

owned by the citizens or subjects of either power, to foreign vessels employed by them, or to vessels owned by the citizens or subjects of either power and employed by other persons for the transportation of opium, shall be enforced by appropriate legislation on the part of China and the United States; and the benefits of the favored-nation clause in existing treaties shall not be claimed by the citizens or subjects of either power as against the provisions of this article.

Mr. COX, of North Carolina. The President of the United States in May last communicated to Congress in special message the necessity for some legislation to carry into effect the provisions of this article. There are provisions in this treaty affecting our citizens in China which are provided for under this bill. A recent case has been called to the attention of the State Department by United States minister at Peking concerning the right of an American citizen to lease to a British merchant a portion of his house for the opium business. The excessive use of opium in China is known to be one of her greatest social evils, a curse and an affliction to her people.

The manifest intent of this treaty is to prevent American citizens in China from engaging in this opium traffic, or in knowingly aiding others to do so. The treaty itself is not self-executing. Appropriate legislation is required to make it effective. The passage of this bill, it is believed, will accomplish the purpose, and if no gentleman desires to be heard on the subject and no further explanation is required, I ask that it may be put upon its passage.

The bill was ordered to a third reading; and being read the third time, was passed.

Mr. COX, of North Carolina, moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### APPOINTMENT OF HOUSE CONFEREES.

The SPEAKER announced the appointment of Mr. SWOPE, Mr. LOVERING, and Mr. CONGER as managers at a conference on the disagreeing votes of the two Houses on the bill (S. 2519) granting a pension to Richard B. Rians.

#### PROTECTION OF SUBMARINE CABLES.

Mr. BELMONT. Mr. Speaker, I call up for consideration House bill 9324, and yield to my colleague from Virginia [Mr. DANIEL]. The bill was read, as follows:

*Be it enacted, &c.,* That this act shall be known as the "submarine cables act of 1886."

SEC. 2. That the provisions of this act shall be held to apply only to cables to which the convention of the 14th of March, 1884, which is hereto annexed and herein referred to as the convention, for the time being applies; and, subject to the provisions of this act, the provisions of the convention shall be of the same force as if they were embodied in this act, and shall be taken to be a part hereof.

SEC. 3. That any person who shall willfully break or injure, or attempt to break or injure, or who shall in any manner procure, counsel, aid, abet, or be accessory to such breaking or injury, or attempt to break or injure, a submarine cable, in such manner as to interrupt or obstruct, in whole or in part, telegraphic communication, shall be guilty of a misdemeanor, and, on conviction thereof, shall be liable to imprisonment for a term not exceeding two years, and to a fine either in lieu of or in addition to such imprisonment.

SEC. 4. That any person who by culpable negligence shall break or injure a submarine cable in such manner as to interrupt or obstruct in whole or in part telegraphic communication shall be guilty of a misdemeanor, and, on conviction thereof, shall be liable to imprisonment for a term not exceeding three months, and to a fine not exceeding \$500 in lieu of or in addition to such imprisonment.

SEC. 5. That the provisions of this act shall not apply to a person who breaks or injures a cable in an effort to save the life or limb of himself or of any other person, or to save his own or any other vessel: *Provided*, That he takes reasonable precautions to avoid such breaking or injury.

SEC. 6. That the provisions of the Revised Statutes from section 4300 to section 4305, inclusive, for the trial of offenses against the navigation laws of the United States, shall extend to the trial of offenses against the provisions of articles 5 and 6 of the convention; and a person convicted of an offense against the provisions of the said articles shall be liable to a fine not exceeding \$500.

SEC. 7. That the penalties provided in this act for the breaking or injury of a submarine cable shall not be a bar to a suit for damages on account of such breaking or injury.

SEC. 8. That the provisions of article 4 of the convention, in so far as they relate to the payment by the owner of a cable of the cost of repairs of another cable broken or injured in the attempt to lay or repair the former cable, shall not apply to that part of the latter cable which is laid in a depth of water exceeding one hundred fathoms.

SEC. 9. That for the purpose of carrying into effect the convention a person commanding a ship of war of the United States or of any foreign state for the time being bound by the convention, or a ship specially commissioned by the Government of the United States or by the government of such foreign state, may exercise and perform the duties vested in and imposed on such officer by the convention.

SEC. 10. That when an offense against this act shall have been committed by means of a vessel, or of any boat belonging to a vessel, the master of such vessel shall, unless some other person is shown to have been in charge of and navigating such vessel or boat, be deemed to have been in charge of and navigating the same, and be liable to be punished accordingly.

