

has been none, then of course he will not take precedence of any one previously appointed.

Mr. PERKINS. None has been appointed since.

Mr. BACON. That is the only purpose of my inquiry.

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

CEMETERY LAND AT CENTRAL CITY, COLO.

The bill (S. 703) setting apart a tract of land to be used as a cemetery by the Independent Order of Odd Fellows, of Central City, Colo., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, to strike out the first paragraph and insert:

That the Secretary of the Interior be, and is hereby, authorized to set apart from and out of the mineral lands in Eureka mining district, Gilpin County, State of Colorado (such lands having been heretofore returned to the land office at Central City as mineral lands), a tract of land not exceeding seven acres in extent, to be used by the Independent Order of Odd Fellows, of Central City, Colo., as a cemetery, and being all that portion of the following-described tract not included in any prior valid claim, namely:

The amendment was agreed to.

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

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

RESURVEY OF LANDS IN COLORADO.

The bill (S. 2382) providing for the resurvey of certain townships in Routt and Rio Blanco counties, in the State of Colorado, was considered as in Committee of the Whole.

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

EXTENSION OF M STREET.

The bill (S. 1635) for the extension of M street east of Bladensburg road, and for other purposes, was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, in section 3, on page 3, line 5, after the word "act," to insert:

And are hereby reenacted for said purpose: *Provided, however,* That notwithstanding anything contained in the aforesaid section 8 of said act, the assessments by the jury for benefits for said opening or extension shall be payable in five equal installments, with interest at the rate of 4 per cent per annum from and after sixty days after the confirmation of the verdict and award, and in all cases of payments the accounting officers shall take into account the assessment for benefits and the award for damages, and shall pay only such part of said award in respect of any lot as may be in excess of the assessment for benefits against the part of such lot not taken, and there shall be credited on said assessment the amount of said award not in excess of said assessment.

So as to read:

SEC. 3. That the provisions of sections 3, 4, 5, 6, 7, 8, 9, and 11 of public act No. 181, approved June 6, 1900, be, and the same are hereby, made applicable to this act, and are hereby reenacted for said purpose: *Provided, etc.*

The amendment was agreed to.

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

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

EXPOSITION AT PORTLAND, OREG.

The bill (S. 276) to provide for the celebration of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark during their expedition from the Mississippi River to the Pacific Ocean in the years 1804, 1805, and 1806; and to authorize a commission representing the United States to hold at the city of Portland, in the State of Oregon, a national, international, and oriental exhibition of arts, industries, manufactures, and the products of the rivers, soil, mine, forest, and sea in said State; and to provide and assist in the erection of a memorial building in said city of Portland, to be known as the Lewis and Clark Memorial Building; and to authorize an appropriation for all said purposes, was next in order on the Calendar.

Mr. GALLINGER. Let the next bill go over.

Mr. CULLOM. I am inclined to move—

Mr. MITCHELL. What suggestion was made about the next bill on the Calendar?

Mr. GALLINGER. I suggested that it might go over for the day.

Mr. MITCHELL. I hope the Senator will withdraw his objection.

Mr. GALLINGER. I have no objection to taking it up, but I do not think the Senate will be likely to pass it to-day.

Mr. CULLOM. If it is going to be discussed—

Mr. TELLER (to Mr. MITCHELL). Let it go over.

Mr. MITCHELL. Let it go over. I shall insist, however, when we take up the Calendar again that we shall proceed with the consideration of this bill.

Mr. PLATT of Connecticut. The Senator from Oregon gave

notice this morning that he would call it up on the conclusion of the Panama treaty.

Mr. CULLOM. I wish to move an executive session.

Mr. BLACKBURN. I shall have to object, unless we are to go on and consider down the Calendar.

Mr. CULLOM. The Senator from New Jersey [Mr. DRYDEN] has been trying for a good while to have a bill considered.

Mr. BLACKBURN. I am in charge of a bill which is in front of us, and if we are to go on any further with bills upon the Calendar, I think it would be better to pursue the regular order.

Mr. CULLOM. Will the Senator state what his bill is?

Mr. BLACKBURN. It is Order of Business 293, Senate bill 1553, the second bill ahead.

Mr. CULLOM. So far as the bill in behalf of Liliuokalani is concerned—

Mr. BLACKBURN. That is the bill.

Mr. CULLOM. I am sure there will be discussion about that measure.

Mr. BLACKBURN. If so, let us have it.

Mr. CULLOM. We do not want to have it to-day.

Mr. GALLINGER. I wish to withdraw my request that Senate bill 276 shall go over. I did not suppose that the Senator from Oregon wished to press that bill to-day, but as I certainly shall not oppose the bill I do not wish to interpose any objection.

Mr. MITCHELL. I thank the Senator from New Hampshire. I do not wish to proceed with it if there is any disposition to have any extended debate, of course, but I do not think there will be much debate. The bill may be read, and then we can ascertain the sense of the Senate. I ask that the bill be read for information.

The Secretary read the bill; and it was considered as in Committee of the Whole.

The bill was reported from the Select Committee on Industrial Expositions with amendments.

The first amendment was, in section 4, line 13, before the word "appointed," to strike out the words "a like number" and insert "one."

Mr. PLATT of Connecticut. What is the nature of that amendment?

The PRESIDING OFFICER (Mr. PERKINS in the chair). The amendment will be again read.

Mr. PLATT of Connecticut. But we do not get any right idea of the amendment the way it is stated.

Mr. GALLINGER. Let it be read as amended.

The PRESIDING OFFICER. It will be read as amended.

The Secretary read as follows:

That said commission, when fully organized under the provisions of this act, shall appoint two of their number to act in conjunction with one appointed by the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair.

The PRESIDING OFFICER. The amendment will be agreed to, if there be no objection. The Chair hears none, and it is agreed to.

Mr. BAILEY. Mr. President—

Mr. MITCHELL. There are two or three other amendments to be acted on.

Mr. BAILEY. It makes little difference at what point in the course of this proceeding I interpose my objection. I have never seen one of these propositions that a majority of the House, when I was there, or a majority of the Senate, now that I am here, have really believed ought to pass, and yet I have never seen one of them defeated in either House. It is practically certain that this measure is going to pass. Our successors, perhaps, will be celebrating the acquisition of the Philippines, and their successors will probably be celebrating the acquisition of Panama, and they will find other lesser historical events to celebrate.

When they have celebrated everything they can find in the histories written for school children they will probably begin over to celebrate each one of them for a second and a third time, until I venture to say that in less than twenty years there will be serious propositions presented to Congress for the Federal Government to hold annual expositions in certain great cities of this country; and although nobody will believe that it ought to be done a majority will vote to do it.

This, Mr. President, may seem rather an ungracious criticism, but it implies that while we do not always vote for what we consider right in the abstract we are persuaded by peculiar and exceptional circumstances to vote for what, though wrong as a general proposition, is right in the particular case.

I know how difficult it is to resist the persuasion of my friend from Oregon. I am as amenable to those influences as anybody else, and have no pride in thinking myself exempt from the appeals that control other men in matters of this kind. But I am so certain that this is wrong that I must oppose it. I am so certain, however, that my opposition is fruitless that I shall simply content myself with voting against it without further consuming the time of the Senate.

The PRESIDING OFFICER. The Secretary will state the next amendment proposed by the committee.

The SECRETARY. On page 4, section 4, line 18, after the word "State," it is proposed to strike out "said two" and insert "one;" in line 19 after the word "and," to strike out "a like number" and insert "one to be appointed;" on page 5, line 2, after the word "shall," to strike out "appoint" and insert "select;" in the same line, before the word "member," to strike out "seventh" and insert "fifth;" in line 3, before the word "member," to strike out "seventh" and insert "fifth;" and in line 5, after the words "Secretary of the Treasury," to insert "and in case of failure to agree on such fifth member, then such member shall be selected and appointed by the Secretary of the Treasury;" so as to make the section read:

SEC. 4. That said commission, when fully organized under the provisions of this act, shall appoint two of their number to act in conjunction with one appointed by the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, a corporation organized and existing under the general laws of the State of Oregon, and having its office and principal place of business at Portland, in said State, one to be chosen from the executive committee of said corporation and one to be appointed from the Lewis and Clark Centennial Exposition Commission of the State of Oregon, to constitute a board of arbitration, to whom all matters of difference arising between said national commission and said company concerning the administration, management, or general supervision of said exposition shall be referred for determination; and in case of the failure of said board of arbitration to agree upon such matters as may be so referred, said board of arbitration shall select a fifth member thereof, such fifth member so agreed upon to be then appointed by the Secretary of the Treasury, and in case of failure to agree on such fifth member, then such member shall be selected and appointed by the Secretary of the Treasury; and the decision of said board shall be final in all matters presented to it for consideration and determination.

The amendment was agreed to.

