampshire: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware to the President and Congress of the United States, on the dispute between Great Britain and Venezuela relative to the boundary of the latter and the intervention of the United States—to the Committee on Foreign Affairs.

By Mr. BARTLETT of New York: Paper relating to first-mortgage bondholders of the Union Pacific Railroad Company, by H. Livingston Rogers, petitioning that the Government unite its \$7,250,000 of its first-mortgage bonds in protecting the first mortgage, etc.—to the Committee on the Pacific Railroads.

By Mr. BENNETT: Resolutions passed at a meeting in the Puritan Congregational Church, Brooklyn, N. Y., January 10, 1896, protesting against the atrocities in Armenia, and beseeching Congress to use such means as will protect Christian missionaries—to the Committee on Foreign Affairs.

By Mr. BROSIUS: Petition of 70 citizens of Lancaster County, Pa., in favor of the William A. Stone immigration bill, to secure a better grade of immigrants—to the Committee on the Judiciary.

By Mr. COOK of Wisconsin: Petition of A. E. Chase and 200 other citizens of Oshkosh, Wis., favoring the passage of House bill No. 58, known as the William A. Stone bill, restricting immigration—to the Committee on the Judiciary.

By Mr. DALZELL: Memorial of the representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware to the President and Congress of the United States, on the dispute between Great Britain and Venezuela relative to the boundary of the latter and the intervention of the United States—to the Committee on Foreign Affairs.

By Mr. DAYTON: Twelve petitions, severally, of H. F. Berry and others, J. R. Bartlett and others, B. W. Hall and others, W. B. Jolliffe and others, Elza Shackelford and others, S. C. Reed and others, Ira Moore and others, A. F. Hamilton and others, L. D. Beatty and others, D. W. Huey and others, W. D. Watson and

others, and Lloyd Douglas and others, praying the passage of the William A. Stone bill restricting immigration—to the Committee on the Judiciary.

By Mr. DOLLIVER: Papers to accompany House bill to correct the military record of Joseph Graham—to the Committee on Military Affairs.

Also, papers to accompany a bill to correct the military record of John G. Riley—to the Committee on Military Affairs.

Also, paper to accompany House bill for pension for Garrett H. Wilber—to the Committee on Pensions.

By Mr. FAIRCHILD: Memorial of the J. L. Mott Iron Works, Mott Haven, N. Y., and 703 others, requesting that the Fifty-fourth Congress will authorize the Secretary of War to contract with Charles Stoughton and his associates for the entire work of constructing a canal through the Harlem Kills, New York, 15 feet deep and 300 feet wide, for a sum not exceeding \$1,450,000—to the Committee on Rivers and Harbors.

By Mr. FOOTE: Resolution passed at a union meeting of the churches of Malone, N. Y., January 12, 1896, in regard to the protection of Christians in Armenia—to the Committee on Foreign Affairs.

By Mr. GRISWOLD: Petition of citizens of Tamarac, Pa., praying for a change in the immigration laws, to secure a better grade of immigrants—to the Committee on the Judiciary.

By Mr. HAGER: Petition of G. C. Wilke and 150 other citizens of Missouri Valley, Iowa, asking for favorable action on bill to secure a better grade of immigrants—to the Committee on Immigration and Naturalization.

By Mr. HARMER: Memorial of the representatives of the Religious Society of Friends of Pennsylvania, New Jersey, and Delaware to the President and Congress of the United States, on the dispute between Great Britain and Venezuela, relative to the boundary of the latter and the intervention of the United States—to the Committee on Foreign Affairs.

By Mr. HENDERSON: Petition of Ellen Bradley, mother of John J. Bradley, Company C, Twenty-first Regiment Iowa Volunteer Infantry, for pension—to the Committee on Invalid Pensions.

Also, resolutions adopted at a mass meeting in Des Moines, Iowa, relating to the Cuban struggle—to the Committee on Foreign Affairs.

By Mr. HENRY of Indiana: Resolutions of the Grand Army of the Republic for the Department of Indiana, asking pension legislation—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 3872, increasing the pension of William S. Dematt to \$50 a month—to the Committee on Invalid Pensions.

Also, papers to accompany House bill No. 4097, for the relief of James C. Wheat, of Indianapolis, Ind.—to the Committee on Claims.

Also, papers to accompany House bill No. 4098, for the relief of Thomas F. Ryan—to the Committee on Claims.

By Mr. HICKS: Eight petitions, severally, of Lyman Sherbine and other citizens of Wilmore; W. L. Hite and other citizens of Belsano; L. B. Fasick and others, of Belsano; J. Lingenfelter and others, of Freedom Township, Beaver County; J. E. Rowland and others, of Pendleton, Cambria County; together with three petitions of citizens of Somerset County, Pa., praying for enactment of laws restricting immigration and for the William A. Stone bill—to the Committee on the Judiciary.

Also, petition of Jacob Acker, George W. Garner, Levi Acker, and 40 other citizens of Drab, Blair County, Pa., praying for an act of Congress to pay fourth-class postmasters' rent—to the Committee on the Post-Office and Post-Roads.

By Mr. KNOX: Resolutions of the High Street Church, Lowell, Mass., in reference to the Armenian outrages—to the Committee on Foreign Affairs.

By Mr. LEONARD: Petition of citizens of Tioga and Lycoming counties, Pa., praying for the passage of legislation restricting immigration—to the Committee on the Judiciary.

