

done nothing, which has built no factories; no villages or towns have grown up. We have not the stipulations here to which the Senator from New Hampshire refers, but if we were to examine them, if they exist anywhere, I have no doubt we would find that they are subject to conditions with reference to the company's putting into force the grants that were given under certain limitations and within certain times, and that they all lapsed and became void unless they were put in force. I do not believe there is anything to-day that will stand, by stipulation or agreement or by statute, which for a moment interferes with the right of the Government to take the water for public uses.

Mr. GORMAN. I should like very much to dispose of the pending amendment, and then I shall make another motion. If it is entirely agreeable all around I will agree to move to strike out the following words, commencing in line 23:

And the cost that would be entailed upon the Chesapeake and Ohio Canal in raising its banks by reason of such increased height of dam.

We will let the matter stand for examination, and then the question of damages can be taken up hereafter. If that is agreeable to the Senator from New Hampshire, and if he will withdraw his amendment, I will move to strike out those words. The question of damages can come up hereafter and we will get the report. I am anxious to get the amendment through, and then I shall give way to one or two Senators.

Mr. CHANDLER. The Senator from Maryland will move to strike out the words "and the cost that would be entailed upon the Chesapeake and Ohio Canal in raising its banks by reason of such increased height of dam?"

Mr. GORMAN. I will move to strike out those words, if the Senator from New Hampshire will withdraw his amendment, and leave the whole question of damages to be determined hereafter.

Mr. CHANDLER. I am not understood by consenting to that arrangement as agreeing to the recent very unsound propositions of law of the Senator from Maine [Mr. HALE].

Mr. GORMAN. From my knowledge of the Senator from New Hampshire I have no idea he will agree with the Senator from Maine.

Mr. HALE. We do not expect the Senator from New Hampshire to agree with anybody or anything.

Mr. GORMAN. I am happy to say that as to the Senator from New Hampshire and myself we are very near together on the proposition involved here.

Mr. CHANDLER. The trouble with me was that when it became necessary for the Senator from Maine to have some facts he imagined those facts to exist, and of course I could not continue my argument any longer against the Senator's imagination. The facts, however, are otherwise.

Mr. GORMAN. I move to amend the amendment by striking out in line 23, page 23, after the word "Falls"—

and the cost that would be entailed upon the Chesapeake and Ohio Canal in raising its banks by reason of such increased height of dam.

The VICE-PRESIDENT. Does the Senator from New Hampshire withdraw his amendment?

Mr. CHANDLER. I do.

Mr. HALE. Let the amendment to the amendment be stated.

The SECRETARY. In line 23, page 23, after the word "Falls," strike out:

and the cost that would be entailed upon the Chesapeake and Ohio Canal in raising its banks by reason of such increased height of dam.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the Senator from Maryland to the amendment of the committee.

The amendment to the amendment was agreed to.

Mr. CHANDLER. I think the criticism of the Senator from Rhode Island [Mr. ALDRICH] is sound; that the amendment does not with sufficient explicitness authorize the money to be expended for testing the tunnel conduit. The Senator from Maryland can look that over.

Mr. GORMAN. I will. It says at a cost "not to exceed \$35,000." That includes the whole cost of examination.

Mr. CHANDLER. It says "connected with the inquiry, tests," etc., but the Senator will find, I think, that the prior authority is not to test, but a report in "the matter of testing."

Mr. GORMAN. It reads "and the necessary costs, not to exceed \$35,000, connected with the inquiry, tests, and report shall be defrayed from the appropriation," and so on.

Mr. CHANDLER. I hope the Senator from Maryland will look at that carefully. The language should be very explicit.

Mr. GORMAN. I will see that that is attended to.

The VICE-PRESIDENT. The question is on agreeing to the amendment of the committee as amended.

The amendment as amended was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. T. O. TOWLES, its Chief Clerk, announced that the House had passed

the bill (S. 2618) for the relief of Grace Roberts, doctor of medicine.