The next amendment was, on page 8, section 13, line 22, after the words "Executive Departments," to insert "the Library of Congress;" on page 9, line 16, after the words "Executive Departments," to insert "the Librarian of Congress;" in line 22, after the word "named," to insert "and detailed;" and in line 23, after the words "Executive Departments," to insert "one by the Librarian of Congress;" so as to read:

SEC. 13. That there shall be exhibited at said exposition by the Government of the United States, from its Executive Departments, the Library of Congress, the Smithsonian Institution, the National Museum, the United States Commission of Fish and Fisheries, such articles and material as illustrate the function and administrative faculty of the Government in time of peace and its resources as a war power, tending to demonstrate the nature of our institutions and their adaptation to the wants of the people; and the Bureau of the American Republics is hereby invited to make an exhibit illustrating the resources and international relations of the American Republics, and space in the United States Government building shall be provided for the purpose of said exhibit; and to secure a complete and harmonious arrangement of such Government exhibit, a board, to be known as the United States Government Board, shall be created, independent of the Commission hereinbefore provided, to be charged with the selection, purchase, preparation, transportation, arrangement, installation, safe-keeping, exhibition, and return of such articles and materials as the heads of the several Executive Departments, the Librarian of Congress, the Secretary of the Smithsonian Institution, the Commissioner of Fish and Fisheries, and the Director of the Bureau of the American Republics may, respectively, decide shall be embraced in said Government exhibit. The President may also designate additional articles for exhibition. Such board shall be composed of one person to be named and detailed by the head of each Executive Department, one by the Librarian of Congress, one by the Secretary of the Smithsonian Institution, one by the Commissioner of Fish and Fisheries, etc.

The amendment was agreed to.

The next amendment was, on page 16, section 19, line 18, before the word "States," to strike out "the" and insert "several;" in the same line, after the word "States," to strike out "and Territories;" in line 20, before the word "signified," to strike out "officially;" in line 21, before the word "said," to insert "promoting;" on page 17, line 1, after the word "exposition," to strike out "to pay" and insert "including payment of;" in line 8, after the word "buildings," to strike out "and the making and care of its own exhibits at said exposition;" and in line 13, after the word "said," to strike out "Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair" and insert "National Commission;" so as to make the section read:

SEC. 19. That whereas the State of Oregon has appropriated \$500,000 to assist in holding said exposition and the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair has created a fund of \$400,000, with an additional fund to be raised of \$100,000, to assist in holding said exposition, aggregating \$1,000,000 raised by the people of the State of Oregon toward the celebration of this epoch in American history; and whereas several States of the United States and several foreign countries have already signified their intention to participate in promoting said exposition, and have appropriated large sums of money to assist in holding same, therefore there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,500,000, in addition to the sums hereinbefore appropriated by this act, to aid in carrying forward said exposition, including payment of the salaries of the members and secretary of the Commission herein authorized, and such other necessary expenses as may be incurred by said Commission in the discharge of its duties in connection with said exposition, and to discharge all such other obligations incurred by the Government on account of said exposition, except for the erection of its own buildings, and except the sum appropriated for the erection of the Lewis and Clark Memorial Building, and to provide the contents thereof as hereinbefore authorized. That the money hereby appropriated shall be disbursed under the direction of the said National Commission, under rules and regulations to be prescribed by the Secretary of the Treasury, and upon vouchers to be approved by such National Commission, acting by and through its president and secretary.

The amendment was agreed to.

The next amendment was, on page 18, section 20, line 5, after the word "exhibits," to insert "the expense thereof to be paid out of the money hereinbefore appropriated;" so as to make the section read:

SEC. 20. That it is hereby made the especial duty of said national commission to provide a full and complete exhibition at said exposition of the arts, industries, manufactures, and products of the soil, mine, forest, and other resources of the Territory of Alaska, the Hawaiian Islands, the Philippine Islands, and the oriental countries, and to illustrate the commerce of the Pacific Ocean; and to that end the President of the United States is hereby authorized to designate any consul, vice-consul, or officer of the military or naval service of the United States to assist said commission in the collection of said exhibits, the expense thereof to be paid out of the money hereinbefore appropriated.

The amendment was agreed to.

The next amendment was, on page 21, after line 17, to insert as a new section the following:

SEC. 27. That no machinery shall be operated on said exposition grounds on a Sunday for the purpose of display, and all places of amusement within the inclosure of the exposition grounds shall be closed on every Sunday during the period that such exposition shall be held. Provision shall be made by those in charge of the exposition grounds for the holding of devotional exercises and sacred concerts on the grounds on Sundays.

Mr. PLATT of Connecticut. I move to amend the amendment by inserting in lieu of it what I send to the desk; and on that amendment I shall ask for the yeas and nays.

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

The SECRETARY. In lieu of the amendment proposed by the committee as section 27 it is proposed to insert the following:

SEC. 25. That as a condition precedent to the payment of any and all appropriations made in this act, the corporation in charge of the exposition shall contract with the Secretary of the Treasury to keep the gates closed on Sundays during the entire period of the exposition.

Mr. FULTON. Mr. President, I hope the amendment proposed as a substitute for the amendment reported by the committee will not be adopted. I call the attention of the Senate to the amendment reported by the committee, which reads as follows:

SEC. 27. That no machinery shall be operated on said exposition grounds on a Sunday for the purpose of display, and all places of amusement within the inclosure of the exposition grounds shall be closed on every Sunday during the period that such exposition shall be held. Provision shall be made by those in charge of the exposition grounds for the holding of devotional exercises and sacred concerts on the grounds on Sundays.

The amendment offered by the Senator from Connecticut reads:

That as a condition precedent to the payment of any and all appropriations made in this act, the corporation in charge of the exposition shall contract with the Secretary of the Treasury to keep the gates closed on Sundays during the entire period of the exposition.

Let me explain our position, Mr. President. You will observe that the committee amendment requires all the machinery to be closed down and all places of amusement to be closed. It provides for religious exercises and sacred concerts being held within the inclosure on Sundays.

This question has been discussed very widely in the city of Portland and throughout the State of Oregon. I was about to say that almost unanimously the people favor the amendment reported by the committee. There are some who are opposed to it, and favor the proposition suggested by the Senator from Connecticut [Mr. PLATT]—a few of the churches; but the churches and religious organizations are divided on the proposition. Quite a number of the leading church societies are strongly in favor of the proposition reported by the committee.

Mr. BAILEY. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Oregon yield to the Senator from Texas?

Mr. FULTON. Certainly.

Mr. BAILEY. I can not quite understand why this Congress shall prescribe that anybody anywhere shall conduct religious exercises. I presume that there are a number of churches in Portland, although I am not justified in presuming that from anything I have ever seen in that country [laughter], but I presume there are, and I presume that both the inhabitants of that city and the visitors there can easily attend their churches, and no doubt they will do so.

I not only am opposed to the amendment of the Senator from Connecticut [Mr. PLATT], which proposes to close the gates of this exposition against people who must work six days in the week and would like to take their wives and children and go into that exposition on the seventh day, but I am opposed to inserting into a law of Congress any requirement that anybody shall be compelled to hold religious exercises of any kind.

Mr. LODGE. Is that in the original bill?

Mr. BAILEY. No; but it is in the amendment of the committee.

Mr. MITCHELL. I think the provision the Senator refers to should be stricken out.

Mr. BAILEY. I hope it will be.

Mr. FULTON. We have no objection to that, so far as we are concerned.

Mr. BAILEY. I believe as devoutly as anybody in churches;

I believe in the propriety of religious exercises; but I do not believe they ought to be held under the requirements of Congress.

Mr. FULTON. Mr. President, we have no objection to that portion of the bill being eliminated if, in the judgment of the Senate, it is deemed wise that that should be done. But I do not think it is required that any particular denomination shall hold devotional exercises at the exposition. It is simply required that the management shall provide that sacred concerts and devotional exercises shall be held; that is, that the opportunity to do so shall be extended to persons who desire to hold them.

I, however, agree with the Senator from Texas [Mr. BAILEY] that there is no particular reason why this should be required at all. Neither is there any particular reason, in my judgment, why the gates of the exposition should be closed on Sundays or why any portion of the exposition should be closed down, for there are many people who could not attend on any other day. The great body of the laboring people can not attend such places on any other day of the week than Sunday.

There are various good reasons, I think, why certain places of amusement should be closed on that day, because to keep them open would be very objectionable to the great body of the people. I think the places of amusement should be closed; but beyond that I do not think any requirement should be inserted in the bill. I agree with the Senator from Texas as to that.

Mr. BAILEY. I think that places of amusement and the places where people exhibit their wares as a matter of business ought to be closed.

Mr. FULTON. Yes.

Mr. MITCHELL. I will move, on line 24, page 21, section 27, in the new section reported by the committee, to strike out the words "devotional exercises and."

Mr. LODGE. Let it all be stricken out.

Mr. BLACKBURN. Yes; let it all go out.