By Mr. MAHON: Petition of citizens of Mifflinburg, Pa., praying Congress to take some action for the protection of Armenian citizens in Turkey—to the Committee on Foreign Affairs.

Also, two petitions of citizens of Mercersburg and Fulton County, Pa., praying for the passage of the William A. Stone bill to restrict immigration—to the Committee on the Judiciary.

By Mr. MILLER of West Virginia: Two petitions, respectively, of D. W. Rhodes, C. T. McCoy, and 30 others; J. W. Williamson, G. W. Brownell, Monroe Miller, and 45 others, all citizens of West Virginia, praying for the passage of the William A. Stone bill—to the Committee on the Judiciary.

By Mr. MONDELL: Petition of W. O. Owen, W. H. Richards, and 158 other citizens of Laramie and Cheyenne, Wyo., in favor of the passage of the William A. Stone immigration bill—to the Committee on the Judiciary.

By Mr. MORSE: Two petitions, respectively, of Henry E. Standish and 18 others, and Henry W. Sears and 3 other citi-

zens of Middleboro, Mass., praying that Congress pass legislation raising the standard of immigrants admitted to the United States—to the Committee on Immigration and Naturalization.

By Mr. OWENS: Petition of James H. Gifford, of Kentucky, praying for an increase of pension—to the Committee on Invalid Pensions.

By Mr. PAYNE: Petition of Charles A. Foster, late acting assistant surgeon, United States Army, to accompany House bill—to the Committee on Invalid Pensions.

By Mr. PITNEY: Petition of William H. Ward and 144 other citizens of Morris County, N. J., in favor of the passage of the Stone immigration bill—to the Committee on the Judiciary.

By Mr. SHERMAN: Resolutions of the Cincinnati Daily Newspaper Association, asking for change in rate of postage—to the Committee on the Post-Office and Post-Roads.

By Mr. SKINNER: Petition of G. H. Brown, jr., and 19 other citizens of Washington, N. C., asking for the speedy recognition as belligerents of the Cuban patriots in their struggle for freedom—to the Committee on Foreign Affairs.

By Mr. SPERRY: Letter from Prof. Henry S. Williams, Yale College, concerning Armenian outrages—to the Committee on Foreign Affairs.

By Mr. STAHL: Three petitions, respectively, of 136 citizens of West Fairview, 64 citizens of Cumberland County, and 60 citizens of York County, Pa., in favor of the passage of the bill to regulate immigration, known as the William A. Stone bill—to the Committee on Immigration and Naturalization.

By Mr. STEELE: Petition of the Grand Army of the Republic of Indiana, through the adjutant-general thereof, R. M. Smock, of Indianapolis, Ind., asking that honorably discharged Union soldiers be placed on the pension roll at \$8 per month when they have arrived at the age of 60 years—to the Committee on Invalid Pensions.

Also, petition of Robert M. Snodgrass, commander of John Stewart Post, No. 310, of Reed, Delaware County, Ind., asking that a service pension of \$8 per month be granted to the surviving veterans of the war—to the Committee on Invalid Pensions.

By Mr. TALBERT: Petition of citizens of Hampton City, S. C., for the passage of bills now pending in Congress for the relief of the book agents of the Methodist Episcopal Church South—to the Committee on War Claims.

By Mr. TRACEY: Papers relating to House bill No. 881, for the relief of persons who made cash entries at double minimum prices—to the Committee on the Public Lands.

By Mr. WANGER: Memorial of representatives of the Religious Society of Friends for Pennsylvania, New Jersey, and Delaware to the President and Congress of the United States, on the dispute between Great Britain and Venezuela relative to the boundary of the latter and the intervention of the United States, favoring arbitration and deprecating the holding out of any menace by the President—to the Committee on Foreign Affairs.

By Mr. WHITE: Petition of George E. Hammon, Thomas Pettman, and 141 other citizens of Chicago, Ill., favoring the passage of the Stone bill restricting immigration—to the Committee on the Judiciary.

## HOUSE OF REPRESENTATIVES.

FRIDAY, January 17, 1896.

The House met at 12 o'clock m. Prayer by the Chaplain, Rev. HENRY M. COUDEN.

The Journal of the proceedings of yesterday was read.

Mr. SHERMAN. Mr. Speaker, I desire to correct a slight error in the Journal. The report which I made yesterday was from the Committee on Indian Affairs, not from the Committee on Printing.

The SPEAKER. The correction will be made.

The Journal as corrected was approved.

### ROTUNDA OF THE CAPITOL.

Mr. HOWE. Mr. Speaker, I offer a resolution, which I send to the desk, and for which I ask present consideration.

The resolution was read, as follows:

*Resolved by the House of Representatives (the Senate concurring), That the Joint Committee on the Library be instructed to ascertain the cause of the delay in completing the chiaro-oscuro (light and shade) by Mr. Costogini, in the Rotunda of the Capitol, and whether or not it would be advisable to remove the scaffolding still remaining for the use of completing the painting, and to report to the House the result of the investigation.*

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. SAYERS. Let us have some explanation of it.

Mr. HOWE. Mr. Speaker, I would like to say a word about the resolution.

The SPEAKER. Without objection, the gentleman will be recognized for that purpose.

Mr. HOWE. There is an unsightly scaffolding in the Rotunda of