

## INDIAN TERRITORY.

John W. Bayless, to be postmaster at Sapulpa, in the county of Creek Nation, Ind. T.

## KANSAS.

J. H. Buckman, to be postmaster at Lyndon, in the county of Osage and State of Kansas.

## LOUISIANA.

George W. Whitworth, to be postmaster at Jeanerette, in the parish of Iberia and State of Louisiana.

## MICHIGAN.

Charles B. Drake, to be postmaster at Lewiston, in the county of Montmorency and State of Michigan.

George Spalding, to be postmaster at Monroe, in the State of Michigan.

## MINNESOTA.

Angus Gunn, to be postmaster at Sandstone, in the county of Pine and State of Minnesota.

## MONTANA.

James B. Washburn, to be postmaster at Giltedge, in the county of Fergus and State of Montana.

## NEBRASKA.

M. Emmington, to be postmaster at Pender, in the county of Thurston and State of Nebraska.

## NEW YORK.

L. A. Blanding, to be postmaster at Sherburne, in the county of Chenango and State of New York.

John K. Grant, to be postmaster at Stamford, in the county of Delaware and State of New York.

## NORTH CAROLINA.

J. Walter Jones, to be postmaster at Northwilkesboro, in the county of Wilkes and State of North Carolina.

William H. Cooper, to be postmaster at Laurinburg, in the county of Scotland and State of North Carolina.

R. W. Smith, to be postmaster at Charlotte, in the county of Mecklenburg and State of North Carolina.

## OHIO.

Edward J. Lewis, to be postmaster at Girard, in the county of Trumbull and State of Ohio.

George B. Alaback, to be postmaster at East Palestine, in the county of Columbiana and State of Ohio.

Mary L. Thompson, to be postmaster at Georgetown, in the county of Brown and State of Ohio.

Russell B. Day, to be postmaster at Bluffton, in the county of Allen and State of Ohio.

Joseph E. Hall, to be postmaster at Bucyrus, in the county of Crawford and State of Ohio.

William A. Pittenger, to be postmaster at Dennison, in the county of Tuscarawas and State of Ohio.

Akin M. Richards, to be postmaster at Hicksville, in the county of Defiance and State of Ohio.

James W. Hull, to be postmaster at Millersburg, in the county of Holmes and State of Ohio.

James C. Holloway, to be postmaster at Montpelier, in the county of Williams and State of Ohio.

Frank F. Talley, to be postmaster at New Richmond, in the county of Clermont and State of Ohio.

John J. Roberts, to be postmaster at Prospect, in the county of Marion and State of Ohio.

Harry M. Ashton, to be postmaster at Spencerville, in the county of Allen and State of Ohio.

William H. Stoutt, to be postmaster at Urichsville, in the county of Tuscarawas and State of Ohio.

William T. Orton, to be postmaster at West Unity, in the county of Williams and State of Ohio.

Sherwood Blamer, to be postmaster at Johnstown, in the county of Licking and State of Ohio.

Elmer C. Jesse, to be postmaster at Mineral City, in the county of Tuscarawas and State of Ohio.

William S. Needham, to be postmaster at Pataskala, in the county of Licking and State of Ohio.

Jacob O. Harris, to be postmaster at Utica, in the county of Licking and State of Ohio.

## PENNSYLVANIA.

Augustus M. High, to be postmaster at Reading, in the county of Berks and State of Pennsylvania.

David W. Coulter, to be postmaster at Conemaugh, in the county of Cambria and State of Pennsylvania.

Frank J. Roethline, to be postmaster at Northampton, in the county of Northampton and State of Pennsylvania.

## UTAH.

Benjamin F. Boothe, to be postmaster at Brigham, in the county of Boxelder and State of Utah.

## TEXAS.

Elizabeth Rhea, to be postmaster at Groesbeck, in the county of Limestone and State of Texas.

## WASHINGTON.

Howard M. Spalding, to be postmaster at Goldendale, in the county of Klickitat and State of Washington.

## WISCONSIN.

Thomas Hughes, to be postmaster at Beaver Dam, in the county of Dodge and State of Wisconsin.

Charles Kinnach, to be postmaster at Cudahy, in the county of Milwaukee and State of Wisconsin.

Frank E. Hurd, to be postmaster at New Lisbon, in the county of Juneau and State of Wisconsin.

## HOUSE OF REPRESENTATIVES.

TUESDAY, March 3, 1903.

[Continuation of the legislative day of Thursday, February 26, 1903.]

The recess having expired, the House, at 11 o'clock a. m., was called to order by the Speaker.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. PAYNE. Mr. Speaker, I demand the yeas and nays on the pending question.

The SPEAKER. The gentleman from New York demands the yeas and nays on the pending question. As many as are in favor of ordering the yeas and nays—

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state the point of order.

Mr. RICHARDSON of Tennessee. I made the point that no quorum was present. I have examined with care the decisions which the Chair referred to on yesterday morning when I made the same point, and I assert now that the decisions by Mr. Carlisle and Mr. Randall mentioned and quoted by the Chair were not at all in cases similar to that which now presents itself to the House. In the case referred to—

The SPEAKER. Does the gentleman contend that a quorum is needed to order the yeas and nays?

Mr. RICHARDSON of Tennessee. We have not got to that point. Mr. Speaker, and that is what I desire to present now to the Chair.

In the cases referred to a count was had, under Mr. Carlisle and Mr. Randall. Those demanding the yeas and nays were counted, those opposed were counted, and thereupon the point was made on the floor that no quorum was present, and the Speaker properly decided that a quorum was not necessary to order the yeas and nays. We have not reached the yeas and nays, and, besides, the rules were different then. Mr. Carlisle and Mr. Randall, as the Chair very well knows, would not take notice of a point of "no quorum" when a gentleman arose in his place on the floor and made that point, but would await the ordering of the yeas and nays upon the pending motion and ascertain whether there was a quorum present or not; but under our rules, the rules at present, if a gentleman rises in his place and makes the point of no quorum, the Chair counts.

Now, Mr. Speaker, in those cases to which I have referred—and I am not going to take more than a moment—I want to enter a respectful protest against the ruling yesterday morning, and to show that there is a wide difference in the two cases. In those cases the House was in the conduct of its business, and the fact was developed that there was no quorum. It was while business was being transacted. It was not where the House had been from twelve to twenty-four hours in recess, as in the present instance. The House transacted business yesterday evening after the previous question was ordered on the pending measure upon the conference report now pending.

In this case twelve hours have elapsed since the House was in session, and there is manifestly no quorum present, as we all can see by looking at the House, and the point is made. You can not invoke those old decisions, made under rules totally different in principle from the rules which obtain in this House, in order to sustain the present condition.

Mr. PAYNE. Will the gentleman allow me to suggest—

Mr. RICHARDSON of Tennessee. I yield.

Mr. PAYNE. I want to suggest to the gentleman that the ordering of the yeas and nays does not require a quorum. A parallel example is that the vote on a motion to adjourn does not require a quorum, and the gentleman could not be heard upon a point of order, or at least the point of order could not be sustained if the motion was to adjourn, because that motion does

not require a quorum, and we could go on with the vote. Now, this is precisely similar.

Mr. RICHARDSON of Tennessee. I yielded for a question. I did not yield for a speech.

Mr. PAYNE. A suggestion, I said, and I will finish what I have to say in this sentence: The ordering of the yeas and nays does not require a quorum, and therefore the Chair was entirely right in putting that question.

Mr. RICHARDSON of Tennessee. Now, one moment in reply. The gentleman goes upon the idea that there has been a count for the yeas and nays. Why, there has been no such thing. We have not got to that point. I made the point of no quorum before the gentleman demanded the yeas and nays. He can not come then and make a motion or a demand for the yeas and nays. After I make the point of no quorum the gentleman can not come in and make a motion then which does not require a quorum, and invoke a rule of that kind, and say that he has made a motion that does not require a quorum. I made the point of no quorum. There was no motion pending. I had a right to make it, and the Chair, under the rules of this House, will count for a quorum when that point is made. Therefore I say the situation is wholly different. I know that the two positions are clearly to be differentiated, and are not the same in principle.

The SPEAKER. The gentleman overlooks the fact that you can order the yeas and nays with or without a quorum. The yeas and nays have been demanded. If there turns out to be a quorum, that will be sufficient. If there are not sufficient here to make a quorum, we will have to get them in. That is all. The Chair overrules the point of order.

Mr. RICHARDSON of Tennessee. I made the point before the yeas and nays were demanded.

The SPEAKER. The Chair overrules the point of order. Mr. RICHARDSON of Tennessee. I respectfully appeal from the decision of the Chair, and I insist that it is a meritorious appeal.

The SPEAKER. The Chair overrules it as dilatory. Mr. RICHARDSON of Tennessee. The Chair has the power to do that, but I have a right, nevertheless, to appeal or pray for an appeal; and I insist that the Chair overrule it in order, and not overrule it with the gavel.

The SPEAKER. The Chair is not using the gavel excepting for its necessary purposes.

Mr. RICHARDSON of Tennessee. I insist that the Chair was doing so and that he paid no attention to my appeal.

Several MEMBERS on the Republican side. Regular order!

The SPEAKER. The appeal is overruled as clearly dilatory. Mr. RICHARDSON of Tennessee. I deny that it is dilatory, but I recognize the power of the Chair to do it.

The SPEAKER. As many as are in favor of taking this vote by the yeas and nays will rise and remain standing until they are counted.

The yeas and nays were ordered. The SPEAKER. The question is on agreeing to the conference report. As many as are in favor will, as their names are called, vote "aye," those who are opposed will vote "no," and the Clerk will call the roll.

Mr. BARTLETT. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BARTLETT. Will the Chair be kind enough to state what is the pending question?

The SPEAKER. The question is on agreeing to the conference report on the immigration bill. The Clerk will call the roll.

The question was taken; and there were—yeas 194, nays 11, answered "present" 19, not voting 127; as follows:

YEAS—194.

- |            |                |                |               |
|------------|----------------|----------------|---------------|
| Acheson,   | Burke, S. Dak. | Dinsmore,      | Gordon,       |
| Adams,     | Burkett,       | Dougherty,     | Graff,        |
| Alexander, | Burlingh,      | Dovener,       | Greene, Mass. |
| Allon, Ky. | Burton,        | Draper,        | Grosvenor,    |
| Allen, Me. | Butler,        | Driscoll,      | Hamilton,     |
| Aplin,     | Candler,       | Dwight,        | Hanbury,      |
| Babcock,   | Cannon,        | Eddy,          | Haskins,      |
| Ball, Del. | Capron,        | Elliott,       | Hay,          |
| Bankhead,  | Cassel,        | Emerson,       | Hemenway,     |
| Barney,    | Cassingham,    | Esch,          | Henry, Conn.  |
| Bates,     | Connell,       | Finley,        | Hepburn,      |
| Billmeyer, | Coombs,        | Fitzgerald,    | Hildebrandt,  |
| Bishop,    | Cousins,       | Fletcher,      | Hill,         |
| Boutell,   | Cramer,        | Flood,         | Hitt,         |
| Bowersock, | Crowley,       | Fordney,       | Holliday,     |
| Brandegee, | Crumpacker,    | Gaines, Tenn.  | Hopkins,      |
| Brick,     | Currier,       | Gaines, W. Va. | Howell,       |
| Bristow,   | Cushman,       | Gardner, Mich. | Hughes,       |
| Bromwell,  | Dalzell,       | Gardner, N. J. | Hull,         |
| Brown,     | Darragh,       | Gibson,        | Jackson, Md.  |
| Brownlow,  | Davis, Fla.    | Gillet, N. Y.  | Jenkins,      |
| Burk, Pa.  | Dick,          | Glass,         | Johnson,      |

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|-----------------|---------------|-------------------|----------------|
| Jones, Va.      | Maddox,       | Reeder,           | Spight,        |
| Jones, Wash.    | Mahon,        | Beeves,           | Stevens, Tex.  |
| Kahn,           | Marshall,     | Rhea,             | Stevens, Minn. |
| Ketcham,        | Martin,       | Richardson, Tenn. | Stewart, N. Y. |
| Kitchin, Claude | Maynard,      | Rixey,            | Sulloway,      |
| Kitchin, Wm. W. | Mercer,       | Robb,             | Sutherland,    |
| Kluttz,         | Miers, Ind.   | Roberts,          | Tawney,        |
| Knapp,          | Miller,       | Robinson, Ind.    | Taylor, Ohio   |
| Knapp,          | Minor,        | Russell,          | Thomas, Iowa   |
| Lacey,          | Moody,        | Schirm,           | Thompson,      |
| Landis,         | Moon,         | Scott,            | Tirrell,       |
| Latimer,        | Morgan,       | Selby,            | Van Voorhis,   |
| Lawrence,       | Morris,       | Shattuc,          | Vreeland,      |
| Lessler,        | Moss,         | Sheppard,         | Wachter,       |
| Lewis, Pa.      | Mudd,         | Showalter,        | Wagoner,       |
| Lindsay,        | Needham,      | Sibley,           | Warner,        |
| Littauer,       | Nevin,        | Slayden,          | Warnock,       |
| Little,         | Olsted,       | Small,            | Weeks,         |
| Livingston,     | Otjen,        | Smith, Ill.       | White,         |
| Lloyd,          | Padgett,      | Smith, Iowa       | Wiley,         |
| Long,           | Palmer,       | Smith, Ky.        | Williams, Ill. |
| Lovdenslager,   | Parker,       | Smith, H. C.      | Woods,         |
| Loving,         | Payne,        | Smith, S. W.      | Wright,        |
| McCall,         | Payne,        | Snodgrass,        | Young,         |
| McCleary,       | Perkins,      | Snook,            | Zenor.         |
| McClellan,      | Powers, Me.   | Southard,         |                |
| McRae,          | Powers, Mass. | Sperry,           |                |

NAYS—11.

- |            |          |              |            |
|------------|----------|--------------|------------|
| Bowie,     | Clayton, | Norton,      | Stark,     |
| Breazeale, | Fleming, | Shackleford, | Underwood. |
| Burleson,  | Lever,   | Sims,        |            |

ANSWERED "PRESENT"—19.

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|------------|----------------|----------------|--------------|
| Bartholdt, | De Armond,     | Loud,          | Prince,      |
| Bartlett,  | Gillett, Mass. | Mann,          | Sherman,     |
| Cowherd,   | Grow,          | Metcalf,       | Taylor, Ala. |
| Curtis,    | Jackson, Kans. | Mutchler,      | Wanger.      |
| Davey, La. | Joy,           | Patterson, Pa. |              |

NOT VOTING—127.

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|--------------|----------------|------------------|------------------|
| Adamson,     | Douglas,       | Kern,            | Rucker,          |
| Ball, Tex.   | Edwards,       | Kleberg,         | Ruppert,         |
| Beidler,     | Evans,         | Knox,            | Ryan,            |
| Bell,        | Feely,         | Lamb,            | Scarborough,     |
| Bellamy,     | Flanagan,      | Lassiter,        | Shafroth,        |
| Belmont,     | Foerderer,     | Lester,          | Shallenberger,   |
| Benton,      | Foss,          | Lewis, Ga.       | Shelden,         |
| Bingham,     | Foster, Ill.   | Littlefield,     | Skiles,          |
| Blackburn,   | Foster, Vt.    | McAndrews,       | Smith, Wm. Alden |
| Blakeney,    | Fowler,        | McCulloch,       | Southwick,       |
| Boreing,     | Fox,           | McDermott,       | Sparkman,        |
| Brantley,    | Gardner, Mass. | McLachlan,       | Steele,          |
| Broussard,   | Gilbert,       | McLain,          | Stewart, N. J.   |
| Brundidge,   | Gill,          | Mahoney,         | Storm,           |
| Bull,        | Glenn,         | Meyer, La.       | Sulzer,          |
| Burgess,     | Goldfogle,     | Mickey,          | Swann,           |
| Burnett,     | Gooch,         | Mondell,         | Swanson,         |
| Calderehead, | Graham,        | Morrell,         | Talbert,         |
| Caldwell,    | Green, Pa.     | Naphe,           | Tate,            |
| Clark,       | Griffith,      | Neville,         | Thayer,          |
| Cochran,     | Griggs,        | Newlands,        | Thomas, N. C.    |
| Conner,      | Haugen,        | Overstreet,      | Tompkins, N. Y.  |
| Conry,       | Heatwole,      | Patterson, Tenn. | Tompkins, Ohio   |
| Cooney,      | Hedge,         | Pierce,          | Trimble,         |
| Cooper, Tex. | Henry, Miss.   | Pou,             | Vandiver,        |
| Cooper, Wis. | Henry, Tex.    | Pugsley,         | Wadsworth,       |
| Corliss,     | Hooker,        | Randall, Tex.    | Watson,          |
| Creamer,     | Howard,        | Randall, La.     | Wheeler,         |
| Dahle,       | Irwin,         | Reid,            | Williams, Miss.  |
| Davidson,    | Jack,          | Richardson, Ala. | Wilson,          |
| Dayton,      | Jett,          | Robertson, La.   | Wooten.          |
| Deemer,      | Kehoe,         | Robinson, Nebr.  |                  |

So the report of the committee of conference was agreed to. The following additional pairs were announced:

- Mr. GROW with Mr. HOOKER, for the balance of the session.
- Until further notice:
- Mr. METCALF with Mr. WHEELER.
- Mr. MCCLEARY with Mr. BENTON.
- Mr. WANGER with Mr. ADAMSON.
- Mr. PATTERSON of Pennsylvania with Mr. RICHARDSON of Alabama.

- Mr. FOSS with Mr. TATE.
- Mr. MORRELL with Mr. GREEN of Pennsylvania.
- Mr. BINGHAM with Mr. HENRY of Texas.
- Mr. GILLET of Massachusetts with Mr. BELMONT.
- Mr. FOSTER of Vermont with Mr. POU.
- Mr. WM. ALDEN SMITH with Mr. BURNETT.
- Mr. IRWIN with Mr. GOOCH.
- Mr. BULL with Mr. BALL of Texas.
- On this vote:
- Mr. FOERDERER with Mr. GOLDFOGLE.
- Mr. BEIDLER with Mr. BARTLETT.
- Mr. BARTHOLDT with Mr. SULZER.
- Mr. CORLISS with Mr. BROUSSARD.
- Mr. JACK with Mr. THOMAS of North Carolina.

The result of the vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had agreed to the amendment



of the House of Representatives to the bill (S. 4641) for the relief of Benjamin Franklin Handforth.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17202) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes.

The message also announced that the Senate had passed the following resolution:

Senate concurrent resolution 72.

*Resolved by the Senate (the House of Representatives concurring), That the Committee on Enrolled Bills, in the enrollment of the bill (H. R. 12199) "to regulate the immigration of aliens into the United States," are hereby authorized and directed to correct the cross references by sections in said bill, made necessary by the changed numbering of the sections thereof, namely:*

Page 3, lines 2 and 3, strike out "thirty-three" and insert "thirty-two."  
Page 6, line 23, strike out "five" and insert "four."  
Page 8, line 5, strike out "five" and insert "four."  
Page 8, line 11, strike out "six" and insert "five."  
Page 9, line 4, strike out "six" and insert "five."  
Page 13, line 7, strike out "thirteen, fourteen, and fifteen" and insert "twelve, thirteen, and fourteen."  
Page 13, line 14, strike out "thirteen, fourteen, and fifteen" and insert "twelve, thirteen, and fourteen."  
Page 16, line 13, strike out "five and six" and insert "four and five."  
Page 16, line 17, strike out "eighteen" and insert "seventeen."  
Page 17, line 21, strike out "twenty-one" and insert "twenty."  
Page 18, line 5, strike out "twenty" and insert "nineteen."

RESIGNATION OF MEMBER.

The SPEAKER laid before the House the following communication, which was read:

HOUSE OF REPRESENTATIVES,  
Washington, D. C., March, 3, 1903.

Hon. DAVID B. HENDERSON,  
Speaker House of Representatives, Washington, D. C.

My DEAR SIR: I hereby resign as a member of the Fifty-seventh Congress of the United States.

L. HEISLER BALL,  
Representative for District of Delaware.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

S. 7425. An act authorizing and empowering the Secretary of War to locate a right of way for and granting the same and a right to operate and maintain a line of railroad through the Vancouver Barracks and Military Reservation, in the State of Washington, to the Northern Pacific Railway Company; and

S. 7445. An act to provide for the appointment of a district judge for the western judicial district of South Carolina, and for other purposes.

ADAM STUBER.

Mr. GIBSON. Mr. Speaker, I call up the conference report on the bill S. 5118, printed in the RECORD on February 21, page 2661.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 5118) granting an increase of pension to Adam Stuber, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment.

A. B. DARRAGH,  
HENRY R. GIBSON,  
JOS. B. CROWLEY,  
*Managers on the part of the House.*  
J. H. GALLINGER,  
J. R. BURTON,  
GEO. TURNER,  
*Managers on the part of the Senate.*

Mr. RICHARDSON of Tennessee. I call for the statement.

The statement of the House conferees was read, as follows:

This bill (S. 5118) passed the Senate at \$30 per month, but was amended in the House to \$24 per month. Your conferees recommend that the House recede from its amendment. The result of this action will be to restore the rate of the bill, viz, \$30 per month, as it originally passed the Senate.

A. B. DARRAGH,  
HENRY R. GIBSON,  
JOS. B. CROWLEY,  
*Managers on the part of the House.*

Mr. GIBSON. Mr. Speaker, I wish to state that this soldier—

Mr. RICHARDSON of Tennessee. May we have order, so that we can hear?

The SPEAKER. The House will be in order.

Mr. GIBSON. I wish to state, Mr. Speaker, that this soldier served in the war with Mexico for seventeen months, and afterwards served as captain in the war of the rebellion, where he contracted rheumatism to such an extent that he was forced to resign. The soldier now is so disabled as to need the attendance of another person. The bill passed the Senate at \$30. The House

cut down the \$30 to \$24, but on conference we agreed to restore the \$30; and so the bill now stands before the House pensioning this veteran of two wars at \$30 a month. If any gentleman desires to say anything to the contrary, I will yield.

Mr. UNDERWOOD. Mr. Speaker, I desire to be recognized.

Mr. GIBSON. How much time does the gentleman want?

Mr. UNDERWOOD. I want five minutes.

Mr. GIBSON. I yield five minutes to the gentleman, reserving, of course, the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, last night, when the bill which has just been passed recodifying the immigration laws of this country was before the House for debate, it was impossible for me to secure time to state my objection to the passage of the bill, and I now desire to let the RECORD show why I believe the bill should not have been passed. We passed a bill in the House over a year ago changing the immigration laws of this country. In that bill were several paragraphs providing for an educational test for immigrants coming into the United States. There were other clauses in the bill designed to protect the American laborer against the pauper labor of Europe. That bill went to the Senate of the United States, and there, for the balance of the first session of Congress, slept in the pigeonholes of the Senate committee. Afterwards it was reported to the Senate. For weeks it was considered without the possibility of taking a vote upon it, and in the last hours of this Congress it is railroaded through the Senate and railroaded through this House without the possibility for an intelligent consideration by any member of either body of Congress.

Now, I do not claim that the bill as it came to this House is a very obnoxious bill, but I do say that when we enacted this bill into law and left out all the provisions of the bill that protect the American laborer against the pauper labor of Europe we have lost our opportunity for a decade to come to do justice to the men who earn their bread by their daily toil. The House has absolutely surrendered the rights of these men. You say that you protect the American laborer by your tariff laws. You protect him against pauper-made goods of Europe; and yet, by your action to-day you have surrendered the bill that you passed last year in his interest, and opened the sluice gates at every port in this country for the pauper labor of Europe to come in touch with him in his daily life on the American continent every day he lives, and have fixed it so that for Congresses yet to come no relief can be granted to him. By what you have done you have pulled down the American standard of living, you have pulled down the American standard of wages, you have pulled down the home of the American laborer, and I want my protest against such action to stand in the records of this House. [Applause.]

Mr. MIERS of Indiana. Will the gentleman from Tennessee yield five minutes to me?

Mr. GIBSON. I have only three minutes, and I will yield the gentleman one minute and a half.

Mr. MIERS of Indiana. Mr. Speaker, I believe this to be a meritorious bill and shall cheerfully vote for it. I take this minute and a half for the purpose of showing to this House the responsibility for the failure of legislation of this kind in eighteen or twenty very meritorious cases that have been reported by the Invalid Pensions Committee, which must necessarily fail by reason of the circumstances that now operate in this House. Whose fault is it?

Several MEMBERS on the Republican side. Yours.

Mr. MIERS of Indiana. No; it is not our fault; it is not the fault of the minority. Day before yesterday when the omnibus public-building bill came in, in which we all had a little pork, we could easily get a rule from your Committee on Rules to put it through; and if you gentlemen on the other side of the House were the real friends of the soldiers of your districts that you claim to be, your Committee on Rules would make a report on the resolution offered by the distinguished gentleman from Tennessee seeking to take up this class of legislation. You can legislate when you want to, and when you do not want to you try to put the responsibility on us, but can not shift it. I ask, Mr. Speaker, that I may be permitted to put that report in my remarks.

The SPEAKER. The gentleman from Indiana asks unanimous consent that he may extend his remarks in the RECORD.

Mr. PAYNE. I shall have to object to that, Mr. Speaker.

Mr. MIERS of Indiana. Always the friend of the old soldiers, as usual. [Laughter on the Democratic side.]

Mr. GIBSON. Mr. Speaker, the argument of the gentleman from Alabama [Mr. UNDERWOOD] against increasing the pension of this soldier may be conclusive from his standpoint, but I hope it has not seriously affected the House, and therefore I call for a vote.

Mr. ROBINSON of Indiana. Will not the gentleman yield to me?

Mr. GIBSON. I have no time.

Mr. ROBINSON of Indiana. I find a resolution here to which, I think, the attention of the gentleman ought to be called.

Mr. GIBSON. I will yield to the gentleman for a question.

Mr. ROBINSON of Indiana. Why does he not bring in a resolution to the Committee on Rules to present these matters "en bloc," as we have the others?

Mr. GIBSON. Will the gentleman support such a resolution? Mr. ROBINSON of Indiana. We will support the legislation when it is brought in.

Mr. GIBSON. If you will support it upon that side, I will try to get the Committee on Rules to report it.

Mr. ROBINSON of Indiana. I invite the gentleman to do so.

Mr. GIBSON. All right; shake hands across the bloody chasm. [Laughter.]

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and Mr. RICHARDSON of Tennessee demanded a division.

Mr. ROBINSON of Indiana (while the House was dividing). Mr. Speaker, that there may be no misunderstanding, I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 210, nays 6, answered "present" 25, not voting 14; as follows:

YEAS—210.

- |                |                |               |                  |
|----------------|----------------|---------------|------------------|
| Acheson,       | Davidson,      | Kyle,         | Robb,            |
| Adams,         | Davis, Fla.    | Lacey,        | Robinson, Ind.   |
| Alexander,     | De Armond,     | Lamb,         | Rucker,          |
| Allen, Ky.     | Dick,          | Landis,       | Ryan,            |
| Allen, Me.     | Dougherty,     | Latimer,      | Schirm,          |
| Aplin,         | Dovener,       | Lawrence,     | Scott,           |
| Babcock,       | Draper,        | Lessler,      | Selby,           |
| Barney,        | Driscoll,      | Lever,        | Shackleford,     |
| Bartholdt,     | Eddy,          | Lewis, Ga.    | Showalter,       |
| Bartlett,      | Emerson,       | Lewis, Pa.    | Slyden,          |
| Bates,         | Esch,          | Lindsay,      | Small,           |
| Benton,        | Evans,         | Littauer,     | Smith, Ill.      |
| Billmeyer,     | Finley,        | Long,         | Smith, Iowa      |
| Bishop,        | Fitzgerald,    | Loudenslager, | Smith, Ky.       |
| Blakeney,      | Flanagan,      | Loving,       | Smith, H. C.     |
| Boreing,       | Fletcher,      | McAndrews,    | Smith, Wm. Alden |
| Boutell,       | Flood,         | McCall,       | Snodgrass,       |
| Bowersock,     | Fordney,       | McCleary,     | Snook,           |
| Bowie,         | Gaines, W. Va. | McClellan,    | Southard,        |
| Brandegee,     | Gardner, Mich. | McCulloch,    | Southwick,       |
| Brantley,      | Gardner, N. J. | McLachlan,    | Sperry,          |
| Bristow,       | Gibson,        | Mahon,        | Spight,          |
| Broussard,     | Goldfogle,     | Mahoney,      | Stark,           |
| Brown,         | Gordon,        | Marshall,     | Steele,          |
| Brownlow,      | Graff,         | Martin,       | Stevens, Minn.   |
| Burk, Pa.      | Greene, Mass.  | Maynard,      | Stewart, N. Y.   |
| Burke, S. Dak. | Grosvenor,     | Miers, Ind.   | Storm,           |
| Burkett,       | Hamilton,      | Miller,       | Sulloway,        |
| Burleigh,      | Hanbury,       | Minor,        | Sulzer,          |
| Burleson,      | Haskins,       | Moody,        | Sutherland,      |
| Burton,        | Hay,           | Moon,         | Tawney,          |
| Butler,        | Hemenway,      | Morgan,       | Taylor, Ohio     |
| Caldrehead,    | Henry, Conn.   | Morrell,      | Taylor, Ala.     |
| Caldwell,      | Hepburn,       | Morris,       | Thomas, Iowa     |
| Cannon,        | Hildebrant,    | Moss,         | Tirrell,         |
| Capron,        | Hitt,          | Mudd,         | Tompkins, N. Y.  |
| Cassel,        | Holliday,      | Needham,      | Underwood,       |
| Cassingham,    | Howell,        | Neville,      | Van Voorhis,     |
| Clark,         | Hughes,        | Nevin,        | Vreeland,        |
| Clayton,       | Hull,          | Olmsted,      | Wachter,         |
| Connell,       | Irwin,         | Otjen,        | Wagoner,         |
| Conner,        | Jack,          | Overstreet,   | Warner,          |
| Coombs,        | Jackson, Kans. | Padgett,      | Warnock,         |
| Cooper, Wis.   | Jackson, Md.   | Palmer,       | Weeks,           |
| Cousins,       | Jenkins,       | Payne,        | Williams, Ill.   |
| Cowherd,       | Johnson,       | Pearre,       | Williams, Miss.  |
| Crezmer,       | Jones, Wash.   | Perkins,      | Wilson,          |
| Cromer,        | Kahn,          | Pou,          | Woods,           |
| Crumpacker,    | Kehoe,         | Powers, Me.   | Wright,          |
| Currier,       | Kern,          | Powers, Mass. | Young,           |
| Cushman,       | Ketcham,       | Ransdell, La. | Zenor.           |
| Dalzell,       | Kluttz,        | Reeder,       |                  |
| Darragh,       | Knapp,         | Reeves,       |                  |

NAYS—6.

- |                 |          |                |          |
|-----------------|----------|----------------|----------|
| Kitchin, Wm. W. | Lloyd,   | Stephens, Tex. | Trimble. |
| Little,         | Russell, |                |          |

ANSWERED "PRESENT"—25.

- |               |               |                  |          |
|---------------|---------------|------------------|----------|
| Adamson,      | Gilbert,      | Metcalf,         | Sherman, |
| Brundidge,    | Gillet, Mass. | Mutchler,        | Sims,    |
| Burgess,      | Grow,         | Patterson, Pa.   | Wanger,  |
| Curtis,       | Joy,          | Prince,          | White.   |
| Deemer,       | McRae,        | Rhea,            |          |
| Dinsmore,     | Maddox,       | Richardson, Ala. |          |
| Gaines, Tenn. | Mann,         | Rixey,           |          |

NOT VOTING—109.

- |            |              |                |               |
|------------|--------------|----------------|---------------|
| Ball, Tex. | Burnett,     | Dwight,        | Gill,         |
| Bankhead,  | Candler,     | Edwards,       | Gillet, N. Y. |
| Beidler,   | Cochran,     | Elliott,       | Glass,        |
| Bell,      | Conry,       | Feely,         | Glenn,        |
| Bellamy,   | Cooney,      | Fleming,       | Gooch,        |
| Belmont,   | Cooper, Tex. | Foerderer,     | Graham,       |
| Bingham,   | Corliss,     | Foss,          | Green, Pa.    |
| Blackburn, | Crowley,     | Foster, Ill.   | Griffith,     |
| Brazzale,  | Dahle,       | Foster, Vt.    | Griggs,       |
| Brick,     | Davey, La.   | Fowler,        | Haugen,       |
| Bromwell,  | Dayton,      | Fox,           | Heatwole,     |
| Bull,      | Douglas,     | Gardner, Mass. | Hedge,        |

- |                 |                   |                 |                |
|-----------------|-------------------|-----------------|----------------|
| Henry, Miss.    | McDermott,        | Roberts,        | Swanson,       |
| Henry, Tex.     | McLain,           | Robertson, La.  | Talbert,       |
| Hill,           | Mercer,           | Robinson, Nebr. | Tate,          |
| Hooker,         | Meyer, La.        | Ruppert,        | Thayer,        |
| Hopkins,        | Mickey,           | Scarborough,    | Thomas, N. C.  |
| Howard,         | Mondell,          | Shafroth,       | Thompson,      |
| Jett,           | Naphen,           | Shallenberger,  | Tompkins, Ohio |
| Jones, Va.      | Newlands,         | Shattuc,        | Vandiver,      |
| Kitchin, Claude | Norton,           | Shelden,        | Wadsworth,     |
| Kleberg,        | Parker,           | Sheppard,       | Watson,        |
| Knox,           | Patterson, Tenn.  | Sibley,         | Wheeler,       |
| Lassiter,       | Pierce,           | Skiles,         | Wiley,         |
| Lester,         | Pugsley,          | Smith, S. W.    | Wooten.        |
| Littlefield,    | Randall, Tex.     | Sparkman,       |                |
| Livingston,     | Reid,             | Stewart, N. J.  |                |
| Loud,           | Richardson, Tenn. | Swann,          |                |

So the report of the committee of conference was agreed to.

The following pairs were announced:

Until further notice:

Mr. BINGHAM with Mr. HENRY of Texas.

Mr. TOMPKINS of Ohio with Mr. LIVINGSTON.

Mr. SAMUEL W. SMITH with Mr. ROBERTSON of Louisiana.

Mr. HILL with Mr. SHEPPARD.

Mr. DEEMER with Mr. MUTCHLER.

On this vote:

Mr. BLACKBURN with Mr. CLAUDE KITCHIN.

Mr. HAUGEN with Mr. THOMAS of North Carolina.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages in writing from the President of the United States were communicated to the House of Representatives by Mr. BARNES, one of his secretaries, who also informed the House that the President had approved and signed bills of the following titles:

On March 2, 1903:

H. R. 7864. An act to pay John F. Lawson \$237.96, balance due him for services as United States mail carrier.

On March 3, 1903:

H. R. 13605. An act for the relief of George A. Detchemendy; and

H. R. 14384. An act to establish a life-saving station at the mouth of Black River, at or near the city of Lorain, in the State of Ohio.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. CANNON. Mr. Speaker, I call up the conference report on the sundry civil appropriation bill. While this report is being considered in the House I am delayed in going into the conference on the deficiency bill. Therefore I should be glad to have this report considered as speedily as possible. I ask unanimous consent to dispense with the reading of the report and to read in lieu thereof the statement of the House conferees.

The SPEAKER pro tempore (Mr. SHERMAN). Is there objection?

Mr. RICHARDSON of Tennessee. I should be glad to oblige the gentleman; but it is now so late in the session that the only way we can understand amendments is to hear them read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

Mr. RICHARDSON of Tennessee. There is.

Mr. CANNON. I should be glad to give the gentleman from Tennessee any information he may desire about any amendment.

Mr. BOWIE. Mr. Speaker, I rise to a question of privilege.

The SPEAKER pro tempore. The Chair can not interrupt the reading of a conference report for a question of privilege unless it is something arising during the proceedings at the moment.

The report of the conference committee was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17202) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 7, 8, 10, 11, 14, 15, 19, 23, 24, 26, 27, 30, 31, 39, 42, 43, 44, 48, 51, 52, 53, 54, 57, 58, 59, 63, 65, 76, 77, 80, 85, 88, 97, 98, 99, 107, 109, 116, 117, 120, 123, 126, and 140.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 6, 9, 12, 16, 17, 18, 20, 21, 22, 25, 28, 29, 32, 33, 34, 35, 36, 38, 40, 41, 45, 47, 49, 55, 56, 61, 62, 64, 66, 67, 68, 73, 74, 75, 78, 81, 82, 83, 84, 86, 87, 89, 90, 91, 92, 93, 95, 96, 100, 101, 102, 103, 104, 105, 106, 108, 118, 121, 122, 125, 129, 130, 131, 132, 133, 134, 135, 136, 138, 139, 142, 144, 145, 146, 147, 148, 150, and 151, and agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment, after the word "dollars," insert the following: "which sum shall be expended in such manner and under such plans as will complete in every detail each and every object mentioned in this paragraph;" and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$205,000;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$93,000;" and the Senate agree to the same.



Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$30,240;" and the Senate agree to the same.

Amendment numbered 60: That the House recede from its disagreement to the amendment of the Senate numbered 60, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$45,000;" and the Senate agree to the same.

Amendment numbered 69: That the House recede from its disagreement to the amendment of the Senate numbered 69, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and a contract is hereby authorized to be entered into for such machinery, appliances, and furniture, complete in every detail for the operation of said mint, at a total cost not exceeding \$225,000;" and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended as follows: Insert after the word "entry," at the end of said amendment, the following: "; but this proviso shall not apply to persons embraced in article 8 of the treaty with China of 1894;" and the Senate agree to the same.

Amendment numbered 71: That the House recede from its disagreement to the amendment of the Senate numbered 71, and agree to the same with amendments as follows: In line 11 of the matter inserted by said amendment, before the word "Provided," insert "which sum, including the amount herein appropriated, shall be paid one-half out of the Treasury of the United States and one-half out of the revenues of the District of Columbia;" and, after the word "same," at the end of said amendment, insert the following: "Provided further, That the trustees of Howard University shall be required to supply all medical and surgical service without cost to the United States or the District of Columbia;" and the Senate agree to the same.

Amendment numbered 72: That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with amendments as follows: In lieu of the sum proposed insert "\$295,950;" and at the end of the amended paragraph, after the word "available," insert the following: "of which sum not exceeding \$7,000 may be used for models, but nothing in this appropriation shall be considered as initiating any change in the east front of the Capitol or in any way committing Congress to the same;" and the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$375,000;" and the Senate agree to the same.

Amendment numbered 94: That the House recede from its disagreement to the amendment of the Senate numbered 94, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,126,920;" and the Senate agree to the same.

Amendment numbered 108: That the House recede from its disagreement to the amendment of the Senate numbered 108, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "Watertown Arsenal, Watertown, Mass.: For lavatory and water-closet for shops, \$3,500."

Amendment numbered 110: That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$80;" and the Senate agree to the same.

Amendment numbered 111: That the House recede from its disagreement to the amendment of the Senate numbered 111, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$480;" and the Senate agree to the same.

Amendment numbered 112: That the House recede from its disagreement to the amendment of the Senate numbered 112, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$80;" and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$480;" and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$80;" and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,240;" and the Senate agree to the same.

Amendment numbered 119: That the House recede from its disagreement to the amendment of the Senate numbered 119, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$1,500,000;" and the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In line 1 of said amendment, after the word "for," insert the words "purchase or;" and the Senate agree to the same.

Amendment numbered 127: That the House recede from its disagreement to the amendment of the Senate numbered 127, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "for one barrack, \$55,000;" and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$640,600;" and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,902,808;" and the Senate agree to the same.

Amendment numbered 141: That the House recede from its disagreement to the amendment of the Senate numbered 141, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"In order to provide for the new examination authorized by Article IX of the award of the tribunal of arbitration constituted by treaty of Washington, February 29, 1892, and made by the arbitrators at Paris, August 16, 1893, to be made by and under the direction of the Secretary of State, \$20,000, to be immediately available."

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"To enable the President to cooperate through diplomatic channels with

the Governments of Mexico, China, Japan, and other countries, for the purpose set forth in the message of the President and accompanying notes submitted to Congress January 29, 1903, and printed as Senate Document No. 119, second session Fifty-seventh Congress, \$25,000."

And the Senate agree to the same.  
Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: After the name "Mrs. Emma Cadwallader Guild" insert the following: "to be placed in the Senate wing of the Capitol;" and the Senate agree to the same.

J. G. CANNON,  
J. A. HEMENWAY,  
THOS. C. McRAE,  
*Managers on the part of the House.*  
W. B. ALLISON,  
EUGENE HALE,  
F. M. COCKRELL,  
*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17202) making appropriations for sundry civil expenses of the Government, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the Senate amendments, namely:

On No. 1: Appropriates \$5,000, as proposed by the Senate, for addition to quarters now occupied by the subtreasury at Baltimore, Md.

On No. 2: Appropriates \$52,000, as proposed by the Senate, instead of \$49,279, as proposed by the House, for rent of temporary quarters for Government officials at Cleveland, Ohio.

On Nos. 3 and 4: Strikes out the appropriation proposed by the Senate of \$350,000 for extending the two wings of the immigrant station building on Ellis Island, New York.

On No. 5: Strikes out the appropriation of \$2,000,000 proposed by the Senate for the purchase of a site for a post-office building in the city of New York.

On No. 6: Inserts the provision proposed by the Senate authorizing the use of a part of the arsenal grounds in Pittsburgh, Pa., for a marine hospital.

On No. 7: Strikes out the provision proposed by the Senate authorizing the use of \$2,000 for repairs to the wharf at Wilmington, N. C., the same being provided for in the deficiency bill.

On No. 8: Strikes out the appropriation of \$1,000 proposed by the Senate for a laboratory for the Marine-Hospital Service, the same being provided for in the deficiency bill.

On No. 9: Appropriates \$50,000, as proposed by the Senate, for a quarantine station at Portland, Me.

On No. 10: Strikes out the appropriation of \$2,000 proposed by the Senate for coal bunkers for steamer at the Reedy Island quarantine station.

On No. 11: Strikes out the appropriation of \$7,000 proposed by the Senate for the Gulf quarantine station.

On No. 12: Appropriates \$6,000, as proposed by the Senate, for the quarantine station at San Diego, Cal.

On No. 13: Appropriates \$80,000, as proposed by the Senate, for the quarantine station at Honolulu, Hawaii.

On Nos. 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36: Makes appropriations for light-house aids to navigation, additional to those contained in the bill as it passed the House, as follows: Reenacts, as proposed by the Senate, the existing provision for the Broad Sound Channel light station, in Boston Harbor, Massachusetts, without increasing the limit of cost of the station; makes appropriations of \$30,000 for relief light vessel for the Third light-house district; \$29,000 for Pecks Ledge light and fog-signal station, Connecticut; \$90,000 for Five Fathom Bank light vessel, New York; \$90,000 for Cape Lookout Shoals light vessel, North Carolina; \$90,000 for Heald Bank light vessel, Texas; \$75,000 for Racine Reef light and fog-signal station, Wisconsin; \$90,000 for relief light vessel for the Ninth and Eleventh light-house districts; \$54,100 for Spectacle Reef light station, Michigan; \$25,000 for Middle Island, Michigan, light and fog-signal station; \$75,000 for tender for St. Marys River, Michigan; \$15,000 for Piedras Blancas light station, California; and \$90,000 for Blunts Reef light vessel, Pacific Ocean off Cape Mendocino, California.

On No. 37: Appropriates \$205,000, instead of \$225,000 as proposed by the Senate, and \$190,000 as proposed by the House, for expenses of fog signals.

On No. 38: Appropriates \$8,000, as proposed by the Senate, for telegraph or telephone connection with Plum Island life-saving station, Wisconsin.

On No. 39: Strikes out appropriation of \$70,000 proposed by the Senate for constructing a sailing vessel with auxiliary steam power for the Revenue-Cutter Service.

On No. 40: Appropriates \$200,000, as proposed by the Senate, for a revenue cutter for the coast of Maine.

On No. 41: Appropriates \$200,000, as proposed by the Senate, for completion of revenue cutter for service at the port of Philadelphia.

On No. 42: Strikes out the appropriation of \$30,000 proposed by the Senate for a site for a depot for the Revenue-Cutter Service.

On No. 43: Strikes out the appropriation of \$40,000 proposed by the Senate for a depot for the Revenue-Cutter Service in the harbor of Oakland, Cal.

On No. 44: Strikes out the appropriation of \$7,000 proposed by the Senate for publishing contributions from the United States National Herbarium.

On No. 45: Authorizes, as proposed by the Senate, the construction of a building for the National Museum, to cost not exceeding \$3,500,000, and appropriates \$250,000 therefor.

On No. 46: Appropriates \$95,000, instead of \$100,000 as proposed by the Senate, and \$90,000, as proposed by the House, for the National Zoological Park.

On Nos. 47, 48, 49, 50, 51, 52, 53, and 54, relating to the Fish Commission: Provides for a deputy commissioner of the Fish Commission at \$3,000 and for an additional janitor at \$600; strikes out one clerk at \$1,200 in the office of the commissioner, one clerk at \$1,200 in the office of accounts, and one clerk at \$1,800 in the division of fish culture.

On Nos. 55 and 56: Appropriates for an additional laborer at \$600 for the fish station at Neosho, Mo.

On Nos. 57 and 58: Strikes out one clerk at \$1,200 in the division of statistics and methods of the fisheries.

On No. 59: Strikes out the appropriation of \$4,700 proposed by the Senate for a crew for the United States Fish Commission steamer *Phalarope*.

On No. 60: Appropriates \$45,000, instead of \$50,000 as proposed by the Senate, and \$40,000 as proposed by the House, for maintenance of the Fish Commission vessels.

On No. 61: Appropriates \$7,500, as proposed by the Senate, for completion of the fish-cultural station at Put in Bay, Ohio.

On No. 62: Appropriates \$12,500, as proposed by the Senate, instead of \$7,500, as proposed by the House, for the fish-cultural station at Neosho, Mo.

On No. 63: Appropriates \$2,000, as proposed by the House, instead of \$4,000, as proposed by the Senate, for two launches for use of the fish-cultural stations at Gloucester, Mass., and Battery Island, Md.

On No. 64: Appropriates \$25,000, as proposed by the Senate, for establishment of a fish-cultural station in Arkansas.

On No. 65: Strikes out the appropriation of \$200,000 proposed by the Senate for payment to Liliuokalani, ex-Queen of Hawaii.

On Nos. 66 and 67: Makes a verbal correction in the text of the bill and inserts the provision proposed by the Senate authorizing the coinage of subsidiary silver coin without limitation as to the amount of such subsidiary coin outstanding.

On Nos. 68 and 69: Appropriates \$200,000, as proposed by the Senate, instead of \$125,000, as proposed by the House, for new machinery, appliances, and furniture for the Denver mint, Colorado.

On No. 70: Leaves in the appropriation proposed by the House for the establishment and maintenance of the Bertillon system of identification in the enforcement of the Chinese-exclusion act, excepting therefrom persons embraced in article 3 of the treaty with China of 1894.

On No. 71: Appropriates \$50,000, as proposed by the Senate, for the Freedmen's Hospital, and authorizes contracts for construction of buildings for said hospital to cost not exceeding \$300,000, one-half thereof to be paid out of the Treasury of the United States and one-half out of the revenues of the District of Columbia.

On No. 72: Appropriates \$295,950, instead of \$392,950 as proposed by the Senate and \$288,950 as proposed by the House, for work at the Capitol and for general and special repairs thereof, including \$7,000 for models.

On Nos. 73, 74, and 75: Appropriates, as proposed by the Senate, \$1,500 for work of cleaning and repairing works of art in the Capitol, \$10,500 for two new boilers for the Senate wing of the Capitol, and \$16,735 for construction of steel cases for the files of the Senate.

On Nos. 76 and 77: Strikes out the provision proposed by the Senate for preparation of a plan for the construction of a building for the use of the Senate for offices and committee rooms.

On No. 78: Strikes out the provision proposed by the House for the extension and completion of the Capitol building in accordance with the original plans thereof by the late Thomas U. Walter, Architect of the Capitol.

On No. 79: Appropriates \$375,000, instead of \$400,000 as proposed by the Senate and \$325,000, as proposed by the House, for protection and administration of forest reserves.

On Nos. 80 and 81: Strikes out the appropriation of \$500 proposed by the Senate for preservation of records of the General Land Office, and makes a verbal correction in the text of the bill.

On Nos. 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, and 94, relating to the United States Geological Survey: Increases the salary of the chief clerk from \$2,250 to \$2,500 and the salary of the disbursing clerk from \$2,400 to \$2,500; strikes out the appropriations of \$5,000 for topographic surveys in Porto Rico and \$50,000 for the investigation of mines and mining of the United States.

On No. 95: Appropriates \$2,500, as proposed by the Senate, for the Wind Cave National Park, in South Dakota.

On No. 96: Appropriates \$30,000, as proposed by the Senate, for additions to the buildings of the Columbian Institution for the Deaf and Dumb.

On No. 97: Strikes out the appropriation of \$25,000 proposed by the Senate to collect and report statistics relating to marriage and divorce.

On No. 98: Strikes out the appropriation of \$185,000 proposed by the Senate for rebuilding a storehouse at Rock Island Arsenal, the same being provided for in the deficiency bill.

On No. 99: Strikes out the appropriation of \$19,500 for a hospital building at Rock Island Arsenal.

On Nos. 100, 101, 102, 103, and 104, relating to the powder depot near Dover, N. J.: Makes appropriations proposed by the Senate as follows: \$15,000 to increase transportation facilities, \$5,000 for constructing new wagon road, \$30,000 for power house, \$5,000 for wheel and dynamo house, and \$7,000 for electric-lighting plant.

On Nos. 105 and 106: Appropriates \$1,500, as proposed by the Senate, for a shed at Springfield Arsenal.

On Nos. 107 and 108: Strikes out appropriation of \$11,000 proposed by the Senate for three cottages for enlisted men, and appropriates \$3,500, as proposed by the Senate, for a lavatory and water-closet for shops at the Watertown Arsenal, Mass.

On No. 109: Appropriates \$4,000, as proposed by the House, instead of \$24,000, as proposed by the Senate, for improvement and maintenance of Executive Mansion grounds.

On Nos. 110, 111, 112, 113, 114, and 115: Fixes the price for arc lights in the parks in Washington at \$90 per light per annum, instead of \$85, as proposed by the Senate, and \$72, as proposed by the House.

On No. 116: Strikes out the appropriation of \$3,000 proposed by the Senate for road to Antietam National Cemetery.

On No. 117: Strikes out the appropriation of \$5,000 proposed by the Senate for Balls Bluff battlefield.

On No. 118: Appropriates \$11,280, as proposed by the Senate, for care of civil records of the military government of Cuba.

On No. 119: Appropriates \$1,500,000, instead of \$2,000,000 as proposed by the Senate and \$1,250,000 as proposed by the House, for construction of buildings at and the enlargement of military posts.

On No. 120: Strikes out the appropriation of \$10,000 proposed by the Senate for the Presideo and other military reservations in the harbor of San Francisco, Cal.

On No. 121: Appropriates \$100,000, as proposed by the Senate, for reconstruction and completion of the Providence Hospital building.

On No. 122: Appropriates \$100,000, as proposed by the Senate, for the erection of a building on the Garfield Memorial Hospital grounds.

On No. 123: Strikes out the provision proposed by the Senate authorizing the expenditure of \$75,000 for a site for an Army general hospital at Washington, D. C.

On Nos. 124 and 125: Appropriates \$45,000, as proposed by the Senate, for purchase or construction of a steam tug for use in New York harbor in the prevention of obstructive and injurious deposits therein.

On No. 126: Strikes out the appropriation of \$5,000 proposed by the Senate for bronze tablets at Falls of St. Marys River.

On Nos. 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, and 137, relating to the National Home for Disabled Volunteer Soldiers: Appropriates \$55,000 for a barrack instead of a quartermaster's storehouse at the Dayton Branch; increases the amount for current expenses from \$31,000 to \$34,500, and appropriates \$8,500 for addition to quartermaster's storehouse at the Milwaukee Branch; appropriates \$25,000 for a quartermaster's storehouse at the Togus Branch; and appropriates \$30,000 for an additional barrack at the Santa Monica Branch.

On No. 138: Appropriates \$100,000 for a wharf at Newport, R. I., for use of the Army and Navy, and for the Treasury and other departments of the Government.

On No. 139: Appropriates \$100,000, as proposed by the Senate, for carrying out the treaty between the United States and Great Britain concluded at Washington January 24, 1803.

On No. 140: Strikes out the appropriation of \$50,000 proposed by the Senate for expenses of a joint commission for the adjustment of differences between the United States and Great Britain in respect to the Dominion of Canada.

On No. 141: Appropriates \$20,000 to provide for the new examination authorized by article 9 of the award of the tribunal of arbitration constituted by the treaty of Washington of February 29, 1892.

On No. 142: Appropriates \$2,500, as proposed by the Senate, for compensation and expenses for a competent person to carry out the recommendations in the report of the pan-American railway committee to the second international conference of American States.

On No. 143: Appropriates \$25,000, instead of \$100,000 as proposed by the Senate, to enable the President to cooperate through diplomatic channels with the Governments of Mexico, China, Japan, and other countries for the purposes set forth in the message of the President to Congress of January 29, 1903.

On No. 144: Appropriates \$250,000, as proposed by the Senate, to commence the erection of the building for the Agricultural Department.

On No. 145: Appropriates \$9,000, as proposed by the Senate, instead of \$8,000, as proposed by the House, for care of buildings rented by the Department of Justice.

On No. 146: Inserts the provision proposed by the Senate authorizing a greater compensation than \$2,500 to United States assistant district attorney for the northern district of Illinois.

On No. 147: Appropriates \$30,000, as proposed by the Senate, for the United States penitentiary at McNeils Island, Washington.

On No. 148: Inserts the provision proposed by the Senate extending the existence of the Court of Private Land Claims until June 30, 1904.

On No. 149: Appropriates \$2,000, as proposed by the Senate, for a bust of the late President McKinley.

On Nos. 150 and 151, relating to the Geological Survey: Authorizes the printing of additional copies of maps for general purposes and the distribution of surplus documents of the Survey.

The bill as finally agreed upon appropriates \$82,272,955.10, being \$4,202,325 less than as it passed the Senate, \$2,423,005 more than as it passed the House, \$22,109,595.97 more than the appropriations for the current year, and \$4,255,026 more than the estimates.

J. G. CANNON,  
J. A. HEMENWAY,  
THOS. C. MCRAE,

*Managers on the part of the House.*

Mr. CANNON. Mr. Speaker, the conference report has been read and also the statement of the House conferees. The House is now fully informed, I think, and unless some gentleman has some question to ask upon the merits of this matter I shall ask for a vote.

Mr. LESSLER and Mr. McCLELLAN rose.

The SPEAKER pro tempore. Does the gentleman from Illinois yield, and to whom?

Mr. CANNON. As two gentlemen from New York have risen, I will yield first to one and then to the other.

Mr. CREAMER. Mr. Speaker, I ask for order. This is an important question, and we wish to hear.

The SPEAKER pro tempore. The House will be in order.

Mr. LESSLER. Mr. Speaker, in view of the situation in which the House last session left the question of a new post-office building for New York City, I should like the gentleman from Illinois to explain why the conferees of the House have not concurred in Senate amendment No. 5, appropriating \$2,000,000 for the purchase of the site.

Mr. McCLELLAN. That was the question I wished to ask.

Mr. CANNON. Then I will reply to the question of both gentlemen, or the question of one adopted by the other.

The proposition to purchase a site for an additional post-office from the Pennsylvania Railroad Company, at its terminal, and, as I understand, to be occupied jointly in part with that company, the proposed price being \$2,000,000, never reached the House of Representatives. We never investigated it and had no knowledge about it. It did not reach the Senate until after this bill had been reported to the Senate with the amendments of the Senate committee and while it was actually being considered. "On the run," as it were, the Senate put the amendment into this bill.

When we went into conference a gentleman who spoke, or professed to speak, in the interest of the New York Central Railroad Company, informed us that that company also had a site at its terminal, as it is to be, that it wanted to dispose of to the Government for a post-office in view of the construction of its great terminal, and the application was made to the committee to see whether that matter could not also be treated. It was found on investigation that that proposition was not in conference, and, getting all the light that it was possible for us to get in the closing hours of the session, the conferees on the part of the House—being, I think, quite as wise and knowing quite as much upon this question as the Senate conferees—found themselves in a fog. We did not know exactly of what we were to authorize the purchase; we did not know and could not ascertain substantially of what we were to authorize the purchase, either from the Pennsylvania Railroad Company or from the New York Central.

Therefore, not knowing in the first place whether we wanted to buy this terminal property; not knowing whether it was worth \$2,000,000 or \$1,000,000 (a suggestion being made to us that we could buy the New York Central terminal site for \$1,000,000); not knowing whether we wanted one only or both; not knowing the kind of building which it was proposed to erect; not knowing whether it would be a post-office site, principally for the benefit of the United States and at the same time a benefit to the terminals of the respective companies (a benefit to the Government on the one hand and to the railway on the other); in this blissful



state of ignorance, catching the matter "on the run" in the closing hours, we asked: "Will these terminals be completed before Congress comes together again?" And the answer came, "No." That was the only positive thing we could get, and we said: "This matter can for the present go out of the bill, and when Congress shall again meet, it being duly advised and having duly investigated, it can take the whole subject up next December and dispose of it upon its merits." That is the whole story.

Mr. SULZER. Will the gentleman yield to me for a couple of minutes? I am very much interested in this question.

Mr. CANNON. I can not yield for a speech.

Mr. LESSLER. I wish to ask the chairman of the committee whether, under the provisions of the bill of last year, there was not appointed a committee, consisting of the Postmaster-General, the Attorney-General, and the Secretary of the Treasury, and whether that committee has not reported in favor of a site?

Mr. CANNON. Oh, the report comes from them, as I have indicated, never to the House and never to the Senate, while this bill was being prepared, and for the first time while it was being considered in the Senate, and is not sufficient—in my judgment, was not—to authorize action upon the part of the conferees, and in my judgment upon the part of Congress.

Mr. SULZER. The gentleman from Illinois controls ten minutes' time, and I courteously ask him to yield me two minutes.

Mr. CANNON. I will not yield. Does the gentleman desire to ask a question?

Mr. SULZER. I do; and I desire to say something.

Mr. CANNON. Ask the question and I will then ask for a vote. What is it?

Mr. SULZER. My question is this: The Democrats in this House from the city of New York have earnestly, faithfully, and consistently for the last six years, to my personal knowledge, been endeavoring by every possible way to get a new post-office in the city of New York. It is acknowledged by every person familiar with the situation that there is an urgent demand and necessity for such a new post-office—

Mr. CANNON. It is a long question. [Laughter.]

Mr. SULZER. And it seems that after we have finally got the commission, and the commission has selected the site, and Congress is now ready to appropriate two millions to pay for the site, and the work is to begin, the gentleman from Illinois has stricken out the appropriation of \$2,000,000, and he is responsible for it, and I want—

Mr. CANNON. Mr. Speaker, I do not yield to anybody. This is not a question.

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I rise to a point of order.

Mr. DOUGLAS. Mr. Speaker—

Mr. CANNON. Mr. Speaker, I do not yield to anybody on the floor of this House.

The SPEAKER pro tempore. The gentleman from Tennessee has risen to a point of order. Will the gentleman state it?

Mr. RICHARDSON of Tennessee. The point of order I make is that we are to have ten minutes' time for debate on this report.

The SPEAKER pro tempore. The gentleman correctly states the fact.

Mr. RICHARDSON of Tennessee. But the ten minutes have not been consumed.

The SPEAKER pro tempore. That is correct, but the gentleman from Illinois is in control of the time.

Mr. RICHARDSON of Tennessee. If nobody is to be recognized he can not demand a vote at this time.

The SPEAKER pro tempore. The gentleman has ten minutes. No vote has been demanded. The gentleman from Illinois had ten minutes' time and there are about three minutes remaining. The gentleman from Illinois is in control of that time.

Mr. CANNON. Mr. Speaker, I would like to be protected by the Chair! [Laughter.]

Mr. McRAE rose.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. McRAE. I would like to ask the gentleman from Illinois a question.

The SPEAKER pro tempore. Will the gentleman yield?

Mr. CANNON. As soon as I take one minute I will.

Mr. McRAE. I would like to have one or two minutes of the time before the gentleman gives it all away.

Mr. CANNON. I have how much time?

The SPEAKER pro tempore. Three minutes and a half.

Mr. CANNON. Oh, I trust the Chair did not take from my ten minutes the interruption of the gentlemen from New York [Mr. SULZER] against everybody's protest.

The SPEAKER pro tempore. The Chair certainly did. The gentleman yielded to him for a question.

Mr. CANNON. But I tried to shut him off, and he would not be shut off. [Laughter.]

The SPEAKER pro tempore. The Chair cooperated with the gentleman in the effort, but together we were not successful.

Mr. CANNON. I yield one minute to my colleague on the conference committee, the gentleman from Arkansas [Mr. McRAE].

Mr. McRAE. Mr. Speaker, I only want this minute for the purpose of saying that I assume my share of the responsibility for this report, and particularly for adhering to the disagreement of the House on this amendment No. 5, and in doing so I state to the House, and especially to those on this side, that I believe that the amendment ought not to have been agreed to by the conference committee. In the first place, this is not the proper bill nor the regular way to consider such an important public building. In the second place, it involves \$2,000,000, and the location of a post-office at the terminal of only one railroad running into that city, and that road only controls 40 per cent of the mail that goes into New York; whereas 60 per cent is yet to be provided for if the method proposed for handling it is to be adopted. I do not believe in voting away the public money by such items in appropriation bills when proper consideration can not be given them, and if there is any criticism to be made for rejecting this amendment I am willing to stand up and assume, with the gentleman from Illinois [Mr. CANNON] and the gentleman from Indiana [Mr. HEMENWAY], my share of the responsibility for not agreeing to it. [Applause.]

Mr. SULZER. Mr. Speaker, I just want—

The SPEAKER pro tempore. The gentleman from Illinois.

Mr. SULZER. Just one word.

Mr. CANNON. Not one ten-thousandth part of a word. [Laughter.]

The SPEAKER pro tempore. The gentleman declines to yield.

Mr. CANNON. I yield one-half minute to the gentleman from New York [Mr. DOUGLAS].

Mr. DOUGLAS. Mr. Speaker, I desire to use the brief time allowed me to express my protest and feeling of sincere regret that the chairman of the committee has not seen fit to give us this appropriation. Personally I spent a great deal of time in endeavoring to find out the views and ideas of the commission, and they seemed to heartily favor and indorse the plan. The intention was that the Pennsylvania site should only be a branch to expedite the mails with large floor space, and the New York Central site—I obtained the information from Postmaster-General Payne—was to give us a central branch post-office for mail purposes and the people's benefit; and while I do not question but that the chairman acted in all sincerity, it is a great pity another year is lost before action can be taken on a matter so important to New York City and the country generally—

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CANNON. Now, Mr. Speaker, I ask for order.

The SPEAKER pro tempore. The House will be in order.

Mr. CANNON. Mr. Speaker, I have already covered the ground touching the amendment referred to. The gentleman from Arkansas [Mr. McRAE] on the conference report has also covered the ground.