SEC. 11. That any document drawn up in pursuance of article 7 or article 10 of the convention shall be admissible in any proceedings, civil or criminal, as *prima facie* evidence of the facts or matters stated therein.

SEC. 12. That unless the context of this act otherwise requires, the term "vessel" shall be taken to mean every description of vessel used in navigation, in whatever way it is propelled; the term "master" shall be taken to include every person having command or charge of a vessel; and the term "person" to include a body of persons, corporate or unincorporate.

SEC. 13. That the district courts shall have jurisdiction of all suits of a civil nature arising under this act; and from all decrees or judgments in such suits, where the matter in dispute exceeds the sum of \$50, exclusive of costs, an appeal shall be allowed to the circuit court next to be held in such district, and such circuit court is required to receive, hear, and determine such appeal.

#### SUBMARINE CABLES CONVENTION.

Convention for the protection of submarine cables, made on the 14th of March, 1884, between the United States of America; His Majesty the Emperor of Germany, King of Prussia; His Excellency the President of the Argentine Confederation; His Majesty the Emperor of Austria, King of Bohemia, &c., Apostolical King of Hungary; His Majesty the King of the Belgians; His Majesty the Emperor of Brazil; His Excellency the President of the Republic of Costa Rica; His Majesty the King of Denmark; His Excellency the President of the Dominican Republic; His Majesty the King of Spain; His Excellency the President of the United States of Colombia; His Excellency the President of the French Republic; Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India; His Excellency the President of the Republic of Guatemala; His Majesty the King of the Hellenes; His Majesty the King of Italy; His Majesty the Emperor of the Ottomans; His Majesty the King of the Netherlands, Grand Duke of Luxembourg; His Majesty the Shah of Persia; His Majesty the King of Portugal and the Algarves; His Majesty the King of Roumania; His Majesty the Emperor of all the Russias; His Excellency the President of the Republic of Salvador; His Majesty the King of Servia; His Majesty the King of Sweden and Norway; and His Excellency the President of the Oriental Republic of Uruguay.

The following is an English translation of the convention, with the omission of the formal beginning and end:

#### ARTICLE I.

The present convention shall be applicable, outside of the territorial waters, to all legally established submarine cables landed in the territories, colonies, or possessions of one or more of the high contracting parties.

#### ARTICLE II.

The breaking or injury of a submarine cable, done willfully or through culpable negligence, and resulting in the total or partial interruption or embarrassment of telegraphic communication, shall be a punishable offense, but the punishment inflicted shall be no bar to a civil action for damages.

This provision shall not apply to ruptures or injuries when the parties guilty thereof have become so simply with the legitimate object of saving their lives or their vessels, after having taken all necessary precautions to avoid such ruptures or injuries.

#### ARTICLE III.

The high contracting parties agree to insist, as far as possible, when they shall authorize the landing of a submarine cable, upon suitable conditions of safety, both as regards the track of the cable and its dimensions.

#### ARTICLE IV.

The owner of a cable who, by the laying or repairing of that cable, shall cause the breaking or injury of another cable, shall be required to pay the cost of the repairs which such breaking or injury shall have rendered necessary, but such payment shall not bar the enforcement, if there be ground therefor, of Article II of this convention.

#### ARTICLE V.

Vessels engaged in laying or repairing submarine cables must observe the rules concerning signals that have been or shall be adopted, by common consent, by the high contracting parties, with a view to preventing collisions at sea.

When a vessel engaged in repairing a cable carries the said signals, other vessels that see or are able to see those signals shall withdraw or keep at a distance of at least one nautical mile from such vessel, in order not to interfere with its operations.

Fishing gear and nets shall be kept at the same distance. Nevertheless a period of twenty-four hours at most shall be allowed to fishing vessels that perceive or are able to perceive a telegraph ship carrying the said signals, in order that they may be enabled to obey the notice thus given, and no obstacle shall be placed in the way of their operations during such period.

The operations of telegraph ships shall be finished as speedily as possible.

#### ARTICLE VI.

Vessels that see or are able to see buoys designed to show the position of cables when the latter are being laid out of order, or are broken, shall keep at a distance of one quarter of a nautical mile at least from such buoys.

Fishing nets and gear shall be kept at the same distance.

#### ARTICLE VII.

Owners of ships or vessels who can prove that they have sacrificed an anchor, a net, or any other implement used in fishing, in order to avoid injuring a submarine cable, shall be indemnified by the owner of the cable.