Mr. PLATT of Connecticut. Mr. President, if I can get the floor on my amendment, I should like to make some remarks.

Mr. MITCHELL. I propose to amend the amendment of the committee by striking out in line 24, on page 21, the words I have stated, "devotional exercises and;" so as to read:

Provision shall be made by those in charge of the exposition grounds for the holding of sacred concerts on the grounds on Sundays.

The amendment to the amendment was agreed to.

The PRESIDENT pro tempore. The question now is on the amendment, in the nature of a substitute, submitted by the Senator from Connecticut [Mr. PLATT] to the amendment of the committee as amended.

Mr. PLATT of Connecticut. Mr. President, this matter has come up unexpectedly, and so I have not had time to examine the law which provided for the Chicago Exposition and the law which provided for the Louisiana Purchase Exposition; but I desire to say—and I wish that I may have the attention of the Senate—that in the law which provided for the Chicago Exposition a clause similar to that which has been proposed by the committee for the partial closing of this exposition on Sundays was enacted. It was provided that the machinery should not be in operation—I think, perhaps, almost word for word the provision which has been recommended by the committee—but when it came to the St. Louis Exposition, substantially the amendment which I have proposed was offered and was enacted and made a part of that bill. It reads as follows:

That as a condition precedent to the payment of this appropriation the directors shall contract to close the gates to visitors on Sundays during the whole duration of the fair.

As to the Chicago Exposition it was provided:

That the Government exhibits at the World's Columbian Exposition shall not be open to the public on Sundays.

This matter was thoroughly and fully discussed in the Senate, Mr. President, at the time we passed the bill for the St. Louis Exposition; and, if I am not mistaken, an amendment similar to that which I have now offered was passed upon a yea-and-nay vote by a very large majority.

Mr. BAILEY. If the Senator from Connecticut will allow me, I do not venture to challenge the Senator's memory, but I have an idea that that provision was forced in the bill in the House of Representatives and that it was in the bill when it came to the Senate. I am not, however, entirely sure of that.

Mr. PLATT of Connecticut. I think, Mr. President, that the amendment was offered by my colleague [Mr. HAWLEY]. It was supported by him in a speech, and also by Senator Colquitt, of Georgia. That is my recollection about it.

Mr. COCKRELL. That was the Chicago Exposition. Senator Colquitt was not here when the St. Louis proposition came up.

Mr. PLATT of Connecticut. Perhaps I am mistaken about that; but, however, that may be, Congress provided in the St. Louis Exposition bill that the gates should not be opened on Sundays; and I think Congress ought not to recede from that proposition.

I do not propose to discuss this matter at length. There is something to be said on both sides of the question; but I think that Congress, once having taken that stand, ought not to recede from it, and I desire to have the yeas and nays upon my amendment.

Mr. BAILEY. I am disposed to sermonize on this question, using the particular phase of it which now presents itself as a text. One Senator wants Congress to enact a Sunday-closing law in a State of the Union, and another Senator proposes that we shall have a sacred concert under the auspices and command of the Federal Congress.

Independently of an exposition, no Senator would suggest for a moment that a request or resolution of the Federal Congress proposing either would receive the slightest consideration. But our jurisdiction once attaching by this, as I believe, wrongful application, or, I will say, this unwise application of the public money, then we proceed to provide for religious ceremonies, the observance of the Sabbath, and a number of other things wholly foreign to the province of the Federal Government.

I myself believe that we could safely leave it to the State of Oregon to say whether the exposition shall be opened or closed on Sundays. If they are entitled to this help from the Federal Congress, then it comes with bad grace that the General Government shall take them by the throat and compel them to comply with our requirements, rather than leave them to comply with the requirements of the State that created the corporation which is to hold this exposition.

I do not know just how religiously inclined they are in Oregon, but I take it that the Senator from Connecticut and the Senator from Texas, if we are fortunate enough to visit the exposition, could manage to get along during our brief stay there under any system which it pleases the people of Oregon to live under all the while.

It looks to me as though the very history of this provision, as traced by the Senator from Connecticut, serves to warn us. We first began at Chicago, providing that there should be no exhibits on Sunday. That matter might have safely been left to the State of Illinois, but Congress in its wisdom took it under its own control.

Mr. LODGE. That provision had reference to the United States Government's exhibits.

Mr. BAILEY. I think it means more than that.

Mr. LODGE. No; I think only the Government exhibits were to be closed.

Mr. BAILEY. Well, so much the worse for that, and so much the stronger my objection now. We proceed along this line for ten years. Then comes the St. Louis appropriation, and then the Congress not only says there shall be no Government exhibits open to inspection on Sundays, but that the gates shall be closed. Then when we reach Portland, in Oregon, in this good year of our Lord 1904, we are confronted with a proposition to require religious exercises and sacred concerts. Thus the matter grows apace, and these local communities, in order to get Federal aid in the shape of money, are submitting their local affairs to the control of the General Government.

So far as I am concerned, I do not think the religious people of this country are looking to Congress to protect their religion. Their religion has grown and spread its blessed teachings all over this land without the aid of the laws of Congress and without even the aid of the legislatures of the several States. The religious sentiment of this country makes no such demand as this upon the American Congress. It does not require—indeed, it will not sanction—a law of Congress that assumes that the people of these communities can not be trusted to spend their Sabbath days in the proper observance of their religious duties.

If you make the fakirs close up their establishments and the merchants and manufacturers discontinue their efforts to sell their wares or even to advertise them—with that much done, then it is a kind of innocent recreation, and I should no more vote to compel them to close the gates upon the toiling population of the city where this exposition is to be held than I would vote to close the gates of the Zoo Park in the city of Washington.

But I presume my views on this question are as obsolete as my views on the appropriation. I presume that these expositions will go on as they have done, still increasing the control of the Federal Government, derived solely and purely through its financial aid. It is not generous, to say the least, to contribute something toward the assistance of this enterprise and then to compel it to submit its control in this regard to the laws of Congress.

Mr. MITCHELL. In order to meet the objection of the Senator from Texas [Mr. BAILEY], and I think his objection is well taken, I move another amendment to the amendment proposed by the committee. Commencing with the words "provision shall," in line 22, page 21, section 27, I move to strike out the remainder of the section in the following words:

Provision shall be made by those in charge of the exposition grounds for the holding of sacred concerts on the grounds on Sundays.

jection is that here is a proposition for the General Government to seize the opportunity presented by the aid which it is asked to extend, to project itself into a State and control its purely local regulation.

The Senator from Connecticut does not abhor murder more than I do, and yet I would not agree to incorporate in this bill a provision that the State of Oregon must give a bond or enter into a contract that it will punish any man who happens to commit a felonious homicide on those grounds. The Senator from Connecticut does not believe in the Sabbath day more than I do, and yet I would no more ingraft upon this bill a provision that the exposition company shall contract against violating the Sabbath than I would vote to ingraft upon this bill a provision that it must contract to prosecute murder.

The whole question is outside of and beyond Federal jurisdiction, and there we ought to leave it.

There is no doubt that the Congress can attach to its gift or its appropriation what condition it may please, and then it compels the exposition company to abide by the condition or reject the gift. But that does not relieve the Congress from the imputation of seizing an opportunity to project its authority into a State of this Union to control a local or municipal regulation.

The Senator from Connecticut deserves my thanks for characterizing this whole proposition as one of amusement or entertainment, and if Senators with that characterization of it in their minds can vote for it, then I can readily see that they would not hesitate to attach any kind of condition. If the Federal Government has embarked in the business of furnishing amusement and entertainment to the people of the States, it is small wonder that the Federal Government attempts at the same time to control the local and police regulations of those States.

Mr. PLATT of Connecticut. Mr. President, the suggestion of the Senator from Texas [Mr. BAILEY] that the United States should not attempt to control the matter of Sunday opening of an exhibition or exposition in a State—in this case the State of Oregon—would be very sound if he had not answered his own contention in this: When the Government is called upon to appropriate so much money and really make it a Government exposition—it is not the State of Oregon exposition—we certainly have the right and ought to attach to the grant such provisions as the Congress thinks ought to be observed in relation to the exposition, whether it be Sunday closing or anything else.

There are various other matters in here upon which we insist on the ground that we are contributing so much money to this exposition. It is to be, as I said, a Government exposition. It can not live without this Government aid. The corporation which has been incorporated in Oregon can not carry it through to successful termination without a large appropriation of money on the part of the Government. And so they come here to us and ask us, really and in fact, to establish a Government show in the State of Oregon. That is it exactly and nothing more. If we are going to do that—and I think it is about time that we stopped doing it, because if we do not there is no end to this matter—we have a right to impose conditions.

I remember when the St. Louis Exposition bill was passed that Senator after Senator rose in his place here and said he would not vote for another appropriation of Government money for such an exposition. And yet we are doing it, and, as the Senator from Texas says, we shall continue to do it.