Mr. RICHARDSON of Tennessee. Mr. Speaker, a point of order. I understood the Chair to say that the gentleman's ten minutes had expired.

The SPEAKER pro tempore. No; the Chair did not so announce.

Mr. CANNON. The gentleman from New York [Mr. SULZER] criticizes. He always thunders in the index. His form never has darkened the doors of the Committee on Appropriations of the House touching this or any other site for the New York post-office. [Applause on the Republican side.]

I now ask for a vote.

Mr. SULZER. Mr. Speaker, I want to say to the gentleman from Illinois that his committee never had anything to do with this appropriation until it was put on the bill in the Senate.

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

The question being taken, the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RICHARDSON of Tennessee. Division. The noes were not submitted at all.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 241, nays 11, answered "present" 12, not voting 86; as follows:

## YEAS—241.

|            |            |            |            |
|------------|------------|------------|------------|
| Acheson,   | Aplin,     | Bates,     | Blackburn, |
| Adamson,   | Babcock,   | Beidler,   | Blakeney,  |
| Alexander, | Bankhead,  | Benton,    | Boreing,   |
| Allen, Ky. | Bartholdt, | Billmeyer, | Boutell,   |
| Allen, Me. | Bartlett,  | Bishop,    | Bowersock, |

|                |                 |                   |                  |
|----------------|-----------------|-------------------|------------------|
| Bowie,         | Esch,           | Lester,           | Rixey,           |
| Brandegee,     | Evans,          | Lever,            | Robb,            |
| Brantley,      | Finley,         | Lewis, Ga.        | Roberts,         |
| Breazeale,     | Fleming,        | Lewis, Pa.        | Robinson, Ind.   |
| Brick,         | Fletcher,       | Lindsay,          | Rucker,          |
| Bristow,       | Flood,          | Littauer,         | Ryan,            |
| Bromwell,      | Foerderer,      | Lloyd,            | Scott,           |
| Broussard,     | Fordney,        | Long,             | Selby,           |
| Brown,         | Gaines, Tenn.   | Loud,             | Shattuc,         |
| Brownlow,      | Gaines, W. Va.  | Loudenslager,     | Showalter,       |
| Brundidge,     | Gardner, Mich.  | Loving,           | Sibley,          |
| Burk, Pa.      | Gardner, N. J.  | McAndrews,        | Slayden,         |
| Burke, S. Dak. | Gibson,         | McCall,           | Smith, Ky.       |
| Burkett,       | Gilbert,        | McCulloch,        | Smith, H. C.     |
| Burleigh,      | Gillet, N. Y.   | McLachlan,        | Smith, Wm. Alden |
| Burleson,      | Gooch,          | McLain,           | Snook,           |
| Burton,        | Gordon,         | McRae,            | Southwick,       |
| Butler,        | Graff,          | Maddox,           | Sperry,          |
| Calderhead,    | Graham,         | Mahon,            | Spight,          |
| Caldwell,      | Greene, Mass.   | Mahoney,          | Stark,           |
| Candler,       | Grosvenor,      | Marshall,         | Steele,          |
| Cannon,        | Hamilton,       | Martin,           | Stevens, Tex.    |
| Capron,        | Hanbury,        | Maynard,          | Stevens, Minn.   |
| Cassel,        | Haskins,        | Mercer,           | Stewart, N. J.   |
| Cassingham,    | Haugen,         | Mickey,           | Storm,           |
| Clark,         | Hay,            | Miers, Ind.       | Sulloway,        |
| Clayton,       | Hedge,          | Miller,           | Sutherland,      |
| Connell,       | Hemenway,       | Moody,            | Tawney,          |
| Conner,        | Henry, Conn.    | Moon,             | Taylor, Ohio     |
| Coombs,        | Hepburn,        | Morgan,           | Taylor, Ala.     |
| Cooper, Wis.   | Hildebrandt,    | Morrell,          | Thomas, Iowa     |
| Corliss,       | Hitt,           | Morris,           | Thomas, N. C.    |
| Cousins,       | Hopkins,        | Moss,             | Thompson.        |
| Cowherd,       | Howard,         | Mudd,             | Tirrell,         |
| Creamer,       | Howell,         | Needham,          | Tompkins, N. Y.  |
| Cromer,        | Hughes,         | Nevin,            | Underwood,       |
| Crumpacker,    | Hull,           | Newlands,         | Van Voorhis,     |
| Currier,       | Irwin,          | Norton,           | Vreeland,        |
| Cushman,       | Jack,           | Olmsted,          | Wachter,         |
| Dalzell,       | Jackson, Kans.  | Otjen,            | Wadsworth,       |
| Darragh,       | Jackson, Md.    | Overstreet,       | Wagoner,         |
| Davey, La.     | Johnson,        | Padgett,          | Wanger,          |
| Davidson,      | Jones, Va.      | Palmer,           | Warner,          |
| Davis, Fla.    | Jones, Wash.    | Parker,           | Warnock,         |
| De Armond,     | Kahn,           | Patterson, Pa.    | Watson,          |
| Dick,          | Kehoe,          | Payne,            | Weeks,           |
| Dinsmore,      | Ketcham,        | Pearre,           | Wiley,           |
| Dougherty,     | Kitchin, Claude | Perkins,          | Williams, Ill.   |
| Douglas,       | Kitchin, Wm. W. | Pierce,           | Woods,           |
| Dovener,       | Kluttz,         | Pou,              | Wooten,          |
| Draper,        | Kyle,           | Powers, Me.       | Wright,          |
| Driscoll,      | Lacey,          | Reeder,           | Young,           |
| Dwight,        | Lamb,           | Reeves,           | Zenor.           |
| Eddy,          | Landis,         | Rhea,             |                  |
| Elliott,       | Latimer,        | Richardson, Ala.  |                  |
| Emerson,       | Lawrence,       | Richardson, Tenn. |                  |

NAYS—11.

|            |            |          |          |
|------------|------------|----------|----------|
| Flanagan,  | Lessler,   | Russell, | Swann,   |
| Goldfogle, | Little,    | Sims,    | Trimble. |
| Green, Pa. | McClellan, | Sulzer,  |          |

ANSWERED "PRESENT"—12.

|                |         |          |           |
|----------------|---------|----------|-----------|
| Burgess,       | Griggs, | Knapp,   | Mutchler, |
| Curtis,        | Grow,   | Mann,    | Sherman,  |
| Gillett, Mass. | Joy,    | Metcalf, | Wilson.   |

NOT VOTING—88.

|              |                |                  |                 |
|--------------|----------------|------------------|-----------------|
| Adams,       | Foster, Vt.    | McCleary,        | Shelden,        |
| Ball,        | Fowler,        | McDermott,       | Sheppard,       |
| Barney,      | Fox,           | Meyer, La.       | Skies,          |
| Bell,        | Gardner, Mass. | Minor,           | Small,          |
| Bellamy,     | Gill,          | Mondell,         | Smith, Ill.     |
| Belmont,     | Glass,         | Naphen,          | Smith, Iowa     |
| Bingham,     | Glenn,         | Neville,         | Smith, S. W.    |
| Bull,        | Griffith,      | Patterson, Tenn. | Snodgrass,      |
| Burnett,     | Heatwole,      | Powers, Mass.    | Southard,       |
| Cochran,     | Henry, Miss.   | Prince,          | Sparkman,       |
| Conry,       | Henry, Tex.    | Pugsley,         | Stewart, N. Y.  |
| Cooney,      | Hill,          | Randell, Tex.    | Swanson,        |
| Cooper, Tex. | Holliday,      | Randell, La.     | Talbert,        |
| Crowley,     | Hooker,        | Reid,            | Tate,           |
| Dahle,       | Jenkins,       | Robertson, La.   | Thayer,         |
| Dayton,      | Jett,          | Robinson, Nebr.  | Tompkins, Ohio  |
| Deemer,      | Kern,          | Ruppert,         | Vandiver,       |
| Edwards,     | Kleberg,       | Scarborough,     | Wheeler,        |
| Feeley,      | Knox,          | Schirm,          | White,          |
| Fitzgerald,  | Lassiter,      | Shackleford,     | Williams, Miss. |
| Foss,        | Littlefield,   | Shafroth,        |                 |
| Foster, Ill. | Livingston,    | Shallenberger,   |                 |

So the conference report was agreed to.

The following additional pairs were announced:

On this vote:

Mr. JENKINS with Mr. REID.

Mr. SHELLEN with Mr. GRIGGS.

Mr. HAUGEN with Mr. THOMAS of North Carolina.

Mr. KNAPP with Mr. CROWLEY.

Mr. ADAMS with Mr. PATTERSON of Tennessee.

The result of the vote was then announced as above recorded.

CLAIMS OF CERTAIN CITIZENS OF VIRGINIA FOR DAMAGES TO THEIR PROPERTY.

The SPEAKER pro tempore laid before the House the following veto message of the President; which was read:

To the House of Representatives:

I return without approval House bill No. 9632, entitled "An act for the allowance of claims of certain citizens of Virginia for damages to their property incident to the encampment at Manassas and march from Camp Alger to Thoroughfare Gap, Virginia, as recommended by a board of officers appointed for the consideration of claims for damages to property by volunteer

soldiers during the war with Spain," with a view to having it reconsidered and amended.

Attention is invited to the accompanying letter and statement of the Quartermaster-General of the Army.

THEODORE ROOSEVELT,

WHITE HOUSE, March 3, 1903.

The bill was read, as follows:

A bill (H. R. 9632) for the allowance of claims of certain citizens of Virginia for damages to their property incident to the encampment at Manassas and march from Camp Alger to Thoroughfare Gap, Va., as recommended by a board of officers appointed for the consideration of claims for damages to property by volunteer soldiers during the war with Spain.

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to claimants in this act named the several sums appropriated herein, the same being in full for and the receipt of the same to be taken and accepted in each case as a full and final release and discharge of their respective claims, namely:

VIRGINIA.

- To B. F. Adams, of Prince William County, \$157.
- To David J. Arrington, of Prince William County, \$84.
- To Albert G. Beckwith, of Fairfax County, \$38.
- To William Beverly, of Fauquier County, \$33.
- To George C. Bleight, of Prince William County, \$255.
- To A. M. Brady, of Prince William County, \$18.30.
- To Joseph Brent, of Fairfax County, \$38.50.
- To G. H. Burke, of Fairfax County, \$46.17.
- To R. A. Burke, of Fairfax County, \$34.50.
- To James W. Carr, of Prince William County, \$25.
- To Shedrick Carter, of Prince William County, \$10.
- To William Chloe, of Fairfax County, \$9.
- To S. W. Cooksey, of Prince William County, \$9.
- To Mrs. J. W. Cooksey, of Fairfax County, \$39.50.
- To Dr. A. G. Coumbe, of Fairfax County, \$6.
- To W. G. Crewe, of Prince William County, \$50.
- To R. R. Crossen, of Fairfax County, \$38.75.
- To William A. Crouch, of Fairfax County, \$23.55.
- To Robert H. Davis, of Prince William County, \$15.
- To John L. Ditweiler, of Fairfax County, \$33.37.
- To S. H. Ditweiler, of Fairfax County, \$50.
- To Albert A. Dewey, of Fairfax County, \$30.
- To T. E. H. Dickens, of Prince William County, \$49.50.
- To C. C. Dulaney, of Prince William County, \$50.
- To Robert Dulaney, of Prince William County, \$50.
- To J. F. Dyer, of Fairfax County, \$25.
- To B. F. Fairfax, of Fairfax County, \$27.50.
- To Elvira C. Finn, of Fairfax County, \$3.
- To Mrs. Margaret M. Fitzhugh, of Fairfax County, \$37.75.
- To J. T. Flaherty, of Prince William County, \$19.50.
- To Thomas Fletcher, of Fairfax County, \$42.45.
- To J. W. Fletcher, of Prince William County, \$30.
- To Mrs. James R. Foley, of Prince William County, \$33.
- To Mary Gaskins, of Fairfax County, \$9.
- To James Griffith, of Prince William County, \$30.
- To Peter Grigsby, of Prince William County, \$4.
- To John B. Hart, of Fairfax County, \$54.65.
- To Spencer Hoskins, of Prince William County, \$6.25.
- To Miss Ollie Hinson, of Prince William County, \$31.
- To Mrs. B. J. Holden, of Fairfax County, \$14.95.
- To David J. Hottenstein, of Prince William County, \$31.
- To Henry James, of Prince William County, \$3.
- To Peyton Johnson, of Prince William County, \$40.
- To Thornton Johnson, of Prince William County, \$22.50.
- To R. A. Jones, of Prince William County, \$49.
- To J. A. Kinchloe, of Fairfax County, \$50.
- To W. S. Kinchloe, of Fairfax County, \$24.
- To J. P. Leachman, of Prince William County, \$11.
- To Mack Lewis, of Prince William County, \$40.
- To Charles Lions, of Prince William County, \$32.
- To Samuel Lloyd, sr., of Prince William County, \$22.49.
- To Joseph Long, of Prince William County, \$3.75.
- To Miss Dollie Lynch, of Prince William County, \$3.
- To Charles L. Marshall, of Fairfax County, \$16.50.
- To Robert E. Marshall, of Fairfax County, \$232.
- To Joseph Mayhugh, of Prince William County, \$9.75.
- To James J. McGahey, of Fairfax County, \$32.10.
- To Andrew Nelson, of Fairfax County, \$41.95.
- To Charles Parker, of Fairfax County, \$21.75.
- To C. B. Parker, of Fairfax County, \$9.
- To R. T. Payne, of Prince William County, \$25.40.
- To Frantz Peters, of Prince William County, \$7.50.
- To Bell Phillips, of Fairfax County, \$10.
- To William Pinn, of Prince William County, \$53.
- To Miss C. Pullin, of Prince William County, \$7.
- To Dr. L. W. Ritchie, of Fairfax County, \$43.75.
- To F. P. Rittenour, of Fairfax County, \$60.
- To Milton A. Rollins, of Prince William County, \$18.
- To Alvin H. Rouse, of Prince William County, \$56.75.
- To James Shirley, of Prince William County, \$9.
- To J. T. Smallwood, of Prince William County, \$5.
- To Joseph L. Speakes, of Prince William County, \$85.05.
- To Henry E. Spittle, of Prince William County, \$25.10.
- To John Sutfin, of Prince William County, \$11.
- To Mrs. M. C. Swart, of Prince William County, \$75.
- To Pat. Sweeney, of Prince William County, \$50.
- To C. F. Swetnam, of Fairfax County, \$38.05.
- To H. G. Thornton, of Prince William County, \$16.
- To T. B. Whedbee, of Prince William County, \$18.
- To David Willard, of Fairfax County, \$103.50.
- To E. N. Woodyard, of Prince William County, \$7.
- To G. B. Wright, of Fairfax County, \$6.
- To William H. Wrenn, of Fairfax County, \$427.

Mr. PAYNE. Mr. Speaker, I move to refer the message and bill to the Committee on War Claims.

The SPEAKER pro tempore. The gentleman from New York moves to refer the bill and message to the Committee on War Claims.

Mr. PAYNE. On that I demand the previous question.

The question was taken on ordering the previous question; and



the Speaker pro tempore announced that the ayes appeared to have it.

Mr. RICHARDSON of Tennessee. Division.

Mr. PAYNE. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 136, nays 74, answered "present" 13, not voting 127; as follows:

YEAS—136.

|                |                |              |                  |
|----------------|----------------|--------------|------------------|
| Acheson,       | Dick,          | Jenkins,     | Payne,           |
| Alexander,     | Douglas,       | Jones, Va.   | Perkins,         |
| Allen, Me.     | Draper,        | Jones, Wash. | Powers, Me.      |
| Applin,        | Dwight,        | Kahn,        | Reeves,          |
| Barney,        | Eddy,          | Kehoe,       | Roberts,         |
| Bartholdt,     | Emerson,       | Ketcham,     | Schirm,          |
| Bates,         | Esch,          | Kyle,        | Scott,           |
| Bishop,        | Evans,         | Lacey,       | Shattuc,         |
| Bowersock,     | Fleming,       | Landis,      | Showalter,       |
| Brandegeee,    | Fletcher,      | Lawrence,    | Sibley,          |
| Brick,         | Foerderer,     | Lessler,     | Smith, Iowa      |
| Bristow,       | Fordney,       | Lewis, Pa.   | Smith, H. C.     |
| Bromwell,      | Foss,          | Littauer,    | Smith, S. W.     |
| Brown,         | Gaines, W. Va. | Littlefield, | Smith, Wm. Alden |
| Brownlow,      | Gardner, N. J. | Long,        | Southard,        |
| Burk, Pa.      | Gibson,        | Lovering,    | Southwick.       |
| Burke, S. Dak. | Graff,         | McCall,      | Sperry,          |
| Burkett,       | Graham,        | McCleary,    | Steele,          |
| Burton,        | Greene, Mass.  | McLachlan,   | Stevens, Minn.   |
| Butler,        | Grosvenor,     | Mahon,       | Stewart, N. Y.   |
| Calderhead,    | Hamilton,      | Martin,      | Storm,           |
| Capron,        | Hanbury,       | Maynard,     | Sutherland,      |
| Cassel,        | Haskins,       | Minor,       | Tawney,          |
| Connell,       | Haugen,        | Morgan,      | Taylor, Ohio     |
| Coombs,        | Hedge,         | Morrell,     | Thomas, Iowa     |
| Cooper, Wis.   | Hildebrant,    | Morris,      | Tompkins, N. Y.  |
| Cousins,       | Hill,          | Moss,        | Vreeland,        |
| Cromer,        | Hitt,          | Mudd,        | Wadsworth,       |
| Crumpacker,    | Holliday,      | Needham,     | Wagoner,         |
| Currier,       | Howell,        | Norton,      | Warner,          |
| Cushman,       | Hughes,        | Olmsted,     | Watnock,         |
| Dalzell,       | Hull,          | Otjen,       | Watson,          |
| Darragh,       | Jack,          | Overstreet,  | Weeks,           |
| Davidson,      | Jackson, Md.   | Parker,      | Young.           |

NAYS—74.

|             |                 |                   |                 |
|-------------|-----------------|-------------------|-----------------|
| Adamson,    | Flood,          | Maddox,           | Slayden,        |
| Allen, Ky.  | Gaines, Tenn.   | Mahoney,          | Small,          |
| Bankhead,   | Gilbert,        | Mickey,           | Smith, Ky.      |
| Bartlett,   | Green, Pa.      | Miers, Ind.       | Snodgrass,      |
| Benton,     | Hay,            | Moon,             | Spight,         |
| Billmeyer,  | Howard,         | Neville,          | Stephens, Tex.  |
| Bowie,      | Jackson, Kans.  | Padgett,          | Sulzer,         |
| Breazeale,  | Johnson,        | Pou,              | Swanson,        |
| Broussard,  | Kitchin, Claude | Rhea,             | Thomas, N. C.   |
| Burleson,   | Kitchin, Wm. W. | Richardson, Tenn. | Thompson,       |
| Candler,    | Kluttz,         | Rixey,            | Underwood,      |
| Cassingham, | Lamb,           | Robb,             | Vandiver,       |
| Clark,      | Lester,         | Robinson, Ind.    | White,          |
| Clayton,    | Lever,          | Rucker,           | Williams, Ill.  |
| Cowherd,    | Lindsay,        | Russell,          | Williams, Miss. |
| Davey, La.  | Little,         | Selby,            | Wooten,         |
| De Armond,  | Lloyd,          | Shackleford,      | Zenor.          |
| Finley,     | McAndrews,      | Shallenberger,    |                 |
| Fitzgerald, | McClellan,      | Sims,             |                 |

ANSWERED "PRESENT"—13.

|                |          |                  |
|----------------|----------|------------------|
| Burgess,       | Joy,     | Mutchler,        |
| Curtis,        | McRae,   | Prince,          |
| Gillett, Mass. | Mann,    | Richardson, Ala. |
| Grow,          | Metcalf, | Sherman,         |

NOT VOTING—127.

|              |                |                  |                 |
|--------------|----------------|------------------|-----------------|
| Adams,       | Dougherty,     | Kern,            | Reid,           |
| Babcock,     | Dovener,       | Kleberg,         | Robertson, La.  |
| Ball,        | Driscoll,      | Knapp,           | Robinson, Nebr. |
| Beidler,     | Edwards,       | Knox,            | Ruppert,        |
| Bell,        | Elliott,       | Lassiter,        | Ryan,           |
| Bellamy,     | Feely,         | Latimer,         | Scarborough,    |
| Belmont,     | Flanagan,      | Lewis, Ga.       | Shafroth,       |
| Bingham,     | Foster, Ill.   | Livingston,      | Shelden,        |
| Blackburn,   | Foster, Vt.    | Loud,            | Sheppard,       |
| Blakeney,    | Fowler,        | Loudenslager,    | Skiles,         |
| Boreing,     | Fox,           | McCulloch,       | Smith, Ill.     |
| Boutell,     | Gardner, Mass. | McDermott,       | Snook,          |
| Brantley,    | Gardner, Mich. | McLain,          | Sparkman,       |
| Brundidge,   | Gill,          | Marshall,        | Stark,          |
| Bull,        | Gillet, N. Y.  | Mercer,          | Stewart, N. J.  |
| Burleigh,    | Glass,         | Meyer, La.       | Sulloway,       |
| Burnett,     | Glenn,         | Miller,          | Swann,          |
| Caldwell,    | Goldfogle,     | Mondell,         | Talbert,        |
| Cannon,      | Gordon,        | Moody,           | Tate,           |
| Cochran,     | Griffith,      | Naphe,           | Taylor, Ala.    |
| Conner,      | Griggs,        | Nevin,           | Tayer,          |
| Conry,       | Heatwole,      | Newlands,        | Tirrell,        |
| Cooney,      | Hemenway,      | Palmer,          | Tompkins, Ohio  |
| Cooper, Tex. | Henry, Conn.   | Patterson, Pa.   | Trimble,        |
| Corliss,     | Henry, Miss.   | Patterson, Tenn. | Van Voorhis,    |
| Creamer,     | Henry, Tex.    | Pearre,          | Wachter,        |
| Crowley,     | Hepburn,       | Pierce,          | Wheeler,        |
| Dahle,       | Hooker,        | Powers, Mass.    | Wiley,          |
| Davis, Fla.  | Hopkins,       | Pugsley,         | Wilson,         |
| Dayton,      | Irwin,         | Randell, Tex.    | Woods,          |
| Deemer,      | Jett,          | Ransdell, La.    | Wright.         |
| Dinsmore,    |                | Reeder,          |                 |

So the previous question was ordered.

The following additional pairs were announced:

Until further notice:

Mr. HOPKINS with Mr. SHEPPARD.

Mr. BINGHAM with Mr. HENRY of Texas.

Mr. HEMENWAY with Mr. LIVINGSTON.

Mr. CANNON with Mr. MCRAE.

Mr. CURTIS with Mr. BURGESS.

Mr. GARDNER of New Jersey with Mr. BRANTLEY.

Mr. KNAPP with Mr. GOLDFOGLE.

On this vote:

Mr. PATTERSON of Pennsylvania with Mr. RICHARDSON of Alabama.

Mr. WRIGHT with Mr. GORDON.

Mr. CONNER with Mr. ELLIOTT.

Mr. CORLISS with Mr. TRIMBLE.

Mr. GARDNER of Massachusetts with Mr. DINSMORE.

Mr. MUDD with Mr. NAPHEN.

Mr. MOODY with Mr. REID.

The result of the vote was then announced as above recorded.

The SPEAKER pro tempore (Mr. SHERMAN). The question is on the motion of the gentleman from New York to refer the bill and the veto message to the Committee on War Claims.

The question was taken; and Mr. RICHARDSON of Tennessee demanded a division.

Mr. STEELE. I demand the yeas and nays, Mr. Speaker.

The yeas and nays were ordered.

The question was taken; and there were—yeas 186, nays 2, answered "present" 18, not voting 144; as follows:

YEAS—186.

|                |                 |               |                   |
|----------------|-----------------|---------------|-------------------|
| Acheson,       | Dwight,         | Lamb,         | Reeder,           |
| Alexander,     | Eddy,           | Landis,       | Richardson, Tenn. |
| Allen, Ky.     | Emerson,        | Latimer,      | Rixey,            |
| Allen, Me.     | Esch,           | Lawrence,     | Robb,             |
| Babcock,       | Evans,          | Lessler,      | Rucker,           |
| Barney,        | Finley,         | Lester,       | Russell,          |
| Bates,         | Fitzgerald,     | Lever,        | Schirm,           |
| Bishop,        | Flanagan,       | Lewis, Ga.    | Selby,            |
| Blakeney,      | Fletcher,       | Lewis, Pa.    | Shallenberger,    |
| Boreing,       | Foerderer,      | Lindsay,      | Showalter,        |
| Bowersock,     | Fordney,        | Littauer,     | Sibley,           |
| Bowie,         | Fowler,         | Little,       | Slayden,          |
| Brandegeee,    | Gaines, Tenn.   | Littlefield,  | Small,            |
| Brick,         | Gaines, W. Va.  | Lloyd,        | Smith, Iowa       |
| Bristow,       | Gardner, Mich.  | Long,         | Smith, Ky.        |
| Bromwell,      | Gitson,         | Londenslager, | Smith, H. C.      |
| Brown,         | Gilbert,        | McAndrews,    | Smith, Wm. Alden  |
| Brownlow,      | Gillet, N. Y.   | McCall,       | Snodgrass,        |
| Brundidge,     | Goldfogle,      | McCleary,     | Southard,         |
| Burke, S. Dak. | Gooch,          | McClellan,    | Southwick,        |
| Burkett,       | Graham,         | McCulloch,    | Sperry,           |
| Burleigh,      | Grosvenor,      | McLachlan,    | Spight,           |
| Butler,        | Hamilton,       | McLain,       | Steele,           |
| Capron,        | Hanbury,        | Maddox,       | Stevens, Minn.    |
| Cassel,        | Haskins,        | Marshall,     | Stewart, N. Y.    |
| Clark,         | Haugen,         | Martin,       | Storm,            |
| Clayton,       | Hedge,          | Maynard,      | Sulloway,         |
| Connell,       | Hemenway,       | Miers, Ind.   | Sulzer,           |
| Coombs,        | Hepburn,        | Mondell,      | Sutherland,       |
| Cooper, Wis.   | Hildebrant,     | Moody,        | Tawney,           |
| Corliss,       | Hitt,           | Moon,         | Taylor, Ohio      |
| Cousins,       | Holliday,       | Moss,         | Thomas, Iowa      |
| Cowherd,       | Howell,         | Morris,       | Tirrell,          |
| Cromer,        | Hughes,         | Mudd,         | Tompkins, N. Y.   |
| Crumpacker,    | Irwin,          | Neville,      | Vandiver,         |
| Currier,       | Jackson, Kans.  | Olmsted,      | Vreeland,         |
| Cushman,       | Jackson, Md.    | Overstreet,   | Wadsworth,        |
| Dalzell,       | Johnson,        | Padgett,      | Wagoner,          |
| Davey, La.     | Jones, Va.      | Palmer,       | Watnock,          |
| Davidson,      | Kahn,           | Parker,       | Watson,           |
| De Armond,     | Ketcham,        | Pearre,       | Weeks,            |
| Dick,          | Kitchin, Claude | Payne,        | Wiley,            |
| Dinsmore,      | Kitchin, Wm. W. | Pearre,       | Williams, Ill.    |
| Dougherty,     | Kluttz,         | Perkins,      | Young.            |
| Douglas,       | Kyle,           | Pou,          |                   |
| Draper,        | Lacey,          | Randell, Tex. |                   |

NAYS—2.

Bartlett, Thompson.

ANSWERED "PRESENT"—18.

|             |                |          |                  |
|-------------|----------------|----------|------------------|
| Adamson,    | Gillett, Mass. | McRae,   | Richardson, Ala. |
| Boutell,    | Griggs,        | Mann,    | Underwood,       |
| Curtis,     | Grow,          | Metcalf, | Van Voorhis.     |
| Flood,      | Howard,        | Needham, |                  |
| Foster, Vt. | Jenkins,       | Prince,  |                  |

NOT VOTING—144.

|            |              |                |             |
|------------|--------------|----------------|-------------|
| Adams,     | Burton,      | Feely,         | Hooker,     |
| Applin,    | Calderhead,  | Fleming,       | Hopkins,    |
| Ball,      | Caldwell,    | Foss,          | Hull,       |
| Bankhead,  | Candler,     | Foster, Ill.   | Jack,       |
| Bartholdt, | Cannon,      | Fox,           | Jett,       |
| Beidler,   | Cassingham,  | Gardner, Mass. | Joy,        |
| Bell,      | Cochran,     | Gardner, N. J. | Kehoe,      |
| Bellamy,   | Conner,      | Gill,          | Kern,       |
| Belmont,   | Conry,       | Glass,         | Kleberg,    |
| Benton,    | Cooney,      | Glenn,         | Knapp,      |
| Billmeyer, | Cooper, Tex. | Gordon,        | Knox,       |
| Bingham,   | Creamer,     | Graff,         | Lassiter,   |
| Blackburn, | Dahle,       | Green, Pa.     | Livingston, |
| Brantley,  | Darragh,     | Greene, Mass.  | Loud,       |
| Breazeale, | Davis, Fla.  | Griffith,      | Lovering,   |
| Broussard, | Dayton,      | Hay,           | McDermott,  |
| Bull,      | Deemer,      | Heatwole,      | Mahon,      |
| Burgess,   | Dovener,     | Henry, Conn.   | Mahoney,    |
| Burk, Pa.  | Driscoll,    | Henry, Miss.   | Mercer,     |
| Burleson,  | Edwards,     | Henry, Tex.    | Meyer, La.  |
| Burnett,   | Elliott,     | Hill,          | Miller,     |

|                  |                 |                |                 |
|------------------|-----------------|----------------|-----------------|
| Minor,           | Reeves,         | Sheppard,      | Taylor, Ala.    |
| Morgan,          | Reid,           | Sherman,       | Thayer,         |
| Murrell,         | Rhea,           | Sims,          | Thomas, N. C.   |
| Mutchler,        | Roberts,        | Skiles,        | Tompkins, Ohio  |
| Napfen,          | Robertson, La.  | Smith, Ill.    | Trimble,        |
| Nevin,           | Robinson, Ind.  | Smith, S. W.   | Wanger,         |
| Newlands,        | Robinson, Nebr. | Snook,         | Warner,         |
| Norton,          | Ruppert,        | Sparkman,      | Wheeler,        |
| Patterson, Pa.   | Ryan,           | Stark,         | White,          |
| Patterson, Tenn. | Scarborough,    | Stephens, Tex. | Williams, Miss. |
| Pierce,          | Scott,          | Stewart, N. J. | Wilson,         |
| Powers, Me.      | Shackleford,    | Swann,         | Woods,          |
| Powers, Mass.    | Shafroth,       | Swanson,       | Wooten,         |
| Pugsley,         | Shattuc,        | Talbert,       | Wright,         |
| Ransdell, La.    | Shelden,        | Tate,          | Zenor.          |

So the motion was agreed to.  
 The following additional pairs were announced:  
 Mr. STEWART of New Jersey with Mr. ZENOR.  
 Mr. LOVERING with Mr. WOOTEN.  
 Mr. MERCER with Mr. BANKHEAD.  
 Mr. MORRELL with Mr. GREEN of Pennsylvania.  
 On this vote:  
 Mr. POWERS of Maine with Mr. PUGSLEY.  
 Mr. HEATWOLE with Mr. STEPHENS of Texas.  
 Mr. HOLLIDAY with Mr. SNOOK.  
 Mr. JENKINS with Mr. NORTON.  
 Mr. VREELAND with Mr. UNDERWOOD.  
 Mr. RICHARDSON of Alabama. Mr. Speaker, has the gentleman from Tennessee [Mr. PATTERSON] voted?  
 The SPEAKER. He has not.  
 Mr. RICHARDSON of Alabama. Then I wish to withdraw my vote.  
 The SPEAKER pro tempore. The Clerk will call the gentleman's name.  
 The Clerk called the name of Mr. RICHARDSON of Alabama, and he answered "present," as above recorded.  
 The result of the vote was then announced as above recorded.  
 The SPEAKER pro tempore. The Chair lays before the House the following concurrent resolution.  
 The Clerk read as follows:

*Resolved by the Senate (the House of Representatives concurring), That the Committee on Enrolled Bills, in the enrollment of the bill (H. R. 12199) to regulate the enrollment of aliens into the United States, are hereby authorized and directed to correct the cross references by sections in said bill, made necessary by the changed numbering of the sections thereof, namely:*  
 Page 3, lines 2 and 3, strike out "thirty-three" and insert "thirty-two."  
 Page 6, line 23, strike out "five" and insert "four."  
 Page 8, line 5, strike out "five" and insert "four."  
 Page 8, line 11, strike out "six" and insert "five."  
 Page 9, line 4, strike out "six" and insert "five."  
 Page 13, line 7, strike out "thirteen, fourteen, and fifteen" and insert "twelve, thirteen, and fourteen."  
 Page 13, line 14, strike out "thirteen, fourteen, and fifteen" and insert "twelve, thirteen, and fourteen."  
 Page 16, line 13, strike out "five and six" and insert "four and five."  
 Page 16, line 17, strike out "eighteen" and insert "seventeen."  
 Page 17, line 21, strike out "twenty-one" and insert "twenty."  
 Page 18, line 5, strike out "twenty" and insert "nineteen."

Mr. PAYNE. Mr. Speaker, I move the previous question.  
 Mr. RICHARDSON of Tennessee. Mr. Speaker, I desire to move that the resolution be referred to the Committee on Immigration, that these errors may be corrected.  
 The SPEAKER pro tempore. The previous question has been asked for, and that is the pending question. If the previous question is negatived, the gentleman can then make his motion.  
 Mr. RICHARDSON of Tennessee. I make the point that the motion to refer takes precedence over the demand for the previous question.  
 The SPEAKER pro tempore. The motion for the previous question has precedence over the motion to refer.  
 While the question was being taken,  
 Mr. STEELE. Let us have the yeas and nays, Mr. Speaker.  
 The yeas and nays were ordered.  
 The question was taken; and there were—yeas 140, nays 68, answered "present" 18, not voting 124; as follows:

YEAS—140.

|                |             |                |              |
|----------------|-------------|----------------|--------------|
| Acheson,       | Connell,    | Fordney,       | Hopkins,     |
| Allen, Me.     | Conner,     | Gaines, W. Va. | Howell,      |
| Babcock,       | Coombs,     | Gardner, Mass. | Hull,        |
| Bartholdt,     | Corliss,    | Gardner, Mich. | Irwin,       |
| Bates,         | Cousins,    | Gardner, N. J. | Jack,        |
| Blakeney,      | Cromer,     | Gibson,        | Jackson, Md. |
| Boreing,       | Crumpacker, | Gillet, N. Y.  | Jenkins,     |
| Bowersock,     | Currier,    | Graft,         | Jones, Wash. |
| Brandegee,     | Cushman,    | Graham,        | Kahn,        |
| Brick,         | Dalzell,    | Greene, Mass.  | Ketcham,     |
| Bristow,       | Darragh,    | Grosvenor,     | Knapp,       |
| Bromwell,      | Davidson,   | Hamilton,      | Kyle,        |
| Brown,         | Dick,       | Hanbury,       | Lacey,       |
| Brownlow,      | Draper,     | Haskins,       | Lands,       |
| Burk, Pa.      | Driscoll,   | Haugen,        | Lassiter,    |
| Burke, S. Dak. | Eddy,       | Hedge,         | Latimer,     |
| Burkett,       | Emerson,    | Hemenway,      | Lawrence,    |
| Burleigh,      | Esch,       | Henry, Conn.   | Lessler,     |
| Burton,        | Evans,      | Hepburn,       | Lewis, Pa.   |
| Butler,        | Finley,     | Hill,          | Littauer,    |
| Cannon,        | Fletcher,   | Hitt,          | Littlefield, |
| Cassel,        | Foerderer,  | Holliday,      | Long,        |

|               |                |                |                 |
|---------------|----------------|----------------|-----------------|
| Loudenslager, | Needham,       | Roberts,       | Storm,          |
| Lovering,     | Nevin,         | Schirm,        | Sulloway,       |
| McCall,       | Olmsted,       | Scott,         | Sulzer,         |
| McCleary,     | Otjen,         | Shattuc,       | Tawney,         |
| Marshall,     | Overstreet,    | Showalter,     | Thomas, Iowa    |
| Martin,       | Palmer,        | Smith, Ill.    | Tirrell,        |
| Mercer,       | Parker,        | Smith, Iowa    | Tompkins, N. Y. |
| Miller,       | Patterson, Pa. | Southard,      | Vreeland,       |
| Moody,        | Payne,         | Southwick,     | Wagoner,        |
| Morgan,       | Pearre,        | Sperry,        | Warner,         |
| Morris,       | Perkins,       | Steele,        | Watson,         |
| Moss,         | Reeder,        | Stevens, Minn. | Weeks,          |
| Mudd,         | Reeves,        | Stewart, N. J. | Wright.         |

NAYS—68.

|             |                 |                   |                 |
|-------------|-----------------|-------------------|-----------------|
| Allen, Ky.  | Dougherty,      | Lloyd,            | Robb,           |
| Bankhead,   | Elliott,        | McAndrews,        | Robinson, Ind.  |
| Bell,       | Flanagan,       | McClellan,        | Selby,          |
| Benton,     | Flood,          | Maddox,           | Shallenberger,  |
| Billmeyer.  | Gaines, Tenn.   | Mahoney,          | Sims,           |
| Bowie,      | Glass,          | Maynard,          | Slayden,        |
| Breazeale,  | Gooch,          | Mickey,           | Smith, Ky.      |
| Brundidge,  | Jackson, Kans.  | Miers, Ind.       | Snook,          |
| Caldwell,   | Jones, Va.      | Moon,             | Spight,         |
| Candler,    | Kitchin, Claude | Neville,          | Stark,          |
| Cassingham, | Klutz,          | Norton,           | Thomas, N. C.   |
| Clark,      | Lamb,           | Padgett,          | Thompson,       |
| Clayton,    | Lester,         | Randell, Tex.     | Underwood,      |
| Cowherd,    | Lever,          | Rhea,             | Vandiver,       |
| Crowley,    | Lewis, Ga.      | Richardson, Ala.  | Warner, Ill.    |
| De Armond,  | Lindsay,        | Richardson, Tenn. | Williams, Miss. |
| Dinsmore,   | Little,         | Rixey,            | Zenor.          |

ANSWERED "PRESENT"—18.

|             |                |            |          |
|-------------|----------------|------------|----------|
| Adamson,    | Gillett, Mass. | McLachlan, | Prince,  |
| Barney,     | Green, Pa.     | McRae,     | Sherman, |
| Boutell,    | Griggs,        | Mann,      | Wanger.  |
| Curtis,     | Joy,           | Metcalf,   |          |
| Foster, Vt. | Loud,          | Mutchler,  |          |

NOT VOTING—124.

|              |                 |                  |                  |
|--------------|-----------------|------------------|------------------|
| Adams,       | Dovener,        | Knox,            | Sibley,          |
| Alexander,   | Dwight,         | Livingston,      | Skiles,          |
| Aplin,       | Edwards,        | McCulloch,       | Small,           |
| Ball,        | Feely,          | McDermott,       | Smith, H. C.     |
| Bartlett,    | Fitzgerald,     | McLain,          | Smith, S. W.     |
| Beidler,     | Fleming,        | Mahon,           | Smith, Wm. Alden |
| Bellamy,     | Foss,           | Meyer, La.       | Snodgrass,       |
| Belmont,     | Foster, Ill.    | Minor,           | Sparkman,        |
| Bingham,     | Fowler,         | Mondell,         | Stephens, Tex.   |
| Bishop,      | Fox,            | Morrell,         | Stewart, N. Y.   |
| Blackburn,   | Gilbert,        | Napfen,          | Sutherland,      |
| Brantley,    | Gill,           | Newlands,        | Swann,           |
| Broussard,   | Glenn,          | Patterson, Tenn. | Swanson,         |
| Bull,        | Goldfogle,      | Pierce,          | Talbert,         |
| Burgess,     | Gordon,         | Pou,             | Tate,            |
| Burleson,    | Griffith,       | Powers, Me.      | Taylor, Ohio     |
| Burnett,     | Grow,           | Powers, Mass.    | Taylor, Ala.     |
| Caldrehead,  | Hay,            | Pugsley,         | Thayer,          |
| Capron,      | Heatwole,       | Ransdell, La.    | Tompkins, Ohio.  |
| Cochran,     | Henry, Miss.    | Reid,            | Trimble,         |
| Conry,       | Henry, Tex.     | Robertson, La.   | Van Voorhis,     |
| Cooney,      | Hildebrandt,    | Robinson, Nebr.  | Wachter,         |
| Cooper, Tex. | Hooker,         | Rucker,          | Wadsworth,       |
| Cooper, Wis. | Howard,         | Ruppert,         | Warnock,         |
| Creamer,     | Hughes,         | Russell,         | Wheeler,         |
| Dahle,       | Jett,           | Ryan,            | White,           |
| Davy, La.    | Johnson,        | Scarborough,     | Wiley,           |
| Davis, Fla.  | Kehoe,          | Shackleford,     | Wilson,          |
| Dayton,      | Kern,           | Shafroth,        | Woods,           |
| Deamler,     | Kitchin, Wm. W. | Shelden,         | Wooten,          |
| Douglas,     | Kleberg,        | Shepard,         | Young.           |

So the previous question was ordered.  
 The following additional pairs were announced:  
 Until further notice:  
 Mr. VAN VOORHIS with Mr. GOLDFOGLE.  
 Mr. YOUNG with Mr. WILEY.  
 On this vote:  
 Mr. KNOX with Mr. STEPHENS of Texas.  
 Mr. DOVENER with Mr. PUGSLEY.  
 Mr. POWERS of Maine with Mr. RUSSELL.  
 The result of the vote was announced, as above recorded.  
 The SPEAKER pro tempore. The question is now on agreeing to the concurrent resolution of the Senate.  
 Mr. RICHARDSON of Tennessee. I desire to say something in opposition to this resolution. As I understand, the rule allows twenty minutes for debate.

The SPEAKER pro tempore. The gentleman from Tennessee demands recognition in opposition—  
 Mr. RICHARDSON of Tennessee. This is a resolution that has not been debated; and under Rule XXVIII, paragraph 3, the right of debate under such circumstances is allowed for twenty minutes on each side, after the ordering of the previous question, on all questions or propositions upon which there has been no debate. Of course upon this resolution there has been no debate. This concurrent resolution involves a new question which has not been debated, and therefore under paragraph 3 of Rule XXVIII I have the right to be heard on it for twenty minutes.

The SPEAKER pro tempore. The Chair desires to call the attention of the gentleman from Tennessee to a ruling made in the first session of the Fifty-fourth Congress, wherein it was held that "debate meant debate upon the main proposition and not upon anything incidentally connected therewith."



Mr. RICHARDSON of Tennessee. Of course, I recognize that rule. I know, for instance, that where a question has been debated in Committee of the Whole it has been held that when we get into the House, debate having occurred in Committee of the Whole, further debate is not allowed after the previous question is ordered. But this is a new proposition; it is one we have not had before; it is not incidental to the immigration bill. I insist that we ought to be allowed debate on this new proposition.

The SPEAKER pro tempore. The Chair further calls the attention of the gentleman from Tennessee to a ruling in the Congress just cited, wherein it was held that—

The previous question having been ordered on a conference report relating to a subject which had been debated in the House before being sent to a conference, it was held that the forty minutes of debate should not be allowed.

Mr. RICHARDSON of Tennessee. Precisely; but that does not cover this case. I am contending that this is a new proposition—

The SPEAKER pro tempore. Oh, no. Mr. RICHARDSON of Tennessee (continuing). An independent proposition, which has not been considered before. It presents new questions entirely, and can not come within the rule which the Chair has invoked.

The SPEAKER pro tempore. The Chair can not agree with the gentleman from Tennessee.

Mr. RICHARDSON of Tennessee. Has the Chair read paragraph 3 of Rule XXVIII, which is as broad as the English language can make it? It seems to me, Mr. Speaker, that we are certainly entitled to debate this proposition.

The SPEAKER pro tempore. It is perfectly clear to the Chair that this is a proposition which has been debated. The present proposition is merely the correction of a clerical error in the conference report; it is not a new subject, but is a subject which has been debated. The Chair therefore overrules the point of order made by the gentleman from Tennessee.

Mr. RICHARDSON of Tennessee. Has there been any debate on correcting this error, or these errors? There has not.

The SPEAKER pro tempore. The gentleman's point is overruled. The question is on agreeing to the resolution.

Mr. RICHARDSON of Tennessee. I respectfully appeal from the decision of the Chair overruling my point of order.

Mr. PAYNE. I make the point that that is dilatory.

The SPEAKER pro tempore. It is perfectly clear to the Chair that there is no other purpose in the appeal than to consume time.

Mr. RICHARDSON of Tennessee. The Chair is very much mistaken in ascribing that motive to me, when I say that I desire to debate this proposition.

The SPEAKER pro tempore. The Chair overrules the point of order.

Mr. RICHARDSON of Tennessee. The Chair can do that, but he ought not to give a wrong reason.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

Mr. RICHARDSON of Tennessee. I call for a division.

Mr. PAYNE. In order to save time, I call for the yeas and nays.

The yeas and nays were ordered. The question was taken; and there were—yeas 201, nays 18, answered "present" 11, not voting 120; as follows:

YEAS—201.

- |                |                |                  |               |
|----------------|----------------|------------------|---------------|
| Acheson,       | Coombs,        | Gilbert,         | Kyle,         |
| Alexander,     | Cooney,        | Gillet, N. Y.    | Lacey,        |
| Allen, Ky.     | Cousins,       | Graff,           | Lamb,         |
| Allen, Me.     | Cowherd,       | Graham,          | Landis,       |
| Aplin,         | Cromer,        | Greene, Mass.    | Lattimer,     |
| Ball,          | Crowley,       | Grosvenor,       | Lawrence,     |
| Barney,        | Crumpacker,    | Hamilton,        | Lessler,      |
| Bartholdt,     | Currier,       | Hanbury,         | Lester,       |
| Bates,         | Cushman,       | Haskins,         | Lever,        |
| Beidler,       | Dalzell,       | Haugen,          | Lewis, Pa.    |
| Bishop,        | Darragh,       | Hay,             | Lindsay,      |
| Blackburn,     | Davidson,      | Hemenway,        | Littauer,     |
| Blakeney,      | Davis, Fla.    | Henry, Conn.     | Littlefield,  |
| Boutell,       | Dick,          | Hepburn,         | Lloyd,        |
| Bowersock,     | Dougherty,     | Hildebrandt,     | Long,         |
| Brandegee,     | Draper,        | Hill,            | Loudenslager, |
| Erick,         | Driscoll,      | Hitt,            | Lovering,     |
| Eristow,       | Dwight,        | Holliday,        | McAndrews,    |
| Bromwell,      | Elliott,       | Howard,          | McCall,       |
| Brown,         | Emerson,       | Howell,          | McCleary,     |
| Brownlow,      | Esch,          | Hughes,          | McClellan,    |
| Burk, Pa.      | Finley,        | Hull,            | McLachlan,    |
| Burke, S. Dak. | Fitzgerald,    | Irwin,           | McRae,        |
| Burleigh,      | Flanagan,      | Jackson, Kans.   | Maddox,       |
| Burton,        | Fletcher,      | Jackson, Md.     | Mahon,        |
| Butler,        | Foerderer,     | Jenkins,         | Mahoney,      |
| Cannon,        | Fordney,       | Jones, Wash.     | Marshall,     |
| Capron,        | Foster, Vt.    | Kahn,            | Martin,       |
| Cassel,        | Gaines, Tenn.  | Ketcham,         | Miers, Ind.   |
| Clark,         | Gardner, Mass. | Kitchin, Claude, | Miller,       |
| Clayton,       | Gardner, Mich. | Kitchin, Wm. W.  | Moody,        |
| Connell,       | Gardner, N. J. | Kluttz,          | Moon,         |
| Conner,        | Gibson,        | Knapp,           | Moss,         |

- |                |                  |                |                 |
|----------------|------------------|----------------|-----------------|
| Mudd,          | Richardson, Ala. | Smith, S. W.   | Thompson,       |
| Needham,       | Rixey,           | Snook,         | Tirrell,        |
| Neville,       | Robb,            | Southard,      | Tompkins, N. Y. |
| Nevin,         | Robinson, Ind.   | Southwick,     | Underwood,      |
| Norton,        | Rucker,          | Sparkman,      | Vreeland,       |
| Olmsted,       | Russell,         | Sperry,        | Wadsworth,      |
| Otjen,         | Ryan,            | Spight,        | Wagoner,        |
| Overstreet,    | Scott,           | Steele,        | Warner,         |
| Padgett,       | Selby,           | Stevens, Minn. | Warnock,        |
| Palmer,        | Shallenberger,   | Stewart, N. Y. | Watson,         |
| Parker,        | Shelden,         | Storm,         | Williams, Ill.  |
| Patterson, Pa. | Showalter,       | Sulloway,      | Williams, Miss. |
| Payne,         | Sibley,          | Sutherland,    | Wilson,         |
| Perkins,       | Slayden,         | Swann,         | Wright,         |
| Pou,           | Small,           | Tawney,        | Zenor.          |
| Powers, Me.    | Smith, Ill.      | Taylor, Ohio   |                 |
| Ransdell, La.  | Smith, Iowa      | Thomas, Iowa   |                 |
| Reeder,        | Smith, Ky.       | Thomas, N. C.  |                 |

NAYS—18.

- |            |             |            |                   |
|------------|-------------|------------|-------------------|
| Bartlett,  | Broussard,  | Davey, La. | Richardson, Tenn. |
| Benton,    | Brundidge,  | Flood,     | Shackleford,      |
| Billmeyer, | Burleson,   | Gordon,    | Stark.            |
| Brantley,  | Candler,    | Little,    |                   |
| Breazeale, | Cassingham, | Rhea,      |                   |

ANSWERED "PRESENT"—11.

- |            |          |           |          |
|------------|----------|-----------|----------|
| Curtis,    | Johnson, | Metcalf,  | Sherman, |
| Glass,     | Joy,     | Mitchler, | Wanger.  |
| Green, Pa. | Mann,    | Prince,   |          |

NOT VOTING—120.

- |              |                |                  |                  |
|--------------|----------------|------------------|------------------|
| Adams,       | Edwards,       | Lassiter,        | Scarborough,     |
| Adamson,     | Evans,         | Lewis, Ga.       | Schirm,          |
| Babcock,     | Feely,         | Livingston,      | Shafroth,        |
| Bankhead,    | Fleming,       | Loud,            | Shattuc,         |
| Bell,        | Foss,          | McCulloch,       | Sheppard,        |
| Bellamy,     | Foster, Ill.   | McDermott,       | Sims,            |
| Belmont,     | Fowler,        | McLain,          | Skiles,          |
| Bingham,     | Fox,           | Maynard,         | Smith, H. C.     |
| Boreing,     | Gaines, W. Va. | Mercer,          | Smith, Wm. Alden |
| Bowie,       | Gill,          | Meyer, La.       | Snodgrass,       |
| Bull,        | Gillett, Mass. | Mickey,          | Stephens, Tex.   |
| Burgess,     | Glenn,         | Minor,           | Stewart, N. J.   |
| Burkett,     | Goldfogle,     | Mondell,         | Sulzer,          |
| Burnett,     | Gooch,         | Morgan,          | Swanson,         |
| Calderhead,  | Griffith,      | Morrell,         | Talbert,         |
| Caldwell,    | Griggs,        | Morris,          | Tate,            |
| Cochran,     | Grow,          | Naphen,          | Taylor, Ala.     |
| Conry,       | Heatwole,      | Newlands,        | Thayer,          |
| Cooper, Tex. | Hedge,         | Patterson, Tenn. | Tompkins, Ohio   |
| Cooper, Wis. | Henry, Miss.   | Parsons,         | Trimble,         |
| Corliss,     | Henry, Tex.    | Pierce,          | Vandiver,        |
| Creamer,     | Hooker,        | Powers, Mass.    | Van Voorhis,     |
| Dahle,       | Hopkins,       | Pugsley,         | Wachter,         |
| Dayton,      | Jack,          | Randall, Tex.    | Weeks,           |
| De Armond,   | Jett,          | Reeves,          | Wheeler,         |
| Deemer,      | Jones, Va.     | Reid,            | White,           |
| Dinsmore,    | Kehoe,         | Roberts,         | Wiley,           |
| Douglas,     | Kern,          | Robertson, La.   | Woods,           |
| Dovener,     | Kleberg,       | Robinson, Nebr.  | Wooten,          |
| Eddy,        | Knox,          | Ruppert,         | Young.           |

So the concurrent resolution was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. MANN with Mr. JETT.

Mr. DRISCOLL with Mr. ROBERTSON of Louisiana.

For the vote:

Mr. GILL with Mr. KLEBERG.

The result of the vote was announced as above recorded.

MESSAGE FROM THE PRESIDENT.

The SPEAKER laid before the House the following message from the President of the United States, which was read, ordered printed, and referred to the Committee on Industrial Arts and Expositions:

To the Senate and House of Representatives:

I transmit herewith a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of January, 1903, furnished by the Louisiana Purchase Exposition Commission in pursuance of section 11 of the "Act to provide for celebrating the one hundredth anniversary of the purchase of the Louisiana Territory," etc., approved March 3, 1901.

THEODORE ROOSEVELT.

WHITE HOUSE, March 3, 1903.

The SPEAKER also laid before the House the following message from the President of the United States; which was read, ordered printed, and referred to the Committee on Public Buildings and Grounds:

To the Senate and House of Representatives:

I transmit herewith for the information of the Congress a report by the architects, with accompanying pictures, regarding the work of repairing and refurbishing the White House and the erection of the Executive office building.

THEODORE ROOSEVELT.

WHITE HOUSE, February 23, 1903.

RAILROAD THROUGH VANCOUVER BARRACKS AND MILITARY RESERVATION IN THE STATE OF WASHINGTON.

Mr. STEVENS of Minnesota. Mr. Speaker, I move to suspend the rules and take from the Speaker's table and pass the bill (S. 7445) authorizing and empowering the Secretary of War to locate a right of way for and granting the same and a right to operate and maintain a line of railroad through the Vancouver Barracks

and Military Reservation in the State of Washington to the Portland, Vancouver and Yakima Railway Company, its successors and assigns, which I will send to the desk and ask to have read.

The Clerk read as follows:

*Be it enacted, etc.*, That the Secretary of War is hereby authorized and empowered to locate a right of way, not exceeding 100 feet in width, through the lands of the Vancouver Barracks and Military Reservation if in his judgment it can be done in such a manner as not to interfere with the uses of said reservation for military purposes by the United States; and when said right of way shall be so located it is hereby granted during the pleasure of Congress to the Portland, Vancouver and Yakima Railroad, a corporation organized under the laws of the State of Washington, its successors and assigns, for the purpose of constructing a railroad and telegraph line thereon: *Provided*, That the said right of way and the width and location thereof through said lands, the compensation therefor, and the regulations for operating said railroad within the limits of the said military reservation so as to prevent all damage to public property or for public uses shall be prescribed by the Secretary of War prior to any entry upon said lands or the commencement of the construction of said works: *Provided also*, That whenever said right of way shall cease to be used for the purposes aforesaid the same shall revert to the United States.

SEC 2. That Congress reserves the right to alter, amend, or repeal this act.

Mr. SLAYDEN. Mr. Speaker, I demand a second.

Mr. STEVENS of Minnesota. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that a second may be considered as ordered. Is there objection?

Mr. SLAYDEN. I object.

The SPEAKER. The gentleman objects, and the Chair appoints to tell the House the gentleman from Minnesota, Mr. STEVENS, and the gentleman from Texas, Mr. SLAYDEN.

The House divided; and the tellers reported—ayes 71, noes 1.

Accordingly, a second was ordered.

The SPEAKER. The Chair recognizes the gentleman from Minnesota [Mr. STEVENS] in support of the bill and the gentleman from Texas [Mr. SLAYDEN] in opposition.

Mr. STEVENS of Minnesota. Mr. Speaker, this is a bill to authorize the Secretary of War to locate a right of way not exceeding 100 feet in width through the lands of the Vancouver Barracks and Reservation if in his judgment it can be done without interfering with that reservation for any military purposes, and if a right of way can be so located it is granted, during the pleasure of Congress, to the Portland, Vancouver and Yakima Railway Company. Before that company can proceed with any construction it must file its plans as provided by law, and the Secretary of War shall prescribe the regulations, rules, and compensation for the construction, operation, and maintenance before any commencement of this work can be had.

This bill has been submitted to the Secretary of War. He has suggested certain amendments to protect the interests of the United States. Those amendments have all been adopted. The bill has been unanimously reported by the Senate Committee on Military Affairs, by the House Committee on Military Affairs, and no one has reported any objection.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER. The gentleman reserves the balance of his time. The gentleman from Texas is recognized.

Mr. SLAYDEN. I yield five minutes to the gentleman from Tennessee [Mr. GAINES].

Mr. GAINES of Tennessee. Mr. Speaker, digressing from the then pending measure a day or two ago, I took occasion to allude to the sale of some relics that have long adorned the White House, and I then, as now, denounced the act. I said a valuable and historic mirror I knew had been sold, and some relics given President Jackson, and a sideboard given Mrs. President Hayes. The gentleman from Ohio [Mr. GROSVENOR] stated that he did not believe that this sideboard had been so sold. That is what he said in substance. Now, I want to say that, as a matter of fact, that sideboard has been identified, not only by Mr. Hayes, the son of President and Mrs. Hayes, who has offered Mr. Frank, who now owns it, several hundred dollars for it, but Mr. Frank, a few moments ago, came here to the door and called for me and several others, and stated that he has it in his possession and that he is in receipt of letters from the Art School at Cincinnati, where the article was made, and that the letters describe it exactly. In addition to that, the Cincinnati Enquirer had a photograph taken of this sideboard, now in Mr. Joseph M. Frank's saloon, the "Washington Brewery," in the city of Washington, and had that picture sent to Cincinnati, where it was compared with the picture of the article taken before it was sent to the White House in 1877. The original was taken by Mr. Fry, the artist who carved it, and the two pictures are exactly alike, so the Enquirer and Mr. John R. McLean inform me. So there is no question in the world about the identity of the article.

Mr. Speaker, without further taking up the time of the House I desire to read an article from the Cincinnati Enquirer, which gives a history of this sideboard. It was presented along in November, 1877. It describes it minutely. Of course, gentlemen, you understand that there should not be any politics in this.

The other day, I think through a misunderstanding, you made politics of it. I know a great many of you have expressed regret to me that you voted against my resolution that I introduced, calling on Colonel Bingham to make a statement to Congress, telling us what he sold and what he had not sold of the relics. Now, I will tell you what has occurred.

This morning I received a letter from Mr. Patterson, of Pennsylvania, the grandson of Gen. Robert Patterson, who presented to President Andrew Jackson some relics which this gentleman, Mr. Frank, tells me he bought. Only a few minutes ago he told me that he had sold them to a very distinguished citizen of the city of Washington, who has completed a mansion where he proposes to put them. Mr. Patterson has written to me, thanking me for the speech I made here Saturday alluding to the Patterson relics. He also wrote to his friend, Representative PATTERSON of Pennsylvania, calling on him to please run down these relics, so that he and his sisters might buy them, I presume. They were here a few days ago, the ladies members of the D. A. R., rejoicing in the history of our country and the history of Jackson and Armstrong and Monroe and Washington and Jefferson, and all the other American idols whose names are no more to be hemmed in by State lines than their patriotism is capable of being circumscribed within the same narrow limits. This gentleman (Mr. Frank) said, "Mr. GAINES, it was a shame to sell those things. Every one of them has a history that is dear to the heart of somebody in the United States."

Now, gentlemen, you have made politics out of this. You have voted down my resolution, and I want to read an editorial from a Pennsylvania paper on that point:

[Harrisburg Star-Independent, Monday, March 2, 1903.]

#### THE GAINES RESOLUTION.

Just why the Republicans in Congress have elected to oppose any investigation of the charge that White House relics have been sold or destroyed it is hard to say. The matter is not strictly a partisan one, though, of course, it is possible to make a political issue out of it. Great church schisms have been caused by differences over the depth of an obeisance, a woman's smile has been known to cause a bloody war, and a Congress that is willing to unseat a Congressman in order that another man might be given \$10,000 in salary would doubtless not experience any difficulty in making politics out of much smaller things than gift candelabra and cold-water sideboards.

Nevertheless this is a matter that should be treated upon its own merits and kept free from all political bias. If the custodians of public property are not properly treating gifts sent by the people to the White House or to any other Government building in Washington the people have a right to know it. Consequently there is no good reason why the Gaines resolution should not be favorably acted upon. It is not even hinted that the actions of the custodians complained of have been anything more than a lack of respect for relics of historic interest, but that, if it be proved, is enough to earn for them public censure.

There must be hundreds of articles scattered about Washington around which are clustered interesting memories, and it is not right that as soon as they get in the road or a change in their surroundings makes them incongruous, they are either put at auction and sold for a pittance or else thrown upon the nearest junk heap. Congress should see that steps are taken to preserve these articles and their histories. To take such an action would not be "descending to diminutives and tracing the whereabouts of second-hand furniture," as Representative GROSVENOR suggested. Nor was Mr. CANNON's reference to Madison's clothesline relevant.

The inquiry suggested, however, would insure that in the future the Government would observe that courtesy toward the donors of gifts that common politeness and good breeding demands of nations as well as of individuals.

What I want is for Congress not only to go and get these things presented by General Patterson, but those presented by the Art School in Cincinnati; indeed, all those other relics sold from the White House.

Mr. SULZER. Do you not think this is a case for the police?

Mr. GAINES of Tennessee. Well, I think the police would be very glad to be ordered to find them. I think the American people will police the White House hereafter before they let such a thing as this occur again.

The SPEAKER. The time of the gentleman has expired.

Mr. GAINES of Tennessee. I ask unanimous consent to place this little clipping from the Cincinnati Enquirer in the RECORD, giving a history of this thing.

The SPEAKER. The gentleman from Tennessee asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MOON. I object.

The SPEAKER. Objection is made.

Mr. SLAYDEN. I yield five minutes to the gentleman from Missouri [Mr. VANDIVER].

Mr. VANDIVER. Mr. Speaker, I desire to have order for a few minutes.

The SPEAKER. The House will be in order.

Mr. VANDIVER. Mr. Speaker, we have heard much in the last few days about the importance of doing business. We have heard, for instance, from the gentleman from Iowa yesterday that the great supply bills of the Government were being held up, and that the Republican party, the majority of this House, were determined to pass them; they had the power to do so; they intended to do so; and yet he complained that by the action of the minority here the wheels of Government are being clogged.

I want to ask the gentleman to explain if he will, or any member



of the majority here to explain if he will, why it is that within the last few days of the session, when it is so important that these great supply bills shall be passed, your party has seen fit to consume a whole legislative day in stealing a Democratic seat in the House and giving it to a Republican? What reason was there for it? You do not even undertake to find out whether there was evidence or not. You did not even read the evidence. There are only two men in the House on the Republican side who even profess to have read it, and they even do not claim to have read all of it.