In order to be entitled to such indemnity, one must prepare, whenever possible, immediately after the accident, in proof thereof, a statement supported by the testimony of the men belonging to the crew; and the captain of the vessel must, within twenty-four hours after arriving at the first port of temporary entry, make his declaration to the competent authorities. The latter shall give notice thereof to the consular authorities of the nation to which the owner of the cable belongs.

#### ARTICLE VIII.

The courts competent to take cognizance of infractions of this convention shall be those of the country to which the vessel on board of which the infraction has been committed belongs.

It is, moreover, understood that, in cases in which the provision contained in the foregoing paragraph can not be carried out, the repression of violations of this convention shall take place, in each of the contracting States, in the case of its subjects or citizens, in accordance with the general rules of penal competence established by the special laws of those States, or by international treaties.

#### ARTICLE IX.

Prosecutions on account of the infractions contemplated in Articles II, V, and VI of this convention shall be instituted by the State or in its name.

#### ARTICLE X.

Evidence of violations of this convention may be obtained by all methods of securing proof that are allowed by the laws of the country of the court before which a case has been brought.

When the officers commanding the vessels of war or the vessels specially commissioned for that purpose, of one of the high contracting parties, shall have reason to believe that an infraction of the measures provided for by this convention has been committed by a vessel other than a vessel of war, they may require the captain or master to exhibit the official documents furnishing evidence of the nationality of the said vessel. Summary mention of such exhibition shall at once be made on the documents exhibited.

Reports may, moreover, be prepared by the said officers, whatever may be the nationality of the inculpatated vessel. These reports shall be drawn up in the form and in the language in use in the country to which the officer drawing them up belongs; they may be used as evidence in the country in which they shall be invoked, and according to the laws of such country. The accused par-

ties and the witnesses shall have the right to add or to cause to be added thereto, in their own language, any explanations that they may deem proper; these declarations shall be duly signed.

#### ARTICLE XI.

Proceedings and trial in cases of infractions of the provisions of this convention shall always take place as summarily as the laws and regulations in force will permit.

#### ARTICLE XII.

The high contracting parties engage to take or to propose to their respective legislative bodies the measures necessary in order to secure the execution of this convention, and especially in order to cause the punishment, either by fine or imprisonment, or both, of such persons as may violate the provisions of articles II, V, and VI.

#### ARTICLE XIII.

The high contracting parties shall communicate to each other such laws as may already have been or as may hereafter be enacted in their respective countries, relative to the subject of this convention.

#### ARTICLE XIV.

States that have not taken part in this convention shall be allowed to adhere thereto, on their requesting to do so. Notice of such adhesion shall be given, diplomatically, to the Government of the French Republic, and by the latter to the other signatory governments.

#### ARTICLE XV.

It is understood that the stipulations of this convention shall in no wise affect the liberty of action of belligerents.

#### ARTICLE XVI.

This convention shall take effect on such day as shall be agreed upon by the high contracting parties.

It shall remain in force for five years from that day, and, in case none of the high contracting parties shall have given notice, twelve months previously to the expiration of the said period of five years, of its intention to cause its effects to cease, it shall continue in force for one year, and so on from year to year.

In case one of the signatory powers shall give notice of its desire for the cessation of the effects of the convention, such notice shall be effective as regards that power only.

#### ARTICLE XVII.

This convention shall be ratified; its ratifications shall be exchanged at Paris as speedily as possible, and within one year at the latest.

In testimony whereof the respective plenipotentiaries have signed it, and have thereunto affixed their seals.

Done in twenty-six copies, at Paris, this 14th day of March, 1851.

#### ADDITIONAL ARTICLE.

The stipulations of the convention concluded this day for the protection of submarine cables shall be applicable, according to Article I, to the colonies and possessions of Her Britannic Majesty with the exception of those named below, to wit:

Canada, Newfoundland, The Cape Natal, New South Wales, Victoria, Queensland, Tasmania, South Australia, West Australia, New Zealand. Nevertheless, the stipulations of the said convention shall be applicable to one of the above-named colonies or possessions, if, in their [its?] name, a notification to that effect has been addressed by the representative of Her Britannic Majesty at Paris to the Minister of Foreign Affairs of France.

Each of the above-named colonies or possessions that shall have adhered to the said convention shall have the privilege of withdrawing in the same manner as the contracting powers. In case one of the colonies or possessions in question shall desire to withdraw from the convention, a notification to that effect shall be addressed by Her Britannic Majesty's representative at Paris to the Minister of Foreign Affairs of France.