As the Senator from Massachusetts [Mr. LODGE] says, it has come to be a matter of industrial promotion. Was not that what the Senator said?

Mr. LODGE. I said it was an industry.

Mr. PLATT of Connecticut. An industry. I will amend it a little by saying that it is a matter of industrial and amusement promotion. Just the moment one exposition, which has been made possible by aid of Government money, is well under way, a certain set of men, who make that a business, look out some other place in the United States and some other event and proceed immediately to promote the enterprise.

I have not had time to examine this bill, but I see in one provision of it that whereas the corporation has raised \$400,000 and intends to raise another hundred thousand, and whereas the city of Portland or the State of Oregon has appropriated \$500,000, making a million, therefore the Government is asked to appropriate a million and a half. Then I see in another section that the appropriations referred to are mentioned as two millions and a half. Now, I have not had time—

Mr. MITCHELL. The Senator from Connecticut is entirely wrong. It is very evident he has not examined the bill, because nowhere in the bill is there a statement of two million and a half.

Mr. PLATT of Connecticut. Exactly what is the amount?

Mr. MITCHELL. The amount in the bill as reported unanimously by the committee is \$2,125,000; but we propose, a little later on, to strike out the sixteenth section of the bill if we can have permission.

That section provided that \$350,000 of the proposed appropriation should be utilized for the purpose of erecting a Lewis and Clark memorial building, which it was thought by a good many people did not belong to a bill of this character. I myself do not think it does. I never favored that provision, and propose, as soon as I can get the floor properly, to move to strike out the sixteenth section, which treats of that subject. That will reduce the amount—

Mr. GALLINGER. Does that leave the Government appropriation a million and a half?

Mr. MITCHELL. One million seven hundred and seventy-five thousand dollars.

Mr. PLATT of Connecticut. I was mistaken in saying that in section 25 it is \$2,500,000. It is \$2,125,000. I think I had a right to suppose that that was the amount we were asked to appropriate, because it was in the bill, and no amendment, as I understood, had been proposed to take out any portion of it.

But let us see about the \$1,775,000. When St. Louis came here, I will inquire of the Senator from St. Louis how much the people of St. Louis and the corporation raised before they asked the Government to appropriate \$5,000,000?

Mr. COCKRELL. Five million dollars by the citizens of St. Louis and \$5,000,000 by the city of St. Louis.

Mr. PLATT of Connecticut. That was \$10,000,000.

Mr. COCKRELL. That was \$10,000,000, every dollar of which had to be expended before the corporation, the Louisiana Purchase Exposition Company, had a right to one solitary penny of the five millions we appropriated.

Mr. PLATT of Connecticut. There was raised, then, from private and municipal or State sources for the St. Louis Exposition \$10,000,000, upon which they came here and asked us to appropriate \$5,000,000.

Now, this bill says that the exposition people have raised \$500,000 surely and \$400,000—that is \$900,000—and they hope to raise \$100,000 more, and they ask us to appropriate, not, as in the case of the Louisiana Purchase Exposition, one-half of what has thus been raised, but nearly twice as much. That is, they have raised a million, if they get the \$100,000 which they hope to get—and there is no certainty they will ever get it—and they ask the Government to appropriate \$1,775,000.

I submit that never before has there been such an appropriation asked of Congress. In the cases of Buffalo and South Carolina and New Orleans, according to my recollection, the Government appropriation did not exceed the amount which it was shown had been raised by private subscription and by appropriation by the States or cities. I do not know whether the \$1,775,000 includes all that the Government is to pay to the commissioners who are appointed and for all the expenses of its own exhibit.

Mr. MITCHELL. It includes the pay of the commissioners and everything. The pay of the commissioners under the bill is to be deducted from any appropriation made.

Mr. PLATT of Connecticut. If that be so, we have, then, simply the proposition that the private corporation and the public corporation raising a million dollars come here and ask us to appropriate \$1,775,000, and we know perfectly well that this is not the last of it. The experience through which we have just passed with regard to the loan of \$4,600,000 to the St. Louis Exposition may well remind us that this is not the whole of the matter.

The amount appropriated by the Government in comparison with the amount raised by citizens and appropriated by the city of Portland or the State of Oregon, as the case may be, is such that it shows that we make this a Government exposition, and to my mind the Government has a perfect right, in appropriating this vast amount of money and in making it a Government exposition, to require an observance of the Sabbath day in the conduct of that exposition.

The PRESIDENT pro tempore. The question is on agreeing to the substitute offered by the Senator from Connecticut for the amendment of the committee, on which the yeas and nays are demanded. Is there a second?

The yeas and nays were ordered.

Mr. ALLISON. I ask that the substitute may be stated.

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

The SECRETARY. In place of the amendment reported by the committee it is proposed to substitute the following:

SEC. 27. That as a condition precedent to the payment of any and all appropriations made in this act, the corporation in charge of the exposition shall contract with the Secretary of the Treasury to keep the gates closed on Sundays during the entire period of the exposition.

Mr. GALLINGER. Mr. President, simply a word. I do not know how it may be in other sections of the country, but I will say, for the benefit of the Senator from Texas and the Senate itself, that the churches of New England desire this exposition to be closed on the Sabbath day; and, in my opinion, if the gates are not closed on that day it makes very little difference what goes in

this bill of a prohibitive nature. The exposition will be practically wide open and it will be an affront to the religious sentiment of this country. For that reason I shall vote for the substitute.

The PRESIDENT pro tempore. The question is on agreeing to the substitute offered by the Senator from Connecticut for the amendment of the Committee.

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

Mr. BACON. Will the Chair please state what is the precise question?

The PRESIDENT pro tempore. It is on the substitute offered by the Senator from Connecticut, closing the exposition on Sunday.

Mr. CULBERSON. Let the substitute be read.

Mr. LODGE. It has just been read.

The PRESIDENT pro tempore. The substitute will again be read.

The Secretary again read the substitute.

Mr. BACON. Mr. President, I desire information, if you please. Is it an addition to the committee amendment or a substitute for the amendment?

Mr. LODGE. Mr. President, I make the point of order.

The PRESIDENT pro tempore. The Senator from Massachusetts raises the point of order that a Senator has answered to his name. The roll call will be proceeded with.

Mr. BACON. I am entitled to ask for information at any time. The Secretary resumed the calling of the roll.

Mr. MALLORY (when his name was called). I am paired with the senior Senator from Vermont [Mr. PROCTOR]. If he were present, I should vote "nay."

Mr. NELSON (when his name was called). I have a general pair with the senior Senator from Arkansas [Mr. BERRY]. If he were present, I should vote "nay." I do not know how he would vote, and so I withhold my vote.

Mr. PERKINS (when his name was called). I have a general pair with the junior Senator from North Carolina [Mr. OVERMAN]. He is not present, and I withhold my vote.

Mr. SCOTT (when his name was called). I have a general pair with the junior Senator from Florida [Mr. TALIAFERRO]. I am not advised as to how he would vote, and therefore I will withhold my vote.

Mr. MALLORY (when Mr. TALIAFERRO's name was called). My colleague [Mr. TALIAFERRO] is unavoidably detained from the Senate.

Mr. TILLMAN (when his name was called). I have a general pair with the Senator from Vermont [Mr. DILLINGHAM]. I do not know how he would vote. If I were at liberty to vote, I should vote "nay."

Mr. WARREN (when his name was called). I have a general pair with the Senator from Mississippi [Mr. MONEY]. If I were at liberty to vote, I should vote "nay."

The roll call was concluded.

Mr. CLARK of Wyoming (after having voted in the negative). I voted in the absence of my general pair, the junior Senator from Missouri [Mr. STONE]. As he is still absent, I withdraw my vote.

Mr. KITTREDGE. I have a general pair with the junior Senator from Colorado [Mr. PATTERSON]. Not knowing how he would vote if he were present, I withhold my vote.

Mr. WARREN. It has been suggested that we should transfer pairs so that the Senator from Mississippi [Mr. MONEY] will stand paired on this question with the Senator from Maryland [Mr. McCOMAS], thus liberating the Senator from Kentucky [Mr. BLACKBURN] and myself, so that we may vote.

Mr. BLACKBURN. That is right.

Mr. WARREN. I vote "nay."

Mr. BLACKBURN (after having voted in the negative). Then I will leave my vote stand. It is already recorded.

Mr. LATIMER. I have a general pair with the junior Senator from Illinois [Mr. HOPKINS]. I do not see him present in the Chamber, and therefore withhold my vote.

Mr. DRYDEN. I should like to announce that my colleague [Mr. KEAN] is absent from the city.

Mr. MALLORY. I transfer my pair with the Senator from Vermont [Mr. PROCTOR] to the Senator from Florida [Mr. TALIAFERRO]. The Senator from West Virginia [Mr. SCOTT] is paired with my colleague [Mr. TALIAFERRO], and this transfer will allow us to vote, if that is agreeable to the Senator from West Virginia.