In the consideration of this election case it is not the mere fact of turning out a Democrat and putting a Republican in his place, but the method by which it was done, and the unseemly, unjust, and discreditable method by which you explain it.

Mr. MILLER. Will the gentleman allow me to ask him a question?

Mr. VANDIVER. Yes, if it is a question.

Mr. MILLER. Have you read the evidence in that case?

Mr. VANDIVER. I have read a great deal of it, a great deal more, I think, than the gentleman from Kansas.

Mr. MILLER. I have read all of it, every word of it. Have you read the testimony of Doctor—

Mr. VANDIVER. I will not take further time to answer you now. [Laughter on the Republican side]. I have only five minutes and have something to say myself.

Mr. MILLER. Will you allow me to ask you another question?

Mr. VANDIVER. I decline to yield any further.

Mr. MILLER. Allow me to ask you one question?

Mr. VANDIVER. If it is just a question, ask it.

Mr. MILLER. Have you read the testimony of Dr. Faulkner, who testifies that the police of the city of St. Louis paid \$31,000 into the campaign fund of the Democratic party at the last election in that city? You will find it on page 2262 of the record in this case of Butler.

Mr. RUCKER. He never said it.

Mr. MILLER. The receipt for the money is also found upon the same page. [Applause on the Republican side.]

Mr. RUCKER. I say it is not true.

Mr. MILLER. I know what is in the record, and unfortunately the gentleman from Missouri does not know.

Mr. ROBINSON of Indiana. I ask the gentleman from Missouri to yield to me for a second—

Mr. VANDIVER. Yes.

Mr. ROBINSON (continuing). For me to say that the Republican majority of Elections Committee No. 2, in their report, in their discussion, rely not on a syllable of the proposition of the gentleman from Kansas; and he dare not deny it.

Mr. VANDIVER. I decline to yield further. I will read, gentlemen, a little of the evidence, which if the gentleman from Kansas has read he has certainly not comprehended. As to what the police in St. Louis contributed in campaign funds, I have only to say this, that there is no evidence in this case anywhere to show that any contribution went into that district; and I am reliably informed that they did not; and the gentleman's statement is misleading. They contributed to the State campaign, and not the Congressional.

Now, then, further, when he talks again of the result in that district let him consider these facts: First, that it is a Democratic district, and has been Democratic for a whole generation, and that with only three exceptions the Democratic party has always carried it for a quarter of a century.

The SPEAKER. The time of the gentleman has expired.

Mr. MILLER. Will the gentleman yield to me for another question?

Mr. VANDIVER. I ask that the gentleman allow me two minutes more?

Mr. SLAYDEN. I yield two minutes more to the gentleman.

Mr. VANDIVER. I want to say, furthermore, that this is one of the largest and wealthiest districts in the United States; that it has always been represented here by a Democrat with three exceptions. In the canvass of 1896 and 1898 the money question disturbed the politics of that district, and they sent a Republican here—a very creditable and honorable gentleman, I want to say, in Major Pearce, of St. Louis—and only once beside within the last quarter of a century has that district sent a Republican here.

That district has gone Democratic even when your Ziegenheim machine undertook to control the politics of St. Louis, and a dirtier or more shameless administration of city affairs was never known in any State in the Union. Furthermore, let me say to you the explanation of the result in that district in this campaign is clearly brought out in the evidence of a Republican who testified in this case, a prominent Republican of St. Louis, Julius Wurtzberger, who was city collector, and occupied public office for nearly twenty years.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. VANDIVER. Mr. Speaker, I ask unanimous consent to put this in the RECORD.

The SPEAKER. The gentleman from Missouri asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. MOON and several members on the Republican side objected.

Mr. SLAYDEN. Mr. Speaker, I now yield the balance of my time—eight minutes—to the gentleman from Arkansas [Mr. LITTLE].

Mr. LITTLE. Does the gentleman from Missouri want more time?

Mr. VANDIVER. Yes; just a moment.

Mr. LITTLE. I will yield the gentleman two minutes.

Mr. VANDIVER. Mr. Speaker, here is what Julius Wurtzberger said. The question referred to the nominations in that district and the dissension in the Republican ranks:

Q. Did that have any result in leaving any dissatisfaction in the minds of Republican voters?

A. It demoralized the Republican party to such an extent that the ward in which I had the pleasure to live in, which used to give more plurality than it gave Republican votes at the last election—in other words, at the last election when I was committeeman we had 1,950 plurality, I think, and I believe that is more than the Republican votes that were cast at the last election in that ward.

Q. So that prior to the defection and fight in the committee and the dissatisfaction of the people growing out of that, the ward in which you lived gave a much larger plurality than it polled votes at the last election for the Republican party?

A. Yes, sir; it was absolutely demoralized. People stayed at home and wouldn't vote, wouldn't register, and nothing else.

Q. You were generally cognizant of the political conditions over the city at large, were you not?

A. Yes, sir.

In other words, dissatisfaction primarily in the ranks of your own party accounted largely for the great majority given for Butler in that election. Furthermore, let it be remembered that this committee when they first brought in this case and asked for a day for the consideration of it alleged that there were sixty or more polling places in that district in which a clear 100 votes were added, each one to the Democratic column, but when they came in here, after the evidence is taken, they practically abandoned that charge, and it is as false as every other charge which they have attempted to substantiate here.

The SPEAKER. The time of the gentleman has again expired.

Mr. LITTLE. Mr. Speaker, of all the sessions of Congress held since the adoption of the Constitution this session will go down in history as the one incomparable humbug and colossal fraud. Never before has a great political party set about with such deliberation and purpose to humbug the American people and met with such temporary success. But as certain as Holy Writ "your sins will find you out." You have made the pretense of legislating against the trusts, but instead of effective legislation to bridle the trusts in their rapacious raid upon the people you have passed a law which is a fraud and an abortion and only gives the Administration power to advertise the supposed virtues and conceal the crimes of the trusts.

Early in the session it was announced that J. Pierpont Morgan was enraged against the great trust buster in the White House and was threatening his defeat for the coming nomination. But no sooner had the farce of passing this law been consummated than we find Mr. Morgan, Mr. ALDRICH, and one MARCUS A. HANNA in conference with the President, as announced by the city daily press of February 16, in the following item:

MORGAN CALLS ON PRESIDENT—GREAT FINANCIER AMONG YESTERDAY'S VISITORS AT THE WHITE HOUSE.

There were a number of callers at the White House last night, including members of Congress, with whom the President conferred on pending legislative matters. They included Senators HANNA and ALDRICH, who remained with Mr. Roosevelt until nearly 11 o'clock.

Mr. J. Pierpont Morgan, who returned to the city from Richmond, Va., shortly before 10 o'clock, also called during the evening. He left the house with Senators HANNA and ALDRICH, going as far as their hotel with them, when he returned to his car at the railroad station, later leaving for New York City.

Strange as it may seem to those not familiar with the ways of the Administration, as soon as this conference with the great king of trusts and monopoly was had we find the following authorized statement made by the Attorney-General on the same day that the conference above was held at the White House. The following is the statement as appearing in the Washington Post February 16, 1903:

PRESIDENT SATISFIED—ATTORNEY-GENERAL TALKS OF THE ANTITRUST LAWS—LONG STRIDE FORWARD MADE—MEASURES DECLARED TO BE ADEQUATE FOR REGULATION OF MONOPOLIES—PROMISES OF LAST FALL SAID TO BE REDEEMED—FAITH EXPRESSED IN THE EFFICIENCY OF THE NEW DEPARTMENT OF COMMERCE.

Attorney-General Knox, who is known to have prepared the important features of the antitrust bills now enacted into laws, on being asked as to how they were regarded by the Administration, said:

"The legislation affecting the trusts passed at this session of Congress is satisfactory to the Administration, and the prompt response to the President's requests is highly gratifying. A very long stride in advance has been accomplished, and the promises of last fall have been made good."

"The giving and taking of railroad rebates is now prohibited by a law capable of effective enforcement against corporations as well as individuals, and the courts of the United States are clothed with jurisdiction to restrain and punish violations.

#### AUTHORITY TO INVESTIGATE.

"The act creating the Department of Commerce vests in that Department complete authority to investigate the organization and business methods of corporations engaged in interstate and foreign commerce, and to that end to compel the testimony of persons having the desired knowledge. The legislation is concise in its terms, but very comprehensive in its scope. Under its provisions a fair opportunity will be afforded to test the effect upon the tendency toward industrial monopoly of its guaranties of no favors for the great producer against the small one.

"Discretion is lodged in the President as to the publication of facts useful to be publicly known, and a wise administration of the law promises much that is helpful and nothing that is harmful.

#### INSURES DECISIONS.

"The law to expedite the hearing of cases and giving an appeal directly to the Supreme Court from the court of first instance assures within a reasonable time authoritative decisions upon important pending questions, in the knowledge of which future legislation, if necessary, can be confidently framed.

"Upon the whole, the situation is eminently satisfactory, and is the result of concessions, modifications of views, and forms of expressions upon the part of many earnest and thoughtful men, who have endeavored within a very brief session to meet a rational public demand in a rational and effective way."

This statement says:

The legislation affecting the trusts passed at this session of Congress is satisfactory to the Administration, and the prompt response to the President's requests is highly gratifying.

Behold the consummation of this fraud and farce. Morgan has been placated, HANNA and Knox are gratified, and the whole thing is satisfactory to the Administration. The Rough Rider in the White House has lost his spurs, and has put on the conservative habits of Morgan and HANNA. [Laughter and applause on the Democratic side.]

This combination humbug will be exposed. Trusts and monopoly, feeling secure, will continue to furnish the campaign funds for the Republican party and will renew with relentless greed their robbery and oppressions of the people. Nothing effective is intended to be done and nothing effective will be done.

The present relations of the Administration and its lieutenants with the trust magnates and monopolists is so completely demonstrated by the following quotation from the Prophet Isaiah that I will quote it in a moment. Before the election, in their pretended determination to destroy the trusts, they and the trust magnates assumed all the vicious characteristics of the most ferocious animals in their purpose each to destroy the other, but after the election Isaiah describes them in the following language:

The wolf also shall dwell with the lamb, and the leopard shall lie down with the kid; and the calf and the young lion and the fating together; and a little child shall lead them.

And the cow and the bear shall feed; their young ones shall lie down together; and the lion shall eat straw like the ox.

[Laughter.]

Mr. Speaker, this picture expresses in prophetic language the hypocrisy and duplicity of the Republican party; and when the American people learn how completely they have been bunkoed, the party that has always been the friend of the people, the champion of constitutional government, and the enemy of monopoly will be restored to power, and the principles of Jefferson and Jackson will once more come to bless a patient and outraged people. [Loud applause.]

[Here the hammer fell.]

Mr. STEVENS of Minnesota. Mr. Speaker, how much time have I remaining?

The SPEAKER. Nineteen minutes.

Mr. STEVENS of Minnesota. I yield three minutes to the gentleman from Iowa [Mr. LACEY].

Mr. LACEY. Mr. Speaker, I desire to furnish at this time for the RECORD a few facts that ought to go to the country along with the speech of the gentleman from Arkansas [Mr. LITTLE], and which I think apply to the situation more pertinently than Isaiah's prophecies, from which he has read.

In the last session of this Congress, running seven months, we had, in all, 56 roll calls. In the present legislative day, commencing February 26 and ending March 3, we have had now 66 roll calls. [Applause on the Democratic side.] There are upon the Speaker's table 47 measures, House bills with Senate amendments, vainly waiting for action. One of those is to mark the graves of the Confederates who died in the North or who had been buried in cemeteries of the nation. That is a bill which should be near to the hearts of these gentlemen from the South. That lies upon the Speaker's table.

Talk about patriotism! I want to give you just a few actual facts, gentlemen, in order that it may be seen what you are doing—

Mr. RICHARDSON of Tennessee rose.

Mr. LACEY. I can not yield to obstructionists on the other side.

Mr. RICHARDSON of Tennessee attempted to make himself heard.

The SPEAKER. The gentleman from Tennessee is out of order.

Mr. LACEY. Mr. Speaker, we are within—

The SPEAKER. The gentleman from Iowa will pause until order is restored.

Mr. BARTLETT. May I ask the gentleman a question?

Mr. LACEY. I can not yield.

The SPEAKER pro tempore. The gentleman from Iowa declines to yield.

Mr. LACEY. We are within twenty hours of the final falling of the Speaker's gavel. There are forty-seven bills upon the Speaker's table, all awaiting action, and they concern one side of the House as well as the other. At the north end of the Capitol nothing can be done except by unanimous consent. At this end of the Capitol nothing can be done by unanimous consent; obstructionists are running riot. And so, with twenty hours of this Congress remaining, with this amount of business pressing for action, priceless hours are wasted by demands for wholly unnecessary roll calls.

[Here the hammer fell.]

Mr. STEVENS of Minnesota. I yield five minutes to the gentleman from Tennessee [Mr. GAINES]. [Laughter and applause.]

Mr. GAINES of Tennessee. Mr. Speaker, on last Saturday I addressed the House a few moments upon the subject of the sale of the relics that have so long remained as ornaments and delightful reminders in the White House. In that speech my purpose was to call to the attention of the House and country the fact that the relics, or at least some of them, had been sold, and I referred to the fact that certain relics which had been given to General Jackson when President of the United States by Gen. Robert Patterson, of Philadelphia; also certain mirrors, with the faces of distinguished American patriots carved upon the frame; also a certain sideboard given by certain ladies to Mrs. Hayes when lady of the White House, and accepted by Mr. Hayes, then President, all of which had remained with others in the White House until a few days ago, when they were sold—sold, if you please, at an auction house as junk!

My purpose in calling this matter to your attention was in the hope that Congress would immediately take such steps as were necessary to restore these relics to the White House, or cause them to be placed in the Smithsonian Institution or some other equally noted and respected place.

There can be no question but that some of the relics were sold; we know of these three. It is not denied that others were sold. We do not know what relics were sold, nor how many. That they were sold at all is a most shocking thing for Congress and Americans to realize. They should not have been sold at all. If there was no room in the White House for them, they could easily have been placed in public buildings selected by proper authority.

I also adverted to the horrible spirit that would prompt any man, as an individual or as an officer of the American Government, to sell these relics, and I denounced then, as I do now, that spirit that would thus act.

But I must be brief. I do not—you do not—know what relics were sold. If any were sold, we must presume that many or all of them were sold, and my purpose is to find out what were sold. But the Republicans of the House, over the opposition of the Democrats, as a unit voted against and tabled my resolution calling on Colonel Bingham, "the officer in charge" under the law, to make a report and show what had and what had not been sold of these relics.

In the course of the debate it was denied by the distinguished gentleman from Ohio [Mr. GROSVENOR]—I mean in substance denied—that the sideboard given to Mrs. Hayes and accepted by President Hayes while they were occupants of the White House, had been given Mrs. Hayes or that it had been sold.

I desire now to read from the Cincinnati Enquirer, to which I alluded in my speech, by quoting a telegram from John R. McLean, the owner and editor, I believe, of the Cincinnati Enquirer, in which Mr. McLean states, in substance, that it is a fact that the sideboard given Mrs. Hayes is now owned by the proprietor of a Washington brewery, located in the city of Washington, D. C., Joseph M. Frank being the proprietor.

The Enquirer of the 27th ultimo contains an article printed in that paper November 9, 1877, giving a full history of this sideboard, clearly showing from such article that the sideboard now owned by Mr. Frank and purchased by him at this auction sale was the identical sideboard which had been given to Mrs. Hayes and which has been, and remained until sold, in the White House.

A picture was taken of this sideboard, that is now in the Washington brewery, very recently by the Cincinnati Enquirer, and by that enterprising paper published on the 27th ultimo. That picture shows, says the Enquirer, that it is the same sideboard given to Mrs. Hayes some time about 1877, because it compares exactly



with the picture taken of this sideboard by Mr. Fry, who made it and who took a picture of it as it stood in the White House.

I will read now the particular words in the Enquirer on that point, which says:

The accompanying reproduction (that is, the picture recently taken) of the sideboard doing saloon duty shows the identical decorations, establishing conclusively that it is none other than the Hayes sideboard, which, by reason of the exceptionally tedious work done on it, cost a small fortune.

I will now read from the Enquirer of the 27th ultimo, as follows:

**SIDEBOARD MADE FOR WATER BOTTLES, BUT WHICH HAS PASSED TO WASHINGTON SALOONKEEPER, CONSTRUCTED IN THIS CITY FOR MRS. PRESIDENT HAYES—MAGNIFICENT PIECE OF FURNITURE WAS CREATION OF LATE HENRY FRY—"CLIPPING" TELLS STORY.**

The passing from the Presidential mansion to the barroom of a Washington resort of the magnificent sideboard which adorned the dining room of the White House during the time when Mrs. Lucy Webb Hayes was mistress there recently raised a storm of indignation among Woman's Christian Temperance Union members throughout the country, especially in Ohio, where the life work of Mrs. Hayes crystallized about the cause of temperance.

So caustic became criticism that Col. Theodore Bingham, Superintendent of Public Buildings and Grounds at the national capital, instituted an investigation to ascertain if the sideboard sold as related was really the so-called Hayes sideboard. A dispatch to The Enquirer from Washington printed yesterday says in substance that Colonel Bingham has been unable to obtain any substantial evidence that any such sideboard as the one sold to the saloon man ever graced the White House dining room during Mrs. Hayes's time, much less having been presented to her.

**INCONVERTIBLE EVIDENCE.**

That the Colonel's field of investigation was limited is made apparent by incontrovertible evidence found in this city. This is in the form of a clipping from the files of the Enquirer of November 9, 1877, as follows:

**"SUPERB SIDEBOARD—ARTISTIC WORK BY AN OHIO MAN TO ADORN THE EXECUTIVE MANSION AT WASHINGTON.**

"The second piece of beautiful and artistic furniture of the two ordered from Mr. Fry for the dining room of the White House is now completed.

"It is not long since the dining table at which in the future will be seated all that Washington holds of the bravest and fairest of our own and other lands was sent to take place in the Presidential mansion.

"The sideboard, just finished, is a fit companion piece for the table, both as regards its dimensions and workmanship.

"It is made of solid mahogany, that when only polished and oiled retains all the richness of color that makes that wood so beautiful and valuable. It is divided in two unequal portions, the lower being of lesser height than the decorative piece above, yet the dimensions are so admirably proportioned throughout that there is to the entire piece an air of grace as well as massiveness. The lower portion is composed of a row of panels that open into deep compartments. On the center panel is carved the national bird perched in well-satisfied repose; he there represents the satisfaction hospitality brings. On each side of this center panel are a number of others that are carved in floral designs, and those are surrounded by a well-chosen conventional border. The subjects of these panels have been well chosen; the flowers that bloom in all their beauty in this State are beautifully represented, the honeysuckle, convolvulus, rose, lily, oleander, and others.

"On the top piece above these opening panels, imbedded in mahogany, are pieces of ebony whereon are carved in intaglio the coat of arms of the United States. To Uncle Sam alone is to belong this generous and handsome sideboard. The decorative centerpiece is an immense mirror, whose greater dimension is horizontal.

"On each side and disposed very gracefully are the side pieces, quadrangular in shape, and which give for each of three displayed carved panels, one of which, of course, opens. Around the top is a well-executed stamped border of ivy.

"On a similar sideboard the difference in height of the two portions would be too great, but on this immense piece it shows the workmanship to good advantage.

"Some idea of the appearance of this sideboard may be gathered from a statement of the dimensions. It is 9 feet 3 inches in height; from the base to the decorative top it is but 3 feet 10 inches, which leaves 5 feet 5 inches as the height of the graceful centerpiece. At the base it is 8 feet by 6.

"This sideboard, like the table, is the work of Mr. Fry and the younger members of his family, and again it is a source of pride to Cincinnati that a piece of work so meritorious should be ordered from this city, and so successfully."

**A NOTED WOOD CARVER.**

The Mr. Fry referred to in the above article, printed over a quarter of a century ago, was the late Mr. Henry Fry, who ranked among the finest wood carvers this or any other country has ever produced. It was he who, on order from the White House, designed and executed to a great degree the magnificent piece of furniture now doing duty as a saloon ornament.

Mr. William Fry, now a teacher at the Cincinnati Art Museum, remembers well the work of his father on not only the sideboard, but its companion piece above referred to. A stereopticon photo of the White House dining room with the sideboard and table in place, and which is now in possession of Mr. William Fry, shows in every detail the work described when the handsome piece left the hands of its maker.

Then follow the words which I first read.

It is clear to my mind that the sideboard sold and now in the possession of Mr. Frank is the identical sideboard alluded to by the Enquirer of November 7, 1877.

Now, gentlemen, if Colonel Bingham would sell this kind of a relic, what other relics would he sell? What other relics did he sell? Where are they? Who bought them? Should not Congress at once purchase and restore them as property of the United States?

But I have other additional authority showing that this sideboard was sold. I read now from one of the Washington papers, the Washington Mirror, and I may add that I have seen in substance the same statement in other papers of much larger circulation than this paper. The Mirror of February 14 thus reads:

There is another interesting bit of gossip in connection with the White House. President and Mrs. Roosevelt will be the last occupants who can order a wholesale change in the historic home of Executives. The episode

about the Hayes's sideboard has caused certain Senators and Representatives to dive into the records of the past and revive an ancient law, to the effect that nothing may be changed in the exterior or interior of the White House and no furniture belongings sold, unless so ordered by a joint committee of the Senate and the House. In other words, when the President feels that he would like to throw out every object of historic value and allow only those things identified with his own Administration to remain, he will have to inform Congress of this wish and everything which he wishes sold will be submitted to a board of examination.

If this board decides adversely, the President will have to possess his soul in patience, until the time comes when he will not be compelled to act as Congress dictates. Should this law have been unearthed last winter, the White House would be richer in treasures than it is to-day. No reasonable committee would have sanctioned the vandalism which marked the restoration to colonial designs. This word "colonial" is repeated advisedly. The main vestibule is pure classic including the Ionic pillars and Sarcophagi. The East Room is a feeble reproduction of the Throne Room in the Bourbon Palace at Compiègne, and the State Dining Hall is copied from the Chapter Room, by Sir Christopher Wren, at Westminster Abbey.

Only Mr. McKim knows where he found the model for the Blue Room. Perhaps it originated in a bad dream; but certainly nothing like it can be located in the acknowledged models of colonial style. Yet, we are seriously told that it is a colonial restoration. Are the pigeon boxes colonial—and the east entrance which all visitors to the city mistake for a subway station, is this also a reproduction of the homes of the early fathers? Well, perhaps Mr. McKim will get an opportunity to answer all these queries, if the signs of the times prove trustworthy.

Suppose a committee of the House and the Senate should order to be torn from the state dining room the moose head, the deer head, the elk head, the bear head—heads of animals which I understand the President killed, and which now adorn the walls of the White House? Do you suppose the distinguished gentleman would submit to such an order?

Instead of these heads of animals adorning the White House, there should, it seems to me, be hanging the pictures of distinguished Presidents of the White House and the various ladies of the White House, that now hang about the cellar, we are informed.

Think of these heads being stuck up on the walls within the dignified and historic White House, showing the marksmanship of the distinguished President, and the pictures of Dolly Madison, Mrs. Harrison, or, if you please, the present lady of the White House—if such is the case—hanging on the walls of the tunnel through which visitors enter at the rear of the White House.

And here I digress, although I would like to say more, to state that I am informed that the paper recently placed on the walls of the White House is peeling off, that the veneering is cracking—blistering, as it were—coming off and exposing what? pine wood instead of oak wood, required by the contract. An oak-wood price was paid for it, I am told, and now we find pine wood substituted with veneer that is cracking, and I am informed by Philadelphia and New York papers you can place your finger in these cracks. Gentlemen, what else could we expect? This work was done in about ninety days. The act providing for the improvement of the White House passed about the 28th of June, 1902, and the President moved into the White House, and, I believe, gave a reception, on or about October 22, and all this painting, decorating, etc., was done between these two dates.

Could we expect more? Could we expect a first-class job? Yet we have paid something over \$600,000 for the work, and the architect, Mr. McKim, was paid, we are informed, a commission of 5 per cent for his work. These facts I think you should know, and the country should know, that we may, at least in the future, avoid such visitations upon the public, if not the President of the White House.

All these acts are wrong, and I denounce them as such. I appeal to you and I appeal to the country to condemn them. [Loud applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. STEVENS. I yield nine minutes to the gentleman from Pennsylvania [Mr. OLMSTED].

Mr. OLMSTED. Mr. Speaker, within the last few minutes the gentleman from Tennessee [Mr. RICHARDSON] has again reiterated the charge that this House has unseated a member without a quorum. I do not think that charge ought to stand without a refutation upon the RECORD.

Mr. VANDIVER. Do you deny the fact?

The SPEAKER. The gentleman is out of order.

Mr. OLMSTED. I therefore desire to make this statement: One hundred and seventy-seven members, constituting a quorum, must be present, but need not all vote, to make proceedings regular. The previous question having been ordered, upon the motion of Mr. UNDERWOOD, to recommit the resolutions unseating Butler and seating Wagoner, the point of no quorum was made, the doors closed, and absent members brought in. The roll call showed 146 Republicans voting "yea," 12 Democrats voting "nay," and 17 members paired, answering "present."

The Speaker pro tempore noted present also Mr. BANKHEAD. Speaker HENDERSON was present, though not in the chair. This makes a total of 179, two more than a quorum. So the previous question was ordered. The question recurring upon the motion

to recommit, a division (rising vote) was demanded. The "ayes" (Democrats) were 5, "noes" (Republicans) 165. Those paired, of course, did not rise, but were present, as were some Democrats who remained seated. It will be noted that 15 Republicans had come in since the quorum was ascertained. Mr. UNDERWOOD made the point of no quorum, which the Speaker pro tempore, Mr. DALZELL, overruled as dilatory.

This occurred again upon the passage of the respective resolutions unseating Butler and seating Wagoner. Within twenty minutes after the roll call, showing more than a quorum present, a recess was taken until the next morning. The rising vote upon the motion to take the recess showed 173 yeas and 4 nays, a full quorum actually voting, and not including the Speaker, the Democrats who remained seated, nor the Republicans who, being paired, did not rise.

When the Speaker pro tempore, Mr. DALZELL, overruled the point of no quorum as dilatory, the gentleman from Tennessee, Mr. RICHARDSON, who had so far disbanded his army that he had not enough remaining to demand the yeas and nays, exclaimed: "No occupant of the chair ever before did that. It is unjust and unfair." But the RECORD of March 7, 1898, discloses that he was present and heard Speaker Reed three times in that one day, and each time after a division upon which less than a quorum voted, overrule the point of no quorum as dilatory, and once refuse a demand for tellers upon a call for the yeas and nays for the same reason.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I would like to interrupt to ask the gentleman a question.

The SPEAKER. Does the gentleman yield?

Mr. OLMSTED. Not now.

Mr. WILLIAMS of Mississippi. I simply want to know what the gentleman is reading from.

The SPEAKER. The gentleman declines to yield.

Mr. OLMSTED. At least as late as January 25, 1896, he made a similar ruling. On June 5, 1896, in the contested-election case of Martin v. Lockhart, at a stage of the proceedings almost identical, the point of no quorum was overruled by a gentleman so fair as the gentleman from New York [Mr. PAYNE], and in Committee of the Whole, on March 25, 1898, that experienced parliamentarian, Mr. SHERMAN, of New York, made a similar ruling. It appears, therefore, that there was nothing novel nor surprising in the ruling made by the Speaker pro tempore [Mr. DALZELL], and it is plainly evident that there were at least 15 more than a quorum present when the action was taken.

Mr. WILLIAMS of Mississippi. Now, will the gentleman yield?

The SPEAKER. Does the gentleman yield?

Mr. OLMSTED. Yes.

Mr. WILLIAMS of Mississippi. I ask the gentleman what he was reading from?

Mr. OLMSTED. I was reading the best I could from my own handwriting. [Laughter.]

Mr. WILLIAMS of Mississippi. Oh, then, it is not a copy of any record of this House.

Mr. OLMSTED. I am tired also of hearing the statement made that the committee did not carefully consider the evidence in that case. At least four members of the five who signed the report read every page of it, and all of it was considered carefully except the testimony of witnesses upon the point of Mr. WAGONER's nomination, which point was waived by Mr. Butler's counsel.

We heard between ten and twelve hours' oral argument. Mr. Speaker, I regret that there was not more time for consideration and more time for discussion, but it must be remembered that that was the second time the Butler case came before this House at this Congress. Once it was brought up, on June 28, 1902, by Committee on Elections No. 1, of which the gentleman from Ohio [Mr. TAYLER] is chairman, in a case in which he said upon this floor, "I desire here and now, measuring my words deliberately and carefully, to say that of all the other elections which have come to my attention, this was the boldest, the most impudent, and most outrageous election I ever heard of." Mr. Butler was unseated by this House upon that day. That was the first case. Now, to fill the vacancy—

Mr. BARTLETT. May I ask the gentleman—

Mr. OLMSTED. I must decline.

The SPEAKER. The gentleman declines to yield.

Mr. OLMSTED. Now, to fill the vacancy a special election was held November 4, 1902, and Mr. Butler was again returned as elected. Mr. WAGONER promptly presented his memorial here, and this House passed a resolution requiring the testimony to be taken by February 1 and that our committee should immediately proceed to the consideration of the case, hear arguments, and present it in time for the consideration of this House at this session.

We did the best we could. We presented it at the earliest day we could. We were prepared for and hoped to have ample time for deliberation upon this floor; but upon the other side, before

we had even filed our report, we were met with the threat that if that case was decided there should be no further legislation at this session that could be prevented. Having made the report, and it having been printed in the RECORD and laid over one day, the minority caucused and resolved to filibuster to the end of the session if that case were taken up.

There was no partisan advantage to be gained by this Republican House in unseating one gentleman and seating another. It did it simply because it believed it to be right, and because it declined to swerve from the plain line of its duty at the dictation or threat of a partisan minority.

Now, I regret, Mr. Speaker, as I said, that there was not more time for discussion, but it was not our fault. Three hours of the day that might have been devoted to discussion of this case were consumed in preventing us from reaching it. After it was reached I tried by unanimous consent to obtain four hours, the time allowed by the Supreme Court of the United States for the consideration of the most important cases.

Gentlemen upon the other side objected. Then, knowing that we would be met with filibustering and delay until the end of the session, there was nothing for us to do but to demand the previous question at the end of two hours' argument, one hour on either side. Even in that we were far more liberal than gentlemen were upon the other side in the Fifty-third Congress, when in a case coming from this very city they unseated Mr. Joy after twenty minutes' argument on either side, allowing to that gentleman nine minutes in his own behalf.

[Here the hammer fell.]

Mr. STEVENS of Minnesota. I yield the balance of my time to the gentleman from Washington [Mr. JONES].

The SPEAKER. The gentleman is recognized for two minutes, all the time remaining.

Mr. JONES of Washington. Mr. Speaker, I simply desire to say that the bill called up by the gentleman from Minnesota has been very carefully prepared, carefully gone over by the Secretary of War, and all the amendments suggested by him have been adopted. The bill very stringently protects the interests of the Government, and I trust that every member of the House will vote for it.

I yield back the balance of my time.

Mr. STEVENS of Minnesota. I ask for a vote.

The SPEAKER. The question is upon suspending the rules, taking the bill from the Speaker's table, and passing the same.

The question being taken, Mr. RICHARDSON of Tennessee demanded a division.

Mr. STEVENS of Minnesota asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 215, nays 10, answered "present" 15, not voting 110; as follows:

## YEAS—215.

|                |                |                 |                   |
|----------------|----------------|-----------------|-------------------|
| Adams,         | Davey, La.     | Hopkins,        | Mondell,          |
| Alexander,     | Davidson,      | Howard,         | Moody,            |
| Allen, Ky.     | Davis, Fla.    | Howell,         | Moon,             |
| Allen, Me.     | Dick,          | Hull,           | Morgan,           |
| Aplin,         | Dinsmore,      | Irwin,          | Morris,           |
| Ball,          | Dougherty,     | Jack,           | Moss,             |
| Bartlett,      | Douglas,       | Jackson, Kans.  | Mudd,             |
| Bates,         | Dovener,       | Jackson, Md.    | Needham,          |
| Billmeyer,     | Draper,        | Jenkins,        | Neville,          |
| Blackburn,     | Driscoll,      | Jones, Va.      | Nevin,            |
| Blakeney,      | Dwight,        | Jones, Wash.    | Olmsted,          |
| Boreing,       | Eddy,          | Kahn,           | Otjen,            |
| Bontell,       | Elliott,       | Kehoe,          | Overstreet,       |
| Bowersock,     | Emerson,       | Ketcham,        | Padgett,          |
| Bowie,         | Esch,          | Kitchin, Wm. W. | Palmer,           |
| Brandegge,     | Evans,         | Kluttz,         | Parker,           |
| Brantley,      | Feely,         | Kyle,           | Patterson, Pa.    |
| Breazeale,     | Finley,        | Lacey,          | Payne,            |
| Brick,         | Fitzgerald,    | Lamb,           | Pearre,           |
| Bromwell,      | Flanagan,      | Landis,         | Perkins,          |
| Broussard,     | Fletcher,      | Latimer,        | Powers, Me.       |
| Brown,         | Flood,         | Lawrence,       | Randell, Tex.     |
| Brownlow,      | Foerderer,     | Lessler,        | Ransdell, La.     |
| Brundidge,     | Fordney,       | Lester,         | Reeder,           |
| Burk, Pa.      | Fowler,        | Lewis, Pa.      | Reeves,           |
| Burke, S. Dak. | Gaines, Tenn.  | Lindsay,        | Richardson, Ala.  |
| Burkett,       | Gaines, W. Va. | Little,         | Richardson, Tenn. |
| Burleigh,      | Gardner, Mass. | Littlefield,    | Roberts,          |
| Burleson,      | Gardner, Mich. | Lloyd,          | Robinson, Ind.    |
| Butler,        | Gardner, N. J. | Long,           | Rucker,           |
| Candler,       | Gibson,        | Loudenslager,   | Russell,          |
| Capron,        | Gooch,         | McAndrews,      | Ryan,             |
| Cassell,       | Gordon,        | McCall,         | Schirm,           |
| Cassingham,    | Graft,         | McCleary,       | Scott,            |
| Clayton,       | Graham,        | McClellan,      | Selby,            |
| Connell,       | Greene, Mass.  | McCulloch,      | Shackelford,      |
| Conner,        | Grosvenor,     | McLachlan,      | Shallenberger,    |
| Coombs,        | Hamilton,      | McRae,          | Shelden,          |
| Cooper, Wis.   | Hanbury,       | Mahon,          | Showalter,        |
| Cousins,       | Haskins,       | Mahoney,        | Sibley,           |
| Cromer,        | Haugen,        | Marshall,       | Slyden,           |
| Crowley,       | Hay,           | Martin,         | Smith, Ill.       |
| Crumppacker,   | Heatwole,      | Maynard,        | Smith, Iowa       |
| Currier,       | Henry, Conn.   | Mickey,         | Smith, Ky.        |
| Cushman,       | Hill,          | Miers, Ind.     | Smith, H. C.      |
| Dalzell,       | Hitt,          | Miller,         | Smith, S. W.      |
| Darragh,       | Holliday,      | Minor,          | Smith, Wm. Alden  |



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|--|--|---|---|
| Snodgrass,<br>Snook,<br>Southard,<br>Southwick,<br>Sperry,<br>Spight,<br>Steele, | Stevens, Minn.<br>Sulloway,<br>Sutherland,<br>Tawney,<br>Taylor, Ohio<br>Thomas, Iowa<br>Thompson, | Tompkins, N. Y.<br>Vandiver,<br>Van Voorhis,<br>Wachter,<br>Wagoner,<br>Warner,<br>Warnock, | Watson,<br>Weeks,<br>Williams, Ill.<br>Williams, Miss.<br>Wright,<br>Zenor. |
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|   |                          |                                      |            |
|---|--------------------------|--------------------------------------|------------|
| Clark,<br>Kitchin, Claude<br>Lewis, Ga. | Maddox,<br>Pou,<br>Rhea, | Sulzer,<br>Thomas, N. C.<br>Trimble, | Underwood. |
|---|--------------------------|--------------------------------------|------------|

## NAYS—10.

## ANSWERED "PRESENT"—15.

|  |   |  |                                   |
|--|---|--|-----------------------------------|
| Cowherd,<br>Curtis,<br>De Armond,<br>Foster, Vt. | Green, Pa.<br>Johnson,<br>Joy,<br>Mann, | Metcalf,<br>Mutchler,<br>Prince,<br>Sherman, | Sims,<br>Stephens, Tex.<br>White. |
|--|---|--|-----------------------------------|

## NOT VOTING—110.

|   |  |   |   |
|---|--|---|---|
| Acheson,<br>Adamson,<br>Babcock,<br>Bankhead,<br>Barney,<br>Bartholdt,<br>Beidler,<br>Bell,<br>Bellamy,<br>Belmont,<br>Benton,<br>Bingham,<br>Bishop,<br>Bristow,<br>Bull,<br>Burgess,<br>Burnett,<br>Burton,<br>Calderhead,<br>Caldwell,<br>Cannon,<br>Cochran,<br>Conry,<br>Cooney,<br>Cooper, Tex.<br>Corliss,<br>Creamer,<br>Dahle, | Dayton,<br>Deemer,<br>Edwards,<br>Fleming,<br>Foss,<br>Foster, Ill.<br>Fox,<br>Gilbert,<br>Gill,<br>Gillet, N. Y.<br>Gillett, Mass.<br>Glass,<br>Glenn,<br>Goldfogle,<br>Griffith,<br>Griggs,<br>Grow,<br>Hedge,<br>Hemenway,<br>Henry, Miss.<br>Henry, Tex.<br>Hepburn,<br>Hildebrandt,<br>Hooker,<br>Hughes,<br>Jett,<br>Kern,<br>Kleberg, | Knapp,<br>Knox,<br>Lassiter,<br>Lever,<br>Littauer,<br>Livingston,<br>Loud,<br>Lovering,<br>McDermott,<br>McLain,<br>Mercer,<br>Meyer, La.<br>Morrell,<br>Napfen,<br>Newlands,<br>Norton,<br>Patterson, Tenn.<br>Pierce,<br>Powers, Mass.<br>Pugsley,<br>Reid,<br>Rixey,<br>Robb,<br>Robertson, La.<br>Robinson, Nebr.<br>Ruppert,<br>Scarborough,<br>Shafroth, | Shattuc,<br>Sheppard,<br>Skiles,<br>Small,<br>Sparkman,<br>Stark,<br>Stewart, N. J.<br>Stewart, N. Y.<br>Storm,<br>Swann,<br>Swanson,<br>Talbert,<br>Tate,<br>Taylor, Ala.<br>Thayer,<br>Tirrell,<br>Tompkins, Ohio<br>Vreeland,<br>Wadsworth,<br>Wanger,<br>Wheeler,<br>Wiley,<br>Wilson,<br>Woods,<br>Wooten,<br>Young. |
|---|--|---|---|

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was then announced as above recorded.

## PUBLIC GROUNDS.

The SPEAKER laid before the House the following message from the President; which was read, referred to the Committee on Public Buildings and Grounds, and ordered to be printed:

*To the Senate and House of Representatives:*

I transmit herewith reports by the Secretary of State, Secretary of the Treasury, Secretary of War, Attorney-General, Postmaster-General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, and the Commissioner of Fish and Fisheries, in compliance with the following provision of the sundry civil bill approved June 28, 1902:

"The President is hereby requested to cause to be prepared and submitted to Congress at the commencement of its next session a statement showing what lots or parcels of land, other than public lands held for settlement under the public land laws, are owned by the United States and held by the several Executive Departments or other branches of the public service, the area of each, the purposes for which each is held or occupied, in what State, Territory, or country, and in or near what town or city each is located."

THEODORE ROOSEVELT.

WHITE HOUSE, February 28, 1905.

## JEFFERSON MEMORIAL ASSOCIATION.

Mr. LATIMER. Mr. Speaker, I desire to call up the Senate bill 7307.

The SPEAKER. For what purpose?

Mr. LATIMER. To suspend the rules and pass the bill.

The SPEAKER. The gentleman from South Carolina moves to suspend the rules and pass the bill. Any amendments?

Mr. LATIMER. No amendments.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (S. 7307) to provide certain souvenir medallions for the benefit of the Thomas Jefferson Memorial Association of the United States.

*Be it enacted, etc.,* That for the purpose of aiding in the erection at the city of Washington, District of Columbia, of an appropriate memorial to the author of the Declaration of Independence, Thomas Jefferson, the Secretary of the Treasury is hereby authorized to have prepared in the United States mint at Philadelphia four dies for medallions of such design and size as may be designated by the Thomas Jefferson Memorial Association of the United States and approved by him; and he shall have made and struck from these dies such number of medallions out of silver or bronze, not to exceed 150,000, as may be requested by the said memorial association, the net proceeds from the sale of the said proposed medallions to be applied to the fund for the erection of the proposed memorial under the auspices of the said memorial association.

SEC. 2. That the material from which the said proposed medallions are to be made shall be furnished to the director of the United States mint at Philadelphia at the expense of the said Thomas Jefferson Memorial Association of the United States, a body corporate under the laws governing the District of Columbia.

Mr. UNDERWOOD. I demand a second, Mr. Speaker.

The SPEAKER. The gentleman from Alabama demands a second. The Chair will appoint the gentleman from South Caro-

lina [Mr. LATIMER] and the gentleman from Alabama [Mr. UNDERWOOD] to tell the House.

The House divided; and the tellers reported—ayes 47, noes 3.

So a second was ordered.

The SPEAKER pro tempore (Mr. DALZELL). The Chair will recognize the gentleman from South Carolina in favor of the bill and the gentleman from Alabama as opposed to the bill.

Mr. MANN. Mr. Speaker, I wish to make a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. MANN. The gentleman from Alabama is not opposed to the bill, and hence is not entitled to control the time in opposition to the bill.

Mr. UNDERWOOD. Mr. Speaker, my genial friend from Illinois is a mind reader. On every occasion that I have taken the floor he has risen to this point of order; but I desire to state to the gentleman that I intend to vote against this bill. [Laughter.]

The SPEAKER pro tempore. The gentleman recognizes the gentleman from Alabama.

Mr. LATIMER. Mr. Speaker—

Mr. MANN. Mr. Speaker, I ask unanimous consent that this bill may be taken up and considered as passed without a vote.

Mr. UNDERWOOD. Mr. Speaker, I must demand the regular order.

Mr. LATIMER. I do not think it necessary for any statement to be made to the members of this House.

Mr. TAWNEY. Not at all.

Mr. LATIMER. In order to get every vote for a proposition of this kind I think it is only necessary to state in a brief way the object of this bill. [Cries of "Vote!"] Similar bills to this have passed the House frequently in the past; and in the early part of this session a similar bill to this was passed, providing for souvenir medallions in order to aid in building a monument to Washington in Alexandria. The object of this bill is simply to give the Jefferson Memorial Committee, without any cost to the Government, and under the supervision of the Secretary of the Treasury, this form of a souvenir medallion that is to be arranged, and it will cost the Government nothing to strike them off, because the Association proposes to furnish the material out of which they are made.

Mr. PAYNE. Will the gentleman allow me to ask him a question right there?

Mr. LATIMER. Yes, sir.

Mr. PAYNE. As I understand, it is claimed on your side of the House that Thomas Jefferson was the father of Democracy, is it not?

Mr. LATIMER. I am willing to recognize him as such.

Mr. PAYNE. He might not be willing to return the compliment if he was living. [Laughter.] I was going to ask you this further question: If there is not money enough, generosity enough, patriotism enough, and filial love enough to make these people, claiming to be in sympathy with the principles of Jefferson, by voluntary subscription or otherwise, raise a fund for the purpose of erecting a monument to so great a man as Jefferson was, without going into a sort of gift enterprise to raise a fund?

Mr. LATIMER. Mr. Speaker, I can say this to the gentleman from New York, that we are not asking him to contribute one dollar toward this memorial. The Democrats of the country will willingly undertake this enterprise, with such patriotic Republicans as love the memory of Thomas Jefferson. The object of this, as I have said, is simply to give this association an opportunity to raise some money for this great patriotic purpose, and I am willing with that statement to leave it to the House of Representatives. I reserve the balance of my time.

Mr. UNDERWOOD. Mr. Speaker, I yield ten minutes to the gentleman from Missouri [Mr. SHACKLEFORD].

Mr. LATIMER. How much time have I remaining?

The SPEAKER pro tempore. The gentleman has sixteen minutes remaining.

Mr. SHACKLEFORD. Mr. Speaker, I rise in opposition to this bill not because of any demerit or defect in the proposed legislation of which I have any knowledge. My objection is that under the peculiar circumstances that surround us to-day we have not had that proper opportunity to investigate it that we ought to have had. There is no reason, Mr. Speaker, why all the legislation of the session should have been put in pigeonholes and held until the last six days of the session. It is done for what purpose? Simply to gag those who oppose the policies of the dominant party.

A trust bill, for instance, has been brought here under the rule, which compels us to vote upon it as it is presented by the majority. We are compelled to vote for the bill precisely as it is presented by the other party, without an opportunity to discuss it or to offer to amend it.

When you get hold of something that is of no particular importance; when, for instance, you take up the Fowler bill, which you never expected to pass, you give unlimited time for debate.

Now, Mr. Speaker, my opposition comes to-day because of the procedure in this House that denies to representatives of the people a fair opportunity to know what they are doing. Gentlemen on the other side have made the point that we are frittering away the valuable time of this House in its closing days, when we ought to be devoting our attention to the passage of the great bills that must succor and support the Government. Yet, Mr. Speaker, we find the majority on this floor turning aside from these great appropriation bills to wreak their vengeance on the people who dare vote the Democratic ticket.

Why? When only six more days remain, when only six days until the gavel shall fall and this Congress shall go out of existence, even with all these great appropriation bills pending, the animus of the Republicans has been such that they have turned aside from the consideration of these appropriation bills to show their feelings and their animosities and their resentments against our State and our people by taking away from a member of this House the right to a seat upon this floor for six paltry days that yet remain. What great reason calls upon you, as statesmen, to turn aside from the important business which you say so much about, to consider this contested election case? Hurried up, you sent the contestee back to his district to take testimony, and he comes here with twenty-three hundred pages of testimony that you compelled him to take in a very short time, an unprecedentedly short time, and then you refuse to read it.

I have heard it argued here by some gentlemen that that man ought to have been deprived of his seat on general principles; that they had read enough of the evidence to know that he ought to have been deprived of his seat. I heard an intimation a moment ago from the gentleman from Kansas [Mr. MILLER] that the policemen had contributed to the campaign fund that brought about the result of which you complain. That is unqualifiedly false. The policemen of St. Louis did make a contribution to the State committee. Those funds were not contributed to the campaign of Mr. Butler.

Mr. Speaker, you have taken from a member elected by the people his seat. You have seated one to represent the people whom they refused to elect. How have you reached that result? You have done it by forcing this election case here, not as an assault upon Mr. Butler, but an assault upon the sovereign State which I in part represent. Why did you turn him out, and why did you seat the other gentlemen?

Gentlemen of the Election Committee say that fraud was so rampant in that district that they were obliged to disqualify 12,000 sovereign voters of Missouri in order to reach this man and take away from him the six remaining days of his term. Will the gentleman from Pennsylvania [Mr. OLMSTED] say that a patriotic motive moved him when he turned aside in these last closing hours of the session, from the important business of the House, to take away from this man his right to sit here. Fraud! What fraud? The man whom you have seated here, Mr. Speaker, was not nominated by the party which you represent. He could not be nominated by your party in that district. How did he get here?

Mr. VANDIVER. He was nominated by fraud.

Mr. SHACKLEFORD. He was not nominated. Under the laws of Missouri, when a proper number of electors demand to present the name of any person to be voted for as Congressman, they may sign a petition to that effect, and when the requisite number of signatures has been obtained, that man goes upon the ticket as the nominee of those electors. We grant you that, if by some sort of forgery, a man's name should be placed on the ticket, without a single petitioner in his behalf, and he should receive a majority of votes, he could hold his seat. But who will say that in such a case the election was not the result of fraud—base fraud.

How did Mr. WAGONER get upon this ticket? He got upon it by petition; and the signatures to that petition were in large part forged; the men whose names were placed upon that petition were not for him as a nominee for Congress; they never put their names to that petition. The petition was gotten up by forging the signatures of the persons whose names were upon it. Mr. WAGONER's name went upon the ballot and he was voted for by as rank forgery as ever was perpetrated by any thief who ever marauded a bank on a forged check. Does the gentleman from Pennsylvania deny that?

Mr. OLMSTED. Will the gentleman permit?

Mr. SHACKLEFORD. Yes, sir.

Mr. OLMSTED. I ask the gentleman whether the name of Mr. WAGONER was not put on the Australian ballot by the Democratic board of election commissioners of St. Louis?

Mr. SHACKLEFORD. It was. The petition came there with a sufficient number of names; and the election commissioners, intending to do that which was fair and honest—not knowing that the petition was rank forgery—put his name on that ballot. And I want to call attention to some of the testimony.

Mr. OLMSTED. I want to ask whether the gentleman from Missouri knows—

Mr. SHACKLEFORD. I will answer the gentleman's other question first, and then I will yield to him again.

The SPEAKER pro tempore. The time of the gentleman from Missouri [Mr. SHACKLEFORD] has expired.

Mr. UNDERWOOD. I yield the gentleman five minutes more.

Mr. SHACKLEFORD. I want to answer the first question of the gentleman from Pennsylvania. I say that if Mr. WAGONER's name was on that ballot by fraud and forgery, he might have been elected, and might hold his seat. But I also say that if honest votes were cast for Mr. Butler, it was the duty of the gentleman from Pennsylvania as a representative of the people, as an honest man, to ascertain what valid votes were cast for him, and credit him with them and cast out the invalid ones, if any there were, and abide by the result. And if that could not be done within the six days remaining of this session, every intendment ought to have been allowed in favor of the certificate of election; and a man's seat should not be taken from him except upon a fair and honest showing. I say it was the gentleman's duty as an honest representative and an honest man to so treat that case.

I concede that WAGONER's name was upon that ballot, entitled to be voted for, but it got there by forgery—rank forgery. Not only that, but some of the names upon whose petition Mr. WAGONER was placed on that ballot affixed their signatures to it, as the testimony shows, when they were languishing in durance vile, in the common jail of the city of St. Louis. Yet, my Republican brethren, this was the case that the gentleman from Pennsylvania has told you was so reeking with fraud that he must stop all the appropriation bills and important legislation to turn this man out for the six remaining days of his term.

Mr. OLMSTED. May I ask one other question?

Mr. SHACKLEFORD. I want this testimony. Mr. Joseph E. Cross was asked this question:

Did you sign the petition for the candidacy of George C. R. Wagoner for Congress?

He answered, "No, sir."

Also Mr. Taaffe:

Did you sign a petition for the candidacy of George C. R. Wagoner? I have no recollection of ever having signed such a paper.

Abe Gallant:

Q. Did you sign any petition for the candidacy of George Wagoner for Congress?

A. No, sir.

E. H. Burkhardt:

Q. Did you sign a petition for the candidacy of George C. R. Wagoner for Congress?

A. No, sir.

William Burk:

Q. Did you sign a petition for George C. R. Wagoner for Congress?

A. No, sir.

Joseph Friel:

Q. Did you sign a petition for George C. R. Wagoner for Congress?

A. No.

And so on, Mr. Speaker, name after name, name after name, name after name, forgery after forgery, and yet you put Butler out, not because the evidence showed that he ought to go out, but because you say there was so much uncleanness there that in your immaculate purity you wanted somebody to sit with you who was your equal and worthy to associate with you. [Laughter on the Democratic side.]

You turn out a Democrat simply because he is a Democrat and a Democrat who has at his back a majority of 6,000 honest Missouri voters. You turn him out of this little, pitiful remnant of six days, performing, as you say, your "patriotic" duty, that the people of his district may be properly represented! Mr. Speaker, the annals of the American Congress show no parallel of such prejudice and unfairness.

Mr. MILLER. Will the gentleman permit me to ask him a question?

Mr. SHACKLEFORD. Oh, let the gentleman go down and answer to the people of that district whom he has designated jailbirds and bawds.

Mr. MILLER. Does the gentleman decline to answer?

Mr. SHACKLEFORD. Yes; I decline to yield to you. This is this case in a nutshell: What have we done in retaliation? Nothing. We have simply asked you to pass legislation according to the Constitution, and we are called filibusters. Yet when we meet you in the campaign and charge you with sixty days of filibustering in order to nullify the declarations of your own platform and deny to the people of the Western Territories the statehood you promised them, you will justify that sort of filibustering.

We are not filibustering. We are demanding that business here shall be transacted according to the rules of this House and the Constitution of the United States. Is that filibustering?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GROSVENOR. Mr. Speaker, in the early days of the settlement of the section of Ohio where I live the Methodist Epis-



copal Church came first to the occupation of the ground and established a circuit in that neighborhood with some eight or ten appointments. On one occasion, at the close of the Ohio conference, there came a young preacher assigned to duty on that conference. Speaking in the largest town, where he was located for his home, he made the acquaintance of an old class leader, a prominent member of the church. This old gentleman listened to the first sermon of the young preacher. The text was "And Peter's wife's mother lay sick of a fever." The old gentleman listened to the sermon with a great deal of interest, but—

Several MEMBERS on Democratic side. Oh, that is old.  
Mr. GROSVENOR. Yes; that is old; but I will show you how well it fits. It is not much older than your grievances. He went from post to post and appointment to appointment to listen to the young man and see whether he would fill the bill. On every occasion the young man gave out the same text: "And Peter's wife's mother lay sick of a fever." At the last place in the circuit the old gentleman had suggested to him that he would like to hear something brilliant and fine, something apropos of the present situation. He therefore listened with great interest to hear what the text was going to be. The young man gave it out: "And Peter's wife's mother lay sick of a fever." The old man put his head down to that of a brother who was sitting next to him and said: "Oh, Lord! hasn't that old woman died yet?" [Laughter.] Now, it seems to me that that old woman who was disposed of here some days ago ought to be dead.

Yesterday, Mr. Speaker, we passed a bill to prevent the putting of trade-marks upon plugs of tobacco and putting little coupons inside of smoking and cut and dried tobacco packages. We did so because we were afraid that the practice would lead up to immorality. To-day we are proposing to pass a bill based distinctly upon the idea of a gambling performance in order that a monument may be built to a man who is dead. There is no feature against which the Otjen bill inveighs, nor is there one in the whole line of prize performances, that is the equal in point of nonmerit, from the moral standpoint, of this bill that the American Congress is engaged in considering this afternoon, a bill to build a monument to a man who died nearly one hundred years ago.

Mr. PAYNE. May I ask the gentleman a question?

Mr. GROSVENOR. Certainly.

Mr. PAYNE. Does not the gentleman think that since Jefferson has been dead almost one hundred years, and a great party has been claiming his name and has failed so far to build a monument to his memory, that we ought to do a little something for those people?

Mr. GROSVENOR. I think we ought to, but I think the men who cry out that he is their patron saint ought to build a monument. I think the man who drafted the Kentucky resolutions of 1798, and laid the foundation of the superstructure that caused the shedding of the blood of more than 200,000 American citizens, had better have the monument built by the men who admire his career.

Mr. BURLISON. We will do it.

Mr. GROSVENOR. I would not engage in this sort of a nickel-in-the-slot performance, to build a monument to George Washington; and I think it is a most pitiful performance for the Democratic party of the United States to come here, after these roll calls, and demand that the American people shall take the machinery of their Government, their mints and their Treasury, and go into the business of building a monument. Where will you stop if you open the door to this performance? I am opposed to the bill.

[Here the hammer fell.]

Mr. LATIMER. Mr. Speaker, I yield ten minutes to the gentleman from Tennessee [Mr. MOON].

Mr. MOON. Mr. Speaker, having but a moment, I must proceed in media res, and I want to suggest to my venerable friend from Ohio [Mr. GROSVENOR] who has just taken his seat, that if he would follow the precepts of Thomas Jefferson, whom he denounces, and the great statesmen of that era, he would be much more valuable to his country than his career has demonstrated him to be. [Applause on the Democratic side.]

We are becoming cooler since this contest began in the closing days of this session, and I am not here to appeal to the prejudice of any gentlemen in this House. I believe it may be said that never on any occasion have I felt it necessary to make a single partisan utterance in this House, nor have I on the hustings in discussing any public issue. Believing in the principles of Jefferson the Democratic party and its representatives have been ever able to defend them without appealing to the prejudice of section, men, or parties.

This House is proceeding to-day, and it has been from the beginning of this session, in violation of those principles of equality and justice which Jefferson taught, and all just and true men believe in. The gentleman from Iowa [Mr. LACEY] saw fit to refer

to the fact on yesterday that by objecting to unanimous-consent proceedings in this House more than 250 bills had been sidetracked. He referred, I presume, to objections that had been made by myself up to the last few days; for I have been objecting, and fair notice of those objections were given on the 26th of June last, and the reasons therefor, and again on January 13, in this House.

Let us look at this question of legislation by unanimous consent for a moment and see if, as sensible legislators, we ought to proceed in that way.

Mr. MANN. I rise to a point of order. I should like to know whether the gentleman is speaking for or against the proposition.

Mr. MOON. If the gentleman from Illinois—

Mr. MANN. I do not object, because I am willing that the gentleman shall have the benefit of unanimous consent.

Mr. MOON. I do not desire the benefit of unanimous consent. I am speaking to the question that we have all been discussing during the whole of this legislative day since last Thursday. And in reply to the gentleman from Iowa I desire to say that I approve of the defeat of these bills sought to be passed by unanimous consent. I approve of the withholding of unanimous consent, because of the inability of this House intelligently to consider a bill under that process. You are aware, Mr. Speaker, that under the rules as they exist to-day the Speaker gives opportunity first to one and then to another of his friends, and that we come in here and none object, because we fear somebody will object to our bill, and the most pernicious legislation is passed in that way.

Mr. LACEY. I will ask the gentleman a question in this connection.

Mr. MOON. What is the gentleman's inquiry?

Mr. LACEY. I should like to ask a question here.

Mr. MOON. Certainly.

Mr. LACEY. Does not the gentleman think a bill, where there was a mere clerical error in the numbering of a certain section, was a very proper matter to be corrected by unanimous consent instead of requiring two roll calls?

Mr. MOON. Certainly; that is very just. There was no objection to that. My objection went to bills on the Calendar sought to be passed by unanimous consent. No, gentlemen, it is improper for you to invoke legislation by the unanimous-consent proposition. You do wrong to yourselves by this method of considering bills. You do injustice to your country by imposing upon it unjust legislation in this way. If this House can not consider in an orderly and decent way a measure upon the Calendar, it is due to the existence of the code of rules under which you are operating.

Have you not seen in the last six days that if you proceed under the rules—in direct conformity and observance of the rules—that it is utterly impossible for you to pass any legislation expeditiously and wisely in this House? What have you considered? There has been no debate; there has been no consideration; there has been no deliberation, and yet the rules are being rigidly enforced. In a wild flurry you have passed measures that you shall regret. The proceedings of the last six days have demonstrated very clearly the utter impotency of the rules of this House, the utter inability of this House to transact business properly under the rules.

You must give the power to the Speaker, abdicate your positions as Representatives on this floor, destroy those privileges which you have as members, and sit here to register the decree of the gentleman that you put in the Speaker's chair if you do anything under the rules. There is no deliberation; there is no legislation; there is no just and honest representation of the people in such methods. Measures should be put on the Calendar that they may be heard. You should obtain permission of this House alone for a hearing and just consideration of these bills. You must not leave to the Speaker the power of a dictator and vest in the Committee on Rules the duties of a privy council to the dictator. We had as well adjourn and let these gentlemen register their will, and adopt it.

See where you have placed legislation in the last six days, This object lesson has been given to you for the country's good. I believe in the majority controlling; I believe in drastic rules; but I believe they ought to be just. You have, in order to enact legislation at all, been forced to make a rule by which if a gentleman registers his vote in the affirmative it means the action that that vote intends to imply; but if he votes in the negative, you have given a construction previously to that vote and say that it shall mean just what an affirmative vote means and what the voter did not mean, and even more—the passage of a bill without a moment of consideration. How tyrannical! how foolish! how unmanly such conduct!

I have no desire to refer to the partisan contest that has just passed. It has demonstrated a very ugly partisanship in this House and on this floor. I would not say that the distinguished gentleman [Mr. DALZELL] who now occupies the chair and who

made a ruling which I regard as unconstitutional and unjust was a dishonest man, for I believe that he is an honest and patriotic man; but under the pressure of such circumstances, in the absence of a quorum, as shown by the RECORD itself, that gentleman of character and standing, by partisan feeling and partisan rancor and the dominance of an unwise majority, has been forced to violate the Constitution of his country, and you have indorsed it.

You say, however, that you found a justification in something that a Democratic Congress had heretofore done with reference to the same contested district. Maybe the Democrats have done wrong as well as you have on many occasions, but you can not justify a wrong by your majority because a Democratic majority did wrong in this House. The reply is unworthy of the manhood of the Republican party. If ruin and disaster ever befall this country, it will be by reason of the fact that the constitutional rights and liberties of our people on this floor in and out of this House are trampled under foot by the outrages of a partisan majority. [Loud applause on the Democratic side.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MOON. I should like to have about a minute more.

Mr. LATIMER. I yield one minute more to the gentleman.

Mr. MOON. Mr. Speaker, of course I can not discuss this question in a moment, but now, in reference to the complaint of our friends that we are persisting here in a course of obstruction, I desire to say that the unanimous-consent proposition is the obstructive proposition; it is violative of the regular order of the proceedings of this House, and it ought not at any time to be tolerated.

A roll call is not obstruction. That is guaranteed in the Constitution. I believe in the enactment of legislation in this House that no bill ought to be passed except upon a roll call, so that the constituency of these Representatives may know exactly where they stand upon public issues, and that they may not shelter themselves behind a mere rising vote. Can gentlemen on the other side complain of the enforcement of this constitutional provision?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LATIMER. Mr. Speaker, how much time have I left?

The SPEAKER pro tempore. The gentleman has five minutes remaining.

Mr. LATIMER. I yield five minutes to the gentleman from Mississippi [Mr. WILLIAMS].

Mr. WILLIAMS of Mississippi. Mr. Speaker, I am so very sorry I can hardly express it, sorry for his sake that the gentleman from Ohio [Mr. GROSVENOR] should have deserted that old familiar story of the young preacher and Peter's wife's mother and taken resource finally in a diatribe against a man the latches of whose shoes neither he nor I are worthy to so much as dream of untying. [Applause on the Democratic side.] I am sorry, because I love that old anecdote. It is one of the first things I ever became acquainted with and has been constantly presented for my admiration since. It is late in the history of America when a man can stand upon the floor of the House of Representatives and declaim against the author of the Declaration of Independence, against the author of the first act of complete religious freedom that the world ever saw on a statute book. Declaim against him because somebody has asked that the mint of the United States do what this bill requires.