Mr. DANIEL. Mr. Chairman, this bill is one prepared by the State Department for the purpose of carrying out the convention between the United States Government and certain foreign powers—that is to say, between the United States and the Emperor of Germany, the King of Prussia, and various other sovereigns comprising a long list which it is scarcely necessary now to recapitulate. By that convention it was provided that it should be applicable outside of the territorial waters to all legally established submarine cables landed in the territories, colonies, or possessions of one or more of the high contracting parties.

This bill is simply an undertaking on the part of the United States Government to fulfill its part of that convention by providing penalties for infringement upon or injury done to submarine cables when done by vessels or by persons upon vessels which belong to the United States.

The only suggestion which I would have to make in addition to the report of the committee, and the specifications of the bill which speak for themselves, is the addition at the end of the third section of the words "not exceeding five thousand dollars." This section provides for the punishment of any person who willfully violates the provisions of the act.

It is in the following words:

That any person who shall willfully break or injure, or attempt to break or injure, or who shall in any manner procure, counsel, aid, abet, or be necessary to such breaking or injury, or attempt to break or injure, a submarine cable, in such manner as to interrupt or obstruct, in whole or in part, telegraphic communication, shall be guilty of a misdemeanor, and, on conviction thereof, shall be liable to imprisonment for a term not exceeding two years, and to a fine, either in lieu of or in addition to such imprisonment, not exceeding \$5,000.

Now, in the bill which was offered to the House I do not see that there is any limitation upon the fine which is to be assessed against the person thus guilty, whereas in the report of the committee in the printed bill these words appear. I presume, therefore, that by some clerical error it was omitted in the text of the bill as originally reported, and I move at the end of the third section to add the words, "not exceeding five thousand dollars."

The SPEAKER. The Clerk will report the amendment proposed by the gentleman from Virginia.

The Clerk read as follows:

At the end of section 3 add, "not exceeding \$5,000."

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed. Mr. DANIEL moved to reconsider the vote by which the bill was passed, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

#### AMERICAN FISHERIES.

The SPEAKER laid before the House the following message from the President of the United States; which was read, and, with the accompanying documents, referred to the Committee on Foreign Affairs, and ordered to be printed:

To the House of Representatives of the United States:

I transmit herewith, in response to a resolution of the House of the 21st ultimo, a report of the Secretary of State, with accompanying copies of correspondence between the Governments of the United States and Great Britain concerning the rights of American fishermen in the waters of British North America, supplemental to the correspondence already communicated to Congress with my message of December 8, 1886.

GROVER CLEVELAND.

EXECUTIVE MANSION, February 8, 1887.

#### MESSAGE FROM THE PRESIDENT.

A message in writing from the President of the United States was communicated to the House by Mr. PRUDEN, one of his secretaries, who also announced that the President had approved bills of the following titles:

- An act (H. R. 8310) granting a pension to Cyra L. Weston;
- An act (H. R. 929) granting a pension to G. W. Fraley;
- An act (H. R. 6819) granting a pension to William Conner;
- An act (H. R. 5599) granting a pension to Joshua L. Morris;
- An act (H. R. 8827) granting a pension to John Buchanan; and
- An act (H. R. 8180) to increase the pension of Charles Hahneman.

#### COMMERCIAL RELATIONS BETWEEN AMERICAN COUNTRIES.

Mr. MCCREARY. I call up for consideration the bill (H. R. 7831) authorizing the President of the United States to arrange a conference for the purpose of promoting arbitration and encouraging reciprocal commercial relations between the United States of America and the Republics of Mexico, Central and South America, and the Empire of Brazil.

Mr. MILLS. I reserve points of order on that bill.

The SPEAKER. The bill is in the Committee of the Whole House on the state of the Union.

Mr. MCCREARY. I move that the House resolve itself into Committee of the Whole House on the state of the Union for the consideration of this bill.

The motion was agreed to.

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

The CHAIRMAN. The House is in Committee of the Whole for the purpose of considering the bill, which the Clerk will read.