Mr. SCOTT. Entirely so.

Mr. MALLORY. I vote "nay."

Mr. SCOTT. I vote "yea."

Mr. NELSON. I transfer my pair with the senior Senator from Arkansas [Mr. BERRY] to the junior Senator from New York [Mr. DEPEW], who I understand is not paired, and I vote "nay."

Mr. GALLINGER. Does the Senator know how he would vote?

Mr. NELSON. If I am correctly informed, he is not paired. He is not here. Neither Senator is here.

Mr. PERKINS. I will transfer my pair with the junior Senator from North Carolina [Mr. OVERMAN] to the senior Senator from Connecticut [Mr. HAWLEY], and vote. I vote "yea."

The result was announced—yeas 29, nays 17, as follows:

YEAS—29.

| | | | |
|-----------|------------|-------------|--------------|
| Allee, | Culberson, | Foster, La. | Platt, Conn. |
| Allison, | Cullom, | Frye, | Quarles, |
| Bard, | Dolliver, | Gallinger, | Scott, |
| Bate, | Dryden, | Gamble, | Spooner, |
| Burnham, | Dubois, | Gibson, | Teller. |
| Carmack, | Elkins, | Lodge, | |
| Clapp, | Fairbanks, | Long, | |
| Cockrell, | Foraker, | Perkins, | |

NAYS—17.

| | | | |
|------------|---------------|-----------|----------|
| Alger, | Foster, Wash. | Martin, | Stewart, |
| Bailey, | Fulton, | Mitchell, | Warren. |
| Ball, | Heyburn, | Nelson, | |
| Blackburn, | McCumber, | Newlands, | |
| Clay, | Mallory, | Simmons, | |

NOT VOTING—44.

| | | | |
|--------------|-------------|------------|--------------|
| Aldrich, | Depew, | Kearns, | Patterson, |
| Ankeny, | Dietrich, | Kittredge, | Penrose, |
| Bacon, | Dillingham, | Latimer, | Pettus, |
| Berry, | Gorman, | McComas, | Platt, N. Y. |
| Beveridge, | Hale, | McCreary, | Proctor, |
| Burrows, | Hanna, | McEnery, | Quay, |
| Burton, | Hansbrough, | McLaurin, | Smoot, |
| Clark, Mont. | Hawley, | Millard, | Stone, |
| Clark, Wyo. | Hoar, | Money, | Taliaferro, |
| Clarke, Ark. | Hopkins, | Morgan, | Tillman, |
| Daniel, | Kean, | Overman, | Wetmore. |

So the amendment proposed by Mr. PLATT of Connecticut was agreed to.

Mr. MITCHELL. I offer one more amendment. I move to strike out the sixteenth section of the bill. It is the section providing for a memorial building. Striking out the section does not in any manner disarrange the bill, but it eliminates from the bill all relation to the memorial building.

The PRESIDENT pro tempore. Does the Senator from Oregon move to strike out the entire section?

Mr. MITCHELL. The entire section—section 16, on pages 12, 13, 14, and 15 of the bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MITCHELL].

The amendment was agreed to.

Mr. NELSON. On page 3, line 14, I move to strike out "seven," before the word "commissioners," and insert "three."

Mr. MITCHELL. That is, reducing the number of commissioners to three?

Mr. NELSON. Yes, sir.

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

The PRESIDENT pro tempore. The amendment will be stated. The SECRETARY. In section 2, on page 3, line 14, before the word "commissioners," strike out "seven" and insert "three."

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

The amendment was agreed to.

The PRESIDENT pro tempore. If there be no further amendment—

Mr. ALLISON. The amendment suggested by the Senator from Minnesota I think will suggest also an amendment to section 4 of the bill. I do not know that the amendment is essential, but I should like to say one word respecting section 4.

Section 4 seems to provide for a board of arbitration which shall be created for the purpose of settling differences between the United States commission and the Oregon corporation or exposition company.

Section 4 provides:

That said Commission, when fully organized under the provisions of this act, shall appoint two of their number to act in conjunction with one appointed by the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, a corporation organized and existing under the general laws of the State of Oregon, and having its office and principal place of business at Portland, in said State, one to be chosen from the executive committee of said corporation, and one to be appointed from the Lewis and Clark Centennial Exposition Commission of the State of Oregon, to constitute a board of arbitration, to whom all matters of difference arising between said National Commission and said company concerning the administration, management, or general supervision of said exposition shall be referred for determination; and in case of the failure of said board of arbitration to agree upon such matters as may be so referred, said board of arbitration shall select a fifth member thereof, such fifth member so agreed upon to be then appointed by the Secretary of the Treasury, and in case of failure to agree on such fifth member, then such member shall be selected and appointed by the Secretary of the Treasury.

Under the amendment proposed by the Senator from Minnesota there will be three commissioners, and I understand there are five members of this board of arbitration provided for. It seems to me that this section 4 is not a very important section. There can be but very little to arbitrate between the local exposition company and the Commission appointed by the United States.

Mr. STEWART. What are they to arbitrate?

Mr. ALLISON. They are to arbitrate all differences "arising between said National Commission and said company concerning the administration, management, or general supervision of said exposition." That is the matter that is left to this board of arbitration.

My attention was not called until a few moments ago to this bill and to this nonpartisan commission; and, by the way, it would be rather difficult to have it appointed, it seems to me.

Mr. HOAR. What is meant by a nonpartisan commission?

Mr. ALLISON. I refer the Senator from Massachusetts to the Senator from Oregon. I do not quite understand it myself—

That a nonpartisan commission * * * shall be appointed * * * by the President, etc.

Then the third section provides for the duties of this commission:

That the commissioners so appointed shall be called together by the Secretary of State of the United States, in the city of Portland, State of Oregon, by notice, etc. * * * The said commissioners * * * shall organize by the election of their officers, and they may then, or thereafter, appoint such executive or other committees as may be deemed expedient.

I do not know how many committees they can get out of three commissioners, though I am in perfect sympathy with the Senator from Minnesota as to the number of the members of the commission.

Mr. MITCHELL. If the Senator will allow me a moment, there are really but three commissioners to be appointed now, and in view of certain amendments which relate to the bill there is no necessity for that section at all.

Section 4 of the bill as originally drafted with that section provided that the money appropriated by Congress should be disbursed by the local company, but that has all been changed so that the disbursement of money is absolutely and wholly under the control of the National Commission, which has now been reduced by the amendment of the Senator from Minnesota to three members. I do not see anything to arbitrate particularly, and therefore I move to strike out that section. Is that satisfactory to the Senator from Iowa?

Mr. ALLISON. I do not know whether it is or not. As I read the bill, and I read it only hastily, I do not see anything the Government Commission has to do except to have general supervision over the exposition.

Mr. PLATT of Connecticut. And to make a report.

Mr. ALLISON. We passed a similar bill for the St. Louis Exposition, and we provided for the appointment of nine commissioners there. We provided, as is provided here, that the commissioners should be immediately appointed and should receive their compensation beginning with their appointment and continuing six months after the close of the exposition.

It was required—as this bill, I think, requires—that they should have general supervision of the exposition.

Mr. MITCHELL. I call the attention of the Senator to this clause in the nineteenth section, on the seventeenth page, as follows:

That the money hereby appropriated shall be disbursed under the direction of the said National Commission, under rules and regulations to be prescribed by the Secretary of the Treasury, and upon vouchers to be approved by such National Commission, acting by and through its president and secretary.

Mr. ALLISON. Yes; I had observed in reading the bill hastily that it did provide for the disbursement by seven persons. Now, the disbursement is to be made under the direction of three persons. I do not see anywhere a provision here that the commissioners shall give bond for the faithful performance of their duties or that they will have any particular duties except that of disbursement.

Mr. HOAR. Section 7.

Mr. PLATT of Connecticut. They are to accept a site.

Mr. ALLISON. I will take section 6, to which the Senator called my attention. Section 6 leaves all the important questions—

Mr. HOAR. No; I did not mean to call the Senator's attention to section 6, but to the seventh section.

Mr. ALLISON. I am now on section 6. Section 6 provides:

That the allotment of space for exhibitors, classification of exhibits, plan and scope of the exposition, the appointment of all judges and examiners for the exposition, and the awarding of premiums, if any, shall all be done and performed by the said Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair.

Now, the criticism I make on section 6 is that although we have a national commission that is to disburse these funds this National Commission has no power to indicate the scope and extent of the exposition or to state how much money shall be expended in the construction of buildings or the various expenses necessary in opening up and in the preparation of the exposition.

Mr. HOAR. Just read the first line of section 7.

Mr. ALLISON. All right. It provides:

That after the plans for said exposition shall be prepared by said company and approved by said commission—

Mr. HOAR. "Approved."