It is late in the day for a man to treat Thomas Jefferson in the attitude of a partisan. I can tell the gentleman that Thomas Jefferson has never had a monument erected to him at the expense of the Government, nor would he have wished it. It would not have been in keeping either with the simplicity or the individualism of his magnificent character. The most splendid monument that can be erected to him is standing now in the graveyard on his old plantation at Monticello, and upon it is inscribed by his own request "Thomas Jefferson born—Thomas Jefferson died—Author of the Declaration of Independence, of the statute of religious freedom for the State of Virginia, and Father of the University of Virginia." [Applause.]

He neglected to have inscribed there that his desire to disseminate information amongst the young who should grow up to mold the destinies of a republic in the future was such that he literally bankrupted himself. But history knows all those things.

Mr. Speaker, what is this bill? Here it is; it is very simple. It is to authorize the Secretary of the Treasury to have prepared in the United States mint at Philadelphia—

four dies for medallions of such design and size as may be designated by the Thomas Jefferson Memorial Association of the United States and approved by him; and he shall have made and struck from these dies such number of medallions out of silver or bronze, not to exceed 150,000, as may be requested by the said memorial association, the net proceeds from the sale of the said proposed medallions to be applied to the fund for the erection of the proposed memorial under the auspices of the said memorial association.

SEC. 2. That the material from which the said proposed medallions are to be made shall be furnished to the director of the United States mint at Philadelphia at the expense of the said Thomas Jefferson Memorial Association

of the United States, a body corporate under the laws governing the District of Columbia.

You have been erecting every day monuments to all sorts of unheard-of obscurities, giving the site and donating the pedestal at public expense; and yet when we come in here and ask this, gentlemen rise, and because the Republican party in its latter days, when it has fallen upon evil times and among evil tongues to defend it, can not stand for what the fathers of the country stood for, can not stand for the man whom Abraham Lincoln, the founder of your own party, almost worshiped, we are met with a partisan diatribe and with the statement that "the Democratic party, if anybody, ought to erect his monument."

The Government will not erect this monument under this bill. These medallions will be sold; they will not cost the Government of the United States a dollar, because the Thomas Jefferson Memorial Association will furnish the material. It is the individualism of Thomas Jefferson that is speaking in this bill, and this monument will be erected, not by the Government, but by those who love him, and nobody except those who love him, whether Democrats or Republicans, will purchase a medallion or will contribute a cent of money. No great magnate will contribute it all. The people will contribute it in small sums.

Mr. STEELE. The gentleman from Ohio said that this was a gift enterprise. Will the gentleman tell us where it is?

Mr. WILLIAMS of Mississippi. It is nothing under the sun like it. When in the Forty-seventh Congress a bill like this was introduced with a view to erect a monument to George Washington, who stood up here and denounced him as a partisan or indulged in this sort of diatribe? There is nothing of a gift character or lottery about it. The bill is just what I have read, and there is a precedent for it, which I have cited.

The SPEAKER pro tempore. The time of the gentleman from Mississippi has expired.

Mr. LATIMER. Now, Mr. Speaker, I call for a vote.

The SPEAKER pro tempore. The question is on the motion to suspend the rules, discharge the Committee of the Whole, and pass the bill.

Mr. UNDERWOOD. Mr. Speaker, I ask for the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 188, nays 2, answered "present" 17, not voting 143; as follows:

YEAS—188.

- |                |                 |               |                   |
|----------------|-----------------|---------------|-------------------|
| Acheson,       | Dick,           | Landis,       | Rhea,             |
| Adams,         | Dinsmore,       | Latimer,      | Richardson, Ala.  |
| Alexander,     | Douglas,        | Lawrence,     | Richardson, Tenn. |
| Allen, Me.     | Driscoll,       | Lesser,       | Rixey,            |
| Ball,          | Dwight,         | Lester,       | Robb,             |
| Bankhead,      | Emerson,        | Lever,        | Robinson, Ind.    |
| Bartholdt,     | Esch,           | Lewis, Pa.    | Rucker,           |
| Bartlett,      | Finley,         | Lindsay,      | Russell,          |
| Bates,         | Fitzgerald,     | Little,       | Selby,            |
| Benton,        | Flanagan,       | Littlefield,  | Shackelford,      |
| Billmeyer,     | Fleming,        | Long,         | Shallenberger,    |
| Blackburn,     | Flood,          | Lovering,     | Sheppard,         |
| Blakeney,      | Fordney,        | McAndrews,    | Showalter,        |
| Boutell,       | Foster, Vt.     | McCleary,     | Sibley,           |
| Bowersock,     | Gaines, Tenn.   | McCulloch,    | Sims,             |
| Bowie,         | Gaines, W. Va.  | McLachlan,    | Slayden,          |
| Brandegee,     | Gardner, Mich.  | McLain,       | Small,            |
| Brantley,      | Gardner, N. J.  | Maddox,       | Smith, Ill.       |
| Breezeale,     | Gibson,         | Mahon,        | Smith, Ky.        |
| Brick,         | Gillet, N. Y.   | Mahoney,      | Smith, H. C.      |
| Bromwell,      | Gillett, Mass.  | Maynard,      | Smith, S. W.      |
| Broussard,     | Glas,           | Mercer,       | Smith, Wm. Alden  |
| Brown,         | Gordon,         | Mickey,       | Snodgrass,        |
| Brundidge,     | Graff,          | Miers, Ind.   | Snook,            |
| Burke, S. Dak. | Greene, Mass.   | Miller,       | Southard,         |
| Burkett,       | Hamilton,       | Minor,        | Southwick,        |
| Burleigh,      | Haskins,        | Mondell,      | Sparkman,         |
| Burleson,      | Haugen,         | Moody,        | Sperry,           |
| Burton,        | Hay,            | Moon,         | Stark,            |
| Candler,       | Hemenway,       | Morris,       | Steele,           |
| Capron,        | Henry, Conn.    | Mudd,         | Stevens, Minn.    |
| Cassingham,    | Hill,           | Neville,      | Suloway,          |
| Clark,         | Hitt,           | Norton,       | Taylor, Ala.      |
| Connell,       | Holliday,       | Olmsted,      | Thomas, Iowa      |
| Coombs,        | Hopkins,        | Otjen,        | Thomas, N. C.     |
| Cooper, Tex.   | Howell,         | Overstreet,   | Thompson,         |
| Cooper, Wis.   | Hull,           | Padgett,      | Tompkins, N. Y.   |
| Corliss,       | Irwin,          | Parker,       | Trumble,          |
| Cousins,       | Jack,           | Perkins,      | Van Voorhis,      |
| Cowherd,       | Jenkins,        | Pierce,       | Warner,           |
| Crumpacker,    | Jones, Va.      | Pou,          | White,            |
| Cushman,       | Jones, Wash.    | Pugsley,      | Williams, Ill.    |
| Dalzell,       | Kahn,           | Randell, Tex. | Williams, Miss.   |
| Darragh,       | Kitchin, Wm. W. | Randell, La.  | Woods,            |
| Davey, La.     | Kluttz,         | Reeder,       | Wright,           |
| Davidson,      | Kyle,           | Reeves,       | Zenor.            |
| De Armond,     | Lacey,          |               |                   |

NAYS—2.

- Grosvenor, Underwood.

ANSWERED "PRESENT"—17.

- |          |               |             |         |
|----------|---------------|-------------|---------|
| Bishop,  | Knapp,        | Schirm,     | Wanger, |
| Burgess, | Loudenslager, | Scott,      | Weeks,  |
| Currier, | Mann,         | Smith, Iowa |         |
| Curtis,  | Needham,      | Tawney,     |         |
| Joy,     | Prince,       | Tirrell,    |         |



NOT VOTING—143.

|             |                |                  |                 |
|-------------|----------------|------------------|-----------------|
| Adamson,    | Eddy,          | Kehoe,           | Robertson, La.  |
| Allen, Ky.  | Edwards,       | Kern,            | Robinson, Nebr. |
| Aplin,      | Elliott,       | Ketcham,         | Ruppert,        |
| Babcock,    | Evans,         | Kitchin, Claude  | Scarborough,    |
| Barney,     | Feely,         | Kleberg,         | Shafroth,       |
| Beidler,    | Fletcher,      | Knox,            | Shattuc,        |
| Bell,       | Foerderer,     | Lamb,            | Shelden,        |
| Bellamy,    | Foss,          | Lassiter,        | Sherman,        |
| Belmont,    | Foster, Ill.   | Lewis, Ga.       | Skiles,         |
| Bingham,    | Fowler,        | Littauer,        | Spight,         |
| Boreing,    | Fox,           | Livingston,      | Stephens, Tex.  |
| Bristow,    | Gardner, Mass. | Lloyd,           | Stewart, N. J.  |
| Brownlow,   | Gilbert,       | Loud,            | Stewart, N. Y.  |
| Bull,       | Gill,          | McCall,          | Storm,          |
| Burk, Pa.   | Glenn,         | McClellan,       | Sulzer,         |
| Burnett,    | Goldfogle,     | McDermott,       | Sutherland,     |
| Butler,     | Gooch,         | McRae,           | Swann,          |
| Calderhead, | Graham,        | Marshall,        | Swanson,        |
| Caldwell,   | Grahn, Pa.     | Martin,          | Talbert,        |
| Cannon,     | Griffith,      | Metcalf,         | Tate,           |
| Cassel,     | Griggs,        | Meyer, La.       | Taylor, Ohio    |
| Clayton,    | Grow,          | Morgan,          | Thayer,         |
| Cochran,    | Hanbury,       | Morrell,         | Tompkins, Ohio  |
| Conner,     | Heatwole,      | Moss,            | Vandiver,       |
| Conry,      | Hedge,         | Mutchler,        | Vreeland,       |
| Cooney,     | Henry, Miss.   | Naphen,          | Wachter,        |
| Creamer,    | Henry, Tex.    | Newlands,        | Wadsworth,      |
| Cromer,     | Hepburn,       | Palmer,          | Wagoner,        |
| Crowley,    | Hildebrandt,   | Patterson, Pa.   | Warnock,        |
| Dable,      | Hooker,        | Patterson, Tenn. | Watson,         |
| Davis, Fla. | Howard,        | Payne,           | Wheeler,        |
| Dayton,     | Hughes,        | Pearre,          | Wiley,          |
| Deemer,     | Jackson, Kans. | Powers, Me.      | Wilson,         |
| Dougherty,  | Jackson, Md.   | Powers, Mass.    | Wooten,         |
| Dovener,    | Jett,          | Reid,            | Young.          |
| Draper,     | Johnson,       | Roberts,         |                 |

So (two-thirds voting in favor thereof) the rules were suspended and the bill was passed.

The following additional pairs were announced:

For the session:

Mr. McCALL with Mr. McCLELLAN.

For balance of session:

Mr. WADSWORTH with Mr. ALLEN of Kentucky.

Until further notice:

Mr. BABCOCK with Mr. NEWLANDS.

Mr. MARSHALL with Mr. ELLIOTT.

Mr. ROBERTS with Mr. STEPHENS of Texas.

Mr. DRAPER with Mr. SULZER.

Mr. CANNON with Mr. McRAE.

Mr. SCHIRM with Mr. CLAUDE KITCHIN.

Mr. POWERS of Massachusetts with Mr. LAMB.

Mr. WANGER with Mr. ADAMSON.

On this vote:

Mr. PALMER with Mr. KEHOE.

Mr. PATTERSON of Pennsylvania with Mr. DAVIS.

Mr. STEWART of New Jersey with Mr. GOOCH.

Mr. SMITH of Iowa with Mr. FEELY.

The result of the vote was announced as above stated.

PUBLIC BUILDINGS.

Mr. MERCER. I desire to present a conference report on House bill 7414, known as the public-buildings bill.

The SPEAKER pro tempore. The report will be read.

Mr. MANN. Mr. Speaker, is it necessary to reserve a point of order on this report at the present time, or should it be made after the reading of the report?

The SPEAKER pro tempore. At any time before the report is debated. The Clerk will read the report.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7414) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 1, 3, 8, 9, 11, 13, 14, 15, 18, 19, 20, 21, 22, 23.

That the Senate recede from its disagreement to the amendments of the House numbered 4, 5, 6, 7, 10, 12, 16, 17, 23, 25, 26, 27, 28, 30, 31, 32, 34, 35, 36, 37, 38, and agree to the same.

That the House recede from its amendment numbered 2, and agree to the Senate provision with an amendment as follows: After the word "dollars," in the last line of the amendment, insert the following: "and authority is hereby given to the Secretary of the Treasury to settle and adjust any claims for damages due to the abrogation of certain contracts under a former appropriation for a public building at Anniston, Ala.: *Provided*, The amount thereof can be liquidated for such sums as, in his opinion, are just and reasonable, and a sum of money sufficient to cover such adjustments and settlements shall be paid from the amount herein authorized;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 24, and agree to the same with an amendment as follows: After the item "United States post-office at East Liverpool, Ohio, \$30,000," insert the following: "*Provided*, That such site shall be deemed to comply with the provisions of this act if bounded on two sides by streets, and on a third side by a public alley and shall contain not less than 13,000 square feet;" and the Senate agree to the same.

That the Senate recede from its disagreement to the amendment of the House numbered 33, and agree to the same with an amendment as follows:

Insert in line 2 of the amendment, after the word "directed," the words "in his discretion;" and the Senate agree to the same.

DAVID H. MERCER,  
CHARLES W. GILLET,  
J. H. BANKHEAD,  
*Managers on the part of the House.*  
CHARLES W. FAIRBANKS,  
GEORGE TURNER,  
*Managers on the part of the Senate.*

The following statement of the House conferees was read:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7414) an act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the House amendments, namely:

1. Increases limit of cost of public building at Jacksonville, Fla., from \$323,881.38 to \$523,881.38.
2. Increases limit of cost of public building at Georgetown, S. C., from \$50,000 to \$65,000. Also increases limit of cost of public building at Anniston, Ala., from \$75,000 to \$150,000, and regulates liquidated damages.
3. Increases limit of cost of public building at Chicago, Ill., from \$4,000,000 to \$4,750,000, a decrease of \$40,000 from the House amendment.
8. Increases limit of cost of public building at Fargo, N. Dak., \$80,000.
9. Increases limit of cost of public building at Elizabeth City, N. C., \$20,000, instead of \$15,000, as provided by the House.
11. Increases limit of cost of public building at Omaha, Nebr., \$5,000.
13. Increases limit of cost of public building at Washington, Pa., \$30,000, instead of \$5,000, as provided by the House.
14. Increases limit of cost of public building at Nashville, Tenn., \$160,000, instead of \$60,000, as provided by the House.
15. Increases limit of cost of public building at Marblehead, Mass., from \$40,000 to \$70,000; also increases limit of cost of public building at Superior, Wis., from \$225,000 to \$300,000.
18. Allows an increase for public building at Amesbury, Mass., of \$10,000 instead of \$2,000, as provided by the House.
19. Limits cost of public building at Sterling, Ill., to \$40,000 instead of \$35,000, as provided by the House.
20. Limits cost of public building at Traverse City, Mich., to \$50,000, instead of \$40,000, as provided by the House.
21. Limits cost of public building at Pierre, S. Dak., to \$170,000, instead of \$100,000, as provided by the House.
22. Limits cost of public building at Yankton, S. Dak., to \$80,000, instead of \$50,000, as provided by the House.
29. Amends section 12 of Public Law 146 with reference to public building at Macon, Ga., increasing the limit of cost to \$156,000.

DAVID H. MERCER,  
CHARLES W. GILLET,  
J. H. BANKHEAD,  
*Managers on the part of the House.*

Mr. MERCER was recognized.

Mr. CANNON. I should like to ask the gentleman from Nebraska [Mr. MERCER] a question.

Mr. MERCER. Certainly.

Mr. CANNON. As I understand, the provisions for the hall of records and for the site south of the Post-Office Department building are retained in this bill?

Mr. MERCER. Yes, sir.

Mr. CANNON. In the language of the House?

Mr. MERCER. In the language of the House, with this change: Add to the provision with reference to the hall of records the words "in his discretion," referring to the Secretary of the Treasury.

Mr. CANNON. Does this bill as now reported appropriate money for these various buildings?

Mr. MERCER. No, sir; there is no appropriation in this bill.

Mr. CANNON. No appropriation for anything?

Mr. MERCER. Nothing.

Mr. CANNON. It will be necessary then, if this is to be available, that appropriations be made?

Mr. MERCER. Yes, sir. [Cries of "Vote!" "Vote!"]

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

The question was put.

The SPEAKER pro tempore. The ayes seem to have it.

Mr. RICHARDSON of Tennessee, and others. Division!

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

The SPEAKER pro tempore (having counted the members in favor of ordering the yeas and nays) said: There are 41 in the affirmative—in the opinion of the Chair, not a sufficient number. Mr. RICHARDSON of Tennessee. I demand that the other side be counted.

The SPEAKER pro tempore (having counted those voting in the negative). Ninety-seven noes. A sufficient number in the affirmative, and the yeas and nays are ordered.

The question was taken; and there were—yeas 205, nays 8, answered "present" 11, not voting 126; as follows:

YEAS—205.

|            |            |                |             |
|------------|------------|----------------|-------------|
| Acheson,   | Bates,     | Brantley,      | Burleson,   |
| Adams,     | Benton,    | Breazeale,     | Burton,     |
| Alexander, | Billmeyer, | Brick,         | Butler,     |
| Allen, Me. | Bishop,    | Brown,         | Calderhead, |
| Aplin,     | Blakeney,  | Brownlow,      | Candler,    |
| Ball,      | Boutell,   | Brundidge,     | Cannon,     |
| Bankhead,  | Bowersock, | Burke, S. Dak. | Capron,     |
| Bartholdt, | Bowie,     | Burkett,       | Cassel,     |
| Bartlett,  | Brandegge, | Burleigh,      | Cassingham, |

|  |  |  |   |
|--|--|--|---|
| Connell,<br>Conner,<br>Coombs,<br>Cooper, Tex.<br>Cooper, Wis.<br>Corliss,<br>Cousins,<br>Cowherd,<br>Cromer,<br>Crowley,<br>Crumpacker.<br>Currier,<br>Cushman,<br>Dalzell,<br>Darragh,<br>Davey, La.<br>Davidson,<br>Davis, Fla.<br>Dick,<br>Dinsmore,<br>Douglas,<br>Dovener,<br>Driscoll,<br>Dwight,<br>Elliott,<br>Emerson,<br>Esch,<br>Evans,<br>Finley,<br>Flanagan,<br>Fleming,<br>Fletcher,<br>Flood,<br>Fordney,<br>Foster, Vt.<br>Fowler,<br>Gaines, Tenn.<br>Gaines, W. Va.<br>Gardner, Mich.<br>Gardner, N. J.<br>Gibson,<br>Gill,<br>Gillet, N. Y. | Gooch,<br>Gordon,<br>Graff,<br>Green, Pa.<br>Greene, Mass.<br>Griggs,<br>Grosvenor,<br>Hamilton,<br>Hanbury,<br>Haskins,<br>Haugen,<br>Hay,<br>Hemenway,<br>Henry, Conn.<br>Hepburn,<br>Hill,<br>Hitt,<br>Hopkins,<br>Howard,<br>Howell,<br>Irwin,<br>Jackson, Kans.<br>Jackson, Md.<br>Jenkins,<br>Jones, Wash.<br>Jones, Va.<br>Joy,<br>Kitchin, Wm. W.<br>Klutz,<br>Knapp,<br>Kyle,<br>Lacey,<br>Landis,<br>Latimer,<br>Lawrence,<br>Lessler,<br>Lester,<br>Lewis, Pa.<br>Lindsay,<br>Little,<br>Lloyd,<br>Long,<br>Loud, | Loudenslager,<br>Lovering,<br>McAndrews,<br>McCleary,<br>McClellan,<br>McCulloch,<br>Maddox,<br>Mahon,<br>Mahoney,<br>Marshall,<br>Martin,<br>Mercer,<br>Miers, Ind.<br>Miller,<br>Mondell,<br>Moody,<br>Moon,<br>Morris,<br>Moss,<br>Mudd,<br>Needham,<br>Norton,<br>Olmsted,<br>Ojten,<br>Overstreet,<br>Palmer,<br>Patterson, Pa.<br>Pearre,<br>Perkins,<br>Pierce,<br>Powers, Me.<br>Ransdell, La.<br>Reeves,<br>Richardson, Ala.<br>Rixey,<br>Robinson, Ind.<br>Rucker,<br>Ryan,<br>Schirm,<br>Scott,<br>Selby,<br>Shackleford,<br>Shallenberger, | Shelden,<br>Sheppard,<br>Showalter,<br>Sibley,<br>Slayden,<br>Smith, Ill.<br>Smith, Iowa<br>Smith, Ky.<br>Smith, H. C.<br>Smith, S. W.<br>Smith, Wm. Alden<br>Southard,<br>Southwick,<br>Sparkman,<br>Stark,<br>Steele,<br>Stevens, Minn.<br>Stewart, N. Y.<br>Sulloway,<br>Sutherland,<br>Swanson,<br>Tate,<br>Tawney,<br>Taylor, Ohio<br>Thomas, Iowa<br>Thomas, N. C.<br>Thompson,<br>Tirrell,<br>Underwood,<br>Vandiver,<br>Vreeland,<br>Wachter,<br>Wagoner,<br>Warner,<br>Weeks,<br>White,<br>Williams, Ill.<br>Williams, Miss.<br>Young,<br>Zenor. |
|--|--|--|---|

|   |   |   |  |
|---|---|---|--|
| Fitzgerald,<br>Mann,  | Payne,<br>Richardson, Tenn.   | Russell,<br>Sims,   | Snodgrass,<br>Snook.   |
| Barney,<br>Burgess,<br>Gillett, Mass.   | Jack,<br>Ketcham,<br>Minor,   | Mutchler,<br>Parker,<br>Sherman,  | Trimble,<br>Warnock.   |
| Adamson,<br>Allen, Ky.<br>Babcock,<br>Beidler,<br>Bell,<br>Bellamy,<br>Belmont,<br>Bingham,<br>Blackburn,<br>Boreing,<br>Bristow,<br>Bromwell,<br>Broussard,<br>Bull,<br>Burk, Pa.<br>Burnett,<br>Caldwell,<br>Clark,<br>Clayton,<br>Cochran,<br>Conry,<br>Cooney,<br>Creamer,<br>Curtis,<br>Dahle,<br>Dayton,<br>De Armond,<br>Deemer,<br>Dougherty,<br>Draper,<br>Eddy,<br>Edwards, | Feely,<br>Foerderer,<br>Foss,<br>Foster, Ill.<br>Fox,<br>Gardner, Mass.<br>Gilbert,<br>Glass,<br>Glenn,<br>Goldfogle,<br>Graham,<br>Griffith,<br>Grow,<br>Heatwole,<br>Hedge,<br>Henry, Miss.<br>Henry, Tex.<br>Hildebrandt,<br>Holliday,<br>Hooker,<br>Hughes,<br>Hull,<br>Jett,<br>Johnson,<br>Kahn,<br>Kehoe,<br>Kern,<br>Kitchin, Claude<br>Kleberg,<br>Knox,<br>Lamb,<br>Lassiter, | Lever,<br>Lewis, Ga.<br>Littauer,<br>Littlefield,<br>Livingston,<br>McCall,<br>McDermott,<br>McLachlan,<br>McLain,<br>McRae,<br>Maynard,<br>Metcalf,<br>Meyer, La.<br>Mickey,<br>Morgan,<br>Morrell,<br>Naphen,<br>Neville,<br>Nevin,<br>Newlands,<br>Padgett,<br>Patterson, Tenn.<br>Pou,<br>Powers, Mass.<br>Prince,<br>Pugsley,<br>Randell, Tex.<br>Reeder,<br>Reid,<br>Rhea,<br>Robb,<br>Roberts, | Robertson, La.<br>Robinson, Nebr<br>Ruppert,<br>Scarborough,<br>Shafroth,<br>Shattuc,<br>Skiles,<br>Small,<br>Sperry,<br>Spight,<br>Stephens, Tex.<br>Stewart, N. J.<br>Storm,<br>Sulzer,<br>Swann,<br>Talbert,<br>Taylor, Ala.<br>Thayer,<br>Tompkins, N. Y.<br>Tompkins, Ohio<br>Van Voorhis,<br>Wadsworth,<br>Wanger,<br>Watson,<br>Wheeler,<br>Wiley,<br>Wilson,<br>Woods,<br>Wooten,<br>Wright. |

NAYS—8.

ANSWERED "PRESENT"—11.

NOT VOTING—126.

So the conference report was agreed to.  
The Clerk announced the following additional pairs:  
Until further notice:

- Mr. BABCOCK with Mr. McDERMOTT.
- Mr. JACKSON of Kansas with Mr. NEVILLE.
- Mr. GRAHAM with Mr. SMITH of Kentucky.
- Mr. ROBERTS with Mr. WILSON.
- Mr. REEDER with Mr. WOOTEN.

For the vote:

- Mr. KETCHAM with Mr. CLAUDE KITCHIN.
- Mr. FOSS with Mr. POU.
- Mr. BROMWELL with Mr. JETT.
- Mr. McLACHLAN with Mr. TRIMBLE.

Until 8 p. m.:

- Mr. JACK with Mr. RHEA.

The result of the vote was announced as above recorded.

POPULATION OF RESERVE CITIES.

Mr. HILL. Mr. Speaker, I present a conference report on the bill (H. R. 7659) to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes, and move the adoption of the same.

The SPEAKER. The gentleman from Connecticut presents a conference report, which the Clerk will read, together with the statement of the conferees.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7659) to amend section 1 of an act entitled "An act to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, and 4.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the word "thirty" inserted by said amendment insert the word "twenty-five," and the Senate agree to the same.

CHARLES N. FOWLER,  
E. J. HILL,  
*Managers on the part of the House.*  
W. B. ALLISON,  
NELSON W. ALDRICH,  
JAMES K. JONES,  
*Managers on the part of the Senate.*

The statement of the House conferees is as follows:

The committee of conference submits the following statement:  
The law now provides that any city having a population of 50,000 can become a reserve city if three-fourths of the banks located therein make application to the Comptroller for that purpose. This bill reduces the requisite population to 25,000.

CHARLES N. FOWLER,  
E. J. HILL.

Mr. HILL. Mr. Speaker, in explanation of the bill, I will state, in the first place, that it has the unanimous support of the Committee on Banking and Currency, that it has been agreed to by the Senate, and is now here for final action. The law at present provides that a reserve city must be a city of not less than 50,000 population. The multiplication of small banks, under the \$25,000 class of the act of March 4, 1900, in the smaller communities in the West and South made it necessary for their convenience that the grading of the reserve cities should be reduced below the population of 50,000 people. It is purely a matter of convenience for the more rural sections of the country.

This bill will have probably no effect along the Atlantic seaboard. The request came from the West and was concurred in fully by our Southern brethren. The whole effect of the bill, and it has absolutely no other effect, is simply to provide that cities of 25,000 population may be reserve cities, where the small banks could go to place their reserve. That is the effect of it. It involves nothing else whatever. I have asked the members of the committee if any of them desired to use the time, and they say "no." Therefore I shall take up another question, unless somebody desires to ask some questions in regard to the bill.

Mr. WILLIAM W. KITCHIN. Mr. Speaker, I would like to ask the gentleman from Connecticut what sized cities this will allow to have reserves.

Mr. HILL. Cities of 25,000 population. I will state that the Senate insisted on cities of 30,000 population. The Banking and Currency Committee first reported 15,000. A compromise was reached of 25,000 population.

Now, Mr. Speaker—

Mr. PAYNE. If the gentleman will yield to me, I want to read a little article in a paper which I think may have some influence upon the passage of this bill, possibly. The item, Mr. Speaker, is from the Louisville Courier-Journal. It is entitled "The minority's mistake."

The filibustering course of the Democrats of the House is ill advised. It may have been well enough to filibuster to prevent the Republicans unseating Butler, but after Butler was unseated the continuance of the filibustering tactics is not justifiable. For the minority of the House to say that there shall be no legislation at all simply because a partisan injustice has been done them by the majority, or the rules of the House perverted in doing it, is neither dignified nor logical. The country has some rights above those of political parties, and among these are the rights to needed legislation. For any party to attempt to deny it this legislation merely out of pique or anger against partisan opponents is an indefensible attitude to take. The impression such action necessarily makes is little short of childish, and its effect is more to injure the party making it than the party against which it is directed.

This comes from a very prominent Democratic paper.

Mr. WILLIAMS of Mississippi. What is the paper?

Mr. PAYNE. The Louisville Courier-Journal. [Loud, derisive cries on the Democratic side.] Possibly the gentleman has heard of the paper, and has heard of the Democracy and the great reputation of the editor of that paper.

Mr. VANDIVER. Will the gentleman yield for a question?

Mr. PAYNE. Why, certainly.

Mr. VANDIVER. Will you read in that connection an editorial from the Washington Post as well as the Louisville Courier-Journal? [Laughter on the Democratic side.]

Mr. PAYNE. No; I do not care to read an editorial of the Washington Post. The Washington Post, according to the latest editorial, has never found out that this special election was held last November—November, 1902—does not seem to know anything about it.



Several MEMBERS on the Democratic side. That is the Star.

Mr. PAYNE. I might go further and say that the editor of that paper, it seems, did not know that in December we asked for a rule to allow this case to be heard, the evidence to be presented and reported to the House in time so that it could be heard before the 4th of March. It has forgotten, evidently, that the Democratic minority filibustered against that rule, evidently with the intention of preventing the opponent of Mr. Butler from coming in here with his evidence until after the 4th of March, under the general law in regard to contested-election cases.

Mr. RICHARDSON of Tennessee. I want to ask the gentleman if he stands by the statement of the editorial from which he read from the Courier-Journal, stating that the minority have attempted to obstruct business and prevent legislation.

Mr. PAYNE. Do I stand upon the statement? Do I stand with this statement?

Mr. RICHARDSON of Tennessee. Have we attempted to obstruct legislation?

Mr. PAYNE. Is there any man with common sense that does not know the truth of that statement? [Loud applause on the Republican side, and cries of "No!" on the Democratic side.]

Mr. RICHARDSON of Tennessee. Then I assume, Mr. Speaker, that the gentleman from New York, when he says that, when he assumes that, knows that we have done nothing of that kind and no man of common sense will make that charge. [Loud applause on the Democratic side.]

Mr. PAYNE. And I would have stated—

Mr. RICHARDSON of Tennessee. We have asked you to legislate within your rules. [Applause on the Democratic side and jeers on the Republican side.]

Mr. PAYNE. I do not yield to the gentleman. I do not know why he continues to interrupt me. I might have gone a little further if I had written this editorial. I would have quoted the language of the editor of the Washington Post, perhaps, attributed to minority Senators, who said the action of the minority of the House here was not only childish, but assinine. [Great laughter and applause on the Republican side.]

That would have been my sentiment; and I would have stood for that statement, too. [Renewed applause on the Republican side.] But I was saying the Post did not know the facts in this case. They did not know that this report came in here, and this evidence, along about the 1st of February. They did not know that the Elections Committee took it up and studied the facts. They did not know the fact that the counsel for Mr. Butler admitted that there was nothing in the evidence justifying the position that Mr. WAGONER was not properly nominated.

Mr. SHACKLEFORD. That is untrue, absolutely untrue. [Loud cries of "Oh!" and great confusion on both sides of the House.]

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 10 o'clock this evening.

Mr. WILLIAMS of Mississippi. I rise to a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from New York moves that the House take a recess until 10 o'clock to-night.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. RICHARDSON of Tennessee. I call for a division.

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

The question was taken on ordering the yeas and nays.

Mr. WILLIAMS of Mississippi. I rise to a parliamentary inquiry.

Mr. CLAYTON. Do business! Do business!

The SPEAKER pro tempore. The yeas and nays are ordered.

Mr. WILLIAMS of Mississippi. A parliamentary inquiry, which is not dilatory, either.

The SPEAKER pro tempore. The House will be in order. The Chair is entitled to hear the gentleman's parliamentary inquiry.

Mr. WILLIAMS of Mississippi. The question I wish to ask is this—

The SPEAKER pro tempore. The Chair can not hear the gentleman for the confusion in the House.

Mr. WILLIAMS of Mississippi. I wish to ask if anybody upon this side had any right to a division of the time that was consumed by the gentleman from New York?

The SPEAKER pro tempore. The gentleman from Connecticut is in charge of the bill.

Mr. WILLIAMS of Mississippi. I understand that. I think the Chair knows that when the gentleman does wish to talk to the bill, then the time is equally divided between the two sides.

The SPEAKER pro tempore. There is no rule on that subject, the Chair will state. The gentleman in charge of the conference report controls the time. The gentleman from Connecticut, when he took the floor, offered to yield time to gentlemen on the other side.

Mr. HILL. Not only that, but prior to taking the floor I went to other members of the committee and asked them if they desired time.

Mr. BARTLETT. Mr. Speaker, the previous question has not been called upon this motion. I rose, and I desire to be recognized.

The SPEAKER pro tempore. The yeas and nays have been ordered upon the motion to take a recess and the division has begun. The Clerk will call the roll.

The question was taken; and there were—yeas 143, nays 57, answered "present" 15, not voting 135, as follows:

## YEAS—143.

|                |                |              |                  |
|----------------|----------------|--------------|------------------|
| Acheson,       | Currier,       | Hildebrandt, | Otjen,           |
| Adams,         | Cushman,       | Hill,        | Overstreet,      |
| Alexander,     | Dalzell,       | Hitt,        | Palmer,          |
| Allen, Me.     | Darragh,       | Holliday,    | Parker,          |
| Aplin,         | Davidson,      | Howell,      | Payne,           |
| Babcock,       | Dick,          | Irwin,       | Perkins,         |
| Barney,        | Dovener,       | Jackson, Md. | Powers, Me.      |
| Bartholdt,     | Draper,        | Jenkins,     | Reeder,          |
| Bates,         | Driscoll,      | Jones, Wash. | Reeves,          |
| Beidler,       | Dwight,        | Joy,         | Roberts,         |
| Bishop,        | Eddy,          | Ketcham,     | Scott,           |
| Blakeney,      | Emerson,       | Knapp,       | Shelden,         |
| Boring,        | Esch,          | Kyle,        | Smith, Ill.      |
| Boutell,       | Evans,         | Lacey,       | Smith, S. W.     |
| Bowersock,     | Fletcher,      | Landis,      | Smith, Wm. Alden |
| Brandegge,     | Foerderer,     | Lawrence,    | Southwick,       |
| Brick,         | Fordney,       | Lessler,     | Steele,          |
| Bristow,       | Fowler,        | Lewis, Pa.   | Stewart, N. Y.   |
| Brown,         | Gardner, Mass. | Littauer,    | Storm,           |
| Brownlow,      | Gardner, Mich. | Long,        | Sulloway,        |
| Burke, Pa.     | Gardner, N. J. | Lovering,    | Sutherland,      |
| Burke, S. Dak. | Gibson,        | McCleary,    | Tawney,          |
| Burkett,       | Gill,          | Mahon,       | Taylor, Ohio     |
| Burleigh,      | Gillet, N. Y.  | Marshall,    | Van Voorhis,     |
| Burton,        | Graff,         | Martin,      | Vreeland,        |
| Butler,        | Graham,        | Miller,      | Wachter,         |
| Calderhead,    | Greene, Mass.  | Minor,       | Wadsworth,       |
| Cannon,        | Grosvenor,     | Mondell,     | Wagoner,         |
| Capron,        | Hamilton,      | Moody,       | Warner,          |
| Cassel,        | Hanbury,       | Morgan,      | Warnock,         |
| Connell,       | Haskins,       | Morris,      | Watson,          |
| Conner,        | Haugen,        | Moss,        | Weeks,           |
| Coombs,        | Heatwole,      | Mudd,        | Woods,           |
| Cousins,       | Hedge,         | Needham,     | Wright,          |
| Cromer,        | Hemenway,      | Nevin,       | Young,           |
| Crumpacker,    | Hepburn,       | Olmsted,     |                  |

## NAYS—57.

|              |                 |                   |                 |
|--------------|-----------------|-------------------|-----------------|
| Adamson,     | Elliott,        | Lever,            | Sheppard,       |
| Bankhead,    | Feely,          | Lindsay,          | Sims,           |
| Bartlett,    | Finley,         | McAndrews,        | Snodgrass,      |
| Benton,      | Fitzgerald,     | Maddox,           | Snook,          |
| Billmeyer,   | Flanagan,       | Mahoney,          | Sulzer,         |
| Bowie,       | Flood,          | Miers, Ind.       | Thompson,       |
| Breazeale,   | Gaines, Tenn.   | Moan,             | Trimble,        |
| Burleson,    | Gaines, W. Va.  | Padgett,          | White,          |
| Candler,     | Gooch,          | Pierce,           | Wiley,          |
| Clark,       | Griggs,         | Randell, Tex.     | Williams, Ill.  |
| Clayton,     | Hay,            | Richardson, Tenn. | Williams, Miss. |
| Cooney,      | Johnson,        | Robinson, Ind.    | Zenor.          |
| Cooper, Tex. | Jones, Va.      | Rucker,           |                 |
| Davis, Fla.  | Kitchin, Wm. W. | Russell,          |                 |
| De Armond,   | Lester,         | Ryan,             |                 |

## ANSWERED "PRESENT"—15.

|                |            |                |               |
|----------------|------------|----------------|---------------|
| Burgess,       | Green, Pa. | Patterson, Pa. | Showalter,    |
| Crowley,       | Jack,      | Schirm,        | Smith, Iowa,  |
| Curtis,        | Mann,      | Shackelford,   | Thomas, Iowa. |
| Gillett, Mass. | Metcalf,   | Sherman,       |               |

## NOT VOTING—135.

|              |                 |                  |                 |
|--------------|-----------------|------------------|-----------------|
| Allen, Ky.   | Gilbert,        | McCall,          | Shafroth,       |
| Ball,        | Glass,          | McClellan,       | Shallenberger,  |
| Beil,        | Glenn,          | McCulloch,       | Shattuc,        |
| Bellamy,     | Goldfogle,      | McDermott,       | Sibley,         |
| Belmont,     | Gordon,         | McLachlan,       | Skiles,         |
| Bingham,     | Griffith,       | McLain,          | Slayden,        |
| Blackburn,   | Grow,           | McRae,           | Small,          |
| Brantley,    | Henry, Conn.    | Maynard,         | Smith, Ky.      |
| Bromwell,    | Henry, Miss.    | Mercer,          | Smith, H. C.    |
| Bronssard,   | Henry, Tex.     | Meyer, La.       | Southard,       |
| Brundidge,   | Hooker,         | Mickey,          | Sparkman,       |
| Bull,        | Hopkins,        | Morrell,         | Sperry,         |
| Burnett,     | Howard,         | Mutchler,        | Spight,         |
| Caldwell,    | Hughes,         | Naphen,          | Stark,          |
| Cassingham,  | Hull,           | Neville,         | Stephens, Tex.  |
| Cochran,     | Jackson, Kans.  | Newlands,        | Stevens, Minn.  |
| Conry,       | Jett,           | Norton,          | Stewart, N. J.  |
| Cooper, Wis. | Kahn,           | Patterson, Tenn. | Swann,          |
| Corliss,     | Kehoe,          | Pearre,          | Swanson,        |
| Cowherd,     | Kern,           | Pou,             | Talbert,        |
| Creamer,     | Kitchin, Claude | Powers, Mass.    | Tate,           |
| Dahle,       | Kleberg,        | Prince,          | Taylor, Ala.    |
| Davey, La.   | Kluttz,         | Pugsley,         | Thayer,         |
| Dayton,      | Knox,           | Ransdell, La.    | Thomas, N. C.   |
| Deemer,      | Lamb,           | Raid,            | Tirrell,        |
| Dinsmore,    | Lassiter,       | Rhea,            | Tompkins, N. Y. |
| Dougherty,   | Latimer,        | Richardson, Ala. | Tompkins, Ohio  |
| Douglas,     | Lewis, Ga.      | Rixey,           | Underwood,      |
| Edwards,     | Little,         | Robb,            | Vandiver,       |
| Fleming,     | Littlefield,    | Robertson, La.   | Wanger,         |
| Foss,        | Livingston,     | Robinson, Nebr.  | Wheeler,        |
| Foster, Ill. | Lloyd,          | Ruppert,         | Wilson,         |
| Fox,         | Loud,           | Scribner,        | Wooten.         |
|              | Loudenslager,   | Selby,           |                 |

So the motion to take a recess was agreed to.

The Clerk announced the following additional pairs:  
Until further notice:

Mr. SOUTHWARD with Mr. GORDON.  
Mr. BROMWELL with Mr. CASSINGHAM.  
Mr. SHOWALTER with Mr. LATIMER.  
Mr. SCHIRM with Mr. CLAUDE KITCHIN.  
Mr. SCOTT with Mr. BRUNDIDGE.  
Mr. MANN with Mr. JETT.  
Mr. FOSTER of Vermont with Mr. POU.  
Mr. PATTERSON of Pennsylvania with Mr. RICHARDSON of Alabama.

Until 11 o'clock p. m.:  
Mr. THOMAS of Iowa with Mr. SLAYDEN.

On this vote:  
Mr. HENRY of Connecticut with Mr. BROUSSARD.

Until 7.30 p. m.:  
Mr. SMITH of Iowa with with Mr. STARK.

The result of the vote was announced as above recorded. Accordingly (at 6 o'clock and 57 minutes p. m.) the House took a recess until 10 o'clock p. m.

The recess having expired, the House (at 10 o'clock p. m.) resumed its session.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I make the point of no quorum present. By actual count there are less than 100 men on the floor.

Mr. PAYNE. I demand the yeas and nays on the pending question.

The SPEAKER. The gentleman from New York demands the yeas and nays on the pending question, which is on agreeing to the conference report.

Mr. RICHARDSON of Tennessee. I make the point of no quorum.

The SPEAKER. The question is upon ordering the yeas and nays, and a quorum is not required on that question.

Mr. RICHARDSON of Tennessee. I submit to the Speaker a point of order, that there is no quorum present, and I submit that point to be acted upon by the Chair when I make it.

The SPEAKER. It does not require a quorum. It is not necessary to have a quorum to order the yeas and nays. The Chair has already made that ruling.

Mr. RICHARDSON of Tennessee. I have counted the House, and there are less than 100 members present, and we have been in recess for three hours. I make the point of no quorum present.

Mr. PAYNE. Who appointed the gentleman to count the House?

The SPEAKER. The gentleman from New York demands the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. As many as favor agreeing to the conference report will, when their names are called, vote "aye," those opposed will vote "no," and the Clerk will call the roll.

The question was taken; and there were—yeas 204, nays 18, answered "present" 11, not voting 117: as follows:

YEAS—204.

|                |                |              |                   |
|----------------|----------------|--------------|-------------------|
| Acheson,       | Crumpacker,    | Hill,        | Morgan,           |
| Adams,         | Currier,       | Holliday,    | Morrell,          |
| Adamson,       | Cushman,       | Howard,      | Morris,           |
| Alexander,     | Dahle,         | Howell,      | Mudd,             |
| Allen, Me.     | Dalzell,       | Hull,        | Needham,          |
| Applin,        | Darragh,       | Irwin,       | Nevin,            |
| Babcock,       | Davis, Fla.    | Jenkins,     | Norton,           |
| Bartholdt,     | Dinsmore,      | Johnson,     | Olmsted,          |
| Bates,         | Douglas,       | Jones, Va.   | Otjen,            |
| Billmeyer,     | Dovener,       | Kahn,        | Overstreet,       |
| Bishop,        | Draper,        | Kehoe,       | Padgett,          |
| Boreing,       | Eddy,          | Ketcham,     | Palmer,           |
| Boutell,       | Elliott,       | Knapp,       | Parker,           |
| Bowie,         | Emerson,       | Kyle,        | Patterson, Pa.    |
| Brandegge,     | Esch,          | Lamb,        | Payne,            |
| Breazeale,     | Finley,        | Latimer,     | Perkins,          |
| Brick,         | Fitzgerald,    | Lawrence,    | Powers, Me.       |
| Bristow,       | Flanagan,      | Lessler,     | Pugsley,          |
| Bromwell,      | Fletcher,      | Lever,       | Randell, Tex.     |
| Brown,         | Flood,         | Lewis, Pa.   | Ransdell, La.     |
| Brownlow,      | Foster, Vt.    | Lindsay,     | Reeder,           |
| Burke, S. Dak. | Fowler,        | Littlefield, | Reeves,           |
| Burkett,       | Gaines, Tenn.  | Lloyd,       | Richardson, Ala.  |
| Burleigh,      | Gardner, Mass. | Long,        | Richardson, Tenn. |
| Burton,        | Gardner, N. J. | Loud,        | Rixey,            |
| Butler,        | Gibson,        | Loving,      | Roberts,          |
| Calderhead,    | Gilbert,       | McAndrews,   | Robinson, Ind.    |
| Caldwell,      | Gillet, N. Y.  | McCall,      | Ryan,             |
| Candler,       | Gooch,         | McCleary,    | Shallenberger,    |
| Capron,        | Gordon,        | McClellan,   | Shattuc,          |
| Cassel,        | Graff,         | McClellan,   | Shelden,          |
| Cassingham,    | Graham,        | Maddox,      | Sheppard,         |
| Connell,       | Greene, Mass.  | Mahon,       | Sibley,           |
| Conner,        | Grosvenor,     | Mahoney,     | Sims,             |
| Cocombs,       | Hamilton,      | Marshall,    | Slayden,          |
| Cooper, Wis.   | Haskins,       | Martin,      | Small,            |
| Corliss,       | Hay,           | Mercer,      | Smith, Iowa       |
| Cousins,       | Hedge,         | Miller,      | Smith, Ky.        |
| Cowherd,       | Hemenway,      | Minor,       | Smith, H. C.      |
| Cromer,        | Henry, Conn.   | Mondell,     | Smith, S. W.      |
| Crowley,       | Hepburn,       | Moody,       |                   |

|                  |                |                 |                |
|------------------|----------------|-----------------|----------------|
| Smith, Wm. Alden | Stewart, N. J. | Thomas, Iowa    | Wanger,        |
| Snodgrass,       | Stewart, N. Y. | Thompson,       | Warner,        |
| Snook,           | Sulloway,      | Tirrell,        | Warnock,       |
| Southwick,       | Sulzer,        | Tompkins, N. Y. | Wheeler,       |
| Sparkman,        | Sutherland.    | Trimble,        | Wiley,         |
| Sperry,          | Swann,         | Underwood,      | Williams, Ill. |
| Stark,           | Swanson,       | Van Voorhis,    | Wooten,        |
| Steele,          | Tawney,        | Vreeland,       | Wright,        |
| Stephens, Tex.   | Taylor, Ohio   | Wachter,        | Young,         |
| Stevens, Minn.   | Taylor, Ala.   | Wagoner,        | Zenor.         |

NAYS—18.

|            |                 |             |               |
|------------|-----------------|-------------|---------------|
| Bartlett,  | Dougherty,      | Kluttz,     | Russell,      |
| Benton,    | Green, Pa.      | Little,     | Shackleford,  |
| Burleson,  | Griggs,         | McRae,      | Thomas, N. C. |
| Clayton,   | Jackson, Kans.  | Miers, Ind. |               |
| De Armond, | Kitchin, Wm. W. | Rucker,     |               |

ANSWERED "PRESENT"—11.

|                |              |         |            |
|----------------|--------------|---------|------------|
| Burgess,       | Hildebrandt, | Prince, | Sherman,   |
| Gillett, Mass. | Joy,         | Rhea,   | Wadsworth. |
| Goldfogle,     | Mann,        | Schirm, |            |

NOT VOTING—117.

|              |                |                  |                 |
|--------------|----------------|------------------|-----------------|
| Allen, Ky.   | Dick,          | Jett,            | Powers, Mass.   |
| Ball,        | Driscoll,      | Jones, Wash.     | Reid,           |
| Bankhead,    | Dwight,        | Kern,            | Robb,           |
| Barney,      | Edwards,       | Kitchin, Claude  | Robertson, La.  |
| Beidler,     | Evans,         | Kleberg,         | Robinson, Nebr. |
| Bell,        | Feely,         | Knox,            | Ruppert,        |
| Bellamy,     | Fleming,       | Lacey,           | Scarborough,    |
| Belmont,     | Foerderer,     | Landis,          | Scott,          |
| Bingham,     | Fordney,       | Lassiter,        | Selby,          |
| Blackburn,   | Foss,          | Lester,          | Shafroth,       |
| Blakeney,    | Foster, Ill.   | Lewis, Ga.       | Shawalter,      |
| Bowersock,   | Fox,           | Littauer,        | Skiles,         |
| Brantley,    | Gaines, W. Va. | Livingston,      | Smith, Ill.     |
| Broussard,   | Gardner, Mich. | Loudenslager,    | Southard,       |
| Brundidge,   | Gill,          | McCulloch,       | Spight,         |
| Bull,        | Glass,         | McDermott,       | Storm,          |
| Burk, Pa.    | Glenn,         | McLain,          | Talbert,        |
| Burnett,     | Griffith,      | Maynard,         | Tate,           |
| Cannon,      | Grow,          | Metcalf,         | Thayer,         |
| Clark,       | Hanbury,       | Meyer, La.       | Tompkins, Ohio  |
| Cochran,     | Haugen,        | Mickey,          | Vandiver,       |
| Conry,       | Heatwole,      | Moss,            | Watson,         |
| Cooney,      | Henry, Miss.   | Mutchler,        | Weeks,          |
| Cooper, Tex. | Henry, Tex.    | Naphen,          | White,          |
| Creamer,     | Hitt,          | Neville,         | Williams, Miss. |
| Curtis,      | Hooker,        | Newlands,        | Wilson,         |
| Davey, La.   | Hopkins,       | Patterson, Tenn. | Woods.          |
| Davidson,    | Hughes,        | Pearce,          |                 |
| Dayton,      | Jack,          | Pierce,          |                 |
| Deemer,      | Jackson, Md.   | Pou,             |                 |

So the conference report was agreed to.

The following additional pairs were announced:

Until further notice:

Mr. JACK with Mr. RHEA.  
Mr. BLAKENEY with Mr. SPIGHT.  
Mr. DICK with Mr. ROBERTSON of Louisiana.  
Mr. EVANS with Mr. BRANTLEY.  
Mr. ACHESON with Mr. BALL.  
Mr. DRISCOLL with Mr. HENRY of Texas.  
Mr. GILL with Mr. COOPER of Texas.  
Mr. FOSS with Mr. TATE.  
Mr. CURTIS with Mr. BURGESS.

On this vote:

Mr. LACEY with Mr. LEWIS of Georgia.

Mr. MORRELL with Mr. REID.

The result of the vote was then announced, as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 1488. An act for the relief of T. A. Woodress;  
H. R. 15802. An act for the relief of certain homestead settlers in the State of Alabama;  
H. R. 17026. An act granting a pension to Jerome W. Turner; and

H. R. 17085. An act to effectuate the provisions of the additional act of the international convention for the protection of industrial property.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 7414) to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes.

The message also announced that the Senate had passed with amendment bill of the following title in which the concurrence of the House was requested:

H. R. 11937. An act granting to the Hawaii Ditch Company, Limited, the right of way over public lands in the districts of North and South Kohala, in the island of Hawaii, for the purpose of constructing and maintaining ditches or canals and the necessary reservoirs, dams, and the like, for irrigation and domestic purposes in said districts.



## CIVIL APPOINTMENTS OF PERSONS FROM MILITARY OR NAVAL SERVICE.

Mr. GROSVENOR. Mr. Speaker, I move to suspend the rules and discharge the Committee on Reform in the Civil Service from the further consideration of the bill (H. R. 18105) to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of persons honorably discharged from the military or naval service, and pass the bill.

The SPEAKER. The gentleman from Ohio calls up the bill H. R. 14105, moves to suspend the rules, and discharge the Committee on Reform in the Civil Service, and pass the bill. The Clerk will read the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That section 1754 of the Revised Statutes of the United States be amended so as to read as follows:

"SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness, and officers and enlisted men who served in the armies or navies of the United States between April 12, 1861, and August 25, 1865, being honorably discharged therefrom, shall be preferred for appointment to and retention in civil offices and employments: *Provided,* They are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments."

SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

Mr. GILLETT of Massachusetts and Mr. UNDERWOOD demanded a second.

Mr. SULZER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. SULZER. I would like to be informed whether this is the Senate bill or the House bill?

The SPEAKER. It is a House bill.

Mr. SULZER. Why not pass the Senate bill which has already passed the Senate?

Mr. GROSVENOR. I did not know there was a Senate bill.

Mr. SULZER. I understand there is.

Mr. GROSVENOR. As far as I know, there is no Senate bill.

The SPEAKER. The Chair has no knowledge on that subject; there is no Senate bill on the Speaker's table.

Mr. GROSVENOR. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

Mr. UNDERWOOD. I object.

The SPEAKER. The Chair will appoint as tellers the gentleman from Ohio, Mr. GROSVENOR, and the gentleman from Alabama, Mr. UNDERWOOD.

The House divided; and the tellers reported—ayes 109, noes 12. So a second was ordered.

The SPEAKER. The Chair will recognize the gentleman from Ohio in favor of the bill and the gentleman from Massachusetts [Mr. GILLETT] in opposition to it.

Mr. GROSVENOR. Mr. Speaker, this is a bill which has been pending in Congress during all of the present Congress, having been introduced a second time to correct an error in April, 1892. It is called the "Preference bill," a measure which was asked for by the members of the Grand Army of the Republic, which is broad in its operation, benefiting the officers and enlisted men who served in the Army and Navy of the United States during the civil war, and such as were discharged in any service by reason of wounds, etc.

The bill was referred to the Committee on Reform in the Civil Service and has never been reported back from that committee. This is a motion to discharge that committee and pass the bill. This bill was before the House of Representatives something like two years ago, but there was an amendment put into it that was considered unfortunate, and the result of it was that the bill was not passed. It was opposed by myself and others who felt that injustice was being done to the soldiers of the Grand Army in that way.

This is a measure that will have no very great benefit, because, necessarily, under the limitation that these men must have the efficiency and proficiency required by the rules of the civil service, makes it impossible that any very considerable number of the old Army shall be benefited by it; but it will be a token of good will, it will be a message of confidence and comfort to these men, and as such, I earnestly hope this House will pass it. [Applause.]

In the closing days of this House it will be well for us if we can send this message to these men, and another message to the Mexican pensioners, and, again, send a token of good will in the form of the Foraker bill to mark and decorate the graves of the Confederate soldiers buried from the Northern prisons and hospitals. [Applause.]

Mr. ROBINSON of Indiana. Mr. Speaker, I am in favor of this bill, but I should like to ask the gentleman from Ohio this question: This bill having been introduced eleven months ago, and there now being only thirteen hours before the close of this Congress, why is it that this matter has not been attended to before?

Mr. GROSVENOR. I do not desire to stir up any bad blood here to-night.

Mr. ROBINSON of Indiana. Oh; this will not do that.

Mr. GROSVENOR. I am a man of peace always—under all circumstances.

Mr. ROBINSON of Indiana. What hope is there that the bill will pass the Senate now, if it passes this House?

Mr. GROSVENOR. I can only hope that a measure of such manifest justice will go through the Senate without delay.

Mr. ROBINSON of Indiana. If the Senate should delay the bill eleven months, as the committee having it in charge in this House has delayed it, and as the majority of this House has delayed it, what hope has the gentleman that the bill will be passed and become a law, so that we may "send out this message," as the gentleman says, to the old soldier?

Mr. GROSVENOR. Well, we must do the best we can—that is our duty; and if we are obstructed by a committee here and by the Senate there that is no reason why we should shirk our duty in so manifest a way as we would if we should refuse to pass this bill.

Mr. ROBINSON of Indiana. But you have shirked your duty for eleven long months by delaying this meritorious measure.

Mr. GROSVENOR. I have never shirked my duty for eleven long minutes; I have pursued it with a zeal and constancy equal to the quest of the Holy Grail.

Mr. ROBINSON of Indiana. Well, I congratulate the gentleman on that; but his colleagues on that side have not given their cooperation in favor of this bill.

Mr. GROSVENOR. If my friend from Indiana and his colleagues will only help in the measure now it may be a sufficient reparation for all that is past.

Mr. GRIGGS. I should like to ask the gentleman a question. This bill refers to "officers and enlisted men who served in the Armies or Navies of the United States between April 12, 1861, and August 25, 1865." Why should it not extend up to date?

Mr. GROSVENOR. Well, there is really no necessity for that. The young men who served in the Spanish war do not require any aid of this character. They are able to take the examination; but these men must stand their chances with the others.

Mr. GRIGGS. I will say to the gentleman that if he will extend the time to the present date I will vote for the bill.

Mr. GROSVENOR. By the law as it stands the veterans of the Spanish war are allowed 15 per cent advantage in their examination.

Mr. GRIGGS. Why not give them the same privilege extended to soldiers who served between 1861 and 1865?

Mr. GROSVENOR. I am trying to do this much. I should be glad, if it were practicable, to do all that the gentleman suggests.

Mr. GRIGGS. If the gentleman will permit me, I will ask unanimous consent to extend the provisions of the bill to the present date.

Mr. GROSVENOR. This is a motion to suspend the rules.

Mr. GRAHAM. I wish to ask the gentleman from Ohio how this measure affects the apportionment of the various States. Will it interfere with the apportionment?

Mr. GROSVENOR. It does not affect it at all.

Mr. GARDNER of Massachusetts. I should like to ask the gentleman from Ohio how the present law gives 15 per cent advantage to a veteran of the Spanish war, or any other veteran, in the examinations?

Mr. GROSVENOR. Because that is the law.

Mr. GARDNER of Massachusetts. The law, Mr. Speaker, gives 5 per cent advantage, and it applies—

Mr. GROSVENOR. Well, there is a difference of opinion on that point. One gentleman says 15 per cent, and another says 5 per cent. I do not care how the fact may be. I am willing to make it 7½ per cent if that will satisfy the gentleman.

Mr. GARDNER of Massachusetts. The advantage to which the gentleman refers is on account of wounds or disability incurred in the line of service, and it amounts to 5 per cent only. There is the same advantage under the present law for the veteran of the Spanish war as for the veteran of the civil war.

Mr. GROSVENOR. I have not yielded for a speech. The gentleman from Massachusetts is totally mistaken as to what this bill provides. Let me read it, and I ask him to listen as I read it, with the proper punctuation. This bill applies only to—

Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness.

That is one class. If they never got into a battle—if they never were in actual service, if they were stricken with sickness—it applies to them. And then we have this language:

And officers and enlisted men who served, etc.

That takes in all of them. The gentleman from Massachusetts is entirely mistaken.

Mr. GRIGGS. Will the gentleman permit me—

Mr. GROSVENOR. I will not consider the subject of amendment. I can not afford to do that. I reserve the balance of my time.

The SPEAKER. The gentleman reserves the balance of his time. The gentleman from Massachusetts [Mr. GILLETT] is recognized in opposition to the bill.

Mr. GILLETT of Massachusetts. Mr. Speaker, it is, of course, unpleasant and unpopular to oppose a bill like this which appeals so to one's sentiment. But, however it may be in this House, I think in my district my opinions and actions are known so well that no one will attribute my opposition to any lack of regard or of gratitude to the veterans of the civil war.

I do not think, however, the way for us to show our regard or gratitude is by passing this bill. We owe the soldiers of the war liberal pensions. We owe them much, and are giving them homes for their old age when they are needy; but we ought not to pension them indirectly in this manner to deteriorate the civil service, and that is what this bill clearly does.

Mr. TAWNEY rose.

Mr. GILLETT of Massachusetts. I will yield to the gentleman later, but not for a moment or two. This clearly does that, because it is now forty-two years since the civil war broke out, and we know that although there are some men who between 60 and 70 years of age retain their full vigor and capacity—and we see illustrations of them numerous in this House—yet they are men of originally extraordinary vigor; they are men who have both the intellectual and physical strength which generally are combined in successful men.

The gentleman who offers this bill is a good illustration. At the same time we notice that those same gentlemen here sometimes taunt each other about senility, although we appreciate that that is meant as a joke and is entirely unwarranted in fact. But we all do know that as men approach their seventieth year they have not the capacity for entering into a new clerical service and perform it as well and alertly as the men of 27, which is the average age under the civil-service appointments.

Mr. TAWNEY. Will the gentleman permit an interruption now?

Mr. GILLETT of Massachusetts. No; not for a moment. I will in a moment or two, but I wish to finish this thought now—because everybody knows that men as they approach their seventieth year can not compete with young men in a new and clerical service to which they are unaccustomed, and each year their work is not apt to improve.

Now, what to-day is burdening our civil service? What to-day is the complaint against it—the main object for attack by its opponents? It is superannuation. The enemies of civil service say that the main trouble to-day with that service is that it is full of old men, and yet this bill injects into the service men from 60 years of age upward to the preference of all others. That certainly will deteriorate the public service.

Now, Mr. Speaker, I will yield to the gentleman from Minnesota.

Mr. TAWNEY. Mr. Speaker, the gentleman from Massachusetts just said that this bill proposes to pension, in effect, the old soldiers.

Mr. GILLETT of Massachusetts. Indirectly.

Mr. TAWNEY. I will ask the gentleman if it is not a fact that if this bill becomes a law no old soldier can be appointed unless he passes the civil-service examination.

Mr. GILLETT of Massachusetts. Yes.

Mr. TAWNEY. Now, the Civil Service Commission fixes a minimum requirement?

Mr. GILLETT of Massachusetts. Yes. I will ask the gentleman not to use too much of my time, but ask his question.

Mr. TAWNEY. They must meet that requirement?

Mr. GILLETT of Massachusetts. Yes.

Mr. TAWNEY. If they pass the civil-service examination, which is the requirement fixed by law, how, then, are we pensioning them if we give them the preference right or require that they shall be certified in preference to those who may be above them on the eligible roll?

Mr. GILLETT of Massachusetts. Why, I do not think the gentleman could have listened to what I was saying.

Mr. TAWNEY. I did.

Mr. GILLETT of Massachusetts. Because the reason is that they decrease in efficiency as they approach 70 years of age.

Mr. TAWNEY. Ah, but do they not meet the requirements of the law?

Mr. GILLETT of Massachusetts. Yes; but every year, instead of keeping up the requirement, they are going to deteriorate. Now, to-day the departments are full of old men; it is the weakness everyone admits and criticises, and each year, if you admit mainly men over 60, it will grow worse. That, it seems to me, is an objection to this bill which ought to prevail, because it necessarily increases the very objection which is now made to our civil

service. Then there is this further objection: It seems to me that this is wrong in principle, because if it should apply to veterans of the civil war it should apply to the veterans of every war. The same principle applies to one as to the other. If a man who serves his country in war is entitled to preference to office, then every man who serves his country in any war is entitled to it.

Mr. BROMWELL. May I ask the gentleman a question?

Mr. GILLETT of Massachusetts. Certainly.

Mr. BROMWELL. As the law now stands there is a preference given to the soldiers of the civil war who were separated from the service by reason of wounds or sickness.

Mr. GILLETT of Massachusetts. Yes.

Mr. BROMWELL. That is correct?

Mr. GILLETT of Massachusetts. Please do not tell me what the law is, but ask me a question.

Mr. BROMWELL. That is correct, is it not?

Mr. GILLETT of Massachusetts. Certainly.