The Clerk read as follows:

*Be it enacted, &c.,* That the President of the United States be, and he is hereby, requested and authorized to invite the several governments of the Republics of Mexico, Central and South America, and the Empire of Brazil to join the United States in a conference to be held at Washington, in the United States, for the purpose of discussing and recommending for adoption to their respective governments some plan of arbitration for the settlement of disagreements and disputes that may hereafter arise between them, and for considering questions relating to the improvement of business intercourse between said countries, and to encourage such reciprocal commercial relations as will be beneficial to all and secure more extensive markets for the products of each of said countries. The President of the United States shall appoint three commissioners who shall attend said conference on behalf of the United States, and shall report the proceedings thereof to the President, who shall transmit the same to Congress; and the sum of \$20,000, or so much thereof as shall be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, to pay said compensation and the reasonable expenses of the conference, to be approved by the Secretary of State.

Mr. MCCREARY. Mr. Chairman, I had the honor to introduce the bill just read. Encouragement of commerce and promotion of arbitration should be interesting to all.

The object of the bill under consideration is to authorize the President of the United States to invite the several Governments of the Republics of Mexico and of Central and South America and the Empire of Brazil to join the United States in a conference to be held at Washington, in the United States, for the purpose of encouraging reciprocal commercial relations between our country and the countries named, and also to discuss and recommend to the respective governments some plan of arbitration for international disagreements.

Our Republic is at peace with all the world. Its situation, its population, its wealth, its achievements, and its possibilities are such as to justify it in assuming to be one of the leading powers of the world, and certainly the leading republic of this continent. Following its example, the Republics of Mexico and Central and South America threw off the yoke of foreign domination and have established independent, popular governments, fashioned in many respects like ours. In all of the western hemisphere there is no place so appropriate for the delegates from the three Americas to assemble as here at the capital of our great Republic.

De Motte; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 2109) for the relief of J. C. Berry; which was read twice by its title, and referred to the Committee on Pensions.

Mr. VOORHEES (by request) introduced a bill (S. 2110) granting the right of way for the construction of a railroad through the Hot Springs reservation, State of Arkansas; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. BLAIR introduced a bill (S. 2111) for the relief of Mrs. Sarah L. Brookfield, widow of the late Lieutenant Brookfield; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. PLATT introduced a bill (S. 2112) for the erection of a public building at Danbury, Conn.; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

He also (by request) introduced a bill (S. 2113) relieving municipalities in the Territories in certain cases; which was read twice by its title, and referred to the Committee on Territories.

He also (by request) introduced a bill (S. 2114) changing the name of the Real Estate Title Insurance Company of the District of Columbia, and for other purposes; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HALE introduced a bill (S. 2115) to provide for the construction of a public building at the city of Saco, State of Maine; which was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

Mr. MANDERSON introduced a bill (S. 2116) to provide aid to State Homes for the support of disabled soldiers and sailors of the United States and their widows and orphans; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 2117) granting a pension to Ellen Miller; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. WILSON, of Iowa, introduced a bill (S. 2118) granting a pension to Richard H. Van Dorin; which was read twice by its title, and referred to the Committee on Pensions.

Mr. MITCHELL introduced a bill (S. 2119) making appropriation for the protection and preservation of the left bank of the Skagit River at Mount Vernon, Skagit County, Washington Territory; which was read twice by its title, and referred to the Committee on Commerce.

Mr. SPOONER introduced a bill (S. 2120) granting a pension to Stauley G. Bowron; which was read twice by its title, and referred to the Committee on Pensions.

#### MARITIME CANAL COMPANY OF NICARAGUA.

Mr. EDMUNDS. I wish to ask the unanimous consent of the Senate to take up at this time for consideration, and I hope for passage, as it ought not to take more than a very few moments, the bill (S. 1305) to incorporate the Maritime Canal Company of Nicaragua. Why I ask this indulgence of the Senate is because I expect to be compelled to be absent from the Senate during the most of next week, and possibly a part of the week after. I am not often in a condition to feel obliged to trespass upon the indulgence of the Senate, but as the matter is one of great national importance, and is in my charge, I feel it a duty to ask the Senate to do me the favor to take up the bill now in order that it may be considered.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. VEST. Would it suit the convenience of the Senator from Vermont to let the bill go over until to-morrow? I see that the Senator from Massachusetts [Mr. HOAR] is not in his seat.

Mr. EDMUNDS. The Senator from Massachusetts is near. He was here a moment ago.

Mr. VEST. I do not see him.

Mr. EDMUNDS. He is in.

Mr. VEST. To tell the truth, I have not had time to examine the bill, and I should like to look into it, if it would suit the Senator's convenience to let it go over until to-morrow.