The message also announced that the House had passed a concurrent resolution accepting the invitation of the Secretary of War and providing for a joint special committee to participate in the dedication of the Chickamauga and Chattanooga National Military Park on September 19 and 20 next; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the Vice-President:

A bill (S. 143) for the relief of the heirs of D. Fulford; and

A bill (S. 686) to amend an act entitled "An act to divide the judicial district of North Dakota," and to provide for the fees and compensation of officers of the circuit and district courts of the said judicial district.

SAN CARLOS INDIAN RESERVATION—VETO MESSAGE.

The VICE-PRESIDENT laid before the Senate the following message from the President of the United States; which was read: *To the Senate:*

I herewith return without my approval Senate bill No. 2338, entitled "An act granting to the Gila Valley, Globe and Northern Railway Company a right of way through the San Carlos Indian Reservation in the Territory of Arizona."

The reservation through which it is proposed to construct a railroad under the provisions of this bill is inhabited by tribes of Indians which in the past have been most troublesome, and whose depredations on more than one occasion have caused loss of life, destruction of property, and serious alarm to the people of the surrounding country. And their condition as to civilization is not now so far improved as to give assurance that in the future they may not upon occasion make trouble.

The discontent among the Indians which has given rise to disturbances in the past has been largely caused by trespass upon their lands and interference with their rights by the neighboring whites. I am in very great doubt whether in any circumstances a road through their reservation should at this time be permitted, and especially since the route, which is rather indefinitely described in the bill, appears to pass through the richest and most desirable part of their lands. In any event, I am thoroughly convinced that the construction of the road should not be permitted without first obtaining the consent of these Indians. This is a provision which has been insisted upon, so far as I am aware, in all the like bills which have been approved for a long time, and I think it should especially be inserted in this bill if, even upon any conditions, it is thought expedient to permit a railroad to traverse this reservation.

The importance of this consent does not rest solely upon the extent to which the Indians have the right of ownership over this land. The fact that the procurement of this consent is the most effective means of allaying the discontent which might arise and perhaps develop into a train of lamentable and destructive outbreaks of violence particularly emphasizes its importance.

GROVER CLEVELAND.

EXECUTIVE MANSION, February 1, 1895.

The VICE-PRESIDENT. The question is, Shall the bill pass notwithstanding the objections of the President?

Mr. STEWART. I propose to have the message referred to the Committee on Indian Affairs. I have prepared a bill in conformity with the points made in the message, which I should like to introduce and have referred with the message to the Committee on Indian Affairs.

The VICE-PRESIDENT. Without objection, the message will be referred to the Committee on Indian Affairs and printed.

Mr. STEWART introduced a bill (S. 2697) granting to the Gila Valley, Globe and Northern Railway Company a right of way through the San Carlos Indian Reservation, in the Territory of Arizona; which was read twice by its title, and referred to the Committee on Indian Affairs.

DEDICATION OF NATIONAL MILITARY PARK.

The VICE-PRESIDENT laid before the Senate the following concurrent resolution from the House of Representatives; which was read, and, on motion of Mr. BATE, referred to the Committee on Military Affairs:

Resolved by the House of Representatives (the Senate concurring). That the invitation of the honorable Secretary of War be accepted and that a joint special committee of 15 members is hereby created, 9 of whom shall be appointed by the Speaker of the House, and 6 by the Presiding Officer of the Senate, whose duty it shall be to prepare and report to their respective Houses for consideration a plan for the proper participation of Congress in the dedication of the Chickamauga and Chattanooga National Military Park, on September 19 and 20 next.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 8246) for the relief of the First State Bank of Mound City, Ill.; and

A bill (H. R. 8572) for the relief of Glenmore Distilling Company, of Daviess County, Ky.

The bill (H. R. 8635) to regulate navigation on the Great Lakes and their connecting and tributary waters, was read twice by its title and referred to the Committee on Commerce.

MISSISSIPPI INSTITUTE FOR GIRLS.

Mr. McLAURIN. I ask unanimous consent to call up the bill (S. 2463) to grant a township of land to the State of Mississippi for the use of an institute or college for girls.