Mr. BROMWELL. What I want to ask the gentleman is this: Would it not improve the service if, instead of the soldiers who have been crippled or diseased being given this preference alone, it be extended to those who were not separated from the service by reason of disease or wounds, but who are healthy, able-bodied, and sound, physically and mentally? Will not this bill result in improvement?

Mr. GILLETT of Massachusetts. Why, Mr. Speaker, the gentleman, of course, put in that interjection not as a question, because I have already answered it, but in order to make his remarks. Of course it will not. The very objection which I have suggested, of the age of all these men, is enough of itself to involve filling the civil service with men from 60 years old up.

Mr. BARTLETT. Will the gentleman yield?

Mr. GILLETT of Massachusetts. No; I will not yield for a moment. I will take a minute or two myself. Moreover, this bill accomplishes very little good compared with the evil it accomplishes, because the very few men who can get into the service, compared with the hundreds of thousands of veterans who can not get into the service, will do the veterans very little good, and at the same time those few, compared with the few hundreds which annually enter the civil service, are enough to seriously affect the service.

So that this bill effects very little comparative good to the men it is meant to help, but it effects great comparative evil to the service.

And there is one other reason why it ought not to pass. That is because, as I say, it establishes a precedent that if the soldier of one war goes in, the soldier of every war ought to go in. And in the future the Spanish-war veteran can say with perfect logic, "If the veteran of the civil war is allowed a preference because he fought for his country, why am I not allowed that same preference because I fought for my country?"

Mr. GREEN of Pennsylvania. Will the gentleman allow a question?

Mr. GILLETT of Massachusetts. Yes; I will yield.

Mr. GREEN of Pennsylvania. It seems to me the gentleman's logic is rather funny. Will not the logical result of this bill, if it passes, be to establish a precedent that will eventually bring the Spanish war veterans into the same line as the veteran of the civil war?

Mr. GILLETT of Massachusetts. Of course, that is logically so.

Mr. GREEN of Pennsylvania. Then why do you not vote for this bill if you are speaking for the Spanish war veterans?

Mr. GILLETT of Massachusetts. I am not speaking for the Spanish war veterans. I am speaking for the service.

The SPEAKER. Does the gentleman yield to the gentleman from Georgia?

Mr. GILLETT of Massachusetts. How much time have I, may I ask, Mr. Speaker?

Mr. BARTLETT. I want to ask the gentleman a question in reference to this bill. The bill contains a proviso providing if "they," the veterans, "are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments."

Will the gentleman tell me under this bill what methods are used to ascertain if they have the necessary business requirements?

Mr. GILLETT of Massachusetts. I can not tell the gentleman. That is a matter of business administration. I yield three minutes to the gentleman from Texas [Mr. SLAYDEN].

Mr. SLAYDEN. Mr. Speaker—

The SPEAKER. How much time does the gentleman yield?

Mr. GILLETT of Massachusetts. Three minutes.

Mr. SLAYDEN. Mr. Speaker, as I understand the provisions of this bill, it will disturb the present method of apportioning the civil offices among the several States of the Union. It will "shut the door of hope"—if I may be permitted to steal that phrase from the Executive—to every man who was not old enough to render service during the civil war.



There can be no good reason, it seems to me, why this law should be passed. The ample provisions that have been made for the care and comfort of the old soldier will certainly justify this Congress in giving its attention, occasionally at least, to the welfare of the other citizens of the country.

As I understand the provisions of this bill, Mr. Speaker, it will also make it possible for any man who had one day of service in the armies of the United States during the periods therein defined, by passing an examination and attaining a mark of 65 out of 100, to take precedence in appointment over a man of superior capacity, who may, for example, have obtained a marking of 95.

That, Mr. Speaker, will disturb and impair the public service; and I appeal to gentlemen on this side of the House to record their votes in such a way upon this measure as will preserve to their constituents an equal opportunity to that which is offered to other citizens of the country. I yield back the balance of my time to the gentleman from Massachusetts.

Mr. GILLETT of Massachusetts. I yield three minutes to the gentleman from Massachusetts [Mr. GARDNER].

Mr. GARDNER of Massachusetts. Mr. Speaker, I was exceedingly interested to hear from the gentleman from Ohio of the kind messages which are to go out from this House. I want to know what the message is we are sending to the Spanish war veterans.

If this bill is passed now in its present form, it will do great injustice to the Spanish war veterans. If the principle is a good one, and I am not arguing that it is, to extend the preference in our civil service to the old soldier, it should be extended to every old soldier who has offered his life for his country in time of war. [Applause.]

No one in this House knows better than I, Mr. Speaker, that the Spanish war veterans are only the shadow cast by the Grand Army of the Republic on its march toward the setting sun. No one knows better than I that to most of us has not been given the splendid privilege of facing the bullets of the enemy in the stricken field, but to many of the veterans of the civil war to whom this bill would apply that same opportunity has been denied. Yet the Spanish war veterans know, too, what it means to pass through the Valley of the Shadow of Death.

Some of them have faced the bullets of the enemy, and all of them have faced the disease and fever of the putrid camp. There is not one of them but knows what it means to see the bodies of his comrades borne to their last long home and the mourners going about the company street. Why, Mr. Speaker, should you deny to one man the meed that you accord to another, a man of greater opportunities, but no greater patriotism.

Mr. Speaker, I ask unanimous consent to propose an amendment to this bill.

The SPEAKER. The gentleman from Massachusetts asks unanimous consent to have an amendment to this bill considered. Is there objection?

Mr. WILLIAMS of Mississippi. If it is the character of amendment he has indicated, I object.

The SPEAKER. The Chair could not hear the gentleman.

Mr. GARDNER of Massachusetts. I will read my amendment—

The SPEAKER. The time of the gentleman from Massachusetts has expired.

Mr. GILLETT of Massachusetts. Mr. Speaker, I yield the gentleman one minute more.

Mr. GARDNER of Massachusetts. My amendment is, "Insert after the words 'eighteen hundred and sixty-five,' in line 11, the words 'or between April 22, 1898, and August 13, 1898,'" so as to apply not only to officers and enlisted men who served in the armies and navies of the United States between April 12, 1861, and August 25, 1865, but also to the soldiers who served between April 22, 1898, and August 13, 1898.

The SPEAKER. Is there objection to considering this amendment as pending with the bill?

Objection was made by Mr. GROSVENOR, Mr. WILLIAMS of Mississippi, and Mr. GRIGGS.

Mr. GILLETT of Massachusetts. I would like to ask the gentleman from Ohio if more than one gentleman is going to close for the bill?

Mr. GROSVENOR. Mr. Speaker, how much time have I remaining?

The SPEAKER. The gentleman has eleven minutes.

Mr. GROSVENOR. I will yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, this is a very meritorious bill, one that will do justice to the veterans of the civil war. I am in favor of it. I want to see it pass unanimously. It should have passed long ago. Those responsible for the failure of this just measure will regret it in the days and years to come.

Now, my friends, all that this bill does is to give a preference—a very slight preference—to the soldiers and sailors of the Union

who fought for our country between 1861 and 1865—to the men who saved the Union and made us all that we are and all that we hope to be. Now, what is that preference? It is a preference in the civil service that exists to-day in almost every State of the North. It is a preference to make the law of the land simply say that where in a civil-service examination, all things being equal among those competing in that examination, the soldier or the sailor of the Union during the civil war, who has been honorably discharged and who is in every other way thoroughly capable and well qualified, shall have the preference in appointment to office and retention in the same. That is all this bill does. That is the whole thing in a nutshell. It is fair and it is just. I believe in that, and I hope this bill will now pass this House without a dissenting vote.

Let me say here again what I have often said before, that I am now, ever have been, and always expect to be the true and the sincere friend of the men who saved our country in the greatest hour of its peril. We owe them a debt we can never pay. They are entitled to our everlasting gratitude, and gratitude, my friends, is the fairest flower that sheds its perfume in the human heart. [Applause.] Let us be grateful lest we forget. My sympathy will always be with the brave boys who went to the front in the greatest crisis in all our country's history. [Applause.]

Now, Mr. Speaker, we are in the dying hours of the Fifty-seventh Congress. It is nearly midnight, and to-morrow at noon we will adjourn sine die. This bill has been in Congress for years. How is it, I ask, that it never passes? Why is it always put off until the final hours? I know it will pass this House now, but too late, I fear, to reach the Senate and pass there. A very similar bill was defeated in this way in the closing hours of the Fifty-sixth Congress. It is the old, old story of broken promises—promises made to the ear and broken to the hope. The Republicans do not keep faith with the Union veterans. How much longer can they be fooled? I hope the fate of this bill will open their eyes and cause them to think.

The subject-matter of this bill, sir, was introduced in this House on the 2d day of December, 1901. From that day to this it has slept in a Republican committee of this House. H. R. 14105, now before the House, was introduced April 29, 1902. Appeal after appeal, effort after effort, has been made by the friends of the measure to get it reported, but without avail. Who has been responsible? The Republicans. And I ask if this bill fails to become a law at this time, who must take the responsibility? The Republicans. How much longer will you deny the just demands of the old veterans? How much longer must they wait—and wait in vain? Republicans, you must answer.

Let us keep our word. Let us be just and make this bill a law. It is not yet too late. The Republican leaders in this House and in the Senate can do so if they are sincere and mean what they say. I am with the veterans, and I am opposed to fooling them. It is late, but if we act quickly it is not too late. Republicans, in the name of justice, in the name of gratitude, will you do it? These grand old battle-scarred veterans are not asking much. There is little, very little, that we can do now or hereafter to fittingly repay the heroic soldiers and sailors of the Union. They deserve much. What they did will never perish. I say again, I have always been with them, and what is more, I always will be with them so long as I live. [Applause.]

The ranks of the Grand Army are thinning out. Call the illustrious roll to-day and the silence tells the story. In a few years they will be no more. As the years come and go they are getting fewer and fewer, and we all know the time is not far distant when the old soldier and sailor of the Union will be a sacred memory of the past. But, sir, while they are here, while the few yet live, I say, let us give them the preference in the same spirit that they gave their lives, their blood, their fortunes, and their best efforts for the safety, the greatness, and the perpetuity of our glorious Union in the mightiest struggle in war that ever shook the world. [Applause.]

I believe, Mr. Speaker, my Democratic colleagues are with me in my efforts to do justice to the veterans of the civil war. I am glad to know this, and I am surprised, sir, to hear my friend from Massachusetts [Mr. GARDNER] compare the soldiers and the sailors of the greatest civil strife in the history of the world with the soldiers on dress parade during the Spanish-American war. [Laughter.] That war was a ninety-day affair—a military holiday. The Spaniards were not in it at all. Why, everybody wanted to go. I believe, to the Spanish-American war—

Mr. WACHTER. Did you?

Mr. SULZER. Yes, my benighted friend; I wanted to go very badly. [Laughter.] The Republicans, however, wouldn't let me. They were afraid I might come back. [Laughter.] The records of this House, and at Albany, N. Y., and in the War Department here, will tell the story if my friend will look them up. I organized a regiment in New York City to go to that war, but I was not permitted to muster it in by either a Republican

governor of New York or a Republican President, presumably on account of my politics. [Applause.] Oh, yes; I wanted to go mighty bad, but I was forced to stay at home and fight Spain in Congress by the Republican governor of the State of New York. [Laughter.] He thought at that time that I might come back and be a candidate in 1898 for governor [laughter], but he was watching the wrong man; another citizen of New York State also organized a regiment and got it mustered in, and he came back and succeeded Frank S. Black as governor, and that man is now President Roosevelt. Brother Black had his eye on the wrong man, and history is different—but my friend can read all about it in the archives of his country. Now, my friends, I think we all agree that there is no comparison between the terrific struggle from 1861 to 1865 and the Spanish-American war. When I look back upon the war with Spain it pales into insignificance in comparison with the former mighty conflict. Sometimes now I really feel sorry for Spain, although you all know I was one of the chief members here who from 1895 to 1898, in season and out of season, never failed to denounce Spain and demand the freedom of Cuba. [Applause and laughter.]

But, Mr. Speaker, thrashing Spain was a good deal like a giant kicking a cripple. We should not crow too much about it. History will set it all right, and give every man his true place in that momentary international triumph of American arms on land and sea.

Mr. SIMS. Have you forgotten Funston?

Mr. SULZER. Not at all; Funston is swimming along all right. [Laughter.]

But, sir, Thackeray—that great master of English diction—once upon a time was constrained to facetiously remark—that “comparisons are odious.” Now, I am not a Thackeray, and it is not my purpose to make comparisons between the soldiers of this war or the soldiers of that war. They all did their duty. They were all brave soldiers. They were all true Americans. They all loved their country and were willing to die that it might live and triumph.

I am a friend of the Spanish-American war veterans. No braver men ever faced a foe. Their glory will live while our history is a memory, and the work they did for struggling liberty in Cuba and for humanity in Porto Rico will ever be an imperishable monument to their valor, their heroism, and their glory. They, too, deserve our help, our consideration, and our eternal gratitude. Feeling about this matter as I do—speaking from my heart—and imbued with the sentiments I now express, I would like to see the veterans of the Spanish-American war stand side by side with the old guard of the civil war in this bill, and I say for one here that I will vote for such an amendment with as much pleasure as I shall vote for this bill. But whether this amendment is adopted now or not, it is bound to come in the next Congress, and the time will soon be at hand when every soldier and every sailor of the Republic who can show an honorable discharge, no matter in what war he fought, will stand on an equal footing before the law of the land in regard to preferences in civil appointments.

Now, sir, I am for this bill with all my heart. Let us pass it and hurry it over to the Senate and pass it there ere we adjourn. If we pass it here and let it die in the Senate it will do no good, but cause sadness and disappointment to thousands and thousands of the bravest men the world has ever seen. I say to the gentlemen on the other side of this Chamber that if this bill fails to become a law during this Congress, they will be held responsible for its defeat. How will you ever be able to explain why you left it in the committee for fifteen months, and now, on the eve of adjournment, move to discharge the committee from further consideration and try to pass it under a suspension of the rules, when you know it is so late in the session that it is extremely improbable if it can pass the Senate? The responsibility is yours. If this bill dies in the Senate, the Republican party kills it. Soldiers and sailors of the Union, remember this.

The SPEAKER. The time of the gentleman has expired.

Mr. SULZER. Mr. Speaker, I ask leave to print, in connection with my remarks, some data.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. SULZER. The report in 1900 of the committee on legislation for veterans in public service, made at Chicago, was as follows:

*To the Thirty-fourth National Encampment,  
Grand Army of the Republic, greeting:*

COMRADES: The committee on legislation for veterans in public service, appointed by the commander in chief, submit the following report. Regrettably, but necessarily so, it is one of progress:

#### PROGRESS REPORTS.

Progress reports are not always satisfactory, particularly if they concern a subject that has been hammered at, unsuccessfully, for twenty years; especially so when hard, earnest, devoted work for simple justice to war veterans during all those years produces little or no effect on those who make our laws.

Less than forty years ago the Armies and Navy of the Republic, through their great leaders, began to make progress reports. These latter, representing an unparalleled sacrifice of life and health and limb to men and of suffering to women and children, borne without murmur or complaint during four years of cruel war, did not partake of the idea “how not to do it.” The paramount issue then was the Union. There was no dispute about that. To meet it no sacrifice was regarded too great.

The progress reported from the battle line finally gave satisfactory assurance to the American people at home that war would cease and peace come again. This result was reached. When the struggle ended the issue was settled right, and settled forever. The Union was saved, our nation made forever free, and joy reigned throughout the land.

But what of the survivors of those who wrought out so much for free government and humanity? Has there been any such hope for them as Appomattox gave to the people? Have they been remembered? Have their material interests been regarded; and if not, why? The pathway is strewn with promises. Alas! Promises made to the ear, but broken to the hope; and hope deferred maketh the heart sick. “Twas ever so.

As the result of war, two obligations were incurred. One was financial. It required money, principal and interest, to liquidate this. And the promise to pay was well kept. The other was sacrifice. To be canceled by gratitude. Not in eloquent words, but acts. To care for him who had borne the battle, the widows and orphans of the fallen, and to suitably recognize those who survived. How? Pensions to those who deserved them; a reasonable preference in the public service to those who were worthy and sought needed employment. This in justice. In incurring this obligation of sacrifice, a national debt was created. None more sacred. In settling it, political considerations have no rightful share. Such sacrifice was above all politics. Gratitude is ever a paramount issue.

#### A SAD REFLECTION.

In the light of our present greatness as a leading power in the affairs of the world, the history of free government in America, having its origin with the liberty-loving pilgrim fathers who landed at Plymouth Rock, embodied and emphasized in the Declaration of Independence, fought for to success in the Revolution, and made absolutely secure in the sixties, the cause continually progressing—and ever in blood and sacrifice while the battle raged—some self-evident facts are apparent. It must not be forgotten that into the four years of 1861-65 were crowded four centuries of human progress of an advanced civilization. A just payment of one obligation to those who did this and still survive is long past due.

Yet a sad reflection is found for us in the knowledge we have, as representatives of the survivors of those who fought for union and freedom and liberty successfully then, that thirty-five years after that war closed committees of this body are still reporting progress concerning an important matter. The fulfillment of a promise involving not a dollar of appropriation, but to which the honor and good faith of the people were then pledged, ever since unredeemed.

Even now history is repeating itself. What we have experienced of neglect and indifference for many years others are now finding out. Young men who served in the war with Spain, in Cuba and in the Philippines, are walking the streets seeking employment from door to door. And finding it not. Is this right?

Looking over the debates of the Congresses there can be found many kind words spoken for the soldier and sailor, but absolutely nothing in way of statutory law insuring to those who enter the military or naval service in times of war—serving until the end of their terms of enlistment or the close of hostilities, being honorably discharged—a reasonable preference in the public service in times of peace. Pensions, yes. Will any American urge that any meager pittance as a pension doled out compensates loss of manhood—the manhood that was ready to sacrifice life itself, voluntarily, in battle, in order that the Republic might survive—and the inherent desire to earn bread by labor? Perish the thought! We will not believe it.

#### THE PREFERENCE BILL.

Early in the Fifty-sixth Congress, viz, December 6-7, 1899, in order to carry out the expressed wishes of the thirty-third national encampment, Grand Army of the Republic, held at Philadelphia, a bill was introduced by Mr. THOMAS C. PLATT, of New York, in the Senate (S. 283), and by Mr. JAMES A. TAWNEY, of Minnesota, in the House (H. R. 2583). The loyal service of both these gentlemen commands our admiration, and they well deserve your thanks. In the Senate it was referred to the Committee to Examine the Several Branches of the Civil Service, of which Mr. Jonathan Ross, of Vermont, is chairman, and in the House to the Committee on Reform in the Civil Service, of which Mr. FREDERICK H. GILLET, of Massachusetts is chairman. Its text was as follows:

“A bill in reference to the civil service and appointments thereunder.

“Be it enacted, etc., That in every Executive Department of the United States Government, and in each and every branch thereof, whether reached by competitive or noncompetitive examinations under the civil-service laws (in which case the rules and regulations affecting the same shall so provide), honorably discharged soldiers, sailors, or marines, who served as such between April 12, 1861, and August 23, 1865, shall be certified and preferred for appointment to and retention in employment in the public service, and for promotion therein; age, loss of limb, or other physical impairment which does not in fact incapacitate, shall not disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved. And persons thus preferred shall not be removed from their position except for good cause, upon charges and after a hearing.

“SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.”

The language was identical with S. 3256, which had passed the Senate, but failed of consideration in the House, though favorably reported thereto, in the Fifty-fifth Congress. Both in Senate and House, bills of similar import were introduced by others. Among these, H. R. 5773, by Mr. JACOB H. BROMWELL, of Ohio. This latter, accompanied by a report by Mr. CHARLES B. LANDIS, of Indiana, was the one reported to the House.

#### IN THE SENATE.

Senate bill 283 was reported back with an amendment, March 22, 1900, the Senate Committee inserting after the words “sixty-five,” the following in italics: *or in the recent war with Spain or in the Philippine Islands, they being otherwise duly qualified, etc.* (as in the original bill).

Your committee, through personal interviews and by correspondence with nearly every member of the Senate committee, endeavored to secure a modification of the amended bill by striking out the word *and* and prefacing the other italicized words with the following, in small caps: **AND FIRST AFTER VETERANS OF THE CIVIL WAR, THOSE WHO SERVED, etc.** (as in the amended bill). But they would then listen to nothing. Mr. HOAR, of Massachusetts, and Mr. FORAKER, of Ohio, insisted that the amendment should remain as it was. The bill passed the Senate in the form reported, May 13, and the chairman of your committee, being the department commander of New York, and the annual encampment in session at Utica, was so advised by Mr. PLATT, of New York, by wire. The very next day, however, May 17, somewhat



strange to relate, in the absence from the Senate of Mr. PLATT, as your committee is advised, on motion of Mr. HOAR, the bill was recalled from the House, where it had been received and referred to the Committee on Reform in the Civil Service, its passage by the Senate being on a later day reconsidered by that body, and it was returned to the Senate committee. The facts are stated. The reasons for them are unknown to us.

The committee accorded a hearing on the bill May 31. Two sessions were held. We urged consideration on the line of our proposed modification. Present to oppose it were the president of the United States Civil Service Commission and a representative of the Civil Service Reform League. Neither has ever been friendly to the veteran. The bill is still in the Senate committee, not being again reported prior to adjournment. The members of your committee present, aided by Comrades E. C. Johnson and J. W. Coughan and Department Commander of the Potomac G. H. Slaybaugh and Special Aid George H. Patrick, as also that earnest friend of the veteran, ex-Congressman James R. Howe, who accompanied the chairman of your committee from Brooklyn on this errand, did what they could to secure action on the bill, but without avail.

#### HOUSE COMMITTEE ON REFORM IN THE CIVIL SERVICE.

H. R. 2583, upon the organization of the House Committee on Reform in the Civil Service, was placed in the hands of a subcommittee consisting of Messrs. C. B. LANDIS, Indiana; JAMES R. MANN, Illinois; WILLIAM ELLIOTT, South Carolina, and CHARLES N. FOWLER, New Jersey. This subcommittee met June 2, a quorum was present, Mr. ELLIOTT being absent, and by a majority vote of that quorum decided to report the bill to the full committee. That the bill was so reported, credit is due solely to Mr. LANDIS and Mr. FOWLER. Upon the announcement of the subcommittee that they were ready to report, all else depended.

At the meeting of the House committee held June 4, eight of its thirteen members being present—seven constituting a quorum—your committee was accorded a hearing. Following that, as your committee are advised, it was decided to amend and substitute the Bromwell bill (H. R. 5779)—Mr. BROMWELL was a member of the committee—for that of others pending of a similar nature, including the Tawney bill (H. R. 2583), and to report it with the modification asked for by your committee, and this was done. For the favorable report of a majority of the quorum on this bill by the committee to the House—and it needed five votes—we are indebted to Messrs. C. B. LANDIS, Indiana; J. H. BROMWELL, Ohio; J. D. BOWERSOCK, Kansas; M. H. Glynne, New York, and J. F. Fitzgerald, Massachusetts. It was a distinguished service, and they should be kindly remembered for it. The others present at the meeting of the committee were F. H. GILLET, Massachusetts, chairman; J. F. LACEY, Iowa, and C. N. FOWLER, New Jersey.

#### THE HOUSE COMMITTEE'S REPORT.

The Committee on Reform in the Civil Service, to whom was referred the bill (H. R. 5779) in reference to the civil service and appointments thereunder, submit the following report:

"In the matter of the appointment of persons to positions in the Executive Departments of the Government under existing laws, soldiers and sailors who incurred disabilities in the service (the discharge must show that fact—J. W. K.) and who have taken the civil-service examination are to be preferred.

"Under the provisions of the bill herewith reported this preference will extend to and include all honorably discharged soldiers, sailors, or marines who served as such between April 12, 1861, and August 25, 1865, and to those honorably discharged soldiers, sailors, or marines who served in the recent war with Spain or in the Philippine Islands, without reference to the disabilities they may have incurred in the service. Under the present law the right of preference is based upon disabilities. Under the proposed bill the right of preference is based upon the service and ability of the soldier, sailor, or marine who has served during the time of war and has an honorable discharge.

"The present law has given rise to a great deal of dissatisfaction among soldiers and sailors, for the reason that the man who may have served only one month or less, if during that service he incurred any disability (causing him to be discharged from the service—J. W. K.), is given preference in the matter of employment by the Government over the soldier or sailor who may have served from the beginning until the close of the war, enduring all the hardships and privations incident to that service, but incurring no permanent disabilities.

"Your committee have thought it well to include those who served in the recent war with Spain or in the Philippines, being honorably discharged, giving them preference first after veterans of the civil war. The passage of this bill will not in any way affect the operation of the civil-service law, rules, or regulations with respect to examinations for appointment. Soldiers and sailors, under the provisions of this proposed law, who apply for positions will be required as now to pass the civil-service examination, the preference applying only in selection of persons from the eligible list.

"The proposed bill also applies to promotions as well as to appointments, and, if passed, will prevent the removal of any soldier or sailor except for good cause and upon charges and after a hearing.

"Believing that the discrimination which the present law makes against the soldier or sailor who has an honorable record of service, but who was fortunate enough not to incur any permanent disability (requiring his discharge from service—J. W. K.) is neither right nor just, your committee therefore recommend the passage of this bill."

#### PUBLIC OFFICE—PRIVATE SNAP.

Instead of public office being a "public trust," it is too frequently regarded as "a private snap." This idea permeates all our Government, in spots. An honorable discharge from the military or naval service—the greatest badge of honor that can come to any citizen in this Republic—as a recommendation when applying for employment to public officials, ought by them to be respected. In some departments, however, in recent years the badge or button of the Grand Army of the Republic, evidencing service and sacrifice in the "days which tried men's souls"—notably so in the navy-yard at Brooklyn, N. Y.—is not alone regarded with disfavor by some of the "little bosses" there, but makes him who wears it the subject of ridicule and not seldom of insulting language, unworthy to come from one who claims to be an American; and besides this, though preferred for appointment, veterans are the first discharged, and usually in such a way that they can not hope to get back. This is no fancied picture.

While such conduct has not the approval of Hon. John D. Long, Secretary of the Navy, who has many times when appealed to shown in various ways his regard for the just claims of veterans of war, the statute affecting employment at navy-yards and the system in vogue of making the "petty boss" sole judge, jury, and executioner concerning the merits of men, when reductions of force are made necessary for any cause, permits it. Some of these bosses hate the veteran who is a Grand Army man. The fact that no statutory law protects worthy veterans enables discriminations and wrong, many times due to prejudice alone, being done to them.

#### PRACTICAL GRATITUDE.

Engrafted in the constitution of the State of New York, by vote of the people and becoming operative January 1, 1895, is found the following:

"ARTICLE V., SECTION 9. \* \* \* Appointments and promotions in the

civil service of the State, and of all the civil divisions thereof, including cities and villages, shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive: *Provided, however,* That honorably discharged soldiers and sailors from the Army and Navy of the United States in the late civil war, who are citizens and residents of this State, shall be entitled to preference in appointment and promotion, without regard to their standing on any list from which such appointment or promotion may be made. Laws shall be made to provide for the enforcement of this section."

Here is an example of practical gratitude which is significant. If the debt of one State, to all veterans of the Union, is thus regarded and recognized by its people, what about the debt of other States? What about the debt of the States united? The latter debt is the greater.

#### THE PRESIDENT.

During the year the chairman of your committee has many times had occasion to go to our comrade, William McKinley, President of the United States, in the interest of other comrades who needed help or protection. And never in vain. Numerous restorations to the public service of veterans wronged gave needed help, and some sweeping reforms in ideas of administration adopted by him for the protection of other veterans in their rights have produced good results for our people in other directions.

A letter of the President to the Cabinet officers dated July 12, 1899, requiring that where in any place in the civil service exempted from examination under an Executive order of May 29, preceding, a position was held by any honorably discharged soldier or sailor of either war, he should not be removed therefrom until the papers in the case had first been sent to him, personally, was far-reaching. In line with the desire of your committee to establish the principle for which we are now contending in the form of a statutory law, that service in war is entitled to recognition by retention and continuance in the employment of the Government in times of peace, this well-intended action was a long stride in the right direction.

The example of the President is one worthy to be regarded by all subordinates.

Of like character, in effect, was a peremptory order issued by the President in January last to the United States Civil Service Commission, to submit an amended rule so that where a veteran of the war became disconnected from the civil service through no fault or misconduct on his own part, and was restored, accepting a minor place in order that he might help provide for himself and his family, that, on the recommendation of the appointing officer, he could be fully reinstated at the highest compensation he had received before becoming disconnected from the service. Such a rule was submitted and signed, being now known as Rule XI. Many veterans were thereby benefited. And the unjust precedents in this direction established for eight years by the United States Civil Service Commission, were set aside. These no longer exist to oppress the worthy veteran or rob him of his rights.

#### THE LAST WORDS.

"The agony and bloody sweat are over. Lip service has again been tried and found wanting. Hypocrisy and low cunning prevail. God help the veteran. Good-by."

The foregoing were the last penned words in the contest waged by your committee at the first session of the Fifty-sixth Congress, for rights. They were written at 4 p. m. June 7. By whom written, to whom addressed, is not material here. Voicing despair, they contain a rebuke to some of the lawmakers of the nation during thirty-five years last past, richly deserved. Due regard being given to the many expressions of national encampments on the subject of the veteran in the public service, to the work of the committees appointed by them from time to time for many years—and which has been performed without money and without price—in this behalf, to the supreme justice of our cause and the indifference shown to these appeals, sufficient reason is found for the expressions referred to. And they were not without effect. In less than five minutes Mr. BROMWELL of Ohio had the floor. It seemed as though justice was about to progress to some purpose. But pages 7456 and 7457 of the CONGRESSIONAL RECORD of that day best tell what happened. Read and ponder. We quote:

#### CIVIL SERVICE APPOINTMENTS FOR HONORABLY DISCHARGED SOLDIERS, ETC.

Mr. BROMWELL. I ask unanimous consent for the present consideration of the bill which I send to the desk.

The Clerk read as follows:

"A bill (H. R. 5779) giving preference to honorably discharged soldiers, sailors, and marines in all appointments in the civil service of the United States.

"*Be it enacted, etc.,* That in every Executive Department of the United States Government and in each and every branch thereof, whether reached by competitive or noncompetitive examinations under the civil-service laws (in which case the rules and regulations affecting the same shall so provide), honorably discharged soldiers, sailors, or marines who served as such between April 12, 1861, and August 26, 1865, shall be certified and preferred for appointment to and retention in employment in the public service and for promotion therein. Age, loss of limb, or other physical impairment which does not in fact incapacitate shall not disqualify them, provided they possess the business capacity necessary to discharge the duties of the position involved; and persons thus preferred shall not be removed from their positions except for good cause, upon charges, and after a hearing.

"SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed."

The amendment reported by the Committee on Reform in the Civil Service was read, as follows:

"After '1865,' in line 10, insert 'and first after the aforementioned veterans of the civil war, those honorably discharged soldiers, sailors, and marines who served in the recent war with Spain or in the Philippine Islands, they being otherwise qualified.'"

The SPEAKER. Is there objection to the present consideration of this bill? Mr. LENTZ. I do not rise to object; I want an answer to one question. Will the gentleman from Ohio [Mr. BROMWELL] tell me whether this bill enlarges the provisions already contained in our statutes on this subject?

Mr. BROMWELL. It does to this extent: Under the present law the veterans of the civil war are given a preference in these appointments, provided they are not incapacitated by wounds or disease. This extends the law to all honorably discharged soldiers. And then an amendment has been reported by the committee providing that after the veterans of the civil war preference shall be given in these civil-service appointments to "honorably discharged soldiers, sailors, and marines who served in the recent war with Spain or in the Philippine Islands."

The SPEAKER. Is there any objection?

Mr. LENTZ. I have no objection.

Mr. WILLIAMS of Mississippi. I object.

Mr. CLAYTON of Alabama. I hope the gentleman from Mississippi will withdraw his objection.

Mr. BROMWELL. I move the rules be suspended in order that this bill may be considered and put on its passage with the amendment of the committee. Mr. SULZER. Will the gentleman permit a question? Mr. BROMWELL. Certainly.

The SPEAKER. Let the Chair state the question. The gentleman from Ohio moves to suspend the rules and pass the bill which has just been read with the amendment indicated.

Mr. SULZER. Mr. Speaker, I ask the gentleman from Ohio whether this is the House bill?

Mr. BROMWELL. This, Mr. Speaker, is the so-called Grand Army bill, which was introduced under the auspices of the grand encampment of the Grand Army of the Republic. It is a House bill.

Mr. SULZER. Mr. Speaker, this is a good bill. I am heartily in favor of its passage. It should have been reported long ago. I want to ask the gentleman from Ohio why it has not been reported and passed before, so that the Senate could act on it? Why is it brought up to be passed in the last hour of the session? Is it a bluff (like the antitrust bill) to fool the old soldiers? At all events the bill should pass, and I hope there will be no objection to it. It should have passed this House early in the session.

Mr. BROMWELL. I will answer the gentleman by saying that this bill was considered by the Committee on Civil Service Reform only last Monday. It was reported to the House; but the business of the House has been such that it was impossible to call it up under suspension of the rules; and, as the gentleman well knows, it would have been impossible probably to obtain unanimous consent, as has been evidenced here to-day by the fact that it was objected to by the gentleman from Mississippi. Now, then, we have only a few moments left in which to pass the bill.

The SPEAKER. This debate is all out of order.

Mr. SULZER. The only complaint that I have to make is that you did not bring up and pass the bill before.

The SPEAKER. The question is on the motion to suspend the rules.

Mr. WILLIAMS of Mississippi. I demand a second.

Mr. BROMWELL. May I ask unanimous consent that a second be considered as ordered?

Mr. WILLIAMS of Mississippi. I object.

The Chair appointed as tellers Mr. BROMWELL and Mr. WILLIAMS of Mississippi.

The House divided; and the tellers reported—ayes 98, noes 9.

The SPEAKER. The motion is seconded.

Mr. ALLEN of Mississippi. No quorum present.

Several MEMBERS (on the Democratic side). Oh, no; do not make that point.

The SPEAKER. The gentleman from Mississippi [Mr. ALLEN] makes the point that no quorum is present.

Mr. MERCER. I make the point that that is dilatory.

The SPEAKER. The Chair will count the House.

[One hundred and sixty-three members were counted as present.]

Mr. BROMWELL. Before the final announcement of this count, I wish to say this: In view of the fact that there are but thirty-five minutes left before the final adjournment and that forty minutes for debate can be claimed under the rule, and in view of the dilatory tactics of some gentlemen on the opposite side of the House, it is evident that it will be impossible to get a roll call on this bill, which will probably be demanded. [Cries of "Regular order!"] I therefore ask permission to withdraw the bill from the consideration of the House.

The SPEAKER. The gentleman withdraws the bill.

Mr. FITZGERALD of Massachusetts. Just one moment, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. FITZGERALD of Massachusetts. Mr. Speaker, I object to the withdrawal of this bill by the gentleman from Ohio. Inasmuch as he has chosen to inject politics into this matter, I desire to say, as a member of the committee reporting this bill, that this measure was supported by Mr. Glynn and myself in the committee. I think it is a proper bill, and we should make every effort to have it passed.

Mr. DALZELL. I move that the House take a recess until 10 minutes before 5 o'clock.

The SPEAKER. The Chair is not authorized to submit that motion in the absence of a quorum.

Mr. DALZELL. There has been no announcement of no quorum.

The SPEAKER. The Chair has announced the number present—not enough to make a quorum. The Chair is not advised of any new arrivals in the Hall.

Mr. SULZER. Regular order!

The SPEAKER. This is the regular order.

Other members having entered the Hall, the Speaker announced 178, a quorum, present.

"FRATERNITY MEANS SOMETHING."

Among the declared tenets of faith of the Grand Army of the Republic is found the proclamation, "Fraternity without regard to former rank is the broad foundation stone on which our order rests." This means cohesion. Clannishness, if you will. It naturally follows, then, that help and protection to a worthy comrade requiring it, enjoined by its constitution, is a paramount duty. One that may not pass unheeded. The material welfare of one, even the humblest among us, is the concern of every other comrade. An injury or injustice to one becomes the cause of all. Have we been true?

In two essentials of obligation veterans ought to be a unit. The first is that vigilance be exercised to see that the pension laws enacted are executed in a spirit of honesty and fairness to the deserving soldier and sailor, and to the dependent widows and orphans. In none others are we interested. The second, to secure legislation accomplishing and then guard well the right to a preference of worthy veterans for public employment. An honorable discharge from service and present ability ought to be the only passports required by them for such preference.

The sentiment expressed by one of the later mayors of a now extinguished great city, who, concerning the claims for appointment of a man who had lost one arm in the service, and by reason of another wound was, since the war, compelled to carry a leg in splints, said, "That is ancient history," will not find lodgment in the hearts of the American people. And the minds of the lawmakers of the nation should not be perverted by any such thought.

DECLARATION FOR RIGHTS.

It was long ago written, "Who would be free, themselves must strike the blow." What this organization most needs now is to proclaim a new Declaration of Independence—this time for rights. The prior right of veterans to serve in times of peace the country for which they fought in war. Preference in its public employ. Compensating wages by labor. And in fraternity, charity, and loyalty—one for all and all for one—again do battle to secure and have such right enforced.

That "government of the people, by the people, and for the people" might not perish from the earth, was the task once committed to our care. With what result the whole world is familiar.

That the war for the Union and what it cost in sacrifice may not be forgotten, nor its survivors be belittled—particularly by the politicians—in this day and generation, is the supreme duty, with us, in this hour.

That volunteer service in the Armies and Navy of the United States, in times of war, deserves not alone emulation and praise, but to those who survive and are honorably discharged, being worthy and capable, preferment for appointment, promotion, and retention in the public service in times of peace, is a principle to which we ought to stand committed, now and forever.

RECOMMENDATIONS.

We ask this encampment to approve and indorse the present report.

We recommend that the work of this committee be pressed by a committee of the Grand Army of the Republic during the coming year, or until the object in view in its appointment has been secured; and to aid in accomplishing that end, that a copy of this report, including the action of this encampment thereon, be sent to each post in our organization, with instructions that the same shall be read at the meeting of the post next succeeding its receipt and a resolution adopted by it approving of and urging upon Congress the passage of H. R. 5779 (the veteran preference in employment measure) now pending in the House of Representatives; that the Senators and Representatives in Congress be fully advised of such action by comrades, and that a copy of the resolution adopted by the post, officially signed by the commander and adjutant, be forwarded to the adjutant-general of the Grand Army of the Republic.

CONCLUSION.

Many little things occurring in the last battle of the campaign for justice, commencing with May 31 and ending June 7, only when the gavel fell and the first session of the Fifty-sixth Congress stood adjourned, might be told, but we refrain. Perhaps an awakened conscience may cause a change of heart in some directions. We shall hope so. And as to our friends, they will remain loyal and true. It is well to say that President McKinley gave us his personal assurance that the bill now pending on the Calendar of the House (H. R. 5779) met with his approval; and Speaker HENDERSON, on the day after the adjournment, said to the chairman of your committee concerning it that "prompt consideration will be given the bill on the reassembling of Congress." The promise of "help in December" may be redeemed. We shall rely upon it, anyhow.

Fraternally, yours,

JOS. W. KAY, New York, Chairman,  
CHAS. BURROWS, New Jersey,  
ISAAC F. MACK, Ohio,  
H. H. CUMMINGS, Pennsylvania,  
W. W. ELDRIDGE, Potomac,  
Committee.

CHICAGO, ILL., August 29, 1900.

And this was promulgated to the posts of the entire order, officially, as follows:

Circular No. 1.

HEADQUARTERS GRAND ARMY OF THE REPUBLIC,  
St. Louis, Mo., September 13, 1900.

The accompanying "report of the committee on legislation for veterans in the public service" was approved and indorsed and the recommendations of the same adopted by the thirty-fourth national encampment, held at Chicago, Ill., August 29, 1900.

Complying with such action, the posts of our order are hereby requested to take due notice thereof and be governed thereby. A simple form of resolution only is required. Such a form as may be used, if agreeable, accompanies this circular. When action has been taken by the post, comrades are requested, if convenient, to see the United States Senators from their States and Representatives in Congress from their respective districts, advising them of the action taken by the post, and its wishes concerning the veteran preference law (H. R. 5779). Such resolution as may be adopted should be duly authenticated by adding the signatures of the commander and adjutant of the post (and seal, by posts having one) and then be mailed promptly, addressed F. M. Sterrett, Adjutant-General G. A. R., St. Louis, Mo.

This important work, which has been so ably and satisfactorily presented and advanced by the committee having charge of same, can easily be made the law of the land if the comrades perform the service herein required of them. Commanders and adjutants are specially enjoined to secure action without unnecessary delay.

Fraternally yours,

LEO RASSIEUR,  
Commander in Chief.

Official:  
F. M. STERRETT,  
Adjutant-General.

At a regular meeting of \_\_\_\_\_ Post, No. \_\_\_\_\_, Department of \_\_\_\_\_, Grand Army of the Republic, held at its headquarters \_\_\_\_\_, on the above date, after reading and duly considering the "report of the committee on legislation for veterans in the public service," made to the thirty-fourth national encampment at Chicago, Ill., August 29, 1900, the action of said encampment thereon, and the circular of the commander in chief, it was unanimously

Resolved, That this post approves and urges upon the Fifty-sixth Congress of the United States, at its session in December, the prompt passage of H. R. 5779 (the veteran-preference measure) as an act of justice long delayed.

A transcript from the record.  
[L. s.] \_\_\_\_\_, Commander.  
Official: \_\_\_\_\_, Adjutant.

Concerning what resulted therefrom, officially reported, page 103 of the Journal of the thirty-fifth national encampment, held at Cleveland, Ohio, in 1901, over the signature of F. M. Sterrett, adjutant-general Grand Army of the Republic, contains the following:

LEGISLATION.

The adjutant-general received resolutions from 1,287 posts, located in 44 departments of the Grand Army of the Republic, indorsing the veterans' preference law, as set forth in House resolution 5779, before the Fifty-sixth Congress of the United States, which was forwarded by him to the committee on legislation for the Grand Army of the Republic, authorized by the national encampment. The number of each post, with the name of the department, was collated on 23 typewritten pages, which, being bound, the following indorsement was placed thereon: "To be filed with the custodian of records, under the seal of the order, Independence Hall, Philadelphia, Pa., as a refutation of the charge made by Hon. WM. P. HEPBURN, of Iowa, on the floor of Congress when the veterans' preference law, House resolution 5779, was under discussion in December, 1900, when he said, 'No one is authorized to speak for these men.'"

The report of the "committee on legislation for veterans in public service," made at Cleveland, Ohio, in September, 1901, was as follows:

To the Thirty-fifth National Encampment, Grand Army of the Republic, greeting:  
COMRADES: The "committee on legislation for veterans in the public service," appointed by the commander in chief in accordance with action



authorizing it taken by the thirty-fourth national encampment, held at Chicago, Ill., August 29-30, 1900, strongly reaffirming the principles declared on the subject-matter and the views of the bountiful duty of all comrades of our great organization concerning it and other things, as set forth and expressed in its last previous report, now submit the following:

While the last report was one of progress and of hope, based on promises made by the Speaker of the House and others, and encouragement given by our comrade, the President of the United States, concerning the desired legislation, on all which your committee placed reliance, the result shows only disaster. Yet the Union forces, as a body, never despaired of the grand results finally achieved by them during the civil war, and hence this grand organization must not despair, regardless of the character or strength of the foes it is called upon to meet in this, its present war for justice.

#### THE VETERAN PREFERENCE LAWS.

Much misunderstanding exists concerning the veteran preference laws and their scope. What they are should be made plain. The text of section 1754, Revised Statutes, United States, is herein given. So also is the civil-service rule of October 29, 1884, secured only after a long struggle by the present chairman of this committee. The statute is mandatory as to those covered by it; and since the promulgation of the rule, boards of examiners have allowed the preference in certification necessary to those entitled to preference under the statute who are found eligible through competitive examination.

Otherwise, even they could not be appointed. In operation, the beneficiaries of both statute and rule are, to the extent of 45 per cent, soldiers and sailors of the Regular and Volunteer Army and Navy, who enlisted and served since 1865. No preference whatever is accorded to those who were honorably discharged at the expiration of their terms of enlistment, or by reason of the ending of the civil war. And it matters not how many times a man was wounded.

The foregoing statement is true despite the wrong perpetrated on such men by an inspired article emanating from Washington (the Civil Service Reform League, likely), which appeared in the public press of the country while the veterans' preference bill was pending in Congress, wherein it was made to appear that all veterans of the civil war were given a preference. The United States Civil Service Commission, though urgently requested to do so by this committee, failed to set the matter right. Hence more false teaching was scattered among the people.

There is a law concerning the matter of retention of veterans already in the service. The force and applicability of that has recently been denied by the collector of customs and the collector of internal revenue at New York. And this denial appears to have been sustained by the head of one of the Executive Departments, viz, the Secretary of the Treasury. This furnishes one reason for an appeal to the President.

Chapter 287, laws of 1876, embodied in Statutes at Large, United States (vol. 19), is in part as follows:

\*\*\* Provided, That in making any reduction of force in any of the Executive Departments, the head of such Department shall retain those persons who may be equally qualified who have been honorably discharged from the military or naval service of the United States, and the widows and orphans of deceased sailors and soldiers."

The laws above referred to or quoted are the only ones which provide a preference for veterans, either for appointment to or retention in the public service and, except for a recommendatory statute, section 1755, the spirit of which was gratitude, but is without force, no other legislation on the subject has been enacted. Some changes of civil-service rules affecting veterans who become disconnected from the public service, in regard to reinstatement, have been made. And that is all.

#### IN THE HOUSE.

The defeat of the Bromwell bill (H. R. 5779) in the House of Representatives December 17, 1900, was most decisive. Concerning what then took place reference is made to pages 383-387 of the CONGRESSIONAL RECORD, second session Fifty-sixth Congress. We will not take the time to inflict upon you the sad story to which the public records bear witness in the debate on this bill. It shows an immense amount of inexcusable and lamentable lack of knowledge on the part of many men in public life—some of whom we call comrades—regarding existing statute laws affecting the preference and status of veterans in the public service; or could it have been a fear of the Civil-Service Reform League, whose noisy opposition to this measure and the veteran on general principles is baseless and without good reason, for otherwise, it is strong evidence of willful misrepresentation and deceit, all the more harmful and reprehensible when emanating from high public officials, especially to be regretted if coming from those who served in the Union forces, and who therefore would be supposed to know the law and the facts, as well as the justice and necessity of such a law being enacted, and to speak the truth in matters concerning their comrades.

A quotation or two in support of the foregoing statement will suffice. For instance:

Mr. HEPBURN (Iowa), a comrade, said:

"I do not believe that anybody has the right to speak for those men who might be benefited by this law, and say that he represents them.

"I do not believe that those men who served between 1861 and 1865, or the masses of them, ask for this legislation."

\*\*\* "Under the law as it is to-day, preference is required in matters of appointment, other things being equal, to the old soldier." \*\*\*

Mr. GROSVENOR (Ohio), a comrade also, said:

"Mr. Speaker, I greatly desire the passage of some legislation upon this subject, but I join the gentleman from Iowa [Mr. HEPBURN] in the criticisms which he has made."

It is fair to assume that both these men knew better, because they received the former report of your committee, and the action of the thirty-fourth national encampment on same was known to them. In addition, they had long experience as lawmakers of the nation.

Sharing in the debate, besides Speaker HENDERSON, were BROMWELL and GROSVENOR, Ohio; RICHARDSON and SIMS, Tennessee; FOWLER, New Jersey; HEPBURN and LACY, Iowa; TALBERT, South Carolina; BINGHAM, Pennsylvania; WHEELER, Kentucky; MOODY, McCALL, and GILLET, Massachusetts; CLAYTON and SULZER, New York; LIVINGSTON and FLEMING, Georgia, and MONDELL, Wyoming.

Of these, BROMWELL, BINGHAM, LACEY, MOODY, CLAYTON, and SULZER spoke favoring the bill. Speaker HENDERSON appeared also to do so. The others opposed it.

Preceding the debate, on the demand for a second, the vote by tellers was 67 ayes to 34 noes. Following the debate, the vote on the motion to suspend the rules and pass the bill, as announced by the Speaker, was 51 in the affirmative to 105 in the negative. And so it has gone into history. The yeas and nays were called for, but no roll call was permitted, though 25 arose in favor of same. This failure to get upon the record has ever been the result of all attempts to pass like legislation in the House. Of course, without the aid of Speaker HENDERSON the bill could not have been considered at all. Under the rules of the House, on the pending motion to suspend, no amendment of the bill was in order. Permitted to come up at an inopportune time, without proper notice, no previous opportunity to arrange and prepare for discussion of

the bill was given. Your committee can not believe, from what happened on that occasion (as also on June 7, 1900, when the bill came before the House less than one hour before the adjournment of the first session), and a subsequent flat-footed refusal made by the Speaker to the pleas of the commander in chief and the chairman of your committee, on February 11, 1901, for another hearing of one hour on the measure, when it could be properly discussed and amended to meet the wishes of its friends, as also to test, on a roll call, who were real friends of the veteran and who his opponents, that there was a desire to treat either the bill or the veterans fairly.

#### IN THE SENATE.

The Senate Committee to Examine the Several Branches of the Civil Service, having in charge the bill S. 283, offered by Mr. PLATT, at the first session (referred to in our last report), held no meeting during the second session of the Fifty-sixth Congress. Mr. ROSS, its chairman, had meantime been retired from the Senate, Mr. DILLINGHAM taking his place there, and also as a member of that committee. Repeated urging for a meeting of it produced no effect, so on due consideration by your committee and other friends of the cause of the veteran, of the whole subject-matter, and especially the continued attitude of opposition of the Committee on Rules and of the House of Representatives, as stated by the Speaker, he saying, "It could not pass the House or Senate," and particularly with a view to remove any objections as to new legislation—one of the alleged causes for adverse action taken by the House—another bill, amendatory of section 1754, Revised Statutes United States, was drawn, and the same was introduced in the Senate by Hon. W. A. HARRIS, of Kansas, on January 7, 1901. It was known as S. 5417. This was referred to the Committee on Civil Service and Retrenchment of the Senate, and on January 15 it was reported by its authority by Mr. HARRIS, to the Senate, without amendment. That bill, as then offered and reported, reads as follows:

A bill to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex-Army and Navy officers.

Be it enacted, etc., That section 1754 of the Revised Statutes of the United States be amended so as to read as follows:

"SEC. 1754. Officers and enlisted men who served in the armies or Navy of the United States between April 12, 1861, and August 25, 1865, being honorably discharged therefrom, shall be preferred for appointment to and retention in civil offices and employments, as also for promotion therein: *Provided*, They are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments."

SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

The committee report accompanying it (No. 1867) was as follows:

#### AMENDING SECTION 1754, REVISED STATUTES.

January 15, 1901.—Ordered to be printed.

Mr. HARRIS, from the Committee on Civil Service and Retrenchment, submitted the following report (to accompany S. 5417):

The Committee on Civil Service and Retrenchment, to whom was referred the bill (S. 5417) to amend section 1754 of the Revised Statutes, have examined the same and report:

Section 1754 of the Revised Statutes of the United States reads as follows:

"SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointments to civil office, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices."

Construing this section, the Civil Service Commission rule as follows, on October 29, 1884:

Any applicant honorably discharged for such cause, i. e., by reason of disability resulting from wounds or sickness incurred in the line of duty, who, as the result of an examination has been placed upon a register as eligible for appointment, should be certified in preference to any other person thereon not entitled to such preference examined for the same part of the service, even though such persons are graded higher. Without such priority in certification, it appears to be hardly practicable to give the preference in appointment, which it seems to be the object of the statute to secure. You are requested to act upon this view in making certifications.

The amendment embodied in the bill under consideration broadens the scope of this section of the law, which limits preference for appointment to persons discharged by reason of disability resulting from wounds or sickness.

A large number of soldiers and sailors who were wounded and who served for years after being wounded are excluded, and preference is given to those who saw but little service, in many cases. The lapse of years has enormously reduced the number of men who saw service from 1861 to 1865. But few are left now who could avail themselves of the privilege hereby extended, and it is the opinion of your committee that those who may now be able to pass the civil-service examination and get upon the eligible lists should be preferred for appointment without reference to disabilities which forced their discharge from the service.

In the second session of the Fifty-fifth Congress, Senate bill No. 3256 was passed giving this privilege. It was also favorably reported from the Committee on Reform in the Civil Service of the House of Representatives with the following report:

The Committee on Reform in the Civil Service, to whom was referred the bill (S. 3256) in reference to the civil service and appointments thereunder, submit the following report:

In the matter of the appointment of persons to positions in the executive departments of the Government under existing law, soldiers and sailors who incurred disabilities in the service and who have taken the civil-service examination are to be preferred. Under the provisions of the bill herewith reported this preference will extend to and include all honorably discharged soldiers, sailors, or marines who served as such between April 1, 1861, and August 23, 1865, without reference to the disabilities they may have incurred in service. Under the present law the right of preference is based upon disabilities. Under the proposed bill the right of preference is based upon the service of the soldier who has served during the war and has an honorable discharge.

The present law has given rise to a great deal of dissatisfaction among ex-Union soldiers and sailors, for the reason that the man who may have served only one month or less, if during that service he incurred any disability, is given preference in the matter of employment by the Government over the soldier or sailor who may have served from the beginning until the close of the war, enduring all the hardships and privations incident to that service but incurring no permanent disabilities. The passage of this bill will not in any way affect the operation of the civil-service law, rules, or regulations with respect to examinations for appointment. Soldiers and sailors, under the provisions of this proposed law, who apply for positions will be required as now to pass the civil-service examination, the preference applying only in the selection of persons from the eligible list.

The proposed bill also applies to promotions as well as to appointments, and if passed will prevent the removal of any soldier or sailor except for good cause and upon charges and after a hearing.

Believing that the discrimination which the present law makes against the soldier or sailor who has an honorable record of service, but who was

fortunate enough not to incur any permanent disability, is neither right nor just, your committee therefore recommend the passage of this bill.

Your committee therefore believe it is but justice to the few survivors of that great conflict to give them this privilege, and therefore recommend the passage of the bill.

On January 16, on the plea that the committee had not met and considered the bill, and that it was not understood by Mr. Wolcott, of Colorado, one of the committee who consented to its being reported to the Senate (the vote to report it was on a canvass of the members of the committee on the floor of the Senate, a majority agreeing thereto), a motion was made by Mr. LONGE, of Massachusetts, to recommit the bill to the committee.

It was so recommitted on January 17. This was regarded as a knock-out blow. Earnest work by the members of this committee and strong personal appeals in writing and by visitation made to the individual members of the Senate committee by the commander in chief and others effected a change, however. The committee did meet and consider it, and on February 14 the bill was again reported to the Senate with an amendment (shown in words struck through. J. W. K.) as follows:

A bill to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex Army and Navy officers. *Be it enacted, etc.*, That section 1754 of the Revised Statutes of the United States be amended so as to read as follows:

"SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness, and officers and enlisted men who served in the armies or Navy of the United States between April 12, 1861, and August 25, 1865, being honorably discharged therefrom, shall be preferred for appointment to and retention in civil offices and employments, as also for promotion therein: *Provided*, They are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments."

SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

The committee's report (No. 2289) accompanying the amended bill was the same as the report first made (No. 1867), except that in the last paragraph of the former, after the words "and therefore recommend the passage of the bill," as they appear in report No. 1867, was added "as amended to read as follows:" (The text of the amended bill is as given above. J. W. K.)

An intended amendment by Mr. JONES of Arkansas (evidently inspired by Mr. Procter, of the Civil Service Commission, and the Civil Service Reform League, both which, by the way, should be engaged in better business than devoting their time in the effort to belittle the services of and prevent justice being done to war veterans as well as to create a wrong impression in the public mind through the public press regarding a preference in public service which all veterans do not receive, and for the reasons that such acts are unworthy of Americans, and their interference is unwarranted and uncalled for, and as well obnoxious to the sense of justice existing among the people at large, as we believe) was as follows:

[In the Senate of the United States. February 20, 1901. Ordered to be printed.]

Amendment intended to be proposed by Mr. JONES of Arkansas to the bill (S. 5417) to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex Army and Navy officers, viz: At the end of section 1 insert the following:

The preference herein provided for shall only be given where consistent with the maintenance of the apportionment of appointments among the several States and Territories and the District of Columbia, as required by the civil-service act of January 16, 1883; and nothing herein contained shall be construed to deprive any State, Territory, or the District of Columbia of its equal representation in such apportionment upon the basis of population as ascertained at the last preceding census.

In the open Senate numerous attempts were made by Mr. HARRIS to get consideration of the bill, but he was always met by an objection. Among the objectors shown in the CONGRESSIONAL RECORD are Mr. KEAN and Mr. Wolcott. There were others.

Indeed, it seemed as though the bill was not properly labeled. All efforts to secure action on the subject beyond the report of the committee failed. The chairman of your committee finally appealed to Mr. FORAKER, of Ohio, to move the bill. He solicited him, as also Mr. HANNA, of Ohio, and Mr. SCOTT, of West Virginia, and many others, for reasons well known to them, to aid in having the Senate take action on the same, even if adverse to the bill, but all to no purpose. Objections continued being made to its consideration until the end. And so the bill died.

#### SOME WORDS OF THANKS.

From the beginning of the first to the ending of the second session of the Fifty-sixth Congress, of the Senators and Representatives, 447 in number, comprising it, there would need to be some straining of conscience to record as friends of the veterans of the civil war, from the view point of this committee—by their acts ye shall know them—any great number of them.

Worthy of special thanks for efforts made at the second session were W. A. HARRIS, in the Senate; JACOB H. BROMWELL, CHARLES B. LANDIS, B. T. CLAYTON, WILLIAM SULZER, and JAMES A. TAWNEY, in the House; and to these may be added those named elsewhere who spoke in favor of the bill while under consideration in the House.

This is a white, not a black list. In it the committee desire to include those who were true blue under all circumstances. Beyond that it does not care to go.

#### WHAT PRESIDENT M'KINLEY SAID.

The declaration of President McKinley in his second letter of acceptance, "Preference should be given to honorably discharged soldiers and sailors and their widows and orphans in respect to the public service" bespoke what we believe is in the hearts of the people. It was a fair index of their loyalty to our cause. And to them we should now appeal.

#### RETROSPECTIVE.

Looking back over the entire field of action, consideration being given only to the prominent factors in the contest, it may be stated here that at no time from the adjournment of the thirty-fourth national encampment, August 30, 1900, until the closing hours of the Fifty-sixth Congress, March 4, 1901, was there any relaxation or diminution of labor or sacrifice to secure proper legislation in way of simple justice.

The promulgation, through national and department headquarters, to the posts of our order, by direction of the national encampment, of the committee's adopted report, accompanied by circular No. 1, current series, from the commander in chief, for action by them, and which, by the way, received attention everywhere in our order (except in one department, where it appears that orders from superior headquarters were not in this instance recognized or obeyed), with the result that more than 2,000 posts are on record as having petitioned for the passage of the bill; and the transmittal of personal letters containing a copy of the report alluded to, to each Senator and Representative in Congress at his home address preceding the meeting of Congress in December, and visitations to many of them at Washington during the session in behalf of the desired legislation, are but two among the numerous efforts made.

With the earnest cooperation of Commander in Chief Leo Rassieur, Adj. Gen. Frank M. Sterrett, Department Commanders George H. Slaybaugh and Israel W. Stone, of the Potomac, and the committee on veterans' rights of that department, Comrade H. A. Cobough, chairman, as also the aid of Comrades Daniel E. Sickles and George H. Patrick, all of which was willingly given, your committee feel that there has been no shortcoming in any direction on the part of the accredited representatives of the Grand Army of the Republic, to whom this work was committed in their efforts to do their full duty to the order and to its rank and file. And that responsibility for defeat rests elsewhere.

#### CONCLUSION.

We again repeat: "The agony and bloody sweat are over. Lip service has again been tried and found wanting. God help the veteran." His countrymen in Congress assembled have not helped him in this matter. Perhaps the people will instruct some of them in their duty. It only remains for your committee to regretfully acknowledge defeat and gracefully retire. In doing so, we have some suggestions to offer for the consideration of the encampment.

One of these is in the form of preambles and resolutions requesting the issuance of an Executive order by the President of the United States, on the subject of the veteran in the public service. This we ask may be adopted and a copy properly authenticated by the commander in chief and adjutant-general, at a time in the discretion of the commander in chief, be forwarded to the President for his consideration, and that copies of the same be furnished to the press.

The other is "An Address to the American People," by the Grand Army of the Republic, which we recommend may be adopted by the encampment, and that copies be furnished the press, with the request that the same may be published, copies being also sent to the commanders of all posts, urging that they will personally see the editors of their local papers and request of them its publication.

We also recommend that the Harris bill (S. 5417) be introduced in the Fifty-seventh Congress, and its enactment into law again be urged by a committee of our order, to be appointed by the incoming commander in chief. And, to the end that there shall be no question about such committee properly representing the Grand Army of the Republic, we further recommend that copies of this report, together with general orders announcing and naming the committee, may be sent to the members of the Fifty-seventh Congress in Senate and House, to their home address.

Respectfully submitted, in fraternity, charity, and loyalty.

JOS. W. KAY, *New York, Chairman,*  
CHARLES BURROWS, *New Jersey,*  
ISAAC F. MACK, *Ohio,*  
H. H. CUMINGS, *Pennsylvania,*  
W. W. ELDRIDGE, *Potomac,*

*Committee.*

And this was approved and adopted. In compliance therewith, copies of the same were mailed, under direction of Commander in Chief Eli Torrance, to all members of the United States Senate and House of Representatives in the Fifty-seventh Congress. What followed this action appears in full on pages 597-599 of the CONGRESSIONAL RECORD, of date January 13, 1903. It was a most remarkable attack on the representatives of the Grand Army of the Republic, who had been strictly performing a duty assigned them. And particularly distressing, because it came from men who were themselves veterans of the "great war," members of the grandest organization the world ever knew, and who should, in justice to the committee of the order, have informed themselves properly concerning the truth and the facts of the case.

Concerning the subject generally and the attack, the Ohio Soldier, published at Chillicothe, Ohio, under date February 19, 1903, contains among other things an article which, with its caption, reads in part as follows:

SOLDIERS' PREFERENCE LAWS—A COMPREHENSIVE STATEMENT ON THAT SUBJECT BY THE CHAIRMAN OF THE NATIONAL COMMITTEE.

There is no subject upon which politicians have more persistently misled the public, and with more success, than that of existing laws on preference of appointment for soldiers in public employment. The following communication from Gen. Jos. W. Kay, of Brooklyn, N. Y., chairman of the national G. A. R. committee on veterans' preference legislation, now and for a number of years past, is so comprehensive and so fortified with existing laws and civil-service rules that it should be cut out by comrades everywhere and carried under their hats for use in next fall's Congressional elections. He says:

"The article, 'Squaring the Circle,' in the Ohio Soldier of January 22, evidences and emphasizes a knowledge of the situation and of the subject of legislation for veterans in the public service—or rather the lack of any such legislation preferentially affecting the interests of the men who served and suffered until the end of their terms of enlistment or the close of the war for the Union, albeit wounded many times—that is refreshing. Particularly so in view of the seeming lack of knowledge prevailing in Congress—among our comrades there—on the same subject.