Mr. EDMUNDS. If we are to sit to-morrow it would be just as convenient to me, but I am a little afraid we have gotten into a habit of adjourning over.

Mr. VEST. I do not think we shall adjourn over from to-day.

Mr. EDMUNDS. Out of deference to my friend from Missouri I will wait until to-morrow, when I shall ask the indulgence of the Senate to take up the bill and consider it.

#### FORFEITURE OF UNEARNED RAILROAD LANDS.

Mr. PLUMB. I desire to give notice that on Monday next, at the conclusion of the formal morning business, I shall ask the Senate to proceed to the consideration of Senate bill 1430, reported from the Committee on Public Lands, to forfeit certain lands heretofore granted for the purpose of aiding in the construction of railroads, and for other purposes.

#### PRINTING OF REPORTS, ETC.

Mr. DOLPH. On the 1st instant I reported from the Committee on

Foreign Relations executive resolution No. 1, calling for copies of the correspondence concerning the ratification of the treaty with the Hawaiian Islands, with a written report, and upon my motion the injunction of secrecy was removed from the resolution and report. The intention was to have the report printed, but either by my mistake or some inadvertence it was not so ordered. I ask now that the report be printed.

The PRESIDENT *pro tempore*. That order will be made, if there be no objection.

Mr. HALE. There are on the Calendar two matters from the Secretary of the Treasury in response to inquiries by the Senate; and I ask to call them up in order that they may be printed.

The PRESIDENT *pro tempore*. The order to print can be entered without further formal action, and will be made if there be no objection.

#### PROTECTION OF SUBMARINE CABLES.

Mr. DOLPH. I ask the Senate at this time to take up the bill (S. 1900) to carry into effect the international convention of the 13th of March, 1884, for the protection of submarine cables.

The PRESIDENT *pro tempore*. The Senator from Oregon moves that the Senate proceed to the consideration of the bill indicated by him.

Mr. BECK. I wish to inquire whether the Calendar will not be in order unless it be set aside by calling up special bills.

The PRESIDENT *pro tempore*. The Calendar is in order after the conclusion of formal morning business under what is commonly known as the Anthony rule, or Rule VIII; that is, bills to be called subject to objection, and open to debate by each Senator for five minutes only. But the Chair holds that under the uniform practice of the Senate a motion to proceed to the consideration of any other subject on the Calendar would be a setting aside of that order.

Mr. BECK. So I understand; I have, perhaps, no objection to the bill the Senator from Oregon now wishes to call up, but before hearing the bill I desire again to make an effort to go to the Calendar, hoping that the Senate will proceed regularly with the Calendar instead of taking up special business. I do not make this request because I have any objection to this bill, or any other bill, but I desire to go to the Calendar regularly, if the Senate will do so.

Mr. DOLPH. The Senator will have no objection to the bill when stated, if I can get an opportunity to state what it is and the necessity for it. It is a matter of public interest.

The PRESIDENT *pro tempore*. The title of the bill, the consideration of which has been moved by the Senator from Oregon, will be stated.

The CHIEF CLERK. A bill (S. 1900) to carry into effect the international convention of the 14th of March, 1884, for the protection of submarine cables.

Mr. DOLPH. I ask that the communications which I send to the desk, which are very short, be read at this time, and I will add nothing to what they contain.

The PRESIDENT *pro tempore*. Debate is not in order. The first question is whether the Senate will proceed to the consideration of the bill. [Putting the question.] The ayes appear to have it. The ayes have it, and the bill is before the Senate as in Committee of the Whole.

Mr. BECK. I call for the yeas and nays. I thought the yeas had it by the sound.

The PRESIDENT *pro tempore*. The Senator from Kentucky asks that on the question of proceeding to the consideration of this bill, the yeas and nays may be entered on the Journal.

The yeas and nays were ordered.

Mr. DOLPH. I ask permission to occupy just a moment before the vote is taken.

The PRESIDENT *pro tempore*. Debate is not in order except by unanimous consent. Is there objection to the Senator from Oregon proceeding to debate?

Mr. BECK. I have no objection to this bill, but I object to anything which stands in the way of the Calendar.

Mr. HARRIS. I wish to state to the Senator from Kentucky, if I can have permission, that I remember to have heard a statement from the Senator from Oregon which seems to me to make this particular bill a very exceptional case as a question of time, and I think perhaps it would be well for us to hear the Senator from Oregon.

Mr. BECK. All right, then. My whole object is to get to the Calendar. If this is an exceptional case, let it go; I withdraw all objection.