Mr. ALLISON. Very well; they have the right of approval—the rules and regulations of said corporation governing rates for entrance and admission fees, or otherwise affecting the rights, privileges, or interests of the exhibitors, or of the public, shall be fixed or established by said company.

Mr. PLATT of Connecticut. By the corporation.

Mr. ALLISON. Undoubtedly. That, of course, to some extent gives the commission power; they have the power of approval, but the scope of the exposition is to be determined by the local corporation.

I do not wish to interfere too much with the plans of the people who are organizing this exposition, but what I fear is that we will be placed in precisely the same situation we are now as respects the St. Louis Exposition, namely, that they will prepare a plan and scope for the exposition which will require us hereafter to make expenditures either by way of appropriation or by way of loan to the exposition.

So it seems to me, taking these sections as I have read them hastily, and the general scope of the bill, it is not sufficiently guarded to protect the Government of the United States.

Mr. PLATT of Connecticut. May I call the Senator's attention to one matter?

Mr. ALLISON. Certainly.

Mr. PLATT of Connecticut. I do not see that these commissioners are to receive any salary.

Mr. MITCHELL. Four thousand dollars.

Mr. SPOONER. That is never omitted.

Mr. ALLISON. They are to receive \$4,000, which is to be taken out of the money which we appropriate.

Mr. PLATT of Connecticut. In what section is it provided?

Mr. ALLISON. That is very clearly provided for on page 16.

Mr. PLATT of Connecticut. I thought it was very strange if it was omitted.

Mr. ALLISON. Section 17 reads:

That the commissioners appointed by the President under this act shall receive as compensation for their services and expenses the sum of \$4,000 each per annum, the same to be paid by the Secretary of the Treasury and deducted from any money appropriated for said exposition.

Mr. PLATT of Connecticut. I had not observed that. I thought they were to be paid merely their expenses.

Mr. ALLISON. They are to be paid a salary and their expenses, and all that is to be deducted from the amount appropriated in this bill.

The same provision was practically in the act for the Louisiana Purchase Exposition. The Secretary of the Treasury, under that provision, deducted \$245,000 from the general appropriation made by Congress for the St. Louis Exposition, and he will deduct, of course, from this appropriation enough to pay these commissioners, who are to be three now instead of seven.

Mr. MITCHELL. Twelve thousand dollars.

Mr. ALLISON. Twelve thousand dollars a year from now until December, or whatever the month is, in 1906.

Mr. MITCHELL. After they are appointed.

Mr. ALLISON. After they are appointed, and they are to be appointed and must enter upon their duties thirty days after the passage of this act.

Mr. President, I have not had the opportunity to look into this bill very closely, but I believe that it ought to be a little more carefully and fully guarded as respects the interest of the United States, and as respects the safeguards which should be thrown around the expenditure of this money.

The bill does not disclose all that the Government will be called upon to pay. We have provided here for a reasonably elaborate governmental exhibit, which will cost at least \$500,000 upon any plan that can be devised on the scope proposed in the bill.

Two hundred and fifty thousand dollars is already appropriated, as I understand it, for the Government building and an elaborate scheme of boards to be composed of members of the different Executive Departments. We have provided for Government exhibits to be transferred from Washington to Portland, Oreg., put in place there, and afterwards returned; which will certainly cost \$250,000 more unless it is done with greater economy than is being practiced at St. Louis and was practiced in reference to the Government exhibits at Buffalo.

This bill may be all right, and I make these criticisms with a great deal of hesitation, because I assume it has been carefully considered by the committee having it in charge.

Mr. SPOONER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. ALLISON. I do.

Mr. SPOONER. The Senator has had a great deal of experience in drawing these bills—

Mr. ALLISON. No, I have not. I have had a good deal of experience in providing for appropriations upon bills drawn by others, or providing appropriations on the ground that the law required it to be done.

Mr. SPOONER. I should like to inquire of the Senator from

Iowa just what his understanding is as to the true construction of the word "nonpartisan," in section 2, where it is provided:

That a nonpartisan commission is hereby constituted, to consist of seven commissioners, to be known and designated as the National Lewis and Clark Centennial Exposition Commission, etc.

Mr. ALLISON. The Senator from Massachusetts made that same inquiry of me.

Mr. SPOONER. Does it mean not to belong to any party?

Mr. ALLISON. I suppose it means that they shall not belong to any party.

Mr. HOAR. Mugwumps, perhaps.

Mr. SPOONER. They would be of the class of people who hate the Democratic party and do not like the Republican party, who flock together.

Mr. MITCHELL. Mr. President, I suppose it is very good to joke about this matter—

Mr. SPOONER. What is meant by the word "nonpartisan," I will ask the Senator?

Mr. MITCHELL. I suppose what the promoters or writers of this bill—I was not the writer of it—intended when they used the word "nonpartisan" was, when this commission should be appointed, if constituted of five members, that three of them should be from the dominant party and the other two from the next largest party in point of numbers. This is very frequently done in legislation, and I suppose is what was intended here. I presume that is what is meant by a "nonpartisan commission."

Mr. SPOONER. What they meant is one thing, and what the law means is another.

Mr. MITCHELL. I think a fair construction of that provision would be such as I have stated. If I were President of the United States and a provision for the appointment of a nonpartisan commission consisting of three were brought to me, I should appoint two men from the Republican party and one from the Democratic party.

Mr. SPOONER. What kind of a Democrat?

Mr. MITCHELL. Well, a good one.

Mr. SPOONER. Ordinarily where commissions consisting of three members are appointed the provision is that not more than two members of such commissions shall belong to the same political party.

Mr. ALLISON. I observe several provisions in the bill which look to me as though they ought to be more carefully guarded. For instance, the provision respecting the importation of exhibits and the transfer of them from St. Louis to Portland, Oreg. The bill may be carefully and sufficiently guarded in that respect, but I should want to have, if the committee has not already obtained it, the opinion of experts from the Treasury Department on that subject. After this bill shall have been passed and become a law all appropriations, of course, must be made in accordance with its terms.

I see also that the Postmaster-General is authorized and directed to grant to this National Commission and to the local commission the franking privilege, which is to continue until the 31st of December, 1906.

Mr. GALLINGER. Was a similar provision contained in former exposition bills?

Mr. ALLISON. I am not sure, but I do not remember having observed such a provision in any of those bills. This privilege is given to these commissions, and I do not think it has been given to other commissions in former bills.

Mr. HOAR. I should like to inquire of the Senator from Iowa if that franking privilege would not, under the meaning of that section, be very much more extensive than that which is granted to any official of the United States Government? Our franking privilege is limited to official communications with the various Departments of the Government, etc., but this is absolute and unlimited.

Mr. ALLISON. That is an excellent suggestion of the Senator from Massachusetts. It shows that we should look more carefully, it seems to me, into the various sections of this bill. I think the bill ought to be amended, certainly to require that the franking privilege should only apply to official printing or communications appertaining directly to the exposition.

There would be a very large amount of printed matter which would be passed through the mails under this provision. I hardly think we ought to grant such an extensive franking privilege as is proposed here.

Mr. MITCHELL. That can be corrected by providing that it shall only apply to official matter.

Mr. ALLISON. Undoubtedly; but I should greatly prefer to look over this bill a little more carefully before voting on it.

Mr. GALLINGER. Before the bill is acted upon, I wish to call the attention of the Senator from Oregon to the words on page 16, section 19, line 25, "in addition to the sums hereinbefore appropriated by this act." Those sums were contained in section 16, amounting to \$400,000, and they were stricken out, I think.

Mr. MITCHELL. Let the word "sums" be stricken out and the word "sum" inserted.

Mr. GALLINGER. Ought not the words "in addition to the sums hereinbefore appropriated by this act" to go out entirely? Were not those sums all in section 16?

Mr. MITCHELL. No; \$250,000 was in a former section. The word "sums" should be amended by making it singular.

The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 16, section 19, line 25, before the word "hereinbefore," it is proposed to strike out the word "sums" and insert "sum."

The amendment was agreed to.

Mr. MITCHELL. I move to amend on page 3, section 2, line 13, before the word "commission," by striking out "nonpartisan;" and line 14, after the word "commissioners," by inserting "not more than two of whom shall belong to the same political party."

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

Mr. NELSON. I want to be heard for a moment, Mr. President.

The PRESIDENT pro tempore. The Senator from Minnesota is recognized.

Mr. NELSON. One vice, to my mind, in the bill relating to the St. Louis Exposition, was the provision establishing a nonpartisan commission composed of nine members. The bill providing for that commission gave them a salary of \$5,000 a year each, \$3,000 for a secretary, and \$10,000 for expenses, amounting in the aggregate to \$58,000 a year. I presume that commission has cost the Government, to come out of the appropriation for the St. Louis Exposition, over \$60,000 a year, and it will be three years this next spring, during which time the members of that ornamental commission will have had that salary.