\* \* \* The report of a committee made at Cleveland to the national encampment, September last, fully covering the ground of the law and making it plain, tells the story."

In the House of Representatives, the pension appropriation bill being under consideration, on January 13, it would seem that Mr. GROSVENOR was discussing the Harris bill (S. 5417) of the Fifty-sixth Congress, which was before the Senate only, and to which, if he desired to aid his deserving comrades, he could take no exception, instead of the Bromwell bill (H. R. 5779), the effect of a clause therein being to excite his ire, which was then before the House and not the Senate. His argument caused the question to be so mixed as to excite remark. Perhaps he so intended it. The clause concerning the Spanish war men inserted by the House committee, that he took exception to, was not in the Harris bill in any form or at any time.

Mr. HEPBURN, in his remarks, had the correct bill (H. R. 5779) in mind, but still persisted, as in the Fifty-sixth Congress, in showing clearly an incorrect understanding of what the existing law on the subject of the veteran in the public service really is. \* \* \*

He seemed also to be wrongly advised concerning the authority of the committee of the Grand Army of the Republic to advocate H. R. 5779, as reported by the committee of the House.

He said concerning this: \* \* \* The bill as approved by the authorities of the Grand Army of the Republic did not contain that language. \* \* \* No authority of the Grand Army of the Republic had ever asked for that bill. There was no committee authorized to approve of that bill. \* \* \* Read and ponder.



That identical measure was the one passed upon by the National Encampment at Chicago, August 29-30, 1900, in open session. The report of its committee, in printed form, was in the hands of the delegates over night. The situation requiring such an amendment to be accepted by the Grand Army, to avoid a worse injustice, was fully known to every one of them. And, knowing it, by unanimous vote of the body, the report was sent to every post, through the 45 department headquarters, with a circular from the commander in chief requesting action. \* \* \*

And that was the authority for action by them. As a result nearly 2,000 posts petitioned Congress for the passage of that particular measure. The CONGRESSIONAL RECORD shows in detail all this action to have been officially brought to the attention of the House.

As already pointed out, the national encampment met at Chicago, August 29-30, 1900.

In General Orders No. 2, headquarters Grand Army of the Republic, St. Louis, Mo., dated September 28, 1900, the commander in chief, Leo Rassieur, in again naming the committee, says:

"The following comrades, whose excellent work, as shown by their report to the encampment, entitles them to the thanks of our order, are reappointed a committee on legislation for veterans in the public service." \* \* \*

And in his report to the national encampment at Cleveland, on the subject of veterans' preference legislation, the commander in chief, among other things, says:

"The committee of the House of Representatives to which the original bill of the Grand Army of the Republic was referred, deemed it proper, in view of the action of the Senate on this subject in placing the younger soldiers and sailors on a par with the older veterans by S. 283, as amended in the Senate committee and passed by that body, but recalled [from the House, J. W. K.], to include the soldiers, sailors, and marines who served in the recent war with Spain and in the Philippines, and were honorably discharged, giving them a preference next in order after the veterans of the civil war. This amendment by the House committee and the situation necessitating it was duly submitted to the Thirty-fourth National Encampment in the report of the legislative committee and was, without opposition, acceded to as a further extension of the just principles involved in the original bill."

All these demonstrate beyond question that the committee did nothing except with full authority. While the committee can stand for any misrepresentation and abuse on that score, knowing its position to be impregnable, it may not remain silent as to the other matter whereby a wrong impression again goes abroad, and which, ever since the adoption of the civil service principle, affects the veterans who deserve and most need help and protection. This, I am sure, Comrade HEPBURN would not care, knowingly, to openly stand for and encourage. And yet Mr. HEPBURN is quoted in the CONGRESSIONAL RECORD of January 13 as having said:

"\* \* \* All gentlemen who are familiar with the facts will recognize this as the truth, that in the competitive examinations the soldier who is now given preference by law is required only to reach a standard of 65. If he reaches 65 in competition with a man not a soldier who may have reached 99 or 100, the name of the man with a rating of 65 must be sent up in response to a requisition."

What an injustice. It is not true. Based on a false premise, the statement is cruel. Mr. Hepburn must know that no preference whatever is now given—not an iota—to anyone who was not "honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in line of duty."

The assertion is again made, without fear of contradiction based on truth, that the Union soldier who may have served from April 12, 1861, to August 20, 1866, and, meantime, have been wounded twenty times, unless his discharge from service was given him for disability, and the discharge shows that fact, is not now, nor has he ever been, benefited one single point in a competitive examination under United States civil-service law, or otherwise. That is the situation to-day.

The soldier who served a month or less in the Army during the war for the Union or since its close, and has a discharge given him for disability, comes strictly within the provisions of section 1754, Revised Statutes United States. He is passed at 65 and given preference in certification over one who braved it through to the end of his enlistment, or the war, as the case may be, despite his disabilities and wounds, and who may have gained a grade of 99 or 100 per cent. The latter stands precisely on the same plane with other citizens in competitive examinations in so far as the National Government is concerned. As to the recommendatory statute, section 1755, which became a law on the same day, March 9, 1865, it is a dead letter, more honored in the breach than by observance.

Section 1754 of these statutes, intended at the time for the benefit of the Union soldier or sailor, has been operative since October 20, 1884, under the civil-service system, favoring to the extent of 45 per cent men who enlisted and served, and were discharged for causes therein mentioned, since the war for the Union ended.

The language of the act permits it to be so construed, and the principle, that service in war which caused great sacrifice demands recognition, underlying it is a correct one for adoption in this Republic. It is too closely limited, however, to permit the gratitude expressed in section 1755, passed on the same day, to signify anything whatever to the men who in a period of war serve and suffer, many of them from the beginning to the end of the same, and who, under the law as it stands, have not now and never had any consideration whatever shown to them.

Personally the committee had and have no quarrel with Mr. GROSVENOR or Mr. HEPBURN. The former, at the request of the committee, has introduced in this Congress, in the House, a bill (H. R. 248) which is practically the Harris bill (S. 5417) of the last Congress, and that is now pending in the Committee on Reform in the Civil Service. The same measure (S. 3310) was introduced in the Senate by Mr. FORAKER and is now pending in the Committee to Examine the Several Branches of the Civil Service in that body.

We are all comrades and have no wish beyond "who best can serve and best agree" in our work for worthy men. Yet history must not be perverted. Truth is more potent than fiction; facts are realities. The utterances of public men on the floor of Congress intended for the American people should always be based on a desire to do even-handed justice. More than this latter the American soldier does not ask or seek. With less than that he will not be satisfied.

Fraternally, yours, for the Grand Army of the Republic Committee of 1900-1901,

JOS. W. KAY, Chairman.

The report of the "committee on legislation for veterans in the public service," made to the national encampment at Washington, D. C., in October last, was as follows:

To the Thirty-sixth National Encampment, Grand Army of the Republic, greeting:

COMRADES: The "committee on legislation for veterans in the public service," appointed by the commander in chief, in accord with action authorizing it by the council of administration, acting for the thirty-fifth national encampment, at Cleveland, Ohio, September 13, 1901, submit the following:

Having before us the reports of many like committees of our order, especially those of recent years, in which the principles contended for and the

duty of comradeship concerning them were therein expressed and set forth, and well knowing the lack of results accomplished by appeals to Congress for legislation in the material interests of the veterans of the war who served out their terms of enlistment affecting the right of such to a preference for appointment, employment, and retention in the public service of the National Government, in harmony with the spirit of existing statute law, it is not necessary at this time to comment extensively on any shortcoming of the Fifty-seventh Congress at its first session, which it is our duty to report. The fact is there. We shall therefore recite our own experience in another effort to secure justice for comrades, and thus enable the placing of the responsibility for failure where it properly belongs.

At the request of your committee, represented by its chairman, who was thereby acting in entire harmony with the desire of the commander in chief, Hon. CHARLES H. GROSVENOR, of Ohio, in the House, on December 2, 1901, and Hon. JOSEPH B. FORAKER, of Ohio, in the Senate, on January 28, 1902, introduced bills known as H. R. 248 and S. 3310, respectively, both being similar in language, as follows:

A bill to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex Army and Navy officers.

Be it enacted, etc., That section 1754 of the Revised Statutes of the United States be amended so as to read as follows:

"SEC. 1754. Persons honorably discharged from the military and naval service by reason of disability resulting from wounds or sickness, and officers and enlisted men who served in the Armies or Navy of the United States between April 12, 1861, and August 25, 1865, being honorably discharged therefrom, shall be preferred for appointment to and retention in civil offices and employments, as also for promotion therein: *Provided*, They are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments."

SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

H. R. 248 was referred to the Committee on Reform in the Civil Service of the House and S. 3310 to the Committee to Examine the Several Branches of the Civil Service of the Senate.

Your committee met, pursuant to call, at the Ebbitt House, Washington, a quorum being present, February 18, 1902. Meantime other bills had been introduced in both Houses bearing on the same subject. Consideration of all these being had by your committee, it was decided to recommend and urge the passage of H. R. 248 and S. 3310 as introduced.

On February 19 your committee attended a meeting of the "Committee on Reform in the Civil Service" at the Capitol, arranged by Hon. FREDERICK H. GILLETT, its chairman, in which all the pending bills were discussed. Comrades Leo Rassieur, Joseph W. Kay, George H. Patrick, Thomas G. Sample, and Commander in Chief Ell Torrance spoke for the Grand Army of the Republic, favoring H. R. 248. Messrs. POU, SHALENBARGER, ALLEN, BRISTOW, and Chairman GILLETT, of the House committee, also shared in the debate.

No report being made by the House committee on any of the pending bills, such a report not being likely, as the chairman of your committee was advised, and deferring to the objections stated by Representative HEPBURN in a speech in the House January 13, 1902, as to the promotion feature (see pp. 597-599, CONGRESSIONAL RECORD), your committee united over the signatures of all its members and those of the committee on legislation of the Department of the Potomac in a letter, a copy of which was furnished to Mr. HEPBURN, as follows:

BROOKLYN, N. Y., April 18, 1902.

Hon. CHARLES H. GROSVENOR, M. C.,

House of Representatives, Washington, D. C.

DEAR SIR AND COMRADE: As the national "committee on legislation for veterans in the public service" of the Grand Army of the Republic, appointed by General Orders, No. 3, C. S., a copy of which is inclosed, we hand you the text of a bill to amend section 1754 of the Revised Statutes, which is given below, and ask you to use your best efforts to secure its passage at the present session of Congress. The statute referred to now reads:

"SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in line of duty shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices."

The proposed bill would, if enacted into law, cause this statute to read:

"SEC. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness, and officers and enlisted men who served in the armies or navies of the United States between April 12, 1861, and August 25, 1865, being honorably discharged therefrom, shall be preferred for appointment to and retention in civil offices and employments, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments."

SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

The lines italicized above are amendatory, and the remainder of the bill is the present law.

The bill now submitted is an exact copy of the bill heretofore, to wit, H. R. 248, introduced by you December 2, 1901, except making a slight correction in the title and striking out the words "as also for promotion therein," which, to avoid objection, we ask you to have omitted.

From the proposed bill has been eliminated every word or phrase to which we ever have heard any objection, in or out of Congress, and we believe that it will receive the concurrence of the House. On behalf of the Grand Army of the Republic we unanimously indorse and express our satisfaction with the terms and conditions of the bill, which have been revised after consultation with Colonel HEPBURN, of Iowa, and yourself, as well as others.

It will be observed that every person entitled to the benefit of the provisions of this measure by reason of the amendment must have been honorably discharged from the Army or Navy prior to August 25, 1865, and at the date of his appointment be able to discharge the duties of his prospective office or employment. In addition, where a prescribed examination for public employes is required, he must pass the same and be duly certified by the Civil Service Commission to be eligible for appointment.

Very truly and fraternally, yours,

JOS. W. KAY,

Past Department Commander New York, G. A. R., Chairman,

LEO RASSIEUR,

Past Commander in Chief, G. A. R., St. Louis, Mo.,

JOHN P. S. GOBIN,

Past Commander in Chief, G. A. R., Lebanon, Pa.,

HENRY A. CASTLE,

Past Department Commander Minnesota, G. A. R., St. Paul, Minn.,

GEO. H. PATRICK,

Past Department Commander Alabama, G. A. R., Montgomery, Ala.,

O. H. COULTER,

Past Department Commander Kansas, G. A. R., Topeka, Kans.,

I. G. KIMBALL,

Senior Vice Department Commander Potomac, G. A. R., Washington, D. C.,

Committee on Legislation for Veterans in the Public Service,

Grand Army of the Republic.



The committee on legislation of the Department of the Potomac, G. A. R., respectfully concur in the above letter and proposed legislation.

I. G. Kimball, senior vice-commander, Department of the Potomac, G. A. R., chairman; Nathan Bickford, past department commander of the Potomac, G. A. R.; Thos. S. Hopkins, past department commander of the Potomac, G. A. R.; Robert Reyburn, M. D., of Post No. 1, Washington, D. C.; A. Hart, junior vice department commander Potomac, of Post No. 2, Washington, D. C.; L. P. Williams, past senior vice department commander Potomac, of Post No. 3, Washington, D. C.; Henry N. Copp, of Post No. 10, Washington, D. C.; Bernard T. Janney, past junior vice department commander Potomac, of Post No. 19, Washington, D. C.; Edwin J. Sweet, past judge-advocate, Department Potomac, of Post No. 20, Washington, D. C.; Lewis H. Douglass, of Post No. 21, Washington D. C.

WASHINGTON, D. C., April 18, 1902.

Based upon that letter (prepared to meet the views of Messrs. HEPBURN and GROSVENOR at their suggestion) a new bill was introduced by Mr. GROSVENOR, April 23, 1902, and referred to the Committee on Reform in the Civil Service. It is known as H. R. 14105. This was not reported to the House, nor was any other of similar nature, notwithstanding that Congress was in session from December 2, 1901, to July 1, 1902, and that the effort to secure some action was continued until the day and hour the first session of the Fifty-seventh Congress was adjourned.

The Senate committee, April 23, 1902, reported S. 3310 to the Senate, with amendments, as follows:

[Omit the part in brackets and insert the part printed in italics.]

A bill to amend section 1754 of the Revised Statutes of the United States, relating to the preference in civil appointments of ex-Army and Navy officers.

Be it enacted, etc., That section 1754 of the Revised Statutes of the United States be amended so as to read as follows:

"Sec. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness, and officers and enlisted men who served in the Armies or Navy of the United States between April 12, 1861, and August 25, 1865, being honorably discharged therefrom, shall be preferred for appointment to and retention in civil offices and employments, as also for promotion therein [ : Provided they ], provided they are found to possess [the business capacity necessary] *equal qualifications for the proper discharge of the duties of such offices or employments with other competitors from whom the selection is made.*"

SEC. 2. That all laws or parts of laws inconsistent with the provisions of this act are hereby repealed.

And the bill, as thus amended, is now on the Senate Calendar. Can this be the measure of the nation's gratitude expressed in section 1755, Revised Statutes, as the Senate committee seem to think? Certainly not. We ask for justice and are offered a stone. Should such a bill become law, then the statute (sec. 1754) signed by the martyred President, Abraham Lincoln, is repealed, and nothing is left. Even that little which was long since given to some is taken away. And the soldiers and sailors of the Republic, even the few who are now preferred ones, are to be its victims; while the injustice and ingratitude ever meted out to those honorably discharged from the military or naval service by reason of the end of their terms of enlistment are still to continue.

Thirty-seven years is too long to wait for justice to the Union soldier and sailor, especially when anxiety is now expressed concerning the people of Cuba, Porto Rico, and the far-away Philippines, aye, even those of China, lest the national honor, pledged to them, be not fully observed. Are the obligations of America to foreigners more sacred or binding than those due to the defenders of the nation?

We would remind the Congress that when the lamented President William McKinley wrote, "Preference should be given to honorably discharged soldiers and sailors and their widows and orphans in respect to the public service," he simply reechoed and emphasized the sentiment emblazoned on a banner which stretched across Fifteenth street from the Treasury building, Washington, at the time of the final grand review, in May, 1865, and which proclaimed, "There is one debt this nation can never repay—the one it owes its defenders," or words to like effect.

And that, entirely in harmony with the foregoing, a recent convention at Saratoga Springs, N. Y., squaring by performance the constitutional provision adopted by the people of the State in 1894 for the preference of veterans in the civil service, declares:

"We believe that the devotion of those who took part in the great struggles of our country should be fully recognized, and we promise our support to such amendment to existing laws according to them recognition as may be deemed necessary in the furtherance of this resolution."

In strong contrast with no result of all appeals to the Congress was that action of the President, in direct answer to the request of the last national encampment, contained in resolutions emanating from your committee of last year, which appears in the following:

#### EXECUTIVE ORDER.

The attention of the Departments is hereby called to the provisions of the laws giving preference to veterans in appointment and retention.

The President desires that whenever the needs of the service will justify it and the laws will permit, preference shall be given alike in appointment and retention to honorably discharged veterans of the civil war who are fit and qualified to perform the duties of the places which they seek or are filling.

THEODORE ROOSEVELT.

WHITE HOUSE, January 17, 1902.

It is considered well to state that Comrades John W. O'Brien, United States weigher, and A. Keiman, deputy collector of internal revenue, who were named in a preamble of the resolutions above referred to, and who had been unjustly and illegally removed in disregard of the provisions of chapter 287, laws of 1876, which reads in part, as follows:

"Sec. 3. \* \* \* Provided that in making any reduction of force in any of the Executive Departments, the head of such department shall retain those persons who may be equally qualified who have been honorably discharged from the military or naval service of the United States and the widows and orphans of deceased soldiers and sailors. \* \* \* have, through Hon. Leslie M. Shaw, Secretary of the Treasury, and Hon. James S. Clarkson, surveyor of customs at New York, both been restored to their positions.

The President himself in some instances—notably so in the case of a comrade who was postmaster at Skaneateles, N. Y., who applied for, but was refused, reappointment by the Congressman of the district, and to which his attention was called by Comrade Maj. Gen. Daniel E. Sickles—ruled that the comrades concerned came within those intended by his Executive order, and directed their reappointment or restoration.

Recognizing in these and in many other acts and words showing his patriotism that President Roosevelt is in full sympathy with fair and just treatment being extended to our comrades of the "great war" who seek or are in public service under the National Government, in accord with both the letter and spirit of existing law, and in harmony, as we believe, with what is still in the hearts of the American people toward the survivors of that

great struggle, your committee, through its chairman, thereby lending emphasis to H. R. 14105, wrote him as follows:

BROOKLYN, N. Y., May 10, 1902.

MR. PRESIDENT: Annexed I take the liberty to hand you copies of sections 1753, 1754, and 1755 of the Revised Statutes, and H. R. 14105, a recently introduced by General GROSVENOR, to amend S. 1754.

As you know, the present law (S. 1754) prefers only those discharged for disability, and, technically, as to offices, but the latter word has been construed to include employments. The proposed amendment applies the preference to offices and employments and extends it to all capable, honorably discharged soldiers.

Section 1755 recommends all private employers of labor to prefer soldiers discharged for wounds, disease, and at expiration of terms of enlistment. The Government ought most willingly and voluntarily to do as much for "the boys" as it asks its citizens to do, and more, if possible. None of the veterans of the war of 1861-1865 will be here to annoy legislators many years longer, yet very many of them are quite capable of fair and even splendid work—and they need this work. Unless capable, the proposed amendment will not, and is not intended to, affect them.

For obvious reasons it is better and more generous, more "in grateful recognition of their services, sacrifices, and sufferings" (quoting from S. 1755), that the addition we desire should be made by statute than Executive order, and by the party in power. I am sure that a timely hint from you to Speaker HENDERSON and half a dozen members of the House whose names will occur to you would result in the prompt taking up and passage of H. R. 14105, as I am equally sure that the objects of this bill have your hearty approval. It has the cordial support of the Grand Army, which will be satisfied with its enactment and execution; in fact, the bill was introduced at the request of the order.

I earnestly ask you to adopt the above suggestion, or, in the event that Congress should not act, that you will consider the matter of issuing an Executive order or civil-service rule to the same effect.

This letter is the following up of a personal interview of some time ago, in which I more fully set forth the ideas herein embodied. With great respect, I am,

Very respectfully, yours,

JOS. W. KAY.

THE PRESIDENT, Washington, D. C.

[Extracts from the Revised Statutes of the United States.]

S. 1753. The President is authorized to prescribe such regulations for the admission of persons into the civil service of the United States as may best promote the efficiency thereof, and ascertain the fitness of each candidate in respect to age, health, character, knowledge, and ability for the branch of the service into which he seeks to enter; and for this purpose he may employ suitable persons to conduct such inquiries, and may prescribe their duties and establish regulations for the conduct of persons who may receive appointments in the civil service.

S. 1754. Persons honorably discharged from the military or naval service by reason of disability resulting from wounds or sickness incurred in the line of duty shall be preferred for appointments to civil offices, provided they are found to possess the business capacity necessary for the proper discharge of the duties of such offices.

S. 1755. In grateful recognition of the services, sacrifices, and sufferings of persons honorably discharged from the military and naval service of the country, by reason of wounds, disease, or the expiration of terms of enlistment, it is respectfully recommended to bankers, merchants, manufacturers, mechanics, farmers, and persons engaged in industrial pursuits to give them the preference for appointments to remunerative situations and employment.

Act of March 3, 1865 (res. 27), sections 1 and 2, volume 13, page 571, Revised Statutes.

Act of March 3, 1871, section 9, volume 16, page 514, Revised Statutes. This brings the story up to date. In plain and concise form, with little in way of comment, your committee has endeavored to give some intelligent idea of its work. The heartburnings met with are passed over, the sacrifices entailed not considered. The contest we wage is for justice, based on principles which are greater than men. "Fraternity means something." We aimed to do our duty.

To Commander in Chief Ell Torrance, Adjt. Gens. Frank M. Sterrett and Silas H. Towler, Comrades Daniel E. Sickles, Henry S. Peck, S. C. James, Israel W. Stone, and B. F. Bingham (now department commander of the Potomac, formerly of this committee, but who resigned, being succeeded by Comrade Ivory G. Kimball), as also to the committee on legislation of the department of the Potomac, for advice, counsel, and other aid, willingly extended, the thanks of the committee and of this national encampment are due.

It only remains to offer such suggestions and make such recommendations as will enable the constituted authorities of our order to continue urging the justice of the cause of its rank and file. In view of all the premises herein stated or outlined, and of the fact that the Fifty-seventh Congress will reassemble at its second session in December, we therefore recommend and ask as follows:

First. That the "committee on legislation for veterans in the public service" be continued. That a similar committee to this be appointed by the incoming commander in chief, with instructions to urge upon the lawmakers of the nation at the coming session of Congress the enactment of H. R. 14105, as introduced, or some similar measure of legislation.

Second. That in the event of failure to secure a vote on the subject-matter and the adjournment of the Fifty-seventh Congress occurs without legislation thereupon, the commander in chief and said committee are fully authorized, directed, and charged to appeal to the President of the United States, in the name of the Grand Army of the Republic, for justice, and respectfully request and urge that he will exercise the power conferred upon him by section 1753, Revised Statutes, to the end that, by Executive order or otherwise, he will make effective throughout the civil service, in a practical way, as applied to the National Government, the recommendatory provisions of section 1755, Revised Statutes, and also insure that the requirements of all other laws affecting the rights of honorably discharged soldiers and sailors in matters of appointment, employment, and retention in the public service shall be carried out and observed.

Third. That this report with its recommendations be in all things approved and adopted as the sense of the Thirty-sixth National Encampment, Grand Army of the Republic, and that copies thereof be sent to the Senators and Representatives in Congress to their home addresses.

In fraternity, charity, and loyalty,

JOSEPH W. KAY,  
LEO RASSIEUR,  
J. P. S. GOBIN,  
HENRY A. CASTLE,  
GEO. H. PATRICK,  
O. H. COULTER,  
IVORY G. KIMBALL.

Committee.

\*The text of H. R. 14105 already appears in this report.



And the Washington Post, of date October 11, 1902, in its account of the proceedings of the thirty-sixth national encampment, then in session at that city, says:

**HOUSE ATTACK RESENTED.**

Immediately upon the acceptance of the legislative committee's report, the following resolution was introduced by Joseph W. Kay, of New York, and adopted as a reply to an attack made upon the committee on legislation in the House on February 19 last:

"Whereas the work of the committee on legislation for veterans in the public service of the Thirty-third and Thirty-fourth National Encampments and their reports thereto were fully in accord with authority conferred upon such committee, the same being approved and adopted, and

"Whereas in the House of Representatives on January 13, and also before the Committee on Reform in the Civil Service of that body on February 19, 1902, the authority of such committee was brought in question and its members accused of forgery and other wrongdoing in way of misrepresentation of the Grand Army of the Republic; and

"Whereas the general orders from national headquarters, and the journal of the Thirty-third, Thirty-fourth, and Thirty-fifth National Encampments, and as well the archives of our order at Philadelphia, refute any such charges of forgery, lack of authority, or any shortcoming on the parts of such committee: Therefore,

"Resolved, That this national encampment deems it a matter of duty and justice to its authorized representatives herein referred to to declare in this solemn form that said committee was fully justified in its action and fully authorized in the manner in which they represented the order, and that the Representatives in Congress who attacked their position on the occasions mentioned had no basis whatever for any such criticism; be it further

"Resolved, That we commend our representatives on such committee for their faithful discharge of the duties intrusted to them concerning legislation for veterans in the public service."

The foregoing fully placed the Grand Army on record concerning the whole business—and it could do no less except through stultification. It certainly disposed of any question of doubt concerning the authority of its committees.

In accordance with the requirements of the report proper, a copy of the same, with the following letter, was sent as therein required, addressed to every member of the Senate and of this House. In many cases the report has been sent several times:

HEADQUARTERS GRAND ARMY OF THE REPUBLIC,  
OFFICE OF COMMANDER IN CHIEF, INDEPENDENCE HALL,  
Philadelphia, November 22, 1902.

Hon. FREDERICK H. GILLET, M. C.,  
Chairman, etc., House of Representatives, Washington, D. C.

DEAR SIR: In the discharge of my duty I have the honor to send you herewith a copy of the report of the "committee on legislation for veterans in the public service," which was submitted to, and unanimously adopted by, the national encampment, Grand Army of the Republic, at its meeting in Washington, D. C., October 10 last. This report explains itself and is commended to your attention and consideration. Especially so the recommendations concerning action by the Congress. Your active assistance and support are earnestly asked to the end that legislation may follow on the lines indicated in the report at the coming session.

It is my pleasure to advise you, also, that in General Orders, No. 2, bearing even date herewith, the committee appointed by the commander in chief to represent the Grand Army of the Republic on the subject has been named and promulgated. Said committee is constituted as follows: Joseph W. Kay, New York; Isaac F. Mack, Ohio; Leo Rassiour, Missouri; J. P. S. Gobin, Pennsylvania; George H. Patrick, Alabama; O. H. Coulter, Kansas; Ivory G. Kimball, Washington, D. C.

Very truly, yours,

THOS. J. STEWART,  
Commander in Chief.

Duplicated to home address November 25, 1902.

Since then, from the convening of Congress at its second session until now, as I am advised, the guns have been thundering "along the whole line" for justice. Personally I know that the great department of New York, through its commander, Allan C. Bakewell, has been active. Doubtless my associates in this House from that State have heard from him, as I have, and the RECORD since February 21 shows that department after department have been moving in the same direction, all pleading for legislation which should long, long ago have been enacted by the Congress as a matter of national honor, and in the doing of which the payment of not a single dollar of appropriation is involved.

But not alone is national honor overlooked by us. Something that should be of equal moment to us all, personal political honor, is at stake. It has caused to be written and sent, hopeless that other appeals would receive consideration, two letters, which I will now read. In them is embodied a cry of anguish, the voice of despair, caused by our neglect. Truly the veterans who preserved our Union of States and saved free government upon the earth have reason to cry aloud.

WAR VETERANS AND SONS' ASSOCIATION,  
Brooklyn, N. Y., February 23, 1903.

Hon. CHARLES DICK,  
House of Representatives, Washington, D. C.

COMRADE: "A friend in need is a friend indeed." In such view I write you. Under date 25th I have letter from General GROSVENOR which is discouraging. His antipathy to civil service seems to control him in the matter of H. R. 14105. And so last evening I wrote him, inclosing a copy of my letter to GILLET of date 14th in which are some intimations of what happened in Chicago and New York in the summer of 1900, based on which Major McKinley, in his letter of acceptance, used the language quoted in inclosed report. My object was to fully advise the General. In my letter to GILLET he was referred to Mr. PAYNE, Mr. HANNA, Mr. SCOTT, Mr. Manley, and Mr. Cortelyou concerning how those words came to be written. And why? His answer, as usual, was "consideration of my letter would be given, but he did not think that he would be able to comply with my request for a meeting of his committee." Personal political honor is with some people stronger than that of a national character, and I suggested this in the letter referred to.

The conditions in the campaign of 1900, both as to the political situation and that of the national encampment, were altogether unsatisfactory. As

to both the sky was overcast. A solution of all was found at a meeting at the Palmer House, Chicago, August 28, 1900, some 40 or more leading veterans, all of whom were past commanders in chief or department commanders, being present from States where the situation was the worst, the outlook most threatening. Sickles was asked to organize another whirlwind tour, as in 1896, but emphatically refused to volunteer to do any such thing. He did consent to act as chairman of that meeting, and appointed a committee of five to wait on some people in a representative capacity at the Auditorium, I being one of the five. The four others went to the national committee, stated the situation and what was wanted, which was agreed to, viz, a change in Commissioner of Pensions and the passage of the veteran bill then pending (BROMWELL'S), as also approval of a court of pension appeals bill, the latter wish being vetoed by the President later on, but confirmed as to the others, and at the encampment all opposition was stifled. Following that, the strongest organization ever perfected among veterans was brought to bear in every doubtful locality. You will recall this.

I called personally on Saturday morning, saw Mr. PAYNE, went over the ground with him and the others then there, and losing my return ticket to New York, bought another, went directly to Washington, and on Labor Day saw the President, who congratulated me; and he then and there called for the draft of his letter of acceptance and changed it, at my suggestion, to read as it went to the people. And then, returning to New York, the other matters were taken up, and everywhere the fighting was forced until the close of the polls. In that campaign the Veterans' Patriotic League deserved and received the thanks of Mr. HANNA, Mr. Manley, and Mr. PAYNE, in letters to myself and others. In the name of Heaven, is the sense of honor lost entirely among Americans?

As chairman of the committee of the national encampment, Grand Army of the Republic, it not being in politics, I could not write to GILLET, or GROSVENOR, or anybody else, as I now write you. As chairman of the executive committee of this association, which is political and local, and of the which you are an honorary member and comrade, I can and do write you. Satisfy yourself that I am right and then lend your aid to see that the promise made to the representatives of the veterans by another body having a representative capacity is carried out at this session. The time to talk and parley is gone, and the time for action is at hand. You are at liberty to use what is herein written as you may think best. Many of those named by me can be reached. Regarding Mr. GILLET simply as a "foil" to again deceive the veterans of the nation, I will not again stand for such treatment of their cause. And, in order that I may not longer be a party to it, have resigned my membership and chairmanship on the Grand Army committee, and will go at this matter as a citizen, from another direction. A copy of my letter of resignation is sent herewith.

When I reflect that even the change in the Pension Commissioner was brought about only because the promise concerning it was made known to President Roosevelt, and he, holding it to be a matter of honor which might not be pushed aside, made the change, and under such circumstances no power on the earth could have saved Evans, it seems to me that political honor is not regarded at its value, or as having any, except in rare instances, and by few men. Among these I place President Roosevelt and Mr. PAYNE. The latter has "stood by the guns."

When I think that nearly three years have passed since the promise of 1900, and from thirty-eight to forty-two years since the promises of the people in the "great war" days to the men who saved the nation were made, all being dishonored through nonperformance, it seems to me that national honor and personal political honor, alike, must be at a low ebb. We need your help. We want the party in power to do our people justice, now. And more than that is not sought.

Assuring you of the fraternal regard for you of our entire membership, but having little for those who by duplicity, low cunning, and chicanery try to "fool all the people all the time," which has made necessary my action of resignation and such a letter as this to you, I am,

Fraternally and truly, yours,

JOS. W. KAY,  
Chairman Executive Committee,  
War Veterans' and Sons' Association.

HEADQUARTERS GRAND ARMY OF THE REPUBLIC,  
OFFICE OF CHAIRMAN COMMITTEE ON LEGISLATION  
FOR VETERANS IN THE PUBLIC SERVICE,  
Brooklyn, N. Y., February 27, 1903.

THOMAS J. STEWART, Esq.,  
Commander in Chief Grand Army of the Republic,  
Independence Hall, Philadelphia, Pa.

COMRADE: In line with the reservation made by me in accepting the chairmanship of the "committee on legislation for veterans in the public service" at the time of my appointment thereto, by you, I hereby surrender the charge and resign said chairmanship and also my membership on that committee, to take effect forthwith. I am constrained to take this action notwithstanding the active help you have rendered, and which has also been so generously extended to the committee in its work by many department encampments and department commanders in their appeals to Congress, and concerning which I am advised. This course is taken in order that I may be free to write, as in the letter a copy of which accompanies this, what my conscience dictates to me to say as a veteran of war and a citizen concerning the treatment meted out to my comrades of long ago, and which, having regard for my obligation as a comrade, acting for them in a representative capacity on such committee, I am not privileged, nor permitted, under our laws, to do.

Your active, earnest cooperation in the work of trying to secure legislation in aid of our rank and file has been unceasing. In this my associates on the committee and others herein referred to have rendered active help. To that end, also, my own efforts have been directed; but it all avails nothing. And so, having reached "the parting of the ways," my duty to principles greater than men and to the organization whose representative I have been entails upon me that I sever the connection which has been to me one of great sacrifice—lay down the "white man's burden" and cry "quits."

When a great organization such as ours can appeal to reason and for fair treatment to the veterans of the great war to those "who have ears and hear not" in the Congress of the nation for, lo, these many years, there comes a time when manhood rebels, conscience protests, and from another viewpoint and forum than that of the Grand Army of the Republic the subject of decent treatment of the soldiers and sailors of the Republic must be brought to attention.

Fraternally, yours,

JOS. W. KAY.

HEADQUARTERS GRAND ARMY OF THE REPUBLIC,  
OFFICE OF ASSISTANT ADJUTANT-GENERAL,  
Albany, N. Y., February 27, 1903.

Hon. WILLIAM SULZER,  
House of Representatives, Washington, D. C.

DEAR SIR: I have the pleasure to acknowledge receipt of your courteous letter of February 24, expressing yourself interested in H. R. 14105, amendatory of section 1754 of the Revised Statutes, concerning the preference of veterans, and I am directed by Department Commander Bakewell to express

his appreciation of your attention. It will give him further cause for gratitude if you will have his request of the 21st instant mentioned in the CONGRESSIONAL RECORD as a petition, and personally see the Speaker of the House, Gen. C. H. GROSVENOR, and Hon. F. H. GILLETT, chairman of the Committee on Reform in the Civil Service, in the interest of action being taken on the bill at this session. The Department Commander will be pleased to hear from you as to probable results.

Respectfully,

WILBUR F. BROWN,  
Assistant Adjutant-General.

Mr. GILLETT of Massachusetts. Mr. Speaker, I quite agree, as stated by the gentleman from New York, that there is no fair comparison between the services which the men who served in the civil war rendered and the services of those that were in the war with Spain, but the gentleman seems to misapprehend the ground upon which I base my objection to this bill.

My objection is that the way to reward the soldiers of any war is not by preference in the civil service, but it is by means of pensions. The civil service ought not to be injured under the guise of giving preference; and that, I think, is what this bill effects.

Mr. WM. ALDEN SMITH. I suggest to the gentleman that when these men enlisted in the Spanish war they did not know how long it was to last or how terrible it would be; they demonstrated their patriotism and deserve great credit.

Mr. GILLETT of Massachusetts. I do not mean to intimate that their patriotism was not equal to that of the men who went into the civil war—

Mr. WM. ALDEN SMITH. Certainly it was, and the probabilities of long duration of war looked very promising, they deserve great credit.

Mr. GILLETT of Massachusetts. But their services certainly were not equal if their patriotism was—

There is one other objection to this bill. Under the civil-service law at present the appointments are apportioned among the States; each State has a certain number. But if this bill should go through these preferences will entirely annihilate that apportionment by States. The soldier, no matter from what State he may come, will take precedence over everyone else—

A MEMBER. So he should.

Mr. GILLETT of Massachusetts. So that the States from which these old soldiers come will fill the civil list, and there will be no room for appointees from other States.

Mr. GRAHAM. I want to call the gentleman's attention to the fact that this bill provides for the soldiers of the Spanish-American war if they are disabled; it gives them a preference, the same as other soldiers, if they are disabled.

Mr. GILLETT of Massachusetts. That is the present law.

Mr. GRAHAM. Not as to the soldiers of the Spanish-American war.

Mr. GILLETT of Massachusetts. The present law does that; this bill leaves those soldiers just as they are under that law. The veterans of the Spanish war and the veterans of the civil war stand under the present law on exactly the same basis. But the next provision of this bill applies exclusively to soldiers of the civil war, and in no wise touches the soldiers of the Spanish war.

And while I admit that the services of the veteran of the Spanish war, so far as regards the spirit of patriotism which inspired them, do not fall below those of the veteran of the civil war, yet the soldiers of the Spanish war endured no such hardships and rendered no such services as those of the civil war.

Yet the logic is precisely the same. The only ground upon which this preference can be granted is that service in war entitles a man to preference in the matter of appointment—gives an equal preference to the one who served three days and the one who served three years.

Mr. SNODGRASS. I should like to ask the gentleman, what is the provision of the present law with reference to the examination that veterans have to take?

Mr. GILLETT of Massachusetts. There is no provision in the law about that; that is entirely a matter of administration and rule. The law does not touch that.

Mr. SNODGRASS. Does not the law authorize the Civil Service Commissioners to prescribe an examination that veterans of the civil war must undergo before they can enter the civil service?

Mr. GILLETT of Massachusetts. That is entirely a matter of rule and regulation.

Mr. SNODGRASS. Now I ask the gentleman whether in his opinion these words of the bill do not modify that provision:

*Provided, They are found to possess the business capacity necessary for the proper discharge of the duties of such offices or employments.*

Mr. GILLETT of Massachusetts. Those words are in the present law, if I remember rightly. No; I am mistaken; they are not in the law.

Mr. SNODGRASS. Well, if there is a law authorizing an examination to be prescribed for these soldiers, will not this language in the present bill have the effect to modify that, so that really no examination could be prescribed?

Mr. GILLETT of Massachusetts. I really do not think it will.

The SPEAKER. The time of the gentleman from Massachu-

setts [Mr. GILLETT] has expired. The gentleman from Ohio [Mr. GROSVENOR] has six minutes remaining.

Mr. GROSVENOR. Mr. Speaker, the gentleman from Massachusetts, who proposed an amendment to this bill, has a wonderfully short sight or a fleeting memory of the men who are entitled to the gratitude of the country.

Mr. GRIGGS. Mr. Speaker—

Mr. GROSVENOR. I do not yield to any gentleman in these six minutes. The gentleman from Massachusetts talks of the soldiers of the Spanish war who served in the United States or in the island of Cuba; he would exclude from the generosity of the Government all the men who went over to the Philippine Islands; who went to Peking and planted our flag upon the battlements of the Celestial City.

He strikes out all those and then picks up the few whose services were rendered within the limits of the United States and Cuba. He leaves out the sailors. He leaves out the men who served in the Indian wars. He leaves out everybody except a few whom he happened to remember—the Santiago men. That shows how generous and widespread the generosity of the gentleman is.

The honorable chairman of the Committee on Civil Service Reform [Mr. GILLETT of Massachusetts] says that to permit these few veterans to have this preference would damage seriously the civil service of the United States. The other gentleman proposes to extend the damage by taking in everybody else! That is the logic of the opposition to the passage of this bill.

Mr. GRIGGS. Mr. Speaker, will the gentleman from Ohio now yield?

Mr. GROSVENOR. I will not. Now, let us see whether this bill is in conformity with the great sentiment of the American people. It is bad, is it, to introduce into the civil service of the country rewards for military service? It is injurious to the Republic to do that?

Before the great war six of the American Presidents had been soldiers, and from Abraham Lincoln, inclusive, down to the present occupant of the Presidential chair but one man was ever elected by the American people to be President of the United States who had not been a soldier. [Applause.]

What do you say to that? That is the American sentiment that these gentlemen appeal against. Governors of States, Senators in Congress, Members of the House of Representatives on this floor, men in all the various civil offices of the country, have been chosen by the people because of a purpose to honor and reward for the services they have performed for the country in battle and in war.

And now comes a gentleman who says that it is against the spirit of the civilization of this age to confer civil honors upon a soldier! Is not that a strange argument? Gentlemen, here is a very small token of your esteem for the old soldiers of the war. Let us give it to them. I will undertake to say, to guarantee, that the civil service will be in no worse hands, although it can not be, than it is now. [Laughter and applause.]

Let us give those few men as they linger this side of the tomb this little expression of confidence and affection for them, and they will see to it that in the discharge of their duties as men taken from the civil lists of the country there will be exhibited the same patriotism, the same love of country that they exhibited when they made it possible for the gentleman from Massachusetts [Mr. GILLETT] to stand here representing in part a great, glorious, and united country. [Applause.]

Mr. Speaker, I ask for a vote.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Ohio.

The question was taken.

Mr. UNDERWOOD. Mr. Speaker, I ask for a division.

Mr. GROSVENOR. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 172, nays 50, answered "present" 14, not voting 114; as follows:

YEAS—172.

|                |              |                |                |
|----------------|--------------|----------------|----------------|
| Acheson,       | Butler,      | Draper,        | Graham,        |
| Adams,         | Calderhead,  | Driscoll,      | Green, Pa.     |
| Alexander,     | Caldwell,    | Dwight,        | Greene, Mass.  |
| Allen, Me.     | Capron,      | Eddy,          | Grosvenor,     |
| Aplin,         | Cassel,      | Emerson,       | Hamilton,      |
| Bartholdt,     | Cassingham,  | Esch,          | Hanbury,       |
| Bates,         | Connell,     | Feely,         | Haskins,       |
| Beidler,       | Conner,      | Fitzgerald,    | Haugen,        |
| Billmeyer,     | Coombs,      | Flanagan,      | Hedge,         |
| Bishop,        | Cooper, Wis. | Fletcher,      | Hemenway,      |
| Borcing,       | Cousins,     | Foster, Vt.    | Henry, Conn.   |
| Bostell,       | Cromer,      | Fowler,        | Hepburn,       |
| Bowie,         | Crumpacker,  | Gaines, Tenn.  | Holliday,      |
| Brandegee,     | Carrier,     | Gaines, W. Va. | Hopkins,       |
| Brick,         | Cushman,     | Gardner, Mich. | Howell,        |
| Bristow,       | Dahle,       | Gardner, N. J. | Hughes,        |
| Bronwell,      | Dalzell,     | Gibson,        | Hull,          |
| Brown,         | Darragh,     | Gillat, N. Y.  | Irwin,         |
| Brownlow,      | Davey, La.   | Goldfogle,     | Jackson, Kans. |
| Burke, S. Dak. | Davis, Fla.  | Gooch,         | Jenkins,       |
| Burkett,       | Dick,        | Gordon,        | Jones, Wash.   |
| Burleigh,      | Dovener,     | Graff,         | Kahn,          |



|               |                |                  |                 |
|---------------|----------------|------------------|-----------------|
| Kechoe,       | Miers, Ind.    | Reeves,          | Stewart, N. Y.  |
| Ketcham,      | Miller,        | Roberts,         | Storm,          |
| Knapp,        | Minor,         | Robinson, Ind.   | Sulloway,       |
| Kyle,         | Mondell,       | Ryan,            | Sulzer,         |
| Lacey,        | Moody,         | Scott,           | Sutherland,     |
| Landis,       | Morgan,        | Shallenberger,   | Tawney,         |
| Latimer,      | Morrell,       | Shelden,         | Thomas, Iowa    |
| Lewis, Pa.    | Mudd,          | Showalter,       | Tirrell,        |
| Lindsay,      | Nevin,         | Sibley, I.       | Tompkins, N. Y. |
| Littlefield,  | Norton,        | Smith, Ill.      | Trimble,        |
| Long,         | Olmsted,       | Smith, Iowa,     | Van Voorhis,    |
| Loudenslager, | Otjen,         | Smith, H. C.     | Wachter,        |
| Lovering,     | Overstreet,    | Smith, S. W.     | Wadsworth,      |
| McAndrews,    | Palmer,        | Smith, Wm. Alden | Wagoner,        |
| McCleary,     | Patterson, Pa. | Snook,           | Warner,         |
| McClellan,    | Payne,         | Southard,        | Warnock,        |
| McLachlan,    | Pearre,        | Southwick,       | Wiley,          |
| Mahon,        | Perkins,       | Sperry,          | Williams, Ill.  |
| Mahoney,      | Powers, Me.    | Stark,           | Wright,         |
| Marshall,     | Pugsley,       | Steele,          | Young,          |
| Martin,       | Reeder,        | Stevens, Minn.   | Zenor.          |

## NAYS—50.

|                |                 |                   |                 |
|----------------|-----------------|-------------------|-----------------|
| Breazeale,     | Hay,            | Parker,           | Smith, Ky.      |
| Burleson,      | Johnson,        | Randell, Tex.     | Snodgrass,      |
| Candler,       | Jones, Va.      | Ramsdell, La.     | Sparkman,       |
| Clayton,       | Kitchin, Wm. W. | Rhea,             | Stephens, Tex.  |
| Cowherd,       | Klutz,          | Richardson, Tenn. | Swann,          |
| De Armond,     | Lamb,           | Rixey,            | Swanson,        |
| Dinsmore,      | Lawrence,       | Robb,             | Taylor, Ala.    |
| Finley,        | Lever,          | Rucker,           | Thomas, N. C.   |
| Flood,         | Little,         | Russell,          | Underwood,      |
| Gardner, Mass. | Lloyd,          | Shackleford,      | Vandiver,       |
| Gilbert,       | McCall,         | Sheppard,         | Williams, Miss. |
| Gillett, Mass. | Maynard,        | Sims,             |                 |
| Glass,         | Padgett,        | Slayden,          |                 |

## ANSWERED "PRESENT"—14.

|          |           |                  |           |
|----------|-----------|------------------|-----------|
| Burgess, | Joy,      | Prince,          | Thompson, |
| Burton,  | Mann,     | Richardson, Ala. | Wanger.   |
| Curtis,  | Mitchler, | Schirm,          |           |
| Jack,    | Needham,  | Sherman,         |           |

## NOT VOTING—114.

|              |              |                  |                 |
|--------------|--------------|------------------|-----------------|
| Adamson,     | Crowley,     | Jett,            | Pou,            |
| Allen, Ky.   | Davidson,    | Kern,            | Powers, Mass.   |
| Babcock,     | Dayton,      | Kitchin, Claude  | Reid,           |
| Ball,        | Deemer,      | Kleberg,         | Robertson, La.  |
| Bankhead,    | Dougherty,   | Knox,            | Robinson, Nebr. |
| Barney,      | Douglas,     | Lassiter,        | Ruppert,        |
| Bartlett,    | Edwards,     | Lessler,         | Scarborough,    |
| Bell,        | Elliott,     | Lester,          | Selby,          |
| Bellamy,     | Evans,       | Lewis, Ga.       | Shafroth,       |
| Belmont,     | Fleming,     | Littauer,        | Shattuc,        |
| Benton,      | Foerderer,   | Livingston,      | Skiles,         |
| Bingham,     | Fordney,     | Loud,            | Small,          |
| Blackburn,   | Foss,        | McCulloch,       | Spight,         |
| Blakeney,    | Foster, Ill. | McDermott,       | Stewart, N. J.  |
| Bowersock,   | Fox,         | McLain,          | Talbert,        |
| Brantley,    | Gill,        | McRae,           | Tate,           |
| Broussard,   | Glenn,       | Maddox,          | Taylor, Ohio    |
| Brundidge,   | Griffith,    | Mercer,          | Thayer,         |
| Bull,        | Griggs,      | Metcalf,         | Tompkins, Ohio  |
| Burk, Pa.    | Grow,        | Meyer, La.       | Vreeland,       |
| Burnett,     | Heatwole,    | Mickey,          | Watson,         |
| Cannon,      | Henry, Miss. | Moon,            | Weeks,          |
| Clark,       | Henry, Tex.  | Morris,          | Wheeler,        |
| Cochran,     | Hildebrand,  | Moss,            | White,          |
| Conry,       | Hill,        | Napfen,          | Wilson,         |
| Cooney,      | Hitt,        | Neville,         | Woods,          |
| Cooper, Tex. | Hooker,      | Newlands,        | Wooten.         |
| Corliss,     | Howard,      | Patterson, Tenn. |                 |
| Creamer,     | Jackson, Md. | Pierce,          |                 |

So (two-thirds having voted to suspend the rules) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Until further notice:

Mr. MERCER with Mr. BANKHEAD.

Mr. BARNEY with Mr. ELLIOTT.

Mr. JOY with Mr. COCHRAN.

Mr. BABCOCK with Mr. MCRAE.

Mr. WANGER with Mr. ADAMSON.

For the vote:

Mr. JACKSON of Maryland with Mr. GRIGGS.

The result of the vote was announced as above recorded.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed joint resolution of the following title; in which the concurrence of the House was requested:

Joint resolution (S. R. 170) for the transfer of the authority, power, and jurisdiction conferred upon the Secretary of the Treasury by the act "to regulate the immigration of aliens into the United States" to the Secretary of Commerce and Labor.

## EMILY LAWRENCE REED.

Mr. HAY. Mr. Speaker, I move to discharge the Committee on Pensions from further consideration of the bill (S. 6702) granting an increase of pension to Emily Lawrence Reed, and to suspend the rules and pass the same.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the name of Emily Lawrence Reed,

widow of Walter Reed, late major and surgeon, United States Army, and pay her a pension at the rate of \$125 per month in lieu of that she is now receiving, in special recognition of the eminent services of said Walter Reed in discovering the means of preventing as well as the cause and method of the transmission and propagation of yellow fever.

The SPEAKER pro tempore. The question is on suspending the rules and passing the bill.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. The gentleman from Tennessee demands a second. The gentleman from Tennessee and the gentleman from Virginia, Mr. HAY, will take their places as tellers.

The House divided; and the tellers reported ayes 36, noes 2. So a second was ordered.

The SPEAKER pro tempore. The gentleman from Virginia is recognized in favor of the bill.

Mr. HAY. Mr. Speaker, it is hardly necessary for me to address the House upon this bill, because on yesterday evening when the bill relating to Major Gorgas, who was united with Major Reed in these discoveries in respect to yellow fever, was under discussion, I went rather fully into the subject and explained why that bill ought to pass. Dr. Reed was born in the State of Virginia.

During the war with Spain Major Reed was president of the board of medical officers to investigate and report on the prevalence of typhoid fever. He was strongly impressed with the idea that flies were a very considerable agency in spreading this disease. Major Reed's greatest achievement for science and humanity, however, was his contribution in respect to the cause, spread, and prevention of yellow fever.

I want to say that that achievement is computed to have saved more lives than were lost in the Spanish war and to have saved more money than was spent in that war. The Senate in passing the bill placed in it these words:

In special recognition of the eminent services of said Walter Reed in discovering the means of preventing as well as the cause and method of transmission and propagation of yellow fever.

I do not think it is necessary for me to proceed further.

Mr. SCOTT. Mr. Speaker, may I ask the gentleman a question?

Mr. HAY. Certainly.

Mr. SCOTT. I should like to know whether the facts show that Major Reed's services in the Army were connected in any way with his death?

Mr. HAY. Major Reed died last fall of appendicitis, of which he had had several attacks, and in his ardent wish to further this discovery he neglected to take care of himself. He was serving in the Army and serving here as a medical officer at the time of his death.

Mr. GAINES of West Virginia. Will the gentleman yield to me for a moment?

Mr. HAY. Certainly. How much time does the gentleman want?

Mr. GAINES of West Virginia. Only for a question. There are a number of gentlemen on this side of the House who have bills of a private nature, not public bills, but local to their districts, who would like to obtain consideration for those bills. May I ask the gentleman from Virginia whether his side of the House proposes to consume time by demanding the yeas and nays upon this vote?

Mr. CLAYTON. Yes.

Mr. HAY. I will say to the gentleman from West Virginia in the first place that I have no control over the situation; and I will say to the gentleman in the next place that this is not a private bill, but a public bill to reward a man who has done eminent service to his country.

It is a bill recommended by the Secretary of War, by the President of the United States, and I am recognized here, I may say, because the Department of the Government in which this gentleman has served has insisted upon this pension being allowed to Mrs. Reed. [Applause.]

Mr. GAINES of West Virginia. I am not opposed to the bill of the gentleman from Virginia.

Mr. HAY. It is not my bill—

Mr. GAINES of West Virginia. I intend to vote for it. I only want to know whether the gentleman will ask his side of the House not to consume the time of the House and the time which could be given to other members of the House to get recognition for their bills that they wish to pass by asking his own side to desist from calling for the yeas and nays.

Mr. HAY. I will say to the gentleman from West Virginia that I am not asking my side to do that for this bill. I can not control the situation, and the gentleman knows it, and I would not control it if I could.

Mr. GAINES of West Virginia. Then I understand the gentleman is willing to filibuster against a courtesy offered to himself.

Mr. SHACKLEFORD. The gentleman is mistaken if he understands that. The gentleman from Virginia is exercising his constitutional right.

Mr. HAY. I did not hear the last remark of the gentleman from West Virginia.

Mr. GAINES of West Virginia. I desire to ask the gentleman from Virginia whether he will ask unanimous consent that this bill may be passed without a roll call?

Mr. GRIGGS. I object, Mr. Speaker.

The SPEAKER pro tempore. The request is not made.

Mr. HAY. Mr. Speaker, as I said a moment ago, this is not my bill. This gentleman was not my constituent. It is not my bill in any sense of the word. It is not a bill in which I am more interested than any other member on either side of the House ought to be interested, and I have simply been recognized for the purpose of presenting the bill to the House.

Mr. LACEY. I should like to ask the gentleman a question.

Mr. HAY. I yield to the gentleman from Iowa.

Mr. LACEY. I would like to ask my friend if he does not know that the calling of the yeas and nays and taking up the time on this bill will probably prevent the opening of two or three reservations that would furnish homes for ten, fifteen, or twenty thousand of our American people—a bill that is on the Calendar here?

Mr. HAY. I do not know that at all.

Mr. RUCKER. That bill could have been passed during the three-hour intermission that you took a little while ago.

Mr. HAY. That has nothing to do with this.

Mr. ROBINSON of Indiana. I should like to make a suggestion.

Mr. HAY. I yield three minutes to the gentleman from Indiana [Mr. ROBINSON].

Mr. ROBINSON of Indiana. I would suggest to the gentleman from West Virginia [Mr. GAINES] that he has the precedents of his party on this floor within the last week, precedents in abundance, to justify him in using his efforts with the Republican Rules Committee of the House.

And I will say to the gentleman from Iowa [Mr. LACEY] that he had this entire session of Congress in which to pass the legislation which he now complains he has a lack of opportunity to pass in the closing hours of this session, and which he flaunts here in the face of this House, without sincerity, I believe, because he knows the legislation can not pass the Senate. The gentleman from West Virginia can ask the Rules Committee to pass the bills which he refers to en bloc.

Mr. LACEY. I know the gentleman does not want to misstate anything—

Mr. ROBINSON of Indiana. I will not yield. Instead of occupying time in seeking to pass 25 bills which have a like situation on the Speaker's table, why does the gentleman not use his efforts with his own side and appeal to his own Committee on Rules, because he has the precedents established by them to guide him. Now I yield to the gentleman from Iowa.

Mr. LACEY. The matter has been hanging here for a long time.

Mr. ROBINSON of Indiana. Do you mean soldier bills?

Mr. LACEY. No.

Mr. ROBINSON of Indiana. The gentleman is a soldier. With regard to these 25 soldier bills on the Speaker's table, let my friend ask the Committee on Rules to do in the soldier's case what they have done in other cases.

Mr. LACEY. I am talking about free homes.

Mr. ROBINSON of Indiana. Free homes! You have had three or four months, and why have you neglected to pass it? That shows the emptiness of the pretense of obstructive tactics that is charged against the Democrats.

Mr. HAY. I yield five minutes to the gentleman from Pennsylvania.

Mr. DALZELL. Mr. Speaker, I do not know that I want to occupy five minutes. This is a bill that it seems to me under other circumstances would pass by unanimous consent.

The record of Major Reed is a very extraordinary one. His contributions to science and to the cause of humanity are unequalled by those of any man of this later generation whose name I can now recall. I was not in a few moments ago when the bill was called, and I do not know whether the attention of the House has been directed to what General Wood has said with respect to the services of Major Reed, but whether it has or not, General Wood's statement will bear repetition. He says:

I know of no other man on this side of the world who has done so much for humanity as Dr. Reed. His discovery results in the saving of more lives annually than were lost in the Cuban war, and saves the commercial interests of the world a greater financial loss each year than the cost of the Cuban war. He came to Cuba at a time when one-third of the officers of my staff died of yellow fever, and we were discouraged at the failure of our efforts to control the disease. In the months when the disease was ordinarily worse it was checked and driven from Habana.

That was the first time in nearly two hundred years that the city had been rid of it. The value of his discovery can not be appreciated by per-

sons who are not familiar with conditions in tropical countries. Hereafter it will never be possible for yellow fever to gain such headway that quarantine will exist from the mouth of the Potomac to the mouth of the Rio Grande. Future generations will appreciate fully the value of Dr. Reed's services. His was the originating, directing, and controlling mind in this work, and the others were assistants only.

Higher praise could not be awarded any man. And I say that if this Congress should expire without providing for the needy family of this man—who has made such contributions to the cause of science and to the relief of his fellows, not only now, but for the years to come, and who has not only saved to this country now, but who will save to it in the years to come, untold millions of money as well as untold suffering—this Congress would die in disgrace. [Loud applause.]

Mr. HAY. I yield three minutes to the gentleman from Ohio [Mr. BROMWELL].

Mr. BROMWELL. Mr. Speaker, in regard to this bill, I wish to say that it was before the Committee on Pensions and very carefully considered. We had in the hearings before that committee some of the most prominent physicians in the United States.

The committee was satisfied that the proposition to pension the widow of Dr. Reed was a just proposition. The gentleman from Pennsylvania has alluded to the invaluable services that were rendered by Dr. Reed. He it was who began the investigation into the supposed cause of the spread of yellow fever by a particular species of mosquitoes.

He it was that first successfully demonstrated that the disease was carried or transmitted from a yellow-fever patient to a healthy person through this particular variety of mosquito, and he it was that first suggested and put into practical use the method of separating healthy persons from those diseased with yellow fever.

As a result of these precautions and of his discoveries in this line, yellow fever has been almost completely if not entirely eradicated from Habana. I am told that there has not been a single case of yellow fever in Habana during the last two years as the result of Dr. Reed's experiments and investigations.

The only fear and the only thought of the great majority of the Pension Committee was that \$125 a month, while it is in excess of what is usually allowed to the widows of soldiers and sailors in the service of the United States, was belittling the invaluable services which had been rendered by Dr. Reed to place the amount so low. I think I speak the sentiment of nearly if not quite all of the Pension Committee, when I say that I hope the House will pass this bill.

Mr. STEELE. Was it not understood that another gentleman had a great deal to do with this investigation?

Mr. BROMWELL. No and yes. There had been investigations, there had been theories, and there had been suppositions that this disease was transmitted through some particular form of insect. It was thought at first that flies were transmitting the disease; others suggested mosquitoes.

[Here the hammer fell.]

Mr. HAY. I call for a vote.

The SPEAKER. The question is on suspending the rules and passing the bill.

Mr. RICHARDSON of Tennessee. I believe I have the time in opposition to the bill. I will yield to the gentleman from Ohio if he was not through.

Mr. BROMWELL. I was merely going to add, that while others have suggested that this disease was transmitted through the medium of insects—some supposed flies and others mosquitoes to be the means of communication—Dr. Reed was the first man to practically demonstrate the fact that this disease was transmitted by mosquitoes to the exclusion of all other insects, and in addition thereto was carried by a particular variety of mosquito.

Mr. STEELE. We passed a bill, a special bill, last night for a gentleman by the name of Gorgas, an officer, and I understood from the speeches made at that time that Gorgas had quite as much to do with it as had Dr. Reed. I never understood it before, and I want now the information, if the gentleman has any, on that subject.

Mr. BROMWELL. The information I had from many physicians—

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I demanded a second because I did not understand the bill, and did not know but that I might want to speak in opposition to it. I have no desire to use the time myself in opposition to this bill, but if any gentleman wants to speak in opposition to it, I think, in courtesy, I should yield to him.

Mr. LESSLER. I would like to ask the gentleman from Virginia to yield to me.

The SPEAKER. The gentleman from Virginia has not the floor. The gentleman from Tennessee has the floor.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I yield ten minutes to the gentleman from Alabama [Mr. CLAYTON].



Mr. CLAYTON. Mr. Speaker, permit me to say that I am not angry at any Republican individually, and I am not angry at them "en bloc." [Laughter.] I desire to submit a few reasons why the Democrats have considered it their duty to engage in what the Republicans are pleased to term "filibustering."

Mr. STEELE. What do you call it? [Laughter on the Republican side.]

Mr. CLAYTON. If that adolescent specimen of personal pulchritude will contain himself a minute I will give the reason. Be good, lest you compel me to annihilate you with a rhetorical fanfaronade. [Laughter.] Now, will you be good, Mr. Dooley? [Laughter.] I am entirely in a good humor. I am not going to say anything, if I know it, to rub the hair the wrong way. God knows we have pelted and belted you Republicans enough for the last four or five days.

Your consciences are smarting now, and I am going to leave you to your conscience and the righteous indignation of your just countrymen. [Applause on the Democratic side and laughter and jeers on the Republican side.] Oh, yes; your horselaugh is like your horseplay; it will not fool the country.

Now, Mr. Speaker, we had a right to complain of the Republican party, of their conduct for the last six years, which has from time to time grown worse and more intolerable.

A MEMBER. It is too bad you did not have Bryan.

Mr. CLAYTON. Good gracious, there is another Dooley! [Laughter.] Sit down and be good and do not interrupt me.

The SPEAKER pro tempore (Mr. SHERMAN). The House will be in order and all gentlemen will be seated.

Mr. CLAYTON. I am sort of an old stager on the stump, and I am going to speak. If you little Willies want to interrupt me, sail in. You can not disconcert me. Now, sit down and be good and let me alone. I can not lick them "en bloc," but I can lick some individually. [Laughter.]

Mr. Speaker, I desire to say that even under Reed the Republican party allowed the Democrats on all great political questions to have a record vote. Republican intolerance and tyranny has gone to that extent by geometrical or arithmetical progression, so that in this Congress you have denied us on every important political question, I may say on every important public question, a right to have a record vote which would show to the country how the Democrats stood on public questions and how you stood.