Mr. DOLPH. This is a public matter in which I have no more interest than the Senator from Kentucky.

The PRESIDENT *pro tempore*. If there be no objection the ordering of the yeas and nays will be reconsidered, and the bill is before the Senate as in the Committee of the Whole, and will be read at length.

The Chief Clerk read the bill, which had been reported from the Committee on Foreign Relations with amendments.

The first amendment was, in section 1, line 3, after the word "willfully" to insert the words "and wrongfully," so as to read:

That any person who shall willfully and wrongfully break or injure, or attempt to break or injure, or who shall in any manner procure, counsel, aid, abet or be accessory to such breaking or injury, or attempt to break or injure, a submarine cable in such manner as to interrupt or embarrass, in whole or in part, telegraphic communication, shall be guilty of a misdemeanor, and, on conviction,

tion thereof, shall be liable to imprisonment for a term not exceeding two years, or to a fine not exceeding \$5,000, or to both fine and imprisonment, at the discretion of the court.

The amendment was agreed to.

The next amendment was to strike out section 12, in the following words:

Sec. 12. That any document drawn up in pursuance of article 7 or article 10 of the convention shall be admissible in any proceeding, civil or criminal, as *prima facie* evidence of the facts or matters stated therein.

The amendment was agreed to.

The next amendment was to strike out section 13, as follows:

Sec. 13. That the district courts of the United States shall have jurisdiction of all suits of a civil nature arising under this act; and from all decrees or judgments in such suits, where the matter in dispute exceeds the sum of \$50, exclusive of costs, an appeal or writ of error shall be allowed as now provided by law in case of decrees and judgments of said courts.

The amendment was agreed to.

The next amendment was in section [15] 13, line 1, before the word "courts," to insert the word "district;" in line 3, before the word "civil," to insert "suits of a," and after the word "civil," to strike out the word "actions" and insert "nature;" so as to read:

That the district courts of the United States shall have jurisdiction over all offenses against this act and of all suits of a civil nature arising thereunder, whether the infraction complained of shall have been committed within the territorial waters of the United States or outside of the said waters.

The amendment was agreed to.

The next amendment was, in section [15] 13, line 6, after the word "that," to insert "in case such infraction is committed outside of the territorial waters of the United States," and in line 8, after the word "which," to strike out the words "the infraction" and insert the word "it;" so as to read:

Provided, That in case such infraction is committed outside of the territorial waters of the United States, the vessel on board of which it has been committed is a vessel of the United States.

The amendment was agreed to.

The next amendment was to add to section [15] 13 the following words:

From the decrees and judgments of the district courts in actions and suits arising under this act appeals and writs of error shall be allowed as now provided by law in other cases. Criminal actions and proceedings for a violation of the provisions of this act shall be commenced and prosecuted in the district court for the district within which the offense was committed, and when not committed within any judicial district, then in the district court for the district within which the offender may be found; and suits of a civil nature may be commenced in the district court for any district within which the defendant may be found and shall be served with process.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The Senator from Oregon sent certain papers forward which he desired to have read.

Mr. DOLPH. They only refer to the urgency of legislation.

The PRESIDENT *pro tempore*. Does the Senator desire to have them read?

Mr. DOLPH. I do not care to have them read now.

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.

#### HOUSE BILL REFERRED.

The bill (H. R. 6364) to provide for the sale of land allotted and patented to certain members of the Black Bob band of Shawnee Indians, and for other purposes, was read twice by its title, and referred to the Committee on Indian Affairs.

#### URGENT DEFICIENCY BILL.

Mr. VOORHEES. I notice that the bill passed by the House of Representatives, known as the urgent deficiency bill, is before us, and I would ask the Senator from Iowa when he expects to be able to consider it in the Senate.

Mr. ALLISON. I will say to the Senator from Indiana that I hope early next week that bill will be reported from the Committee on Appropriations.

Mr. VOORHEES. The Senator from Iowa is more conversant with the details of the bill than I am, and I should like to inquire whether it embraces any of the accounts audited and adjusted by the accounting officers or the judgments of the Court of Claims since January 15.

Mr. ALLISON. I believe the bill, as it came from the House of Representatives, includes these accounts up to January 18, not since.