The real work and management of the exposition has been done by the corporation of which Governor Francis is the head. The Government commissioners have now for nearly three years drawn \$5,000 salary apiece, \$3,000 for their secretary, \$10,000 for the expenses of the Commission, and, in addition, their traveling expenses. I do not know what those expenses may be, but I imagine that that Commission has cost the Government at least \$60,000 a year. By next spring it will amount to \$180,000, and they will probably linger another year and get another year's salary.

While, Mr. President, I am willing to vote aid for these expositions, for I think on the whole they are good, I do not believe we ought to fasten an ornamental commission on this exposition. I should be glad in this instance to have this bill recommitted and to have all the provisions in respect to an ornamental commission eliminated from it, because the real work, as I have said and as the Senator from Iowa has well stated, is done by the corporation in charge of it in Oregon. They are the managers and have to bear the burden of the work. Why should we encumber the exposition with an ornamental commission and have the expenses of that commission deducted from the appropriation? I would much prefer to take the amount of the salary and expenses of that ornamental commission and add it to the appropriation for the benefit of the exposition.

Mr. President, I repeat that I should be glad to see this bill recommitted and to have all the provisions in it relating to this so-called nonpartisan Commission entirely eliminated. I think that was one vice in the bill relating to the St. Louis Exposition. We know how that furnished a lot of places for retiring statesmen, and I do not want this bill to afford the same kind of opening for them.

Mr. MITCHELL. I will say, if the Senator will allow me, that the vice, if it was a vice, in the St. Louis bill was in the fact that we did not give the Commission power to supervise the expenditure of the funds. This bill not only creates a commission, but gives it control of every dollar of the fund proposed to be appropriated. The Senator talks about an ornamental commission. We do not propose to have an ornamental commission; but under whose control would the Senator place the money?

Mr. NELSON. I would place it in that body who has the real charge of the exposition, the corporation that manages it and controls it. Then the money that you propose to expend on this ornamental commission would be used for the purposes of the exposition. As it now is, all these Government commissioners will have to do will be to go around, look wise, draw their salaries, and say how the money shall be expended.

Mr. MITCHELL. It seems to me that if the nation is going to make a contribution in aid of this enterprise it ought to control the money that is appropriated for the purpose, and the control should not be given to the local company in Portland.

Mr. ALLISON. Then leave it to the Secretary of the Treasury. I will venture another suggestion to the Senator from Oregon, and that is that this commission shall cease to exist on June 30, 1906.

Mr. MITCHELL. I think there is no objection to that; and I will move that amendment.

Mr. ALLISON. The amendment is, on page 8, line 7, after the word "the," to strike out "31st day of December" and insert "30th day of June."

I should be glad if the Senator from Oregon [Mr. MITCHELL] would point out now, in view of what the Senator from Minnesota [Mr. NELSON] has said, exactly the power of this national commission as provided for in this bill.

The PRESIDENT pro tempore. The amendment on page 8 has not yet been agreed to. The amendment will be stated.

The SECRETARY. On page 8, section 11, line 7, after the word "the," it is proposed to strike out "31st day of December" and insert "30th day of June."

The amendment was agreed to.

Mr. ALLISON. Now, I should like the Senator from Oregon to give me the information I just requested in regard to the powers of the Commission.

Mr. MITCHELL. In the first place, in section 7 it is provided that after the plans for said exposition shall be prepared by said company they shall be approved by the said Commission. That is clear.

Mr. ALLISON. That is in section 7?

Mr. MITCHELL. Section 7. All of the plans in regard to this exposition are to be approved by the National Commission provided for by this bill.

Then again, later on, the bill provides that all the money appropriated or proposed to be appropriated shall be disbursed under the direction of this National Commission.

Mr. ALLISON. What section is that?

Mr. MITCHELL. I can not turn to it just at this moment.

Mr. HOAR. They shall approve or accept.

Mr. MITCHELL. Refusing to approve is to disapprove, I take it.

Mr. ALLISON. The sixth section provides:

That the allotment of space for exhibitors, classification of exhibits, plan and scope of the exposition, the appointment of all judges and examiners for the exposition, and the awarding of premiums, if any—

All these things—

shall all be done and performed by the said Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair.

The PRESIDENT pro tempore. The amendment offered to section 2 has not yet been agreed to. The amendment will be stated.

The SECRETARY. On page 3, section 2, line 13, before the word "commission," it is proposed to strike out "nonpartisan;" and after the word "commissioners" insert "not more than two of whom shall belong to the same political party."

The amendment was agreed to.

Mr. GALLINGER. Now, Mr. President, to perfect the text of the bill, if the Senator will turn to section 25 he will want to change the amount of the appropriation there made of \$2,125,000. It should be, I think, \$1,775,000.

Mr. MITCHELL. It should be \$1,775,000.

Mr. GALLINGER. I move that amendment, Mr. President. The PRESIDENT pro tempore. The amendment will be stated.

The SECRETARY. On page 21, section 25, lines 1 and 2, it is proposed to strike out "two million one hundred and twenty-five," and insert "one million seven hundred and seventy-five;" so as to make the section read:

Sec. 25. That the appropriations herein made of \$1,775,000 in all shall take effect and become available immediately upon the passage of this act.

The amendment was agreed to.

Mr. PLATT of Connecticut. I move to strike out the twenty-sixth section.

Mr. MITCHELL. Is the Senator from Connecticut willing to amend that section so as to confine the franking privilege to official communications?

Mr. PLATT of Connecticut. It ought to be amended a good deal more than that. If the bill is going to be recommitted to the committee—

Mr. MITCHELL. I hope it will not be recommitted to the committee.

Mr. PLATT of Connecticut. Then it ought to be amended more than it can be by a single suggestion, I think. In the first place, I do not see how Congress can delegate to the Postmaster-General the right to extend the franking privilege to anyone. The bill does not say that this corporation shall enjoy the franking privilege, but that the Postmaster-General may grant to the Commission, under such rules and regulations—I will read the section. It provides:

Sec. 26. That the Postmaster-General of the United States be, and he is hereby, authorized and directed, under such rules and regulations as he may prescribe, to grant to the commission created by this act, and to the president, secretary, and director-general of the Lewis and Clark Centennial and American Pacific Exposition and Oriental Fair, a corporation, and to such corporation, and to the president and the secretary of the Lewis and Clark

centennial exposition commission of the State of Oregon the franking privilege, by means of which the free use of the United States mail until December 31, 1906, shall be enjoyed by said commission, president, secretary, director-general, and corporation aforesaid.

Mr. HOAR. Will the Senator, in order to complete his statement, permit me to observe that the franking privilege is to be enjoyed not only by this commission, but by the corporation?

Mr. PLATT of Connecticut. Exactly; and I think that if we are going to give the officers of this corporation the use of the franking privilege, it ought to be very carefully guarded, and that Congress itself ought to give it to them, and not authorize the Postmaster-General to do so.

Mr. MITCHELL. Let the section go out. I move to strike out section 26.

The amendment was agreed to.

Mr. ALLISON. On page 17, section 19, line 12, it is provided:

That the money hereby appropriated shall be disbursed under the direction of the said national commission, under rules and regulations to be prescribed by the Secretary of the Treasury, and upon vouchers to be approved by such national commission, acting by and through its president and secretary.

I see a practical difficulty under this provision. The corporation itself, the State of Oregon, the city of Portland, etc., have contributed to this fund \$900,000, and the Government contributed \$1,775,000. That must be in some way a common fund for the erection of the exposition buildings. I should think a safer provision would be "that the money hereby appropriated shall be expended by and under the direction of the said national commission, under rules and regulations," etc., because the language now employed would seem to indicate that the commission can only disburse the money upon vouchers approved by them.

Therefore, under this provision as it now stands, they have no control over the expenditures until the voucher period shall have arrived. They can only approve the vouchers.

Mr. FULTON. Then the Senator wishes to strike out the word "disbursed" and to insert "expended?"

Mr. ALLISON. "Expended and disbursed," or some words that will give the national commission the power to supervise the expenditures as they are made from day to day, and not simply the power to approve or disapprove the vouchers as they are presented to them.

Mr. MITCHELL. I submit to the Senator from Iowa if the provision as it stands does not do that very thing. It reads:

That the money hereby appropriated shall be disbursed under the direction of the said national commission, under rules and regulations to be prescribed by the Secretary of the Treasury—

That they may do before there are any vouchers—

and upon vouchers to be approved by such national commission, acting by and through its president and secretary.

Mr. ALLISON. Very well. Then the Senator will not object to inserting, after the words "shall be," in line 13, the words "expended by and."

Mr. MITCHELL. Not at all. There is no objection to that.

Mr. ALLISON. So that it will be read "shall be expended by and disbursed under the direction of."

Mr. MITCHELL. Very well. That is more specific.

The PRESIDING OFFICER (Mr. PERKINS in the chair). The amendment will be stated.