You have brought in your rule, compelled us to vote for your measures unamended or "en bloc," without giving us an opportunity to have a record vote upon an amendment, and in many instances without giving us an opportunity to offer any amendment. This tyranny has gone on from time to time until patience on this side of the House has ceased to be a virtue. [Applause on the Democratic side.]

You have deprived us of every right except the constitutional right to have a roll call on the passage of any bill. We will continue to fight you by the just use of this power until you give us at least fair treatment. [Applause on the Democratic side.]

Your tyranny culminated a few days ago in expelling, without proper consideration, a Democrat elected from a Democratic district to this House. The gentleman from Illinois [Mr. WILLIAMS] and the gentleman from Tennessee [Mr. RICHARDSON] substantially charged that when you committed that iniquity there was not a quorum present—not a quorum of men here. We knew that under the Reed rules you counted men who refrained from voting as present for the reason that no man has a right to be physically present and parliamentarily absent.

But neither "the Reed rules" nor any other rules ever went to the extent of holding that you could consider a man present who was not in the building at the time. The gentleman from Illinois [Mr. WILLIAMS] and the gentleman from Tennessee [Mr. RICHARDSON] charged the fact to be that a quorum was not physically present when you voted to unseat Butler. It was not here. Nineteen men who were not here were "considered" present. Those charges were made and thrown at you here on the floor.

The gentleman from Pennsylvania who made that ruling did not dispute the fact. Those who were present when the outrage was perpetrated did not deny it. But some four or five days after the occurrence of the outrage and the public charge was made on this floor, when you saw the just judgment of your countrymen condemning you, you come in here with a labored essay, written by the gentleman from Pennsylvania [Mr. OLMSTED], and seek to falsify the record by amending it nunc pro tunc.

Now, Mr. Speaker, I shall not imitate, I trust, the bad manners of the gentleman from New York [Mr. PAYNE]. I shall not apply to you nor to him any epithets. I might say that some gentlemen of immense proportions are superabundant adipose tissue combined with hot air. [Laughter.] I might designate the gentleman from New York as vox et præterea nihil. [Laughter.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. CLAYTON (to Mr. RICHARDSON of Tennessee). Give me just a little more time.

Mr. RICHARDSON of Tennessee. I yield the gentleman two minutes more.

Mr. LACEY. Why not ask unanimous consent that you be given time?

Mr. CLAYTON. Mr. Speaker, do not let gentlemen on the other side make these interruptions in my time. I appeal to you to give me the time I am entitled to. Some time when I have plenty of time, when we are not limited, I will just walk down to the center with any of you and have a talking match to the finish. [Laughter.]

Mr. Speaker, I shall not imitate the gentleman from New York. I shall not quote from the newspaper that he quoted. I could do it; for a few months ago, that same newspaper, the Courier-Journal, was criticising your President, and calling him the "broncho buster." When the gentleman from New York publishes that editorial reflecting upon the Democrats, let him parallel it with that editorial which calls your President a "broncho buster," which ridiculed him, and said hard things about him that I would not say, and no other Democrat here would say.

Mr. Speaker, I have here an editorial from the Washington Post of last Sunday, which I read, in view of the statements made by the gentleman from New York:

#### THE BUTLER-WAGONER SCANDAL.

We think that nearly every honest and unbiased person will sympathize with the indignation of the House Democrats over the despotic, not to say brutal, manner in which the Republican majority have disregarded decency and justice in the case of the Butler-Wagoner contest.

These contests have always been more or less sorrowful and scandalous, and the Post has invariably protested against them, no matter what form they took. But in this instance every evil possibility has been brought into an unlovely prominence.

Mr. Butler was elected to the Fifty-seventh Congress from the Twelfth district of Missouri. He came to Washington with all the legal and proper credentials. And that should have been enough.

If his adversary had, or thought he had, legitimate grounds for a challenge, he should have submitted his case to the local courts, where all the facts were accessible and where credible witnesses were easily within reach. Instead of that he appealed to a partisan tribunal, 1,200 miles distant, and invoked not a competent and informed verdict, but the irresponsible tyranny of mere force.

The manner in which Mr. Butler's case has been robbed of all its claims to righteous consideration; the fact that he was unseated without a quorum and in defiance of the Constitution; the notorious circumstances of arrogance under which he was thrown out of court, denied a hearing, and dragged ignominiously at the chariot wheels of the conqueror—these things recall the days and practices of the Goths, the Vandals, and the Huns far more than they suggest the régime of modern civilization.

We take no special interest in Mr. Butler personally. In our philosophy his case constitutes merely an abstract proposition in morals. But the fact that he has been deprived of his rights without the smallest reference to law and honorable observance is a fact with which men, without regard to party feeling or alignment, may well concern themselves.

The House has been made to declare that he was defeated at the polls—not as the result of proof or of judicial and dispassionate inquiry, but by force of partisan rulings by the Chair, and in the absence of the quorum required for the legitimate disposal of such questions. That the Democratic minority resent this action with bitterness is quite intelligible. That they should let their resentment take the shape of indiscriminate obstruction is at least human. A flagrant wrong has been committed, and the Republicans can not reasonably object to a harvest of their own sowing and cultivation.

We find in this incident fresh corroboration of our claim that election contests should never be referred to Congress, where the tribunal is always partisan and conscienceless, but submitted to the local courts, where at least the material for a just decision is easily at hand.

We have had too many of these scandals, and this last seems to be the worst of all.

Mr. RICHARDSON of Tennessee. I yield to the gentleman from New York [Mr. SULZER].

Mr. SULZER. Mr. Speaker, it is not my intention to discuss the merits of the pending pension bill, save to say that it will have my sincere support and that I trust it will pass the House without opposition. My purpose now, sir, in accepting the time courteously yielded to me by the gentleman from Tennessee [Mr. RICHARDSON] is to fix the responsibility for the elimination of the \$2,000,000 appropriation in the sundry civil bill to purchase a site for a new post-office in the city of New York. I want the people who are most interested in this post-office matter to understand the situation here, and I believe when they do they will not blame the Representatives in Congress from the city of New York for the delays and the failures which thus far have attended the proposition.

Mr. Speaker, when the conferees' report on the sundry civil bill was before the House for approval a little while ago I endeavored to get a few minutes' time from the gentleman from Illinois [Mr. CANNON], who controlled all the time, to briefly express my opinion and voice the sentiments of my constituents regarding the appropriation for the new post-office in the city of New York. I had been informed that the appropriation for \$2,000,000 put in that bill at our request by the Senate would be held in the bill by the House conferees, and I only learned after the conferees had agreed that the appropriation of \$2,000,000 to purchase the site in the city of New York for the new post-office building had been stricken out. The gentleman from Illinois declined to let me be heard then. He did not want the matter

discussed, and I was denied the right to be heard. The gentleman from Illinois declined at that time to give me a moment's time, and I am compelled to avail myself of this opportunity to say briefly what I wish to say regarding this matter.

The city of New York, which I have the honor to represent in part on the floor of this House, is the richest city in the world, the most populous city on this continent, and the metropolis of our country. Every citizen in all our land has every reason to feel a just pride in the commercial greatness of the Empire City, and it seems to be a remarkable fact and a most humiliating condition of affairs here that no matter what the great city of New York wants or how badly something there is needed, it can have no relief, it can get no aid from the Congress of the United States. The greatest city in our country is and always has been studiously ignored by the National Legislature. The way we are treated here is an outrage, and I say it has got to stop.

For years, Mr. Speaker, the people of New York City have been making a determined, but a fruitless, effort to get a new post-office, and the Representatives of that city in this House, in season and out of season, month in and month out, have done everything in their power to secure the necessary legislation; but all in vain. We have pleaded and begged and appealed, but without avail. Congress seems to be deaf to the supplications of the first city in the land. The humblest hamlet in any State can get a Federal building or a magnificent post-office for the mere asking, but New York City can not have simple justice in a matter of the greatest urgency and necessity and that affects more or less every other part of our entire country and all the people. It is strange; but, then, there is a reason for it.

The present post-office building in the city of New York is a disgrace to the Federal Government. It is old, damp, worn-out, overcrowded, and dilapidated. It is totally unfit to properly transact its immense postal business. It was built many years ago, and its usefulness is now practically a thing of the past. New York City to-day is more in need of better post-office facilities than any other city in the United States. This old post-office building away down town is wholly inadequate, and has been so for years, to properly handle and distribute the vast amount of mail that comes in and goes out of the great metropolis. It is damp and dirty and dingy. It is cramped and clammy and unhealthy. The Government employees there, compelled to work underground, are daily endangering their health and risking their lives, and are so crowded for lack of space and necessary room that it is impossible to expedite the distribution of important mail matter; and this deplorable situation affects, I say, not only the people in the city of New York, but the people all over the country, because it is well known that New York City is our greatest postal distributor.

Mr. Speaker, the post-office of New York City pays the Government an immense revenue profit every year; more, I believe, than any other three cities in the land and more than many States of the Union. The net annual revenue from the New York City post-office is about \$6,000,000, and increasing more and more every year. With these apparent facts staring us in the face, it is a shame, in my judgment, that for this reason or that excuse it has been absolutely impossible for the people of New York City, or their representatives in Congress, to get Congress to remedy the postal evils in New York City and give the people there a post-office that will reflect credit on the Federal Government and facilitate the distribution of the mails.

It is well known, Mr. Speaker, to those members familiar with this question that after several years of weary effort and arduous struggle we finally succeeded in getting the Committee on Public Buildings and Grounds of this House to pass a law merely appointing a commission composed of the Postmaster-General, the Secretary of the Treasury, and the Attorney-General to go to New York City and select a suitable site for the new post-office building. No appropriation to pay for the site was made in this law, because we were told such a proposition was unheard of and contrary to precedent, and that no appropriation was ever made by Congress until the site was selected, and that just so soon as the site was selected Congress would forthwith appropriate all necessary money to pay for the same and to begin the construction of the building.

That is all we could then do, and so we waited patiently for the commission to get to work and select the site. For some occult reason, inscrutable to the uninitiated, no doubt, the commission seemed to be dilatory, and for months did nothing. Some unknown, intangible, mysterious agency was at work to thwart the will of the people of the city of New York and prevent the commission from speedily selecting a proper site; but everything comes to an end and to those that wait, and just before this Congress was about to adjourn the commission sent to us what purported to be its report regarding the selection of the site. We could do nothing but wait, we were told over and over again, until the commission made its report. We were powerless. The

report, however, came at last. It was sent here only a few days ago, after the sundry civil bill, which had to carry the appropriation, had passed the House of Representatives and was in the Senate. Was this by design? But, nevertheless, just so soon as the report came to Congress we went to work, and after much effort succeeded in getting the Committee on Appropriations of the Senate to consent to put in the bill in the Senate an appropriation for two millions to purchase the site and begin to do something.

Now, I want to say the site selected is not to the liking of the people of New York City. It is in the most out-of-the-way place, and was selected, I am told, to placate the Pennsylvania Railroad. But be that as it may, we got the appropriation on the bill in the Senate and began to look forward with some degree of expectancy to the beginning of the new post-office in our city that would reflect credit on the Government and be commensurate with the wealth, the population, and the commercial supremacy of our metropolis. But, alas, again we were doomed to sorrowful disappointment. The distinguished gentleman from Illinois and his colleagues from Indiana and Arkansas, composing the conference committee on the part of the House, who have not a city in their districts with a population as large as that contained in the smallest borough of New York City, did not think the time was quite at hand for the Government to pay for the site or to begin the building. The site might be changed, don't you know. And, again, it might not be suitable after all. But if it were to be the site finally, nothing could be done until the Pennsylvania Railroad got its tunnel into the city and the excavations made for its terminal. Besides this, Congress had appropriated enough money—over a billion and a half of dollars—and it was time enough anyway to consider this in the next Congress.

And then, again, New York City is too far away from the districts of these gentlemen for them to know much about this site or to care much about it, and they must go there and see for themselves. Perhaps they have never been to New York and want to go there semi-officially and find out a little about it, and learn for themselves if the people are so anxious and if there is an imperative need of a new post-office. Then, again, another railroad company was jealous of the influence of the Pennsylvania. It wanted a site, too, forsooth. It protested. And so the appropriation went out. We were powerless. We did all we could. Now, I am informed, Mr. Speaker, that some of the commissioners designated to select the site never saw the site finally agreed on. One of these commissioners, I am told, was never in the part of our city where the site is located. But, be this as it may, I care not, the important thing now that I wish to impress on this House and the people of New York City, is that the conferees on the part of this House, the gentleman from Illinois [Mr. CANNON], the gentleman from Indiana [Mr. HEMENWAY], and the gentleman from Arkansas [Mr. McRAE], made a determined fight in conference to strike out this appropriation of \$2,000,000, notwithstanding our pleading and protest, and then when they brought the conference report back into the House they refused to give a New York member the opportunity to say a single word in explanation.

Were they afraid to have this matter discussed in the open? Were they sensitive to criticism which they knew must follow their betrayal and inexplicable action? Or, were they being used merely as "cat's paws" of conflicting railroad interests, that would rather have no post-office at all in New York City, unless it can be placed where they desire? I want the people of New York City to understand that the reason this appropriation was stricken out, and the cause for the delay in getting the new post-office and better postal facilities, is the great railroad interests at stake, which have not yet been harmonized, and until their wishes are complied with the people must wait.

While the conflict of railroad interests has been going on "dust has been thrown in the eyes of the people," and everything has been done to retard this great public necessity, and I say now to the newspapers of New York City and to the people there, some of whom have wondered, no doubt, why their representatives were unable to get this appropriation for the new post-office, that we never will be able to get it until the conflicting railroad and other selfish and personal interests are satisfied and withdraw their opposition. This is the truth and all there is about it. While the conflict rages as to where the new post-office site shall be and which corporation will benefit the most by it, everything will remain at a practical standstill, and there will be in our city no new post-office. Let the great metropolitan newspapers look beneath the surface in this matter and they will have no difficulty in fixing the responsibility. I do not care to indulge in further criticism, although I could, or censure those who have stood in the way, although any man familiar with the circumstances involved in this long delay, who has witnessed the cunning and the chicanery of the agents here of selfish interests and the manipulations which have been going on for years regarding this very important matter, knows as much about it as I do, and I trust the press of



New York City will look into the matter a little deeper than they have heretofore and place the responsibility where it justly belongs.

Now, sir, I want to say again in conclusion in behalf of my colleagues of New York City that they are not responsible—they have done all in their power, no men could do more—but the sad truth is we are in a hopeless minority and impotent to legislate for our city except with the consent of the majority; and that majority—the Republicans—will do nothing for the Democratic city of New York, especially if it will conflict with the grasping greed of monopoly and the sordid interests of the railroads that want the new post-office site located at their terminals or not at all, and their agents here have apparently more influence with the Republican majority in Congress than the just demands of all the people of New York City and their representatives included.

Mr. HEPBURN rose.

Mr. SULZER. I can not yield. My time is nearly exhausted.

Mr. HEPBURN. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HEPBURN. The gentleman is out of order.

Mr. SULZER. I am surprised at the gentleman making that point now—

Mr. HEPBURN. He must confine his remarks, under the rules of this House, to the discussion of the pending bill.

Mr. SULZER. Why did not the gentleman make that point a little while ago against the gentleman from New York [Mr. PAYNE]?

Mr. ROBINSON of Indiana. Which rule?

Mr. HEPBURN. Rule XXVIII.

Mr. SULZER. And the gentleman from Iowa has been speaking in violation of the rule nearly all day. Mr. Speaker, this does not come out of my time, does it? But at all events I have said practically all I want to say now in regard to this matter.

The SPEAKER pro tempore. The gentleman's time has expired, so it will not be taken out of his time. [Laughter.] The gentleman's time had expired just as the gentleman from Iowa rose to a point of order.

Mr. SULZER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SULZER. I would like the Chair to inform me through the gentleman from Iowa why he did not make that same point of order against the gentleman from New York [Mr. PAYNE].

The SPEAKER pro tempore. The gentleman's time has expired. The Chair assumes that the gentleman from Iowa does not press the point.

Mr. HEPBURN. I would prefer to have a ruling on the point.

Mr. SULZER. It is too late.

The SPEAKER pro tempore. It is well known that in the discussion under suspension in the House the subject discussed can not extend beyond the bill itself which is then being considered. Whether the rule limits it to a discussion which would be literally in opposition or in favor of the bill may be another question, but at least the rule requires that the discussion shall be on the subject then before the House for consideration.

Mr. RICHARDSON of Tennessee. Mr. Speaker, I yield three minutes to the gentleman from Virginia.

The SPEAKER pro tempore. The gentleman has but two minutes remaining.

Mr. RICHARDSON of Tennessee. I yielded twelve and then five. That makes seventeen.

The SPEAKER pro tempore. And one minute to the gentleman from Ohio.

Mr. RICHARDSON of Tennessee. That is right. I yield the remaining time to the gentleman from Virginia [Mr. MAYNARD].

Mr. MAYNARD. Mr. Speaker, I do not believe, and I certainly hope it is not necessary for me to say a word in behalf of the bill to pension Dr. Reed's widow because of the very eminent service he has rendered, not simply because he was a surgeon in the Army of the United States or because of the service he performed to the United States and the United States Government, but to the world at large.

All of the scientists who appeared before the committee—and they were men of note in the scientific world—assured the members of that committee that there had been nothing since Dr. Jenner discovered vaccination for smallpox which had been of so much benefit to the human race.

Surgeon-General O'Reilly, of the United States Army, said before the committee that when the Spanish war broke out he expected to lose large numbers of men, owing to the prevalence of yellow fever.

He said that since Dr. Reed had made this discovery and performed these great services, he would no more fear sending a United States army to camp in Brazil or in any part of South America or in Cuba than he would to an encampment in the State of New York.

I say, Mr. Speaker, that a citizen of this country, even though he were not an officer of the Army or of the Navy, who had per-

formed such distinguished services, not alone for this country, but for mankind in general, should receive at the hands of this Government a substantial recognition of those services. [Applause.]

The SPEAKER pro tempore. The question is on agreeing to the motion to suspend the rules and pass the bill.

The question was taken.

Mr. RICHARDSON of Tennessee. I demand a division.

Mr. DALZELL. Mr. Speaker, we may as well have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 163, nays 25, answered "present" 27, not voting 135; as follows:

## YEAS—163.

|                |                |                   |                  |
|----------------|----------------|-------------------|------------------|
| Acheson,       | Dwight,        | Lever,            | Ryan,            |
| Alexander,     | Eddy,          | Lewis, Pa.        | Scott,           |
| Allen, Me.     | Elliott,       | Lindsay,          | Shallenberger,   |
| Aplin,         | Esch,          | Littlefield,      | Showalter,       |
| Bartlett,      | Fitzgerald,    | Long,             | Sibley,          |
| Bates,         | Flanagan,      | Loudenslager,     | Slayden,         |
| Benton,        | Fletcher,      | Lovering,         | Small,           |
| Billmeyer,     | Flood,         | McAndrews,        | Smith, Ill.      |
| Boreing,       | Foerderer,     | McLachlan,        | Smith, H. C.     |
| Boutell,       | Fowler,        | Mahon,            | Smith, S. W.     |
| Bowie,         | Gaines, W. Va. | Marshall,         | Smith, Wm. Alden |
| Bristow,       | Gardner, Mich. | Martin,           | Snook,           |
| Bromwell,      | Gardner, N. J. | Maynard,          | Southard,        |
| Broussard,     | Gibson,        | Miller,           | Southwick,       |
| Brown,         | Gillet, N. Y.  | Minor,            | Sperry,          |
| Brundidge,     | Glass,         | Mondell,          | Stark,           |
| Burke, S. Dak. | Goldfogle,     | Moody,            | Steele,          |
| Burkett,       | Graff,         | Moon,             | Stevens, Minn.   |
| Burleigh,      | Greene, Mass.  | Morgan,           | Stewart, N. J.   |
| Butler,        | Griggs,        | Morrell,          | Stewart, N. Y.   |
| Candler,       | Hamilton,      | Morris,           | Sulloway,        |
| Capron,        | Hanbury,       | Moss,             | Sulzer,          |
| Cassel,        | Haskins,       | Mudd,             | Sutherland,      |
| Clayton,       | Hay,           | Mutchler,         | Swann,           |
| Cooper, Wis.   | Hedge,         | Needham,          | Swanson,         |
| Cousins,       | Hepburn,       | Norton,           | Tawney,          |
| Crowley,       | Hill,          | Olmsted,          | Taylor, Ohio     |
| Crumpacker,    | Howell,        | Overstreet,       | Taylor, Ala.     |
| Currier,       | Hull,          | Palmer,           | Thompson,        |
| Curtis,        | Irwin,         | Parker,           | Tirrell,         |
| Cushman,       | Jack,          | Patterson, Pa.    | Underwood,       |
| Dahle,         | Jackson, Kans. | Payne,            | Van Voorhis,     |
| Dalzell,       | Jenkins,       | Pearre,           | Vreeland,        |
| Darragh,       | Jones, Va.     | Perkins,          | Wachter,         |
| Davidson,      | Jones, Wash.   | Ransdell, La.     | Wagoner,         |
| De Armond,     | Kahn,          | Reeves,           | Warner,          |
| Dick,          | Kehee,         | Rhea,             | Warnock,         |
| Douglas,       | Knapp,         | Richardson, Ala.  | Williams, Miss.  |
| Dovener,       | Lamb,          | Richardson, Tenn. | Wright,          |
| Draper,        | Landis,        | Rixey,            | Young.           |
| Driscoll,      | Lawrence,      | Robinson, Ind.    |                  |

## NAYS—25.

|             |                 |              |                |
|-------------|-----------------|--------------|----------------|
| Burlison,   | Gordon,         | Reeder,      | Stephens, Tex. |
| Burnett,    | Kitchin, Wm. W. | Russell,     | Thomas, Iowa   |
| Cassingham, | Kluttz,         | Shackleford, | Trimble,       |
| Cowherd,    | Kyle,           | Sheppard,    | Zenor.         |
| Dayey, La.  | Lacey,          | Smith, Iowa  |                |
| Dinsmore,   | Little,         | Smith, Ky.   |                |
| Finley,     | Padgett,        | Snodgrass,   |                |

## ANSWERED "PRESENT"—27.

|           |              |           |            |
|-----------|--------------|-----------|------------|
| Babcock,  | Cromer,      | Holliday, | Nevin,     |
| Bishop,   | Emerson,     | Johnson,  | Otjen,     |
| Brick,    | Foster, Vt.  | Joy,      | Prince,    |
| Burgess,  | Gill,        | Lloyd,    | Schirm,    |
| Burton,   | Heatwole,    | McCleary, | Sherman,   |
| CConnell, | Henry, Conn. | Mercer,   | Wadsworth. |
| Coombs,   | Hildebrandt, | Metcalf,  |            |

## NOT VOTING—135.

|              |                |                  |                 |
|--------------|----------------|------------------|-----------------|
| Adams,       | Deemer,        | Kitchin, Claude  | Robb,           |
| Adamson,     | Dougherty,     | Kleberg,         | Roberts,        |
| Allen, Ky.   | Edwards,       | Knox,            | Robertson, La.  |
| Ball,        | Evans,         | Lassiter,        | Robinson, Nebr. |
| Bankhead,    | Feely,         | Latimer,         | Rucker,         |
| Barney,      | Fleming,       | Lessler,         | Ruppert,        |
| Bartholdt,   | Fordney,       | Lester,          | Scarborough,    |
| Beidler,     | Foss,          | Lewis, Ga.       | Selby,          |
| Bell,        | Foster, Ill.   | Littauer,        | Shafroth,       |
| Bellamy,     | Fox,           | Livingston,      | Shattuc,        |
| Belmont,     | Gaines, Tenn.  | Loud,            | Shelden,        |
| Bingham,     | Gardner, Mass. | McCall,          | Sims,           |
| Blackburn,   | Gilbert,       | McClellan,       | Skiles,         |
| Blakeney,    | Gillett, Mass. | McCulloch,       | Sparkman,       |
| Bowersock,   | Glenn,         | McDermott,       | Spight,         |
| Brandegee,   | Gooch,         | McLain,          | Storm,          |
| Brantley,    | Graham,        | McRae,           | Talbert,        |
| Breazeale,   | Green, Pa.     | Maddox,          | Tate,           |
| Brownlow,    | Griffith,      | Mahoney,         | Thayer,         |
| Bull,        | Grosvenor,     | Mann,            | Thomas, N. C.   |
| Burk, Pa.    | Grow,          | Meyer, La.       | Tompkins, N. Y. |
| Calderhead,  | Haugen,        | Mickey,          | Tompkins, Ohio  |
| Caldwell,    | Hemenway,      | Miers, Ind.      | Vandiver,       |
| Cannon,      | Henry, Miss.   | Naphen,          | Wanger,         |
| Clark,       | Henry, Tex.    | Neville,         | Watson,         |
| Cochrane,    | Hitt,          | Newlands,        | Weeks,          |
| Conner,      | Hooker,        | Patterson, Tenn. | Wheeler,        |
| Conry,       | Hopkins,       | Pierce,          | White,          |
| Cooney,      | Howard,        | Pou,             | Wiley,          |
| Cooper, Tex. | Hughes,        | Powers, Me.      | Williams, Ill.  |
| Corliss,     | Jackson, Md.   | Powers, Mass.    | Wilson,         |
| Creamer,     | Jett,          | Pugsley,         | Woods,          |
| Davis, Fla.  | Kern,          | Randell, Tex.    | Wooten.         |
| Dayton,      | Ketcham,       | Reid,            |                 |

So (two-thirds voting in the affirmative) the rules were suspended and the bill passed.

The Clerk announced the following additional pairs:

Until further notice:

Mr. BROWNLOW with Mr. PIERCE.

Mr. EMERSON with Mr. GILBERT.

Mr. GRAHAM with Mr. CALDWELL.

Mr. FOSTER of Vermont with Mr. POU.

Mr. GARDNER of Massachusetts with Mr. THOMAS of North Carolina.

Mr. McCALL with Mr. McCLELLAN.

On this vote:

Mr. CANNON with Mr. MIERS of Indiana.

Mr. HEATWOLE with Mr. PUGSLEY.

Mr. DEEMER with Mr. BREAZEALE.

Mr. STORM with Mr. SIMS.

#### PENSIONS TO MEXICAN WAR SURVIVORS.

Mr. LOUDENSLAGER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3522) to increase the pensions of Mexican war survivors to \$12 a month.

The SPEAKER pro tempore. The gentleman from New Jersey moves to suspend the rules and pass a bill which will be reported by the Clerk.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, at the rate of \$12 per month, all Mexican war survivors now on the roll, or who may hereafter be placed on the roll, under the acts of January 29, 1887, March 3, 1891, and February 5, 1897.

Mr. UNDERWOOD. Mr. Speaker, I demand a second.

Mr. LOUDENSLAGER. I ask unanimous consent that a second be considered as ordered.

Mr. UNDERWOOD. I object.

The SPEAKER pro tempore. The gentleman from Alabama objects. The gentleman from New Jersey [Mr. LOUDENSLAGER] and the gentleman from Alabama [Mr. UNDERWOOD] will take their places as tellers.

The House divided; and the tellers reported—ayes 65, noes 1.

Accordingly, a second was ordered.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized.

Mr. LOUDENSLAGER. Does the gentleman from Alabama desire any time?

Mr. UNDERWOOD. Mr. Speaker, if the gentleman does not desire recognition, I will now proceed.

Mr. LOUDENSLAGER. I reserve my time.

Mr. UNDERWOOD. I yield five minutes to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, I do not desire to speak in opposition to this bill, but to say a word of condolence to some of the members of this House; and as there are quite a number of them entitled to sympathy, I hope no one will make any point of order against me.

I speak, Mr. Speaker, for some of the members who have constantly and earnestly lent their efforts to the promotion of certain bills, of interest not only to their constituents, but frequently of interest to the country at large. These members have followed their bills through the committees, have obtained favorable reports, in many instances unanimous reports; have secured the favorable consideration of the Speaker and of those in authority in the House, and yet to-night they see their bills, of interest to them, and therefore of interest to the country, gradually approaching their final resting place.

Since the fateful day when the good city of St. Louis cast a bone of contention into this House, we have made very little progress in the consideration of bills under suspension of the rules. Gentlemen upon the other side have characterized the minority, and we upon this side have retaliated. If the country at large believes all that is said by each about the other, then the sovereign voters of this country evidently are very poorly represented in this great legislative body.

I shall say nothing about the contested-election case upon which so much eloquence has apparently been wasted, but I wish to say a word of sympathy for those members of the House who tomorrow will see consigned to their last resting place, with the Speaker of the House as chief undertaker and the Committee on Rules as pallbearers, their progeny upon which they have looked so fondly since the first Monday in December.

I can speak with a degree of sympathy in this matter, because I have been greatly interested in a bill which I believe is not only of importance to North Carolina, but of great importance to the country at large. I refer to the bill authorizing the construction of a light-house at Diamond Shoals, off Cape Hatteras, on the coast of North Carolina.

There is no more important bill which has been reported by the House Committee on Interstate and Foreign Commerce than this bill. This is the most dangerous point upon either the Atlantic or the Pacific coasts. It has been appropriately termed the graveyard of the seas. Thousands of lives have been lost there and

millions of dollars' worth of shipping and valuable cargoes have there found their destruction.

During all the history of our country this point has never been marked by any stable aid to navigation. While at other places light-houses have been constructed, yet at this point, up to 1897, not even a buoy had been placed there to remain for any length of time, on account of the severe storms which prevail. In 1889 Congress passed a bill appropriating \$500,000 for the purpose of constructing a light-house on Outer Diamond Shoals, 8 miles out in the ocean.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SMALL. I desire five minutes more.

Mr. UNDERWOOD. All right; I yield the gentleman five minutes more.

The SPEAKER pro tempore. The gentleman is recognized for five minutes further.

Mr. SMALL. Under that appropriation the Light-House Board made a contract with certain contractors of Pittsburg, Messrs. Anderson & Barr, to construct a light station there at a price of \$485,000. These contractors made an effort to do so, and spent \$100,000 in the construction of a caisson and in other preparations for the purpose of erecting this light station, and before it was completed, in fact, in its early stages, a storm came and swept the works away, entailing a loss upon these contractors, I have understood, of more than \$100,000.

From that time no effort was made by the Light-House Board to mark this place of such great importance to navigation until 1897, when the Light-House Board, under the authority of Congress, constructed two light-ships for the purpose of maintaining one there constantly. In August, 1899, the light-house, in a terrible storm, was carried away.

It was placed there again in October of the same year, and the light-ship was maintained there until last Monday week, when in the terrible storm that prevailed that light-ship was carried from her moorings; but, having motive power of her own, she gradually made her way into Hampton Roads and to the navy-yard at Norfolk. A light-ship does not answer the purpose, on account of the severe hurricanes which occasionally prevail there.

Therefore it is due the shipping and commercial interests of this country—indeed, the shipping of the world—that this most dangerous point upon our coast should be marked by some stable structure. This is a bill which has been considered by the Committee of Commerce of the Senate and passed that body. It was thoroughly and carefully considered by the House Committee on Interstate and Foreign Commerce. It proposes to give to a gentleman, a citizen of the State of Maine, by the name of Albert F. Eels, authority to construct a light-house there for the sum of \$590,000.

The light-house, the construction of which is described in the bill, is to be 200 feet high. He is confident of his ability to make it a permanent structure. He is to operate it one year and then it is operated by the Light-House Board for the period of four years, and only at the end of the term of five years, providing it is in a firm, stable, and secure condition at the end of that term, and has received the approval of the Secretary of War, is he to receive one cent compensation for the investment which he has made.

It would seem that a bill of this character, where the Government has been so thoroughly protected, when the shipping and commercial interests of this country demand the construction of such a light, should receive the approval of Congress. What is the condition of the bill to-day, gentlemen of the House?

It at one time at least had the approval of the Speaker sufficiently to induce him to give it consideration; but it seems there is a gentleman in the House who, for good and sufficient reasons of his own, so far as I know, has seen fit to oppose it; and this bill, together with, I have no doubt, other equally meritorious bills which are pending and have favorable reports, has had no opportunity to be considered in this House.

I merely sought this opportunity at this late hour to give expression to my grievance, and to explain to you this bill, which to-morrow will receive its quietus and be put into its last resting place until next December. [Loud applause.]

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. GRIGGS].

Mr. GRIGGS. Mr. Speaker, I desire to express my great gratification at the fact that this tardy justice is now about to be done to the veterans of the Mexican war. Since my service in Congress I have fought in season and out of season that these veterans might receive this small increase from \$8 to \$12 per month in recognition of their services. I am delighted to-night that the time has at last arrived when the members of this House are willing to grant this recognition to them.

Now, I want to explain, Mr. Speaker, in addition to what I



have already said, why I interrupted the gentleman from Ohio [Mr. GROSVENOR] a few moments ago on a bill which has passed this House. The bill which the gentleman advocated gives a preference to "soldiers honorably discharged from the armies and navies of the United States between April 12, 1861, and August 25, 1865."

I would not under any circumstances oppose preference for any soldiers who fought for their country at any time, but I desired at that time to ask the gentleman from Ohio if he would yield me the time to ask unanimous consent to strike out from that bill these words: "From April 12, 1861, to August 25, 1865."

Not because I am opposed to giving preference to soldiers of the Union Army who fought between these two dates, but because I was and am in favor of giving recognition to every soldier who enlisted in our Army at any time from the war of the Revolution till the present day. [Applause.]

It comes with a bad grace from an American citizen to throw cold water upon the men who enlisted in the war between the United States and Spain. When a man enlists in the Army, he does not know what the service is to be. If it is to be a hard-fought war, he does not know it when he tenders his services to the country.

Simply because a war was hard fought and long drawn out is no reason that preference should be given to him over those who have enlisted, for what they knew not, but for the service and for their country. For that reason I arose and asked my friend from Ohio to permit me to interrupt him long enough to ask unanimous consent of the House to strike that out and give preference to all soldiers, from the beginning of the Government until to-day. That was my purpose, my only purpose. I now yield back the remainder of my time to the gentleman from Alabama.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. UNDERWOOD. Mr. Speaker, I would like to ask the gentleman from New Jersey if he will now use some of his time.

Mr. LOUDENSLAGER. How much time have I remaining, Mr. Speaker?

The SPEAKER pro tempore. The gentleman has fifteen minutes.

Mr. LOUDENSLAGER. Does the gentleman from Alabama wish to consume any more of his time?

Mr. UNDERWOOD. I expect to use the other five minutes.

Mr. LOUDENSLAGER. I yield one minute to the gentleman from Tennessee [Mr. SNODGRASS].

Mr. SNODGRASS. Mr. Speaker, I do not desire to prolong this discussion. This matter of increasing the pension of the Mexican soldiers has long lain very near my heart. I have worked for it in season and out of season, ever since I have been a member of Congress. It is a matter of extreme gratification to me that in the expiring hours of this Congress this act of tardy and partial justice is about to be done them.

These old men, as I stated last night, are rapidly fading into their graves, but the glory they have achieved for this country will long survive them. They will not live long to enjoy the small benefits that are now extended to them, but it will come to them as a message of good cheer from the Fifty-seventh Congress and will be appreciated by them and all their friends, and I hope the bill will pass unanimously. [Applause.]

Mr. LOUDENSLAGER. Mr. Speaker, I now yield one minute to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER. Mr. Speaker, I congratulate the chairman of this committee for having called up this bill for consideration of the House, even at this late date in this session. When I came to Congress, one of the first bills I had the honor to introduce was one for the relief of an old Mexican veteran.

I am glad a favorable report was made upon that bill, that it received favorable consideration by the Committee on Pensions, and that it went to the Senate with the approval of this House and became a law by passage in the Senate and by the signature of the President. He was a good example of these veterans, being between 70 or 80 years of age; these men who have been waiting all these years for the small pittance which they will receive by this bill and which they should have received long since and they ought to receive more.

I am glad this is a Senate bill, so that when it passes this House it will not have to go to the other end of the Capitol, but can go immediately to the President of the United States, and I trust it will receive there promptly his signature and go to the country as a message of good cheer to these old men for the services performed and which have been so lightly recognized.

The only criticism of the bill is that it does not include also the veterans of the Indian wars. They should receive like consideration at the hands of this House. They are all old, and many of them dependent, and should receive an increase of pension like this. But that can not be done now, and I am glad the old Mexican veterans get this increase. [Great applause.]

Mr. BURTON. Mr. Speaker, it happened unexpectedly while the House was discussing a pension bill that something was said on the subject of light-houses. I should not say anything now but for the fact that the gentleman from North Carolina [Mr. SMALL], while not mentioning me by name, made a reference which he evidently intended for me.

It is true that I have opposed a bill before this House appropriating \$590,000 for a light-house for the coast of North Carolina. In the brief space of five minutes it will be impossible to tell all the reasons, because such a discussion must largely be upon questions of a technical nature; but I shall have time to mention a few.

In the first place, the attention of this House will be attracted by the magnitude of this proposition. I am informed that \$590,000 is far and away more than has ever been expended for any light-house in the United States. If we adopt such a measure, it is not best that we should take it up at midnight on the closing day of the session.

At the same time, it is very far from me to begrudge expense for the saving of human life; and the amount is not my principal objection. But this proposition is a very peculiar one. A contractor comes forward and says, "I will erect a light-house; it shall be maintained for five years, the last four years by the Government; it shall be equipped with lenses, etc., by the Government; and at the end of that time you shall pay me \$590,000."

He does not file his plans; he does not tell what his foundation shall be in those treacherous sands at least 105 feet deep. He gives no assurance of any success in his enterprise. And what is more, why should he not tell the methods and construction contemplated, so that the work may be thrown open to competition, and anyone may bid upon it, as upon other Government work, thus giving a fair prospect that the work will be done in the best and most economical manner.

Next to this, we have the estimates of very excellent engineers, not only competent, but eminent, that this light-house can certainly be constructed in the best form for \$300,000, and for \$150,000 in another form. We have the expression of the Light-House Board against this project.

Now, it is not safe for us to hastily override the recommendation of the executive officers of the Government. They say that the place specified here is not the best place for a light, and that even if erected at great expense it might not serve the purpose of saving life and property.

They say that the putting up of a light-house there must be supplemented by an expensive breakwater to cost an additional \$1,200,000. Instead of having that expensive construction, the service had better be performed by the location of another light-ship, as the wrecks occur to vessels coming in from the south rather than from the direction served by this light. Also, it is said that the structure would not afford sufficient room.

Mr. Speaker, I am in favor of anything that saves human life, that gives light and direction to the course of the mariner; but I am not in favor at this late hour of midnight, within the last twenty-four hours of the session, of passing on a great proposition of this kind, for the apparatus of a fog signal and light-house and necessary quarters, very expensive in its nature, against the recommendation, and I may almost say the protest, of the officials of the Government who have this matter in charge.

If they are not competent let us turn them out, but if they are competent to do this work and provide this service we should not ruthlessly disregard their recommendations.

Now, I will yield for the question which the gentleman from North Carolina [Mr. SMALL] desired a short time ago to ask me. I know that I have very imperfectly covered the ground. There are many more arguments that could be offered.

Mr. SMALL. Does not the gentleman know that of this \$590,000, \$80,000 is for interest upon the investment of the contractor for the five years that he must wait for his money, \$10,000—

The SPEAKER pro tempore. The time of the gentleman from Ohio has expired.

Mr. BURTON. I concede that the interest for five years upon the proposed investment by this contractor would be something like \$90,000. But the highest estimate on this work by the engineers of the Government is \$300,000.

Mr. SMALL. But the Light-House Board agreed to \$485,000 two years ago.

Mr. HEPBURN. Mr. Speaker, I would not desire to discuss this matter at all, but for the fact that a gentleman belonging to another committee has seen fit—as I think, meddlesomely—to interfere in the consideration of this bill; and I understand that he has been so potential as to prevent the Speaker of the House from giving this matter that consideration that he proposed to give it.

Mr. Speaker, the gentleman up to this time has given no reason why this bill should not be considered. As a truth, this place where this light is to serve the mariner is the one dangerous place above all others upon all our extended coast.

This is the one place where engineering skill up to this time has failed—utterly failed after many and many trials—to make any headway at all against the storms, against the raging waters, in the direction of the establishment of a light-house.

The gentleman says that this measure does not meet with the approval of the Light-House Board. It is a commendation that it does not meet with the approval of those gentlemen. I am glad that it does not.

The gentleman says that the Light-House Board, whom he wants to follow, says that a light-house, when it is established on Diamond Shoals, must be protected by a breakwater that will cost a million dollars; and yet he complains of the expense of this proposition, which is but a little more than half that sum.

Mr. Speaker, there is not a dollar to be paid, not a cent of expenditure upon the part of the United States, under this bill, until this work is an accomplished fact and until it has stood there defying the elements for full five years, and those who know tell us that during that period of five years we may reasonably expect the presence of one, at least, of those terrific storms, those southwestern hurricanes, which test the strength and durability of works of this kind.

If this work stands for five years, if it meets the requirements of resistance against the raging elements in one of those southwestern hurricanes, it is there for all time, and that establishes the fact of its efficiency at the foundations, notwithstanding the criticisms of the gentleman from Ohio [Mr. BURTON].

Mr. Speaker, this bill was considered by the committee whose duty it was to consider it, not by the Committee on Rivers and Harbors. It was considered by the committee whose duty it was to give it careful attention.

For weeks they did give it attention. They did not ask the Light-House Board, because they had condemned it long ago. They had substantially said that it is impossible for the skill of man to raise at that point a structure which will withstand the storms of the ocean.

Mr. SULZER. Mr. Speaker, I rise to a point of order.

The SPEAKER pro tempore. The gentleman will state it.

Mr. SULZER. My point of order is that the gentleman from Iowa is not talking to the bill.

Mr. HEPBURN. At least, Mr. Speaker, if he is not talking to the bill, he is talking common sense—something that the gentleman from New York does not always indulge in. [Laughter.]

The SPEAKER pro tempore. The Chair sustains the point of order, and the time of the gentleman has expired.

Mr. LOUDENSLAGER. Mr. Speaker, I would ask the gentleman from Alabama if he desires to consume any more of his time?

Mr. UNDERWOOD. Mr. Speaker, I yield the balance of my time to the gentleman from North Carolina [Mr. SMALL].

Mr. SMALL. Mr. Speaker, I did not expect to occupy any further the time of the House upon this question, but I will ask the indulgence of the members for a few moments more. I do not doubt the honesty of the gentleman from Ohio [Mr. BURTON] any more than I doubt his ability, but I believe the gentleman from Ohio only yesterday had his attention called to this bill, while I called the attention of the House to the fact that this bill was under consideration by the Committee on Interstate and Foreign Commerce and its distinguished chairman since about the middle of December; and, while in the beginning they looked with disfavor upon this project, yet when they had considered it carefully they agreed unanimously to report in its favor.

The gentleman from Ohio says the Light-House Board makes objection to the point at which this light is to be located. Let me call to your attention what the Light-House Board said in 1888. At that time the Board said that it was satisfied that it is entirely practicable to erect a structure at or near the outer shoals, and in view of the dangerous character of the shoals off Cape Hatteras, of the great loss of life and property which occurs there annually, and of the urgent demands of commerce, the Light-House Board stated that it was of opinion that provision should be at once made for the establishment of a light and fog signal at or near the outer shoals off Cape Hatteras, North Carolina—the very point where it is proposed that this light-house shall be constructed.

We have here a report from the Coast and Geodetic Survey which says that at this point the depth of water has been comparatively stable since 1850; that there has been no change there. If the Light-House Board have changed their opinion, and I do not doubt the statement of the gentleman, I should like to know what has brought about that change of opinion as to the proper location of this light-house, because they said in 1888 that it was the proper place.

The gentleman speaks about the cost of the light at \$590,000. If a light-house could be constructed there and could be maintained permanently, the matter of a hundred thousand dollars or a million dollars ought not to be considered by Congress, in view of the great benefits which would accrue to the commerce of this country and of the world. There was evidence before the com-

mittee that this light-house would actually cost \$400,000. That was not an unfair estimate. Yet in 1888, when materials were cheaper than they are to-day, this very Light-House Board which is complaining at the excessive cost agreed to pay \$485,000 to Pittsburg contractors.

Mr. BURTON. Mr. Speaker, will the gentleman yield for a question?

Mr. SMALL. Certainly.

Mr. BURTON. Is the gentleman not aware that the model of the light-house in 1888 was radically different from that suggested by the gentleman who is to undertake the task, according to the provisions of this bill?

Mr. SMALL. There was some difference in the plans, Mr. Speaker, but nevertheless—

Mr. BURTON. Is the gentleman not aware also that that is a sufficient difference to make a difference in the cost of construction of at least 40 per cent?

Mr. SMALL. I could not concede that.

Mr. BURTON. Is not the gentleman from North Carolina aware that one objection the Light-House Board has made to the plans presented by the present commission in the bill is that the size would not be sufficient; there would not be room for the machinery; that it would be impossible to operate a light-house there? Is the gentleman not aware that there would not be room enough for the fog signal?

Mr. SMALL. I will say that the bill provides that the accommodations shall be such as those provided at Minots Ledge light-house, off the coast of Massachusetts.

Mr. BURTON. Is the gentleman not aware that Minots Ledge light-house is altogether different in the accommodations required? Minots Ledge does not have a fog whistle, whereas on this it is intended to have one.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. LOUDENSLAGER. I yield three minutes to the gentleman from Illinois [Mr. MANN].

Mr. MANN. Mr. Speaker, I did not expect to take any time, and I only rise to say a word in regard to the pending bill, if the House will forgive me for a moment for diverting the attention of members from the light-house, which is not a proposition now pending.

I speak in reference to the Mexican war pension bill simply because I learned to reverence the Mexican war veterans, for the reason that my father was one of those veterans. He is still living. Having for a number of years drawn a pension as a Mexican war veteran at the rate of \$8 per month, not long ago, through old age, his pension was increased to \$12 a month as a veteran of the civil war.

In behalf of his compatriots in the Mexican war, speaking a word as he would speak it for the men who served with him in the Mexican war, I am glad and proud that we are now prepared to confer upon those old gentlemen who braved their lives when they were youths in the service of the Government this slight tribute to their worth and their need. [Applause.]

Mr. LOUDENSLAGER. Mr. Speaker, we have listened to some discussion on the light-house question, which may have given to the members of this House some light upon that matter, but very little light upon the question under consideration by the House.

This is a service pension bill for the soldiers of the Mexican war, increasing that pension from \$8 a month to \$12 a month.

The annual report of the Commissioner of Pensions on June 30, 1901, showed that there were about 3,900 of those men drawing \$8 a month, who were maintained upon the pension roll. The report of June 30, 1902, showed that there were about 3,400, or that there had been a loss of more than 10 per cent in one year; and I presume at this time there not more than 3,000 of these survivors of that war who will receive benefit by virtue of this bill.

In May of this year fifty-five years will have elapsed since the close of the Mexican war, and there is no doubt but that the average age of those who now survive will be beyond seventy-five years, so that the benefit conferred upon them will be of but short duration. The average amount to be paid in the first year is about \$150,000, and I believe that there is no one here upon either side of this Chamber who is unwilling at this time to vote that this benefit be given to those soldiers. I ask that a vote be taken upon this bill.

Mr. SMALL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from South Carolina asks unanimous consent to extend his remarks in the RECORD. Is there objection?

Mr. UNDERWOOD. I object.

The SPEAKER pro tempore. The gentleman from Alabama objects. The question is on suspending the rules and passing the bill.

The question being taken, Mr. UNDERWOOD demanded a division.

Mr. LOUDENSLAGER demanded the yeas and nays.

The yeas and nays were ordered.



The question was taken; and there were—yeas 192, nays 0, answered "present" 16, not voting 142; as follows:

YEAS—192.

- |                |                 |                   |                 |
|----------------|-----------------|-------------------|-----------------|
| Acheson,       | Dwight,         | Lawrence,         | Ryan,           |
| Allen, Me.     | Eddy,           | Lessler,          | Schirm,         |
| Aplin,         | Elliott,        | Lever,            | Scott,          |
| Barney,        | Emerson,        | Lewis, Pa.        | Shackleford,    |
| Bartholdt,     | Esch,           | Lindsay,          | Sheppard,       |
| Bartlett,      | Feely,          | Little,           | Showalter,      |
| Bates,         | Finley,         | Littlefield,      | Sibley,         |
| Benton,        | Fitzgerald,     | Livingston,       | Sims,           |
| Billmeyer,     | Flanagan,       | Lloyd,            | Slayden,        |
| Boreing,       | Flood,          | Loudenslager,     | Small,          |
| Boutell,       | Fowler,         | McAndrews,        | Smith, Iowa     |
| Bowie,         | Gaines, W. Va.  | McCleary,         | Smith, Ky.      |
| Brandeege,     | Gardner, Mich.  | McLachlan,        | Smith, H. C.    |
| Bromwell,      | Gardner, N. J.  | Mahon,            | Snodgrass,      |
| Broussard,     | Gibson,         | Mahoney,          | Snook,          |
| Brown,         | Gill,           | Marshall,         | Southard,       |
| Burke, S. Dak. | Gillet, N. Y.   | Martin,           | Southwick,      |
| Burkett,       | Glass,          | Maynard,          | Sperry,         |
| Burleigh,      | Goldfogle,      | Mickey,           | Stark,          |
| Burleson,      | Gooch,          | Miller,           | Steele,         |
| Burton,        | Gordon,         | Minor,            | Stephens, Tex.  |
| Butler,        | Graff,          | Mondell,          | Stevens, Minn.  |
| Candler,       | Green, Pa.      | Moody,            | Stewart, N. J.  |
| Cannon,        | Greene, Mass.   | Moon,             | Stewart, N. Y.  |
| Capron,        | Griggs,         | Morgan,           | Sulloway,       |
| Cassel,        | Grosvenor,      | Morrell,          | Sulzer,         |
| Cassingham,    | Hamilton,       | Moes,             | Sutherland,     |
| Clayton,       | Hanbury,        | Mudd,             | Swanson,        |
| Connell,       | Haskins,        | Needham,          | Tate,           |
| Coombs,        | Haugen,         | Nevin,            | Taylor, Ohio    |
| Cooper, Wis.   | Hedge,          | Olmsted,          | Taylor, Ala.    |
| Cousins,       | Hepburn,        | Overstreet,       | Thomas, Iowa    |
| Cowherd,       | Hill,           | Padgett,          | Thompson,       |
| Cromer,        | Holliday,       | Palmer,           | Tompkins, N. Y. |
| Currier,       | Howell,         | Parker,           | Trimble,        |
| Cushman,       | Irwin,          | Patterson, Pa.    | Underwood,      |
| Dahle,         | Jackson, Kans.  | Payne,            | Vandiver,       |
| Dalzell,       | Johnson,        | Pearre,           | Van Voorhis,    |
| Darragh,       | Jones, Va.      | Randell, Tex.     | Vreeland,       |
| Davey, La.     | Jones, Wash.    | Ransdell, La.     | Wachter,        |
| Davidson,      | Kahn,           | Reeder,           | Wagoner,        |
| De Armond,     | Ketcham,        | Richardson, Ala.  | Warner,         |
| Dick,          | Kitchin, Wm. W. | Richardson, Tenn. | Warnock,        |
| Dinsmore,      | Kluttz,         | Rixey,            | Williams, Ill.  |
| Dougherty,     | Knapp,          | Robb,             | Williams, Miss. |
| Dovener,       | Kyle,           | Roberts,          | Wright,         |
| Draper,        | Lacey,          | Robinson, Ind.    | Young,          |
| Driscoll,      | Lamb,           | Rucker,           | Zenor.          |

NAYS—0.

ANSWERED "PRESENT"—16.

- |            |       |           |          |
|------------|-------|-----------|----------|
| Bishop,    | Hay,  | Mann,     | Perkins, |
| Burndidge, | Jack, | Mercer,   | Prince,  |
| Burgess,   | Joy,  | Metcalf,  | Sherman, |
| Dayton,    | Loud, | Mutchler, | Wanger.  |

NOT VOTING—142.

- |              |                |                  |                  |
|--------------|----------------|------------------|------------------|
| Adams,       | Davis, Fla.    | Kehoe,           | Rhea,            |
| Adamson,     | Deemer,        | Kern,            | Robertson, La.   |
| Alexander,   | Douglas,       | Kitchin, Claude  | Robinson, Nebr.  |
| Allen, Ky.   | Edwards,       | Kleberg,         | Ruppert,         |
| Babcock,     | Evans,         | Knox,            | Russell,         |
| Ball,        | Fleming,       | Landis,          | Scarborough,     |
| Bankhead,    | Fletcher,      | Lassiter,        | Selby,           |
| Beidler,     | Foerderer,     | Latimer,         | Shafroth,        |
| Ball,        | Fordney,       | Lester,          | Shallenberger,   |
| Bellamy,     | Foss,          | Lewis, Ga.       | Shattuc,         |
| Belmont,     | Foster, Ill.   | Littauer,        | Shelden,         |
| Bingham,     | Foster, Vt.    | Long,            | Skiles,          |
| Blackburn,   | Fox,           | Loving,          | Smith, Ill.      |
| Blakeney,    | Gaines, Tenn.  | McCall,          | Smith, S. W.     |
| Bowersock,   | Gardner, Mass. | McClellan,       | Smith, Wm. Alden |
| Branzley,    | Gilbert,       | McCulloch,       | Sparkman,        |
| Breazale,    | Gillett, Mass. | McDermott,       | Spight,          |
| Brick,       | Glenn,         | McLain,          | Stamm,           |
| Bristow,     | Graham,        | McRae,           | Storn,           |
| Brownlow,    | Griffith,      | Maddox,          | Talbert,         |
| Bull,        | Grow,          | Meyer, La.       | Tawney,          |
| Burk, Pa.    | Heatwole,      | Miers, Ind.      | Thayer,          |
| Burnett,     | Hemenway,      | Morris,          | Thomas, N. C.    |
| Caldwell,    | Henry, Conn.   | Napfen,          | Tirrell,         |
| Caldwell,    | Henry, Miss.   | Neville,         | Tompkins, Ohio   |
| Clark,       | Henry, Tex.    | Newlands,        | Wadsworth,       |
| Cochran,     | Hildebrandt,   | Norton,          | Watson,          |
| Conner,      | Hitt,          | Otjen,           | Weeks,           |
| Conry,       | Hooker,        | Patterson, Tenn. | Wheeler,         |
| Cooney,      | Hopkins,       | Pierce, Tenn.    | White,           |
| Cooper, Tex. | Howard,        | Pou,             | Wiley,           |
| Corliss,     | Hughes,        | Powers, Me.      | Wilson,          |
| Creamer,     | Hull,          | Powers, Mass.    | Woods,           |
| Crowley,     | Jackson, Md.   | Pugsley,         | Wooten.          |
| Crumpacker,  | Jenkins,       | Reeves,          |                  |
| Curtis,      | Jett,          | Reid,            |                  |

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The following additional pairs were announced:

Until further notice:

- Mr. LANDIS with Mr. RUSSELL.
- Mr. HULL with Mr. HAY.
- Mr. JACK with Mr. RHEA.
- Mr. DEEMER with Mr. MUTCHLER.
- Mr. JENKINS with Mr. CLAUDE KITCHIN.
- Mr. SAMUEL W. SMITH with Mr. REID.
- Mr. BRICK with Mr. BALL.
- Mr. WOODS with Mr. WOOTEN, on this vote.
- Mr. WM. ALDEN SMITH with Mr. DAVIS of Florida.

Mr. MANN. Mr. Speaker, I am paired with my colleague [Mr. JETT]. I should like to change my vote from "yea" to "present."

The name of Mr. MANN was called, and he voted "present." The result of the vote was then announced as above recorded.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 3420. An act granting a pension to Anna O. Brush.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17288) making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes.

The message also announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17493) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes.

NAVAL APPROPRIATION BILL.

Mr. FOSS. Mr. Speaker, I desire to present the following conference report.

The SPEAKER. The gentlemen from Illinois calls up the conference report on the naval appropriation bill, which the Clerk will read.

Mr. FOSS. Mr. Speaker, I ask unanimous consent to dispense with the reading of the report, and call for the reading of the statement.

The SPEAKER. The gentleman from Illinois asks unanimous consent that the reading of the report may be omitted and the statement only be read.

Mr. UNDERWOOD. I object.

The SPEAKER. Objection is made. The Clerk will read the report and the statement.

The report of the committee of conference was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17288) making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 7, 8, 9, 10, 12, 13, 23, 24, 31, 33, 35, 36, 37, 38, 39, 40, 42, 44, 45, 47, 54, 55, and 79.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 6, 11, 14, 15, 16, 17, 20, 21, 25, 27, 28, 30, 32, 34, 43, 49, 51, 53, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 75, 76, 77, and 78, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted by said amendment insert the following: "And also naval constructors and assistant naval constructors;" and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$4,330,940;" and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the language proposed to be inserted by said amendment insert the following: "and no part of the same shall hereafter be used for the purchase of land;" and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In line 2 of said amendment, after the word "and," strike out the words "William L. Marcy," and insert in lieu thereof the words "the mayor;" and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In line 2 of said amendment, after the words "sum of," strike out the word "five" and insert in lieu thereof the word "one;" and the Senate agree to the same.

Amendment numbered 29: That the House recede from its disagreement to the amendment of the Senate numbered 29, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$82,800;" and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$17,900;" and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$77,442.52;" and on page 53 of the bill, line 22, after the word "Academy," strike out the words "two hundred and sixty-nine thousand three hundred and ninety-seven dollars and thirty-four cents" and insert in lieu thereof the words "two hundred and seventy thousand three hundred and ninety-seven dollars and thirty-four cents" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: In lieu of the matter struck out by said amendment, insert the following: "Provided further, That members of the Fifty-seventh Congress who will not be members of the Fifty-eighth Congress and in whose districts or States appointments have not been made or vacancies filled in the Fifty-seventh Congress may, immediately upon the passage of this act, make the additional appointments herein provided for;" and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In line 4 of said amendment strike out the word

"nine" and insert in lieu thereof the word "thirteen;" and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"That after January 1, 1904, all candidates for admission to the Naval Academy at the time of their examination must be between the ages of 16 and 20 years."

And the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"That for the purpose of further increasing the naval establishment of the United States the President is hereby authorized to have constructed, by contract or in navy-yards, as hereinafter provided, 3 first-class battle ships carrying the heaviest armor and most powerful ordnance for vessels of their class upon a trial displacement of not more than 16,000 tons, and to have the highest practicable speed and great radius of action, and to cost, exclusive of armor and armament, not exceeding \$4,212,000 each; two first-class battle ships, carrying the heaviest armor and most powerful ordnance for vessels of their class, upon a trial displacement of not more than 13,000 tons, and to have the highest practicable speed and great radius of action, and to cost, exclusive of armor and armament, not exceeding \$3,500,000 each; two steel ships, to be used in training landsmen and apprentices, to be propelled by sail, and to cost, exclusive of armament, not exceeding \$370,000 each; one wooden brig, to be used for training landsmen and apprentices at stations, to be propelled by sail, and to cost, exclusive of armament; not exceeding \$50,000.

"And the contract for the construction of each of said vessels shall be awarded by the Secretary of the Navy to the lowest best responsible bidder, having in view the best results and most expeditious delivery; and in the construction of all of said vessels the provisions of the act of August 3, 1886, entitled "An act to increase the naval establishment," as to materials for said vessels, their engines, boilers, and machinery, the contracts under which they are built, the notice of any proposals for the same, the plans, drawings, specifications therefor, and the method of executing said contracts shall be observed and followed, and, subject to the provisions of this act, all said vessels shall be built in compliance with the terms of said act, and in all their parts shall be of domestic machinery; and the steel material shall be of domestic manufacture, and of the quality and characteristics best adapted to the various purposes for which it may be used, in accordance with specifications approved by the Secretary of the Navy; and not more than two of the five battle ships provided for in this act shall be built by one contracting party: *Provided further*, That the Secretary of the Navy may build any or all of the vessels herein authorized in such navy-yards as he may designate, and shall build any of the vessels herein authorized in such navy-yards as he may designate, should it reasonably appear that the persons, firms, or corporations, or the agents thereof, bidding for the construction of any of said vessels, have entered into any combination, agreement, or understanding, the effect, object, or purpose of which is to deprive the Government of fair, open, and unrestricted competition in letting contracts for the construction of any of said vessels."

And the Senate agree to the same.

Amendment numbered 73: That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: On page 69 of the bill, line 12, after the word "tested," strike out the word "before;" and the Senate agree to the same.

Amendment numbered 74: That the House recede from its disagreement to the amendment of the Senate numbered 74, and agree to the same with an amendment as follows: Strike out the language proposed to be inserted by said amendment, and also on page 69, lines 12 and 13 of the bill, strike out the words "August first, nineteen hundred and three;" and the Senate agree to the same.

GEORGE EDMUND FOSS,  
ALSTON G. DAYTON,  
F. C. TATE,  
*Managers on the part of the House.*  
EUGENE HALE,  
GEO. C. PERKINS,  
B. R. TILLMAN,  
*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

Statement of House conferees on H. R. 17288, making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes.

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17288) making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes, submit the following written statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report on each of the amendments of the Senate, viz:

On No. 1: Allows commutation of quarters for constructors and assistant naval constructors, but strikes out provision for allowances as provided for officers of the line, pay, and medical corps of corresponding rank.

On No. 2: Reduces the emergency fund from \$40,000 to \$25,000.

On Nos. 3, 4, and 5: Restores the appropriations for transportation, recruiting, and contingent items for enlisted men and apprentices as originally provided by the House.

On No. 6: Provides that the unexpended balance remaining in the Treasury on June 30, 1903, from the appropriations, ordnance, and ordnance stores, 1900 and 1901, or so much thereof as may be necessary, is hereby reappropriated and made available during the fiscal year ending June 30, 1904, for expenditure in the fulfillment of contracts heretofore made and properly chargeable to said appropriation.

On No. 7: Strikes out the appropriation of \$250,000 for depots for coal.

On No. 8: Strikes out the provision for power and heating plant, to be immediately available, at Boston Navy-Yard, \$230,000.

On No. 9: Restores the House provision as to totals, which is simply clerical.

On No. 10: Strikes out the provision increasing the limit of cost for dry docks at Portsmouth and Boston.

On No. 11: Makes provision for continuation of construction at the navy-yard, Charleston, S. C., and for two new buildings, a machine shop and power house, in all \$300,000, and provides for the reconveying of a small triangular piece of land, about one-thirtieth of an acre, not needed for the navy-yard, to the city of Charleston at the same rate per acre as that at which it was purchased by the United States.

On No. 12: Strikes out provision for plumber and sheet-metalworker's shop, \$75,000, for Norfolk Navy-Yard, as proposed by the House.

On No. 13: Restores the House provision as to totals, which is a clerical computation.

On No. 14: Increases the appropriations at navy-yard, Mare Island, Cal. \$138,000, for buildings, etc., and provides that the balances from any appropriations for dredging be reappropriated for "Dredging or other means of deepening the channel in Mare Island Strait."

On No. 15: Provides for building for bureau of equipment, \$120,000, at navy-yard, Pensacola.

On No. 16: Provides for an ice-making plant, \$5,000, at Tutuila.