Mr. VOORHEES. I was desired to call the attention of the chairman of the Committee on Appropriations of the Senate to the fact that since that time there have been quite a number of accounts audited and adjusted by the Treasury Department, and likewise some judgments rendered by the Court of Claims that are just as meritorious and stand upon the same footing with those already in the bill. I would be glad if they should be embraced in this bill along with others of the same class. There is no reason why they should not be; and where debts are honest the sooner they are paid the better. If they are not embraced in this bill the parties interested will have to wait a long time, probably. I desire to call the attention of the chairman of the Committee on Appropriations to that point.

Mr. ALLISON. I will say to the Senator that the committee will

ask for a list of those claims that they may be embodied, if the committee concludes to insert them.

Mr. VOORHEES. That is satisfactory.

#### ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The morning business being concluded, the first case on the Calendar under Rule VIII will be stated.

The bill (S. 419) to enable the State of California to take lands in lieu of the sixteenth and thirty-sixth sections found to be mineral lands was announced as first in order.

Mr. MORRILL. I desire to move to take up a bill about which there is a pressing necessity that action should be had early. It is a bill that has passed the House of Representatives for a site and building for the Signal Office. It is Order of Business 399, House bill 4359.

#### SIGNAL OFFICE BUILDING.

The PRESIDENT *pro tempore*. The Senator from Vermont moves that the Senate proceed to the consideration of the bill (H. R. 4359) for the purchase of a site, including the building thereon, also for the creation of the necessary store-houses, for the use of the office of the Chief Signal Officer of the Army, at the city of Washington, D. C.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported from the Committee on Public Buildings and Grounds with amendments.

The first amendment was, in line 9, to strike out the name "Ferguson" and insert "Fergusson;" so as to read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to purchase or otherwise provide a site containing about 54,000 square feet of ground, and the building thereon, on the northeast quarter of square numbered 25, corner of Twenty-fourth and M streets northwest, Washington, D. C., belonging to David Fergusson, for the use of the Signal Bureau of the War Department, and cause to be erected on such portion of the site as is not now occupied by buildings substantial and commodious buildings, with fire-proof vaults, for use as store-houses for the accommodation of the office of the Chief Signal Officer of the Army, and for other Government uses, at Washington, D. C.

The amendment was agreed to.

Mr. HALE. I noticed in the reading of the bill that the word "Mr." appears before the name of "Fergusson." I have never known that to be done.

Mr. MORRILL. That should have been amended. It was amended in line 9, and it ought to be amended by inserting, instead of "Mr.," in line 21, the name "David."

Mr. HALE. Yes, David. Now let us see how it will read.

The PRESIDENT *pro tempore*. That part will be read.

The CHIEF CLERK. The next amendment of the Committee on Public Buildings and Grounds is, in line 21, to strike out "Mr. Ferguson," and insert "David Fergusson;" so as to read:

Provided, That not more than \$112,000 be paid to David Fergusson for the property herein referred to; nor shall any site be purchased until estimates for the erection or purchase of a building, including the necessary store-houses, which will furnish sufficient accommodation for the transaction of the public business, and which shall not exceed in cost the balance of the sum herein limited after the site shall have been purchased and paid for, shall have been approved by the Secretary of the Treasury.

The amendment was agreed to.

The next amendment of the Committee on Public Buildings and Grounds was, in line 34, after the word "feet," to insert "except Government buildings;" so as to read:

And no site nor plans for said building or buildings shall be approved by the Secretary of the Treasury involving an expenditure exceeding the sum of \$150,000 for site and building; and the site purchased shall leave the building unexposed to danger from fire by a space of at least 50 feet, except Government buildings, including streets and alleys.

The amendment was agreed to.

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

The amendments were ordered to be engrossed, and the bill read a third time.

Mr. BECK. I think I am in favor of the bill, but I should like to ask if there is a report in regard to it.

Mr. MORRILL. There is a full report.

Mr. BECK. Is that the block of land near the Columbia Hospital?

Mr. MORRILL. Next to it; a large lot of land with an extensive building constructed in the most substantial manner.

Mr. BECK. The same proposition that the Committee on Appropriations last year recommended?

Mr. HALE. The same proposition put on the appropriation bill last year by the Senate, but struck out in conference.

Mr. BECK. Then it is all right as far as I know.

The bill was read the third time, and passed.

#### CALIFORNIA SCHOOL LANDS.

The PRESIDENT *pro tempore*. The reading of the first bill on the Calendar under Rule VIII was interrupted by the motion of the Senator from Vermont [Mr. MORRILL]. It will be resumed.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 419) to enable the State of California to take lands in lieu of the sixteenth and thirty-sixth sections found to be mineral lands.

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