The SECRETARY. On page 17, section 19, line 13, after the words "shall be," it is proposed to insert "expended by and;" so as to read:

That the money hereby appropriated shall be expended by and disbursed under the direction of the said national commission, etc.

The amendment was agreed to.

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

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

The preamble was agreed to.

On motion of Mr. MITCHELL, the title was amended so as to read: "A bill to provide for the celebration at Portland, Oreg., of the one hundredth anniversary of the exploration of the Oregon country by Capts. Meriwether Lewis and William Clark in the years 1804, 1805, and 1806, and for other purposes."

Mr. MITCHELL. I ask that the sections may be renumbered.

The PRESIDING OFFICER. The sections will be renumbered so as to run consecutively.

BUILDING FOR THE DEPARTMENT OF STATE, ETC.

Mr. FAIRBANKS. I desire to give notice that after the close of remarks with respect to Colombia and Panama to-morrow, I will move that the Senate proceed to the consideration of the bill (S. 1508) to provide for the purchase of a site and the erection thereon of a public building to be used for a Department of State, a Department of Justice, and a Department of Commerce and Labor, provided it does not interfere with the consideration of any appropriation bill.

RELATIONS WITH COLOMBIA.

Mr. BACON. Mr. President, with the permission of the Senate, I desire to offer an amendment, in the nature of a modification, to Senate resolution No. 82, which was submitted by me. I will state that the modification I offer is one which strikes out all of the resolution after the word "Colombia," in the sixth line, and in lieu thereof inserts the words which I send to the desk.

The PRESIDING OFFICER. The Senator from Georgia, as the author of the resolution, has the right to modify it.

Mr. BACON. I ask that it may be read as it will read when modified.

The PRESIDING OFFICER. The Secretary will read the resolution as modified by the Senator from Georgia.

The SECRETARY. As modified the resolution reads as follows:

Resolved, That the President be respectfully informed that the Senate favor and advise the negotiation, with a view to its ratification, of a treaty with the Republic of Colombia, to the end that there may be peacefully and satisfactorily determined and adjusted all differences between the United States and the Republic of Colombia, with the intent of removing any cause of irritation or conflict, and of restoring the cordial relations heretofore existing between the United States and Colombia, and also of securing the hearty cooperation of the Colombian people in the construction of the canal at Panama.

The PRESIDING OFFICER. The resolution as modified will be printed.

Mr. ALLISON. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 35 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, February 9, 1904, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

MONDAY, February 8, 1904.

The House met at 12 o'clock m.

Prayer was offered by the Chaplain, Rev. HENRY N. COUDEN, D. D., as follows:

O Lord God, our Heavenly Father, we bless Thee for the indissoluble ties which bind Thy children together into one great family, so that when one member suffers the whole body suffers with it. Our hearts touched for the stricken people of the flame-swept city of Baltimore, we pray that the tangible aid and heartfelt sympathy which will be poured out upon them may encourage them to build their homes and business interests anew, that they may go forward even to greater success.

Hear us, we beseech Thee, O God, in the name of Jesus Christ our Lord. Amen.

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

URGENT DEFICIENCY BILL.

Mr. HEMENWAY. Mr. Speaker, I desire to ask unanimous consent that the Senate amendments to the urgent deficiency bill be nonconcurring in and that the House ask for a conference.

Mr. BARTLETT. Mr. Speaker—

The SPEAKER. The gentleman from Indiana asks unanimous consent that the urgent deficiency bill be taken from the Speaker's table, and the Senate amendments disagreed to, and the House ask for a conference.

Mr. BARTLETT. Mr. Speaker, I desire to say that I will not delay the consideration of this bill, but I shall not consent to the amendments being disagreed to and its being sent to conference. I shall insist, under Rule XXIII, that these amendments, the subjects-matter of which for the first time have been considered by the House, shall be considered in the House as in Committee of the Whole.

Mr. TAWNEY. Mr. Speaker, if the gentleman will withhold his objection just for one moment—

Mr. BARTLETT. Yes, sir.

Mr. HEMENWAY. I suggest that by this action the House disagrees to every one of these amendments, and there will be ample opportunity as far as one amendment is concerned—that relating to the St. Louis Exposition—for the House to discuss and vote upon it. The conference committee would in no event agree to that amendment without full discussion on the part of the House and a vote upon it by the House.

Mr. BARTLETT. Mr. Speaker, I withhold the objection in order that the gentleman from Minnesota may—

Mr. HEPBURN. Mr. Speaker, I desire to make objection to this motion by the gentleman from Indiana that the amendment carrying \$4,600,000 may be considered in the Committee of the Whole.

Mr. BARTLETT. That is the purpose of my objection, I will state to the gentleman.

Mr. TAWNEY. Mr. Speaker, I was about to suggest to the gentleman from Georgia that perhaps his objection would be met if the gentleman from Indiana would simply modify his request

and ask that the House nonconcur in all the Senate amendments except amendment No. 10, and reserve that amendment and ask unanimous consent that that amendment be considered in the House as in Committee of the Whole. That certainly would insure every opportunity for consideration of this amendment and also give opportunity for amendment to the amendment.

Mr. PAYNE. Mr. Speaker—

Mr. TAWNEY. I have the floor, Mr. Speaker, and I will also state to the House that in any event the committee having jurisdiction of the subject-matter of this amendment propose or intend to propose an amendment to the Senate amendment. There is no disposition to ask for a concurrence in the amendment as it passed. If opportunity is given for consideration, in the House as in Committee of the Whole, of this amendment, which the Committee on Industrial Arts and Expositions has instructed me to present, every opportunity for consideration will be given on that amendment if the gentleman from Indiana will so modify his request as to reserve Senate amendment No. 10 and ask that that amendment be considered in the House as in Committee of the Whole.

Mr. HEPBURN. Mr. Speaker, I would feel it my duty to interpose the same objection on that. I do not want it to be considered, where the gag of the previous question can be operated, until after there is fair opportunity for discussing the matter.

Mr. TAWNEY. I will say, Mr. Speaker, the gentleman, I do not think, will have any reason to complain of there not being ample time for debate.

Mr. HEPBURN. There is no reason why this should not take the ordinary course. It is a very important matter. The rule provides for it, and probably there is no proposition that will come from the Senate this session where this rule ought to be invoked more than on this one.

Mr. BARTLETT. Mr. Speaker, I yield to the gentleman—

Mr. HEMENWAY. I have not yielded the floor to anyone.

The SPEAKER. If this bill takes its course under the rule, it will have to go first to the Committee on Appropriations. Now, the Chair suggests to the gentleman from Indiana, if he so desires and asks unanimous consent, that the bill be referred to the Committee of the Whole House on the state of the Union. That would dispense with the necessity of its going to the Committee on Appropriations and being reported back. If there is objection, it would have to go to the Committee on Appropriations first.

Mr. HEMENWAY. Mr. Speaker, there is no desire on my part to prevent a full and free discussion as to these amendments. I understand that under the rule, if objection is made, this report would have to go to the Committee on Appropriations and be reported back. I am very sure it would be reported back with the recommendation that the House disagree to all the Senate amendments. So I see no reason why we should go through that form, but go into Committee of the Whole at once. I therefore, Mr. Speaker, ask unanimous consent that the bill be referred to the Committee of the Whole House on the state of the Union at once for discussion.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the bill be taken from the Speaker's table and be referred to the Committee of the Whole House on the state of the Union.

Mr. HEPBURN. Mr. Speaker, I want the reference to be so made that this particular amendment shall have separate consideration, and I make the parliamentary inquiry whether, under this request, it can have that separate consideration.

The SPEAKER. In reply to the parliamentary inquiry by the gentleman from Iowa, the Chair will say that the bill under consideration in the Committee of the Whole House on the state of the Union would be precisely as appropriation bills are considered, paragraph by paragraph, as to the Senate amendments.

Mr. HEMENWAY. Before the Chair puts that request, I want to add this: That all the other amendments be disagreed to.

Mr. BURKETT. Mr. Speaker, I want to reserve an objection there before the matter passes over.

The SPEAKER. The gentleman from Indiana has the floor. To whom does he yield?

Mr. HEMENWAY. I will yield to the gentleman from Georgia.

Mr. BARTLETT. I want to have this matter considered—

Mr. TAWNEY. Let the other amendments be nonconcurring in.

Mr. BARTLETT. Mr. Speaker, I arose and was recognized by the Chair, and withheld my objection in order that the gentleman from Minnesota might be heard. The gentleman from Indiana, as I understood, yielded the floor, and the Chair recognized me to make a statement. I have not yet had that opportunity.

The SPEAKER. The Chair may have done so, but the Chair did not undertake to take the gentleman from Indiana from the floor and give new recognition to the gentleman from Georgia. But there can be no trouble about it. The gentleman from Indiana, I have no doubt, is naturally desirous to yield to any gentleman.