On No. 17: Changes the totals accordingly.

On No. 18: Changes the totals, in all, public works, in accordance with provisions heretofore made.

On No. 19: Provides that no portion of the \$10,000,000 for reconstruction of the buildings, etc., at the Naval Academy shall be used hereafter for the purchase of land.

On No. 20: Provides that the Secretary of the Navy may limit estimates of cost for all buildings and improvements, including the hospital and dredging at the Naval Academy, authorized in the act approved July 1, 1902, as he may see fit.

On No. 21: Provides that \$90,000 for additional temporary quarters and recreation rooms, etc., at the Naval Academy may be immediately available.

On No. 22: That the Secretary of the Navy, the Superintendent of the Naval Academy, and the mayor of Annapolis, Md., are hereby appointed a commission to ascertain the sites of, and to have erected suitable tablets upon, the historic places within the grounds of the United States Naval Academy at Annapolis, Md., and the sum of \$500 is hereby appropriated for such purpose.

On Nos. 23 and 24: Strikes out authorization for a design for monuments to be erected in the Vicksburg National Military Park and also for monument in the Arlington Cemetery.

On No. 25: Makes a change in totals, which is a clerical computation.

On No. 26: Reduces the amount of the appropriation for the expenses of a board of naval officers to examine site or sites for a naval magazine on the New England coast from \$5,000 to \$1,000.

On No. 27: Strikes out provision for sulphuric acid plant at Indian Head.

On No. 28: Changes totals in accordance therewith.

On No. 29: Changes the totals in accordance with provisions heretofore made.

On No. 30: Provides for a naval hospital, District of Columbia, at a cost of \$125,000.

On No. 31: Strikes out appropriation of \$100,000 for the enlargement of the general hospital at Fort Bayard, N. Mex., as proposed by the Senate.

On No. 32: Increases the appropriation for provisions, etc., for enlisted men from \$3,500,000 to \$4,000,000.

On No. 33: Strikes out the provision for reappropriation of \$500,000 to the naval supply fund.

On No. 34: Appropriates \$1,000,000 for purchase of clothing and small stores for issue to the naval service, the present fund being inadequate to meet the requirements of the service at this time, to be added to the "clothing and small-stores fund."

On Nos. 35, 36, 37, 38, 39, and 40: Strikes out provision for increasing the pay of clerks for Bureau of Steam Engineering.

On No. 41: Restores the House totals.

On No. 42: Strikes out the increase of the salary of certain professors at the Naval Academy and restores the House provision.

On No. 43: Provides for one assistant librarian at \$1,000.

On Nos. 44 and 45: Strikes out provision for two clerks at the Navy Academy.

On No. 46: Changes totals in accordance with the above.

On No. 47: Strikes out five additional medical inspectors and restores House provision.

On No. 48: *Provided further*, That members of the Fifty-seventh Congress who will not be members of the Fifty-eighth Congress, and in whose districts or States appointments have not been made or vacancies filled in the Fifty-seventh Congress, may immediately upon the passage of this act make the additional appointments herein provided for.

On No. 49: Provides for the recommendation of midshipmen by the 1st of June instead of the 1st of May.

On No. 50: Provides that the increase of the appointments of midshipmen to the Naval Academy shall continue until the 30th day of June, 1913, instead of 1909, and thereafter one midshipman, as now provided by law, shall be appointed for each Senator, Representative, and Delegate in Congress.

On No. 51: Provides for the appointment by the President of a midshipman from Porto Rico upon the recommendation of the governor of Porto Rico.

On No. 52: Provides that after January 1, 1904, all candidates for midshipmen to the Naval Academy at the time of examination must be between the ages of 16 and 20 years.

On No. 53: Reduces the House provision from ten years' service to seven years' service of commissioned officers in the Marine Corps selected for appointment to fill vacancies in the grade of field officers in any of the staff departments.

On Nos. 54 and 55: Strikes out provision for the grades of staff sergeant-major and staff quartermaster-sergeant for the Marine Corps, as proposed by the Senate.

On Nos. 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, and 69: Provides for increases in appropriations for the Marine Corps made necessary by the increased number of officers and enlisted men as heretofore provided.

On No. 70: Restores the House provision for the further increase of the Navy of 3 first-class battle ships with a trial displacement of 16,000 tons and 2 steel training ships and 1 wooden brig, and strikes out the 1 armored cruiser of 14,500 tons, and provides in lieu thereof 2 first-class battle ships of 13,000 tons trial displacement, and also restores the House provision giving the Secretary of the Navy authority to build ships in the navy-yards and making it mandatory upon him to so build in case there is combination of the part of contractors.

On Nos. 71, 72, 73, 74, 75, 76, 77, 78: Provides for the testing of subsurface boats with submarine boats by the Secretary of the Navy in his discretion without limitation as to time.

On No. 79: Strikes out the provision relating to the retired officers of the Navy ordered to active duty by which they shall get the benefit of active service.

The bill as passed by the Senate appropriated \$82,512,312.43, being an increase of \$3,172,892.28 over the amount carried as it was passed by the House. Of this sum the committee of conference recommended that \$635,021 be struck out and that \$2,537,871.28 be agreed to.

The bill now carries \$81,877,201.43.

GEORGE EDMUND FOSS,  
ALSTON G. DAYTON,  
F. C. TATE,  
*Managers on the part of the House.*

Mr. FOSS. Mr. Speaker, I do not care to take up the time of the members of the House at this late hour in an exhaustive explanation of this conference report.



Mr. RIXEY. Will my friend allow me to ask if he proposes to give any time to anyone on this side who desires to speak to the report? We would like to have five minutes.

Mr. FOSS. As I understand the gentleman representing that side, no time is asked for.

Mr. RIXEY. Well, of course, I do not know what the gentleman representing this side stated, but several gentlemen do desire some time, and we would like to have five minutes.

Mr. FOSS. I would like to finish my statement, in the first place. Mr. Speaker, as I said, I do not care to enter into any lengthy statement in regard to the conference report. The statement signed by the conferees, two on this side and one on that, has been read, and sets forth very clearly and accurately what was done by the conferees.

I wish, however, to say this: This bill carries \$81,877,000 in appropriations for the naval service. It is the largest naval appropriation bill, and I may say that I believe that it is the best naval appropriation bill, which has ever passed this body.

It provides for a liberal increase in the number of men; it provides also for an increase in the line officers and in staff officers, as recommended by the Secretary of the Navy; and it provides at the same time for a naval programme the like of which the American Congress has never before authorized. [Applause.]

The contention of the House conferees all along has been for the provision which was passed by the House authorizing the construction of three great battle ships of 16,000 tons. The Senate struck out that provision and substituted therefor battle ships of a smaller type, of about 12,000 tons.

The House conferees called before the Naval Committee after the Senate had put this amendment in the bill the chiefs of our great bureaus, who compose the board of construction of the Navy Department, and, after a very exhaustive hearing, came to the conclusion that they could not submit to the Senate amendment; that it would mean a backward step in the evolution and growth of the American Navy.

So they held out to that position until they finally brought the Senate conferees to write into this bill the old House provision for the three great battle ships of 16,000 tons each. [Applause.] We said that we believe in building up the American Navy; we believe in adding to the number of ships, but we wanted those ships to be the best ships in the world, ships that could meet the best ships of any foreign nation, and we stuck to that House provision until we won. [Applause.]

I may say that all along during the consideration of this bill the important contentions of the House conferees have finally been yielded to by the Senate. Consequently, it is a matter of pride that the House conferees bring in this report in the closing hours of this session of Congress.

It is a great bill. The Secretary of the Navy, who is making a magnificent record as an able and efficient public administrator, has already said that it was the greatest naval appropriation bill he ever knew, because it has been so liberal and generous in its features, providing this magnificent fleet of battle ships to bear aloft the flag of our country upon the seas and to defend the honor of our country whenever that honor shall be assailed. [Applause.]

I say to you here to-night that I believe that this splendid programme only meets the popular expectation of the American people from one end of the land to the other; because, if I judge the sentiment of the American people correctly, they are for a strong and efficient Navy—a Navy that will not only protect our commerce on the high seas, but protect us against the assaults of foreign nations, and at the same time will stand guard for that great Monroe doctrine which has been written into the history of our land. [Applause.]

Now, I do not care to indulge in a lengthy speech, so I will yield a few minutes of my time to my honored colleague on the committee who will not be with us in the next Congress, but who has given us the benefit of his great ability in the consideration of these mighty questions in the committee room and on the floor of this House. I yield to the gentleman from Ohio [Mr. TAYLER].

Mr. TAYLER of Ohio. Mr. Speaker, if my friend and colleague, the chairman of our committee, had remained in conference a few hours longer, I do not know what kind of a speech he might have been able to make. But the condition of exhaustion in which he found himself compelled him to reach the lame and impotent conclusion when he made reference to me. [Laughter.]

I am sure that we are all glad that we have a chance, Mr. Speaker, to congratulate the conferees on the part of the House on the conclusion of their great labor, and especially that we have an opportunity to congratulate them and ourselves on the fact that they have brought in here a report embodying a bill which, in every essential feature, is the bill which this House adopted and passed a short time ago.

I am sure, Mr. Speaker, that wherever the American flag floats, wherever to-morrow the information will go, every American

heart will beat with pride when it has learned that we are to go on in this great policy of building up our naval establishment. And our friends who live along the seaboard ought to understand that in the interior of this great and growing country there is as much pride in the development of our Navy as exists in any other part of our country. [Applause.]

We know that Congress will receive the support of that great heart of our people in the hope that it shall continue the good work that has been so splendidly developed. Now, when it is known that we are to build three of the most splendid and magnificent battle ships that we have ever constructed and two great battle ships only slightly less in magnitude, it will assure our people that everywhere our coast and our country will be protected, and the American citizen and flag will be everywhere defended. [Applause.]

And, Mr. Speaker, it will serve notice on the world that this country is willing to pay a large premium for the peace that it is determined to have and that it is bound to have, if it must fight for it. [Applause.]

But we find, Mr. Speaker, in this great development of our Navy, as I look at it, a reasonable assurance that not in our time, not for many years to come, will we have to "Cry 'Havoc,' and let slip the dogs of war." [Applause.]

Mr. FOSS. How much time have I remaining, Mr. Speaker? The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. RIXEY. And that is the fairness of the gentleman who is the chairman of the Committee on Naval Affairs!

Mr. FOSS. The gentleman from Virginia does not mean that; I was about to yield him time.

Mr. RIXEY. That may be, but the gentleman was unfortunate, for I notified him that several gentlemen wanted to speak on this side in criticism of the report.

Mr. FOSS. I was not aware that any gentleman was going to criticize the report.

The SPEAKER. The question is on agreeing to the conference report.

Mr. FOSS. On that, Mr. Speaker, I demand the yeas and nays. The yeas and nays were ordered.

The question was taken; and there were—yeas 174, nays 19, answering "present" 20, not voting 137; as follows:

## YEAS—174.

|                |                |               |                 |
|----------------|----------------|---------------|-----------------|
| Acheson,       | Dinsmore,      | Ketcham,      | Perkins,        |
| Alexander,     | Dougherty,     | Kluttz,       | Randell, Tex.   |
| Allen, Me.     | Dovener,       | Knapp,        | Ransdell, La.   |
| Aplin,         | Draper,        | Kyle,         | Reeder,         |
| Barney,        | Driscoll,      | Lacey,        | Raeves,         |
| Bartholdt,     | Dwight,        | Lamb,         | Roberts,        |
| Bartlett,      | Eddy,          | Lawrence,     | Robinson, Ind.  |
| Bates,         | Esch,          | Lessler,      | Ryan,           |
| Benton,        | Feely,         | Lever,        | Scott,          |
| Billmeyer,     | Finley,        | Lewis, Pa.    | Showalter,      |
| Bishop,        | Fitzgerald,    | Lindsay,      | Slayden,        |
| Boreing,       | Flanagan,      | Littlefield,  | Smith, Iowa     |
| Boutell,       | Flood,         | Livingston,   | Smith, H. C.    |
| Bowie,         | Foss,          | Long,         | Snodgrass,      |
| Brandegge,     | Gaines, Tenn.  | Loudenslager, | Southard,       |
| Brick,         | Gaines, W. Va. | McAndrews,    | Southwick,      |
| Bristow,       | Gardner, Mass. | McCleary,     | Sperry,         |
| Bromwell,      | Gardner, Mich. | McLachlan,    | Stark,          |
| Broussard,     | Gardner, N. J. | Mahon,        | Steele,         |
| Brown,         | Gibson,        | Mahoney,      | Stevens, Minn.  |
| Burk, Pa.      | Gill,          | Marshall,     | Stewart, N. J.  |
| Burke, S. Dak. | Glass,         | Martin,       | Stewart, N. Y.  |
| Burkett,       | Goldfogle,     | Maynard,      | Stulloway,      |
| Burleigh,      | Gooch,         | Mickey,       | Sutherland,     |
| Burton,        | Gordon,        | Miller,       | Tate,           |
| Butler,        | Graff,         | Mondell,      | Tawney,         |
| Cannon,        | Green, Pa.     | Moody,        | Taylor, Ohio    |
| Capron,        | Greene, Mass.  | Moon,         | Taylor, Ala.    |
| Cassel,        | Hamilton,      | Morgan,       | Thomas, Iowa    |
| Clayton,       | Hanbury,       | Morrill,      | Thompson,       |
| Cochran,       | Haskins,       | Morris,       | Tompkins, N. Y. |
| Connell,       | Haugen,        | Moss,         | Underwood,      |
| Conner,        | Hedge,         | Mudd,         | Van Voorhis,    |
| Coombs,        | Henry, Conn.   | Needham,      | Vreeland,       |
| Cooper, Wis.   | Hepburn,       | Nevin,        | Wachter,        |
| Cousins,       | Hill,          | Norton,       | Wagoner,        |
| Cromer,        | Holliday,      | Olmsted,      | Warner,         |
| Crowley,       | Howell,        | Otjen,        | Warnock,        |
| Currier,       | Irwin,         | Overstreet,   | Williams, Ill.  |
| Dalzell,       | Jackson, Kans. | Fadgett,      | Wright,         |
| Darragh,       | Jenkins,       | Palmer,       | Young,          |
| Davidson,      | Jones, Wash.   | Parker,       | Zenor.          |
| Dayton,        | Joy,           | Payne,        |                 |
| Dick,          | Kahn,          | Pearre,       |                 |

## NAYS—19.

|            |                 |              |                |
|------------|-----------------|--------------|----------------|
| Brundidge, | Johnson,        | Robb,        | Snook,         |
| Burleson,  | Jones, Va.      | Rucker,      | Stephens, Tex. |
| Candler,   | Kitchin, Wm. W. | Shackelford, | Trimble,       |
| De Armond, | Little,         | Sheppard,    | Vandiver.      |
| Griggs,    | Rixey,          | Smith, Ky.   |                |

## ANSWERED "PRESENT"—20.

|          |            |           |                |
|----------|------------|-----------|----------------|
| Babcock, | Emerson,   | Jack,     | Mutchler,      |
| Beidler, | Foerderer, | Littauer, | Patterson, Pa. |
| Burgess, | Hay,       | Loud,     | Prince,        |
| Cowherd, | Heatwole,  | Mann,     | Sibley,        |
| Curtis,  | Hemenway,  | Mercer,   | Wanger.        |

## NOT VOTING—137.

|              |                 |                   |                  |
|--------------|-----------------|-------------------|------------------|
| Adams,       | Evans,          | Lester,           | Shafroth,        |
| Adamson,     | Fleming,        | Lewis, Ga.        | Shallenberger,   |
| Allen, Ky.   | Fletcher,       | Lloyd,            | Shattuc,         |
| Ball,        | Fordney,        | Loving,           | Sheldon,         |
| Bankhead,    | Foster, Ill.    | McCall,           | Sherman,         |
| Bell,        | Foster, Vt.     | McClellan,        | Sims,            |
| Bellamy,     | Fowler,         | McCulloch,        | Skiles,          |
| Belmont,     | Fox,            | McDermott,        | Small,           |
| Bingham,     | Gilbert,        | McLain,           | Smith, Ill.      |
| Blackburn,   | Gillet, N. Y.   | McRae,            | Smith, S. W.     |
| Blakeney,    | Gillett, Mass.  | Maddox,           | Smith, Wm. Alden |
| Bowersock,   | Glenn,          | Metcalf,          | Sparkman,        |
| Brantley,    | Graham,         | Meyer, La.        | Spight,          |
| Breazeale,   | Griffith,       | Miers, Ind.       | Storm,           |
| Brownlow,    | Grosvenor,      | Minor,            | Sulzer,          |
| Bull,        | Grow,           | Napier,           | Swann,           |
| Burnett,     | Henry, Miss.    | Neville,          | Swanson,         |
| Calderhead,  | Henry, Vt.      | Newlands,         | Talbert,         |
| Caldwell,    | Hildebrandt,    | Patterson, Tenn.  | Thayer,          |
| Cassingham,  | Hitt,           | Pierce,           | Thomas, N. C.    |
| Clark,       | Hooker,         | Pou,              | Tirrell,         |
| Conry,       | Hopkins,        | Powers, Me.       | Tompkins, Ohio   |
| Cooney,      | Howard,         | Powers, Mass.     | Wadsworth,       |
| Cooper, Tex. | Hughes,         | Pugsley,          | Watson,          |
| Corliss,     | Hull,           | Reid,             | Weeks,           |
| Creamer,     | Jackson, Md.    | Rhea,             | Wheeler,         |
| Crumacker,   | Jett,           | Richardson, Ala.  | White,           |
| Cushman,     | Kehoe,          | Richardson, Tenn. | Wiley,           |
| Dahle,       | Kern,           | Robertson, La.    | Williams, Miss.  |
| Davey, La.   | Kitchin, Claude | Robinson, Nebr.   | Wilson,          |
| Davis, Fla.  | Kleberg,        | Ruppert,          | Woods,           |
| Deemer,      | Knox,           | Russell,          | Wooten.          |
| Douglas,     | Landis,         | Scarborough,      |                  |
| Edwards,     | Lassiter,       | Schirm,           |                  |
| Elliott,     | Latimer,        | Selby,            |                  |

So the report of the committee of conference was agreed to.

The following pairs were announced:

Until further notice:

Mr. PATTERSON of Pennsylvania with Mr. RICHARDSON of Alabama.

Mr. GROSVENOR with Mr. SULZER.

Mr. GILLETT of Massachusetts with Mr. BELMONT.

Mr. STORM with Mr. WILEY.

On this vote:

Mr. JACKSON of Maryland with Mr. MEYER of Louisiana.

The result of the vote was announced as above recorded.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 5357. An act for the relief of William Leech;

H. R. 11340. An act for the relief of McClure & Wellbanks;

H. R. 13075. An act to amend section 3 of the "Act further to prevent counterfeiting or manufacturing of dies, tools, or other implements used in manufacturing," etc., approved February 10, 1891.

H. R. 15155. An act to refund the amount of duties paid on merchandise brought into the United States from Porto Rico between April 11, 1899, and May 1, 1900, and also on merchandise brought into the United States from the Philippine Islands between April 11, 1899, and March 8, 1902, and for other purposes.

H. R. 15799. An act to confirm the name of Seward square for the space formed by the intersection of C street south and Pennsylvania and North Carolina avenues, District of Columbia; and

H. R. 16881. An act to authorize the court of county commissioners of Geneva County, Ala., to construct a bridge across the Choctawhatchee River, in Geneva County, Ala.

## MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. BARNES, one of his secretaries, announced that the President had approved and signed bills of the following titles:

H. R. 1517. An act for the relief of Robert Brigham;

H. R. 6745. An act for the relief of Anthony R. Ravenscroft;

H. R. 16842. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1904, and for other purposes;

H. R. 6703. An act for the relief of George A. Rogers;

H. R. 14050. An act to amend an act to regulate the height of buildings in the District of Columbia;

H. R. 15804. An act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes, for the fiscal year ending June 30, 1904, and for other purposes;

H. R. 16069. An act authorizing the Secretary of the Interior to sell certain lands therein mentioned;

H. R. 16656. An act regulating the importation of breeding animals; and

H. R. 16970. An act making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1904, and for other purposes.

## DEFICIENCY APPROPRIATION BILL.

Mr. CANNON. I call up the conference report upon the general deficiency bill.

The conference report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17493) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 3, 4, 5, 15, 17, 26, 33, 34, 40, 44, 50, 55, 94, 119, and 126.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 18, 19, 21, 22, 23, 24, 25, 27, 28, 29, 30, 31, 32, 35, 36, 37, 38, 39, 41, 42, 45, 46, 47, 48, 49, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, and 137, and agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "For the following sums, under the act entitled 'An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes,' approved March 3, 1903, namely:

"Rome, Ga., post-office: For continuation of building under present limit, \$40,000.

"Emporia, Kans., post-office: For completion of building, \$0,000.

"Council Bluffs, Iowa, post-office: For purchase of additional land, \$7,500.

"Fitchburg, Mass., post-office: For completion of building, \$5,000.

"Centerville, Iowa, post-office: For continuation of building, \$5,000.

"Durham, N. C., post-office: For continuation of building, \$30,000.

"Goldsboro, N. C., court-house, post-office, etc.: For continuation of building, \$15,000.

"Elizabeth, N. J., post-office: For continuation of building, \$60,000.

"Rochester, N. Y., post-office and court-house: For continuation of building, \$20,000.

"Martinsville, Va., post-office: For continuation of building, \$10,000.

"Janessville, Wis., post-office: For completion of building, \$6,000.

"Atlantic City, N. J., post-office: For continuation of building, \$25,000.

"Batesville, Ark., post-office and court-house: For continuation of building, \$10,000.

"St. Joseph, Mo., post-office: For continuation of building, \$50,000.

"Sterling, Ill., post-office: For commencement of building, \$20,000.

"Champaign, Ill., post-office: For commencement of building, \$30,000.

"Traverse City, Mich., post-office and custom-house: For commencement of building, \$20,000.

"Moberly, Mo., post-office: For commencement of building, \$20,000.

"Columbia, Mo., post-office: For commencement of building, \$20,000.

"Tacoma, Wash., post-office, court-house, and custom-house: For commencement of building, \$30,000.

"Spokane, Wash., post-office, court-house, and custom-house: For commencement of building, \$30,000.

"Pierre, S. Dak., post-office and court-house: For commencement of building, \$30,000.

"Yankton, S. Dak., post-office: For commencement of building, \$30,000.

"Natchitoches, La., post-office: For commencement of building, \$30,000.

"Bar Harbor, Me., post-office: Additional for purchase of site, \$3,000.

"Calais, Me., post-office and court-house: Additional for purchase of site, \$3,000.

"Hamilton, Ohio, post-office: Additional for purchase of site, \$10,000.

"Albert Lea, Minn., post-office: Additional for purchase of site and commencement of building, \$15,000.

"Crookston, Minn., post-office: Additional for purchase of site, \$2,000.

"Saratoga Springs, N. Y., post-office: Additional for purchase of site, \$5,000.

"Dixon, Ill., post-office: For site, \$10,000.

"Tuscaloosa, Ala., post-office: For site, \$7,500.

"Hagerstown, Md., post-office: For site, \$10,000.

"East Liverpool, Ohio, post-office: For site, \$30,000.

"Florence, Ala., post-office: For site, \$7,500.

"York, Nebr., post-office: For site, \$10,000.

"Ann Arbor, Mich., post-office: For site, \$12,000.

"Carbondale, Pa., post-office: For site, \$12,000.

"Grand Island, Nebr., post-office: For site, \$10,000.

"Woonsocket, R. I., post-office: For site, \$15,000.

"Bluefields, W. Va., post-office and court-house: For site, \$10,000.

"Chippewa Falls, Wis., post-office: For site, \$10,000.

"Portland, Me., court-house: For site, \$60,000.

"Bedford, Ind., post-office: For site, \$6,000.

"Marinette, Wis., post-office: For site, \$10,000.

"Gainesville, Ga., post-office: For site, \$5,000.

"Valdosta, Ga., post-office: For site, \$8,000.

"Webster City, Iowa, post-office: For site, \$8,000.

"Butler, Pa., post-office: For site, \$20,000.

"Corning, N. Y., post-office: For site, \$15,000.

"Westminster, Md., post-office: For site, \$4,000.

"Meadville, Pa., post-office: For site, \$8,000.

"Mason City, Iowa, post-office: For site, \$8,000.

"Marion, Ind., post-office: For site, \$25,000.

"Pine Bluff, Ark., post-office: For site, \$7,000.

"Houston, Tex., post-office, court-house, and custom-house: For site, \$125,000.

"Baker City, Oreg., post-office: For site, \$5,000.

"Bessemer, Ala., post-office: For site, \$12,000.

"Ocala, Fla., post-office: For site, \$4,000.

"Burlington, Vt., post-office and custom-house: Temporary quarters, moving, and all incident expenses, \$10,000.

"Richmond, Va., custom-house and post-office: Additional for site, \$27,350.

"Bureau of Engraving and Printing, Washington, D. C.: For additional land and commencement of buildings, \$100,000.

"Atlanta, Ga., post-office and court-house: Additional for site, \$30,000.

"Toledo, Ohio, post-office: Additional for site, \$118,000.

"For municipal building for the joint use of the United States and the District of Columbia, at Washington, D. C.: For continuation of building under present limit, \$250,000, one-half of which sum shall be paid from the revenues of the District of Columbia and the other half from the Treasury of the United States.

"Jacksonville, Fla., post-office and custom-house: For commencement of building, \$50,000.



"For the acquisition of square No. 143 in the city of Washington, D. C., as a site for the hall of records, \$400,000, or so much thereof as may be necessary.

"To enable the Secretary of the Treasury to have preliminary plans prepared for a hall of records, \$5,000; said plans shall not be upon a basis of construction of a building involving a total cost exceeding \$2,000,000, and no plan shall be adopted unless authorized by legislation hereafter to be enacted, and said plan or any compensation connected therewith shall only be preliminary and shall not in any way run with the construction of the building, and no obligation for such preliminary plans shall be incurred to cost in excess of \$5,000 herein appropriated."

And the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: Strike out all of said amendment after the word "directed," in line 12, and insert in lieu of the matter stricken out the following: "to report the same to Congress for its action;" and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"Salaries, Department of Justice: For the payment of the salary of the disbursing clerk from March 1 to June 30, 1903, inclusive, at the rate of \$2,750 per year instead of the rate of \$2,300, \$150."

And the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: On page 43 of the amendment, in line 24, strike out "one hundred" and insert "seventy-five;" and on page 43 of the amendment strike out line 25 and on page 44 strike out lines 1 and 2 and insert in lieu thereof the following:

"For compensation, to be fixed by the Secretary of Commerce and Labor, of such special agents in the Bureau of Corporations, and for per diem, subject to such rules and regulations as the Secretary of Commerce and Labor may prescribe, in lieu of subsistence, at a rate not exceeding \$4 per day to each of said special agents, while absent from their homes on duty, and for actual necessary traveling expenses for said special agents, including necessary sleeping-car fares, \$60,000."

And the Senate agree to the same.

J. G. CANNON,  
S. S. BARNEY,  
L. F. LIVINGSTON,  
*Managers on the part of the House.*

EUGENE HALE,  
W. B. ALLISON,  
H. M. TELLER,  
*Managers on the part of the Senate.*

The statement of the House conferees was read, as follows:

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17493) making appropriations to supply deficiencies, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee as submitted in the accompanying report:

The Senate made 137 amendments to the bill, adding \$6,659,961.39 to the amount thereof as it passed the House. Of this sum, the amount of \$3,000,000 was to meet obligations imposed by the new public-buildings act, as a substitute for which the conference committee recommend specific appropriations for the new buildings, extension of limit of cost of buildings, and acquisition of new sites, in each case where the appropriation is necessary and in amount as the Treasury Department recommend.

These specific items aggregate \$1,755,850.

The chief items inserted by the Senate, and which it is recommended the Senate recede from, are as follows:

Payment to foreign cable companies, \$117,507.34;  
Payment to the Norwegian steamship *Nicaragua*, \$4,926.67;  
Payment to the Washington Market Company, \$3,347.25;  
Payments for injuries to private property by gun firing and mortar practice, \$3,831.72;

Payment on account of British steamship *Mogul*, \$16,123.70; the Secretary of War being directed to examine and report to Congress what amount, if any, should be paid on this account, and

Payment to W. F. Palmer, jr., & Co., \$33,820.59.

The amendment of the Senate providing for salaries and contingent and miscellaneous expenses for the Department of Commerce and Labor, modified so as to appropriate in the aggregate \$301,000, is agreed to. The provision authorizing the transfer to this Department of \$100,000 out of the \$500,000 under the Department of Justice for enforcing the interstate-commerce and other acts, proposed by the Senate, is stricken from the bill.

The remaining sums added to the bill are chiefly to meet deficiencies in appropriations, for the payments of judgments of the courts, and audited accounts, ascertained and certified to Congress since the bill passed the House.

The bill as finally agreed upon appropriates \$20,320,672.47, being \$1,052,264.75 less than as it passed the Senate and \$5,907,696.64 more than as it passed the House.

J. G. CANNON,  
S. S. BARNEY,  
L. F. LIVINGSTON,  
*Managers on the part of the House.*

Mr. CANNON. Mr. Speaker, if the House will bear with me for a very short time, I will tell exactly how this agreement was arrived at.

Mr. CLAYTON. Mr. Speaker—

Mr. CANNON. I do not yield to anybody.

Mr. CLAYTON. I rise to a parliamentary inquiry. I should like to know if it will be in order, after the disposition of the pending bill, to move to go into Committee of the Whole for the further consideration of the Fowler bill. [Laughter on the Democratic side.]

Mr. CANNON. Mr. Speaker, I am in earnest, with a message to the House touching this bill. I ask the attention of this side; I ask the courtesy of the other side to allow me ten minutes without interruption.

Several MEMBERS. You shall have it.

Mr. CANNON. Gentlemen know that under the practice of the House and under the rules of the Senate the great money bills can contain nothing but appropriations in pursuance of existing

law, unless by consent of both bodies. If any one of these bills contains legislation, it must be by unanimous consent of the two bodies; and the uniform practice has been, so far as I know, the invariable practice has been, with the exception of one amendment upon this bill, that when one body objected to legislation proposed by the other upon an appropriation bill, the body proposing the legislation has receded.

In this case the trouble in arriving at an agreement all clustered about one amendment. There were many amendments of a legislative character proposed by the Senate; there were many amendments, covering hundreds of thousands of dollars of claims, pure and simple, proposed by the Senate.

One by one the legislative provisions and the claims disappeared as the Senate receded, until we came to an amendment to pay the State of South Carolina \$47,000. A word as to that. In May last, on the omnibus claims bill then passed, a basis was fixed for the adjustment of the accounts of Virginia and Baltimore and South Carolina with the United States, growing out of the war of 1812-1815.

The auditing officers of the Treasury, in pursuance of that law, adjusted the accounts of Virginia. An indefinite appropriation was made to pay the respective States whatever should be found due by the auditing officers. Upon that basis and under that legislation the sum of \$100,000 in round numbers has been paid to the State of Virginia.

Under that same law, which is the law to-day, the auditing officers, in the adjustment of accounts, found due to the State of South Carolina the sum of 34 cents. Now, the Senate of the United States, notwithstanding the law to which I have referred, proposed legislation on an appropriation bill to the extent of granting to the State of South Carolina \$47,000.

The House conferees objected, and the whole long delay has been over that one item. In the House of Representatives, without criticizing either side or any individual member, we have rules, sometimes invoked by our Democratic friends and sometimes by ourselves—each responsible to the people after all said and done—by which a majority, right or wrong, mistaken or otherwise, can legislate.

In another body there are no such rules. In another body legislation is had by unanimous consent. In another body an individual member of that body can rise in his place and talk for one hour, two hours, ten hours, twelve hours. It is a matter of history that a Senator on the Republican side, in a former Congress, talked to death a river and harbor bill.

There comes a time constantly in the settling of bills when you must do so and so or so and so, else your bill can not pass, and this with reference to the great money bills. In my opinion, such a condition existed as to this bill and clustered about this one amendment. There was also an amendment put on the bill in that body involving legislation to the extent of granting to the State of Vermont \$150,000 in adjustment of her war claims.

The Senate receded, but your conferees were unable to get the Senate to recede upon this gift from the Treasury, against the law, to the State of South Carolina. By unanimous consent another body legislates, and in the expiring hours of the session we are powerless without that unanimous consent. "Help me, Cassius, or I sink!"

Unanimous consent comes to the center of the Dome; unanimous consent comes through Statuary Hall and to the House doors and comes practically to the House. We can have no legislation without the approval of both bodies, and one body, in my opinion, can not legislate without unanimous consent. There was the alternative.

In my opinion this applied not only to the deficiency bill, but to the naval bill, an agreement as to the naval bill. Your conferees had the alternative of submitting to legislative blackmail at the demand, in my opinion, of one individual—I shall not say where—or of letting these great money bills fail. Now, what are we going to do about it? This bill contains many important matters—your appropriations for public buildings, legislation lately had all along the line of the public service to the extent of \$20,000,000.

Now, I have taken the House into my confidence touching this matter, as it is my duty to do. I am getting to be a somewhat aged man. I pray God that my life may be spared until an intelligent and a righteous sentiment, North and South, East and West, pervading both of the great parties will lash anybody into obedience to the right of the majority to rule—and majorities and minorities shift back and forth.

Ah, says somebody, did that work in reference to the matter of statehood, and did you believe in statehood? I did not believe in statehood, and I am putting now the strongest case against my own party, but a majority of the people, voiced in the Senate and the House, had the right to have its will expressed.

Gentlemen, I have made my protest. I do it in sorrow and in humiliation, but there it is; and in my opinion another body under these methods must change its methods of procedure, or our body, backed up by the people, will compel that change, else this body,

close to the people, shall become a mere tender, a mere bender of the pregnant hinges of the knee, to submit to what any one member of another body may demand of this body as a price for legislation. [Prolonged applause and cheers.]

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

The question being taken, Mr. UNDERWOOD demanded a division.

Mr. PAYNE demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 179, nays 18, "answered present" 12, not voting 141; as follows:

YEAS—179.

- |                |                |                   |                 |
|----------------|----------------|-------------------|-----------------|
| Acheson,       | Dayton,        | Kitchin, Wm. W.   | Rixey,          |
| Adams,         | Dick,          | Klutz,            | Robb,           |
| Alexander,     | Dougherty,     | Knapp,            | Robinson, Ind.  |
| Allen, Mo.     | Dovener,       | Kyle,             | Rucker,         |
| Aplin,         | Draper,        | Lacey,            | Ryan,           |
| Barney,        | Driscoll,      | Lawrence,         | Schirm,         |
| Bartholdt,     | Dwight,        | Lessler,          | Scott,          |
| Bartlett,      | Eddy,          | Lever,            | Sheppard,       |
| Bates,         | Elliott,       | Lewis, Pa.        | Showalter,      |
| Beidler,       | Feely,         | Lindsay,          | Sibley,         |
| Benton,        | Finley,        | Littauer,         | Sims,           |
| Billmeyer,     | Fitzgerald,    | Littlefield,      | Slayden,        |
| Bishop,        | Flanagan,      | Livingston,       | Small,          |
| Boring,        | Flood,         | Lloyd,            | Smith, Iowa     |
| Boutell,       | Foarder,       | McAndrews,        | Smith, Ky.      |
| Bowie,         | Fordney,       | McCleary,         | Smith, H. C.    |
| Brandegce,     | Foss,          | McLachlan,        | Snodgrass,      |
| Brick,         | Fowler,        | Mahoney,          | Snook,          |
| Bristow,       | Gaines, Tenn.  | Marshall,         | Southard,       |
| Bromwell,      | Gardner, Mass. | Martin,           | Southwick,      |
| Broussard,     | Gardner, Mich. | Maynard,          | Sperry,         |
| Brown,         | Gardner, N. J. | Mickey,           | Steele,         |
| Burk, Pa.      | Gill,          | Miller,           | Stevens, Minn.  |
| Burke, S. Dak. | Graff,         | Mondell,          | Stewart, N. J.  |
| Burkett,       | Green, Pa.     | Moody,            | Stewart, N. Y.  |
| Burleigh,      | Greene, Mass.  | Moon,             | Sulloway,       |
| Burton,        | Hamilton,      | Morgan,           | Sutherland,     |
| Butler,        | Hanbury,       | Morris,           | Tawney,         |
| Candler,       | Haskins,       | Moss,             | Taylor, Ohio    |
| Cannon,        | Haugen,        | Mudd,             | Thomas, Iowa    |
| Capron,        | Hay,           | Norton,           | Thompson,       |
| Cassel,        | Heatwole,      | Olmsted,          | Tompkins, N. Y. |
| Cochran,       | Hedge,         | Otjen,            | Trimble,        |
| Connell,       | Hemenway,      | Overstreet,       | Underwood,      |
| Conner,        | Hepburn,       | Padgett,          | Vandiver,       |
| Coombs,        | Hildebrandt,   | Parker,           | Van Voorhis,    |
| Cooper, Wis.   | Hill,          | Payne,            | Vreeland,       |
| Cousins,       | Holliday,      | Pearre,           | Wachter,        |
| Cowherd,       | Howell,        | Perkins,          | Wagoner,        |
| Cromer,        | Irwin,         | Powers, Mo.       | Warner,         |
| Crowley,       | Jenkins,       | Ransdell, La.     | Warnock,        |
| Dalzell,       | Jones, Wash.   | Reeder,           | Warnock,        |
| Darragh,       | Joy,           | Reeves,           | Warnock,        |
| Davidson,      | Kahn,          | Richardson, Tenn. | Young,          |
|                |                |                   | Zenor.          |

NAYS—18.

- |                |                |               |                 |
|----------------|----------------|---------------|-----------------|
| Burleson,      | Jackson, Kans. | Needham,      | Stephens, Tex.  |
| De Armond,     | Jones, Va.     | Neville,      | Tate,           |
| Dinsmore,      | Lamb,          | Randell, Tex. | Williams, Miss. |
| Gaines, W. Va. | Little,        | Shackleford,  |                 |
| Griggs,        | Loud,          | Stark,        |                 |

ANSWERED "PRESENT"—12.

- |                |            |                |          |
|----------------|------------|----------------|----------|
| Burgess,       | Goldfogle, | Mercer,        | Prince,  |
| Emerson,       | Jack,      | Metcalf,       | Sherman, |
| Gillett, Mass. | Mann,      | Patterson, Pa. | Wanger.  |

NOT VOTING—141.

- |              |                 |                  |                  |
|--------------|-----------------|------------------|------------------|
| Adamson,     | Edwards,        | Landis,          | Russell,         |
| Allen, Ky.   | Esch,           | Lassiter,        | Scarborough,     |
| Babcock,     | Evans,          | Latimer,         | Selby,           |
| Ball,        | Fleming,        | Lester,          | Shafroth,        |
| Bankhead,    | Fletcher,       | Lewis, Ga.       | Shallenberger,   |
| Bell,        | Foster, Ill.    | Long,            | Shattuc,         |
| Bellamy,     | Foster, Vt.     | Loudenslager,    | Shelden,         |
| Belmont,     | Fox,            | Loving,          | Skiles,          |
| Bingham,     | Gilbert,        | McCall,          | Smith, Ill.      |
| Blackburn,   | Gillet, N. Y.   | McClellan,       | Smith, S. W.     |
| Blakeney,    | Glass,          | McCulloch,       | Smith, Wm. Alden |
| Bowersock,   | Glenn,          | McDermott,       | Sparkman,        |
| Brantley,    | Gooch,          | McLain,          | Spight,          |
| Breazeale,   | Gordon,         | McRae,           | Storm,           |
| Brownlow,    | Graham,         | Maddox,          | Sulzer,          |
| Brundidge,   | Griffith,       | Mahon,           | Swann,           |
| Bull,        | Grosvenor,      | Meyer, La.       | Swanson,         |
| Burnett,     | Grow,           | Miers, Ind.      | Talbert,         |
| Calderhead,  | Henry, Conn.    | Minor,           | Taylor, Ala.     |
| Caldwell,    | Henry, Miss.    | Morrell,         | Thayer,          |
| Cassingham,  | Henry, Tex.     | Mutchler,        | Thomas, N. C.    |
| Clark,       | Hitt,           | Napen,           | Tirrell,         |
| Clayton,     | Hooker,         | Newlands,        | Tompkins, Ohio   |
| Conry,       | Hopkins,        | Palmer,          | Wadsworth,       |
| Cooney,      | Howard,         | Patterson, Tenn. | Warner,          |
| Cooper, Tex. | Hughes,         | Pierce,          | Watson,          |
| Corliss,     | Hull,           | Pou,             | Weeks,           |
| Creamer,     | Jackson, Md.    | Powers, Mass.    | Wheeler,         |
| Crumpacker,  | Jett,           | Pugsley,         | White,           |
| Curtis,      | Johnson,        | Reid,            | Wiley,           |
| Cushman,     | Kehoe,          | Rhea,            | Wilson,          |
| Dahle,       | Kern,           | Richardson, Ala. | Woods,           |
| Davey, La.   | Ketcham,        | Roberts,         | Wooten.          |
| Davis, Fla.  | Kitchin, Claude | Robertson, La.   |                  |
| Deemer,      | Kleberg,        | Robinson, Nebr.  |                  |
| Douglas,     | Knox,           | Ruppert,         |                  |

So the conference report was agreed to.

The Clerk announced the following additional pairs:  
Until further notice:

Mr. DAYTON with Mr. MEYER of Louisiana.

Mr. BROMWELL with Mr. CASSINGHAM.

Mr. SUTHERLAND with Mr. FOSTER of Illinois.

The result of the vote was announced as above recorded.

Mr. PAYNE. Mr. Speaker, I move that the House do now take a recess until 10 o'clock this morning.

The SPEAKER pro tempore. The gentleman from New York moves that the House take a recess until 10 o'clock a. m.

The question being taken, Mr. RICHARDSON of Tennessee demanded a division.

Mr. PAYNE demanded the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 147, nays 48, answered "present" 10, not voting 145; as follows:

YEAS—147.

- |                |                |                   |                 |
|----------------|----------------|-------------------|-----------------|
| Acheson,       | Davidson,      | Holliday,         | Padgett,        |
| Adams,         | Dayton,        | Howell,           | Palmer,         |
| Allen, Me.     | De Armond,     | Irwin,            | Parker,         |
| Aplin,         | Dick,          | Jones, Wash.      | Payne,          |
| Barney,        | Dovener,       | Kahn,             | Pearre,         |
| Bartholdt,     | Draper,        | Ketcham,          | Perkins,        |
| Bates,         | Driscoll,      | Kitchin, Claude   | Powers, Mo.     |
| Beidler,       | Eddy,          | Knapp,            | Ransdell, La.   |
| Benton,        | Elliott,       | Kyle,             | Reeves,         |
| Billmeyer,     | Emerson,       | Lacey,            | Schirm,         |
| Bishop,        | Esch,          | Lamb,             | Scott,          |
| Boring,        | Finley,        | Lawrence,         | Showalter,      |
| Boutell,       | Fordney,       | Lessler,          | Sibley,         |
| Bowie,         | Foss,          | Littauer,         | Smith, Iowa     |
| Brandegce,     | Gaines, Tenn.  | Loud,             | Smith, H. C.    |
| Brick,         | Gardner, Mass. | Loudenslager,     | Southard,       |
| Bristow,       | Gardner, Mich. | McCleary,         | Southwick,      |
| Bromwell,      | Gardner, N. J. | McLachlan,        | Sperry,         |
| Broussard,     | Gill,          | Mahon,            | Steele,         |
| Brown,         | Graff,         | Marshall,         | Stevens, Minn.  |
| Burk, Pa.      | Green, Pa.     | Martin,           | Stewart, N. J.  |
| Burke, S. Dak. | Greene, Mass.  | Metcalf,          | Stewart, N. Y.  |
| Burkett,       | Hamilton,      | Miller,           | Tawney,         |
| Burleigh,      | Hanbury,       | Mondell,          | Taylor, Ohio    |
| Burton,        | Haskins,       | Moody,            | Taylor, Ala.    |
| Butler,        | Haugen,        | Morgan,           | Thomas, Iowa    |
| Calderhead,    | Hay,           | Morrell,          | Tompkins, N. Y. |
| Cannon,        | Heatwole,      | Morris,           | Van Voorhis,    |
| Capron,        | Hedge,         | Moss,             | Vreeland,       |
| Cassell,       | Hemenway,      | Mudd,             | Wachter,        |
| Cochran,       | Hepburn,       | Needham,          | Wagoner,        |
| Connell,       | Hildebrandt,   | Nevin,            | Wanger,         |
| Conner,        | Hill,          | Norton,           | Warner,         |
| Coombs,        | Holliday,      | Olmsted,          | Warnock,        |
| Cooper, Wis.   | Howell,        | Otjen,            | Warnock,        |
| Cousins,       | Irwin,         | Overstreet,       | Young,          |
| Cowherd,       | Jenkins,       | Padgett,          |                 |
| Cromer,        | Jones, Wash.   | Parker,           |                 |
| Crowley,       | Joy,           | Payne,            |                 |
| Dalzell,       | Kahn,          | Pearre,           |                 |
| Darragh,       |                | Perkins,          |                 |
| Davidson,      |                | Powers, Mo.       |                 |
|                |                | Ransdell, La.     |                 |
|                |                | Reeder,           |                 |
|                |                | Reeves,           |                 |
|                |                | Richardson, Tenn. |                 |
|                |                |                   |                 |

NAYS—48.

- |                |            |                   |                |
|----------------|------------|-------------------|----------------|
| Bartlett,      | Gooch,     | Mickey,           | Smith, Ky.     |
| Burleson,      | Gordon,    | Moon,             | Snodgrass,     |
| Candler,       | Griggs,    | Randell, Tex.     | Snook,         |
| Cassel,        | Johnson,   | Richardson, Tenn. | Stark,         |
| Clayton,       | Jones, Va. | Robb,             | Stephens, Tex. |
| Cochran,       | Lever,     | Robinson, Ind.    | Tate,          |
| Cowherd,       | Lewis, Pa. | Ryan,             | Thompson,      |
| Dinsmore,      | Little,    | Shackleford,      | Trimble,       |
| Feely,         | Lloyd,     | Sheppard,         | Underwood,     |
| Flanagan,      | McAndrews, | Sims,             | Vandiver,      |
| Gaines, W. Va. | Mahoney,   | Slayden,          | Williams, Ill. |
|                | Maynard,   | Small,            | Zenor.         |

ANSWERED "PRESENT"—10.

- |                |                 |         |          |
|----------------|-----------------|---------|----------|
| Dougherty,     | Jack,           | Mann,   | Prince,  |
| Gillett, Mass. | Kitchin, Wm. W. | Mercer, | Sherman. |
| Hay,           | McCulloch,      |         |          |

NOT VOTING—145.

- |             |                |                  |                  |
|-------------|----------------|------------------|------------------|
| Adamson,    | Douglas,       | Latimer,         | Scarborough,     |
| Alexander,  | Edwards,       | Lester,          | Selby,           |
| Allen, Ky.  | Evans,         | Lewis, Ga.       | Shafroth,        |
| Babcock,    | Fitzgerald,    | Lindsay,         | Shallenberger,   |
| Ball,       | Fleming,       | Littlefield,     | Shattuc,         |
| Bankhead,   | Fletcher,      | Livingston,      | Shelden,         |
| Bell,       | Foerderer,     | Long,            | Skiles,          |
| Bellamy,    | Foster, Ill.   | Loving,          | Smith, Ill.      |
| Belmont,    | Fox,           | McCall,          | Smith, S. W.     |
| Benton,     | Gilbert,       | McClellan,       | Smith, Wm. Alden |
| Bingham,    | Glenn,         | McDermott,       | Sparkman,        |
| Blackburn,  | Graham,        | McLain,          | Spight,          |
| Blakeney,   | Green, Pa.     | McRae,           | Storm,           |
| Bowersock,  | Griffith,      | Maddox,          | Sulzer,          |
| Bowie,      | Grosvenor,     | Meyer, La.       | Sulzer,          |
| Brantley,   | Grow,          | Miers, Ind.      | Sutherland,      |
| Breazeale,  | Henry, Conn.   | Minor,           | Swann,           |
| Brownlow,   | Henry, Miss.   | Mutchler,        | Swanson,         |
| Brundidge,  | Henry, Tex.    | Napen,           | Talbert,         |
| Bull,       | Hitt,          | Neville,         | Thayer,          |
| Burgess,    | Hooker,        | Newlands,        | Thomas, N. C.    |
| Burnett,    | Hopkins,       | Patterson, Pa.   | Tirrell,         |
| Caldwell,   | Hughes,        | Patterson, Tenn. | Tompkins, Ohio   |
| Cassingham, | Hull,          | Pou,             | Wadsworth,       |
| Clark,      | Jackson, Kans. | Powers, Mass.    | Weeks,           |
| Conry,      | Cooney, Tex.   | Pugsley,         | Wheeler,         |
| Cooney,     | Cooper, Tex.   | Reid,            | White,           |
| Corliss,    | Creamer,       | Rhea,            | Wiley,           |
| Crumacker,  | Curtis,        | Richardson, Ala. | Williams, Miss.  |
| Curtis,     | Cushman,       | Roberts,         | Wilson,          |
| Dahle,      | Davey, La.     | Robertson, La.   | Woods,           |
| Davey, Fla. | Davis, Fla.    | Robinson, Nebr.  | Wooten,          |
| Deemer,     | Deemer,        | Rucker,          | Wright.          |
|             |                | Ruppert,         |                  |
|             |                | Russell,         |                  |



So the motion to take a recess was agreed to.  
The result of the vote was announced as above recorded.

ENROLLED BILLS PRESENTED TO THE PRESIDENT OF THE UNITED STATES.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States for his approval the following bills:

H. R. 12093. An act to amend section 1 of the act of Congress approved May 14, 1898, entitled "An act extending the homestead laws and providing for a right of way for railroads in the district of Alaska;"

H. R. 6703. An act for the relief of George A. Rogers;  
H. R. 14050. An act to amend an act to regulate the height of buildings in the District of Columbia;

H. R. 16842. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1904, and for other purposes;

H. R. 17046. An act making appropriations for the fortifications and other works of defense, for the armament thereof, for the procurement of heavy ordnance for trial and service, and for other purposes;

H. R. 16138. An act granting the right of way to the Kenova and Big Sandy Railroad Company through the Government lands at Lock No. 2, Big Sandy River, and at Lock No. 3, Big Sandy River, both in Wayne County, W. Va.;

H. R. 7361. An act for the relief of C. W. Colehour;

H. R. 8186. An act for the relief of John D. Chadwick;

H. R. 1517. An act for the relief of Robert Brigham;

H. R. 16910. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904; and

H. R. 16990. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1904, and for other purposes.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

H. R. 8186. An act for the relief of John D. Chadwick;

H. R. 1517. An act for the relief Robert Brigham;

H. R. 16910. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1904;

H. R. 17026. An act granting a pension to Jerome W. Turner;

H. R. 1488. An act for the relief of T. A. Woodress;

H. R. 12199. An act to regulate the immigration of aliens into the United States;

H. R. 17202. An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1904, and for other purposes;

H. R. 15802. An act for the relief of certain homestead settlers in the State of Alabama;

H. R. 17085. An act to effectuate the provisions of the additional act of the international convention for the protection of industrial property;

H. R. 13075. An act to amend section 3 of the "Act further to prevent counterfeiting or manufacturing of dies, tools, or other implements used in manufacturing," etc., approved February 10, 1891;

H. R. 5357. An act for the relief of William Leech; and

H. R. 16990. An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1904, and for other purposes.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 5118. An act granting an increase of pension to Adam Stuber;

S. 4641. An act for the relief of Benjamin Franklin Handforth;

S. 7425. An act authorizing and empowering the Secretary of War to locate a right of way for and granting the same and a right to operate and maintain a line of railroad through the Vancouver Barracks and Military Reservation, in the State of Washington, to the Portland, Vancouver and Yakima Railway Company, its successors and assigns;

S. 7307. An act to provide certain souvenir medallions for the benefit of Thomas Jefferson Memorial Association of the United States; and

S. 7414. An act to increase the limit of cost of certain public buildings, to authorize the purchase of sites for public buildings, to authorize the erection and completion of public buildings, and for other purposes.

Accordingly (at 4 o'clock and 4 minutes a. m., Wednesday, March 4, 1903) the House took a recess until 10 o'clock a. m.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred as follows:

A message from the President, returning, without approval, House bill No. 9632, entitled "An act for the allowance of claims

of certain citizens of Virginia for damages to their property incident to the encampment at Manassas and march from Camp Alger to Thoroughfare Gap, Virginia," etc.—to the Committee on War Claims, and ordered to be printed.

A message from the President, transmitting to Congress a report by the architects, with accompanying pictures, regarding the work of repairing and refurnishing the White House and the erection of the Executive office building—to the Committee on Public Buildings and Grounds, and ordered to be printed.

A message from the President, transmitting a report from the Secretary of State covering a statement showing the receipts and disbursements of the Louisiana Purchase Exposition Company for the month of January, 1903, etc.—to the Committee on Industrial Arts and Expositions, and ordered to be printed.

A letter from the Doorkeeper of the House of Representatives, transmitting an inventory of property under his charge belonging to the Government—to the Committee on Accounts, and ordered to be printed.

A message from the President, transmitting reports by the Secretary of State, Secretary of the Treasury, Secretary of War, Attorney-General, Postmaster-General, Secretary of the Navy, Secretary of the Interior, Secretary of Agriculture, and the Commissioner of Fish and Fisheries, in compliance with the provisions of the sundry civil bill—to the Committee on Public Buildings and Grounds, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MERCER, from the Committee on Public Buildings and Grounds, to which was referred the bill of the House (H. R. 6287) to provide for the purchase of a site and the erection of a public building thereon at Bridgeton, in the State of New Jersey, reported the same with amendment, accompanied by a report (No. 3913); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the bill of the House (H. R. 10302) to provide for the erection of a public building at Grand Rapids, in the State of Michigan, reported the same without amendment, accompanied by a report (No. 3914); which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. BABCOCK, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 17292) to amend an act entitled "An act to permit the Pintsch Compressing Company to lay pipes in certain streets in the city of Washington," reported the same with amendment, accompanied by a report (No. 3915); which said bill and report were referred to the House Calendar.

Mr. GROSVENOR, from the Committee on the Merchant Marine and Fisheries, to which was referred a resolution of the House regarding the scarcity of coal, reported the same without amendment, accompanied by a report (No. 3916); which said resolution and report were referred to the House Calendar.

Mr. BULL, from the Committee on Accounts, to which was referred a resolution of the House regarding employment, duties, and compensation of employees of the House of Representatives, reported the same without amendment, accompanied by a report (No. 3917).

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS INTRODUCED.

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

By Mr. GLENN (by request): Joint memorial from the legislature of the State of Idaho, requesting an appropriation for the improvement of the Pend d'Oreille River in Idaho—to the Committee on Rivers and Harbors.

By Mr. SUTHERLAND: A memorial of the legislature of the State of Utah, asking an appropriation of \$75,000 for irrigation purposes—to the Committee on Irrigation of Arid Lands.

By Mr. CORLISS: A memorial of the legislature of the State of Michigan, in re fiftieth anniversary construction St. Marys River—to the Committee on Railways and Canals.

By the SPEAKER: A memorial of the legislature of Montana, asking Congress to pass S. 6339 or H. R. 15965—to the Committee on the Public Lands.

PRIVATE BILLS AND RESOLUTIONS INTRODUCED.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred, as follows:  
By Mr. KETCHAM: A bill (H. R. 17553) granting an increase

of pension to George R. Thayer—to the Committee on Invalid Pensions.

By Mr. TRIMBLE: A bill (H. R. 17554) granting a pension to Caroline Hurley—to the Committee on Invalid Pensions.

Also, a bill (H. R. 17555) granting a pension to Cynthia A. Embry—to the Committee on Pensions.

Also, a bill (H. R. 17556) granting a pension to Martha Clark—to the Committee on Invalid Pensions.

By Mr. METCALF: A bill (H. R. 17557) granting a pension to Ellen S. Pickering—to the Committee on Invalid Pensions.

By Mr. VANDIVER: A bill (H. R. 17558) granting a pension to W. K. Proffer—to the Committee on Invalid Pensions.

By Mr. THOMPSON: A bill (H. R. 17559) granting an increase of pension to Mary J. Allen—to the Committee on Pensions.

By Mr. FOWLER: A bill (H. R. 17560) granting an increase of pension to Susie G. Seabury—to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BARTHOLDT: Resolutions of the convention of Western Retail Implement and Vehicle Dealers' Association, of Kansas City, Mo., in support of the extension of reciprocity—to the Committee on Ways and Means.

By Mr. BROWN: Petition of the Grand Army of the Republic, Department of Wisconsin, urging favorable consideration of House bill 14105, relating to the appointment of soldiers in the civil service—to the Committee on Reform in the Civil Service.

By Mr. BULL: Petition of Bromo Chemical Company, of Providence, R. I., for reduction of tax on distilled spirits—to the Committee on Ways and Means.

By Mr. HITT: Memorial of Walter P. Phillips and others, of the committee of the American National Red Cross, relating to amended by-laws—to the Committee on Foreign Affairs.

By Mr. JACK: Petition of the Woman's Christian Temperance Union of Glen Campbell, Pa., in favor of an amendment to the Constitution defining legal marriage to be monogamic, etc.—to the Committee on the Judiciary.

By Mr. McANDREWS: Resolutions of Division No. 1, Ancient Order of Hibernians, in conjunction with Division No. 18, Ladies' Auxiliary, Ancient Order of Hibernians, of Cook County, Ill., asking for the speedy relief of Col. Arthur Lynch from a British prison for the part he took in the Boer war—to the Committee on Foreign Affairs.

By Mr. SHAFROTH: Petition of Cherry Creek Grange, No. 58, Patrons of Husbandry, of Oakes, Colo., in favor of House bill 15369, known as the Brownlow good-roads bill—to the Committee on Agriculture.

By Mr. HENRY C. SMITH: Affidavits showing the necessity for light-house keeper's dwelling on Grosse Isle, Michigan—to the Committee on Interstate and Foreign Commerce.

Also, resolutions of the common council of the city of Wyandotte, Mich., asking for a post-office building—to the Committee on Public Buildings and Grounds.

#### SENATE.

WEDNESDAY, March 4, 1903.

[Continuation of the legislative day, Tuesday, March 3, 1903.]

At the expiration of the recess, 10 o'clock a. m., Wednesday, March 4, 1903, the Senate reassembled.

#### ESTATE OF MARY ANDERSON.

Mr. McCUMBER. I report from the Committee on Claims a resolution, and ask for its immediate consideration.

Mr. COCKRELL. Mr. President, I do not believe there is a quorum here.

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

|             |               |                 |              |
|-------------|---------------|-----------------|--------------|
| Allison,    | Dryden,       | Kearns,         | Perkins,     |
| Bacon,      | Fairbanks,    | Kittredge,      | Pettus,      |
| Bailey,     | Foraker,      | Lodge,          | Platt, N. Y. |
| Bard,       | Foster, La.   | McCumber,       | Proctor,     |
| Berry,      | Foster, Wash. | McLaurin, Miss. | Quarles,     |
| Blackburn,  | Frye,         | Martin,         | Rawlins,     |
| Burton,     | Gallinger,    | Mason,          | Simon,       |
| Carmack,    | Gamble,       | Millard,        | Spooner,     |
| Cockrell,   | Hale,         | Mitchell,       | Teller,      |
| Cullom,     | Hanna,        | Morgan,         | Tillman,     |
| Deboe,      | Heitfeld,     | Nelson,         | Wetmore.     |
| Dillingham, | Kean,         | Patterson,      |              |

Mr. BACON. Mr. President, I wish to announce that my colleague [Mr. CLAY] left the Chamber last night ill, and I presume he is detained this morning by illness.

The PRESIDENT pro tempore. Forty-seven Senators have answered to the roll call. There is a quorum present. The Sen-

ator from North Dakota reports from the Committee on Claims a resolution and asks that it may be now considered. It will be read.

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

Resolved, That the bill S. 4497, entitled "A bill for the relief of the heirs of Mary Anderson," now pending in the Senate, together with all the accompanying papers, be, and the same is hereby, referred to the Court of Claims, in pursuance of the provisions of an act entitled "An act to provide for the bringing of suits against the Government of the United States," approved March 3, 1887; and the said court shall proceed with the same in accordance with the provisions of such act and report to the Senate in accordance therewith.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17288) making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 17493) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes.

The message further announced that the House had passed the bill (S. 3522) to increase the pension of Mexican war survivors to \$12 per month.

#### ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President pro tempore:

A bill (S. 3522) to increase the pension of Mexican war survivors to \$12 per month;

A bill (S. 6702) granting an increase of pension to Emily Lawrence Reed;

A bill (H. R. 3420) granting a pension to Anna O. Brush;

A bill (H. R. 5357) for the relief of William Leech;

A bill (H. R. 7659) to amend section 1 of an act entitled "An act to amend sections 5191 and 5192 of the Revised Statutes of the United States, and for other purposes."

A bill (H. R. 11340) for the relief of McClure & Willbanks;

A bill (H. R. 13075) to amend section 3 of the "Act further to prevent counterfeiting or manufacturing of dies, tools, or other implements used in manufacturing, etc.," approved February 10, 1891;

A bill (H. R. 15155) to refund the amount of duties paid on merchandise brought into the United States from Porto Rico between April 11, 1899, and May 1, 1900, and also on merchandise brought into the United States from the Philippine Islands between April 11, 1899, and March 8, 1902, and for other purposes;

A bill (H. R. 15799) to confirm the name of Seward square for the space formed by the intersection of C street south and Pennsylvania and North Carolina avenues, District of Columbia;

A bill (H. R. 16881) to authorize the court of county commissioners of Geneva County, Ala., to construct a bridge across the Choctawhatchee River in Geneva County, Ala.;

A bill (H. R. 17288) making appropriations for the naval service for the fiscal year ending June 30, 1904, and for other purposes; and

A bill (H. R. 17493) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1903, and for prior years, and for other purposes.

#### STATEMENT OF APPROPRIATIONS.

Mr. ALLISON. Mr. President, I desire at this stage to ask the Senate to insert in the RECORD and also to print as a document a history of the appropriations during the present Congress.

In this connection I also desire to have printed a comparison of the appropriations of the Fifty-seventh Congress with the appropriations of the preceding Congress, the Fifty-sixth.

It will be seen from this comparison that the appropriations for the present Congress are in excess of the appropriations of the preceding Congress \$113,619,073.97, the total appropriations for the present Congress being \$1,554,108,514.84, whilst the appropriations for the last Congress were in the aggregate \$1,440,489,438.87.

This increase seems very large, and requires that a statement should be made somewhat in detail in order that the larger items of difference can be shown. This done, it will not be necessary to speak of the minor items of the comparison. There have been large increases of items of appropriation; in one item, at least, a large diminution of the appropriation for this Congress as compared with the Fifty-sixth Congress, namely, that for the Army.

The first and most important increase included in the statement for this Congress is an appropriation of \$50,130,000 for the isthmian canal, which accounts for nearly one-half of the total increase.

There is also an increased appropriation for the Fifty-seventh