SPOONER BILL IN SENATE.

DEFEATED IN ORDER AS PART OF ARMY BILL BY A VOTE OF 39 TO 32.

Democrats Oppose It on the Ground That It Is General Legislation on an Appropriation Bill and Because It Confers on the President Authority Over the Philippine Islands That Rightfully Belongs to the Congress.

WASHINGTON, Feb. 25.—The Army appropriation bill was taken up in the Senate to-day, and Mr. Pettus (Dem., Ala.) made the point of order that the Spooner amendment as to the government of the Philippine Islands was not in order, it being general legislation on an appropriation bill. But the presiding officer, Mr. Frye, declined to rule upon the point of order until the amendment was reached. When the amendment was reached the presiding officer said that he would submit the question to the Senate for its decision. He did so, and the amendment was decided to be in order, yeas 39, nays 32, a strict party vote, the Republicans in the affirmative and the Democrats and Messrs. Allen, Butler, Butler, Pettigrew and Teller in the negative. Mr. Hoar (Rep., Mass.) did not vote.

Mr. Teller moved to amend the amendment by adding to it the words:

"Provided, that no judgment, order, or act by any of the said officials so appointed shall conflict with the Constitution and laws of the United States."

Mr. Spooner opposed Mr. Teller's amendment as unnecessary, inasmuch as the Democratic doctrine was that the Constitution extended to the Philippine Islands of proprio vigore.

Mr. Teller expressed his astonishment at Mr. Spooner referring to that as Democratic doctrine, when it had been declared by such eminent Republican statesmen as ex-Senator Edmunds, ex-President Harrison, ex-Senator Rockwell, ex-Senator Hagerman and others. As to waiting for the decision of the Supreme Court on the subject, Mr. Teller said that he would be a bold man in view of former decisions, who would say what that decision would be. But it was important, and since how such rumors started to reach Rome, an authoritative statement that the Supreme Court proposed not to decide that question at all.

Mr. Spooner said that he had heard no such rumors, and that if he had heard them he would have treated them as idle tales. But in the course of a long argument on the subject Mr. Spooner asserted that Congress had never legislated for the Territories of the ungrouped territory, and that if there was any doubt as to where the jurisdiction lay it was in the case of the Philippine Islands.

Mr. Daniel (Dem., Va.) expressed his regret that Senators should be called upon to discuss on an appropriation bill a question that should go to the root of our entire polity. He went on to make a legal and constitutional argument against the Spooner amendment and asserted that Congress could not throw upon the Supreme Court of any other tribunal the responsibilities resting upon Congress (Sen.).

Mr. Caffery (Dem., La.) argued against the Spooner amendment as a case designed to the President of the United States between chosen people, with authority to make laws in the Philippines Islands, leaving the President a virtual Czar, unchecked and uncontrolled by the superior power of Congress.

Referring to the proposed sale of the public lands of the Philippine Islands Mr. Caffery was asked by Mr. Hoar whether one of the chief purposes of the legislation was not to have them sold before the people of the Philippine Islands had any chance whatever to have a voice in the matter of the sale.

"Precisely so," Mr. Caffery replied.

"And if the people ever come into possession of their own," Mr. Hoar added, "they will discover that they have no public lands or any other public franchises. They will have been all alienated."

Mr. Rawlins (Dem., Utah) opposed the Spooner amendment as being "only in the interest of a band of public plunderers and thieves."

The following notices of amendments to the Spooner amendment were given:

By Mr. Bacon (Dem., Ga.), requiring all grants of franchises and concessions to be reported to Congress, which reserves the power to annul and modify them.

By Mr. Pettus (Dem., Ala.), requiring the persons in whom power is vested in the Philippines Islands to take the oath to support the Constitution of the United States.

By Mr. Hoar (Rep., Mass.), that no sale or lease shall be made or franchise granted that is not approved by the President of the United States, and is not in his judgment clearly necessary.

Mr. Morgan (Dem., Ala.) spoke of the pending proposition as the most portentous and dangerous movement that had taken place in this country since the Civil War. He condemned the action of Republican Senators in putting legislation as to the Philippine Islands and Cuba on an Appropriation bill at the end of the session. He denounced that action as "a despotism of legislation never paralleled in the history of the country." It staked the very existence of the Government, he said, on a single die, and that die was a government for the Philippines, the like of which was never before put upon the statute book. "With whom," he asked, "are we dealing in the Philippines? We are dealing with citizens of the United States—some of them being in insurrection. They are just as much citizens of the United States as I am, every one of them. That is the law of this land and has been since 1808."

Mr. Morgan paid a high compliment to the Taft Commission, saying that he had not heard of a more successful government in any Territory of the United States, not even excepting L——, one of the best governments in the world. Why then, he asked, should any change be made? Why should any further power be given to the President unless it were for the purpose of his doing something which he wanted to do, or which he was expected to do.

Mr. Morgan was still speaking when, at 5:30, a recess till 8 o'clock was announced.

NIGHT SESSION.

There was a fairly full attendance of Senators when the night session opened, and a large crowd of spectators filled the public galleries. After the transaction of some unimportant business the Army Appropriation bill was taken up, and Mr. Morgan (Dem., Ala.) continued his argument against the Spooner amendment, empowering the President to establish a civil government in the Philippine Islands. He denounced it as an abdication of power by Congress and a turning over to the executive branch of the Government of complete and final authority over the Philippines. It was such a transfer of power as the British Parliament would never dream of conferring upon King Edward. The hazard and rashness of such a proceeding had never been equalled in a country having a parliamentary government.

What, he asked, had the Republican party come to when it was willing that the 83,000,000 acres of crown lands in the Philippine Islands were to go into the hands of great corporations and trusts, reserving not a homestead? Under this bill, he said, this vast area was to be sold, not in 160-acre lots to the heads of families, but in millions of acres to trusts and corporations. That was the motive of the bill. That great and curious political phrase, "gobble," applied to it, and it applied also to the mines, the forests and the fisheries, all of enormous value. That was what Senators were bequeathing to-night to these poor people.

Mr. Allen (Pop., Neb.) asked Mr. Morgan how the difficulty could be met.

"There is but one tribunal," Mr. Morgan replied, "where it can be met, and I am getting shaky about that—it is the Supreme Court of the United States."

"Do you mean to say," Mr. Allen asked, "that the Supreme Court will override the Constitution of the United States?"

"No, sir," Mr. Morgan replied. "It never overrides it; it always digs under it."

Mr. Morgan argued at much length that the Spooner amendment violated the Constitution in blending the executive, judicial and legislative powers in the hands of one man, the President of the United States. That was a grave and irremediable violation of the Constitution.

After speaking for two hours Mr. Morgan said he would to-morrow take up the question of delegated power and endeavor to show that Congress has no constitutional right to abdicate its powers in favor of the President, or anybody else. After that he would take up the Cuban question.

A motion to adjourn was made by Mr. Pettus (Dem., Ala.) and was defeated, 6 to 43.

Mr. Morgan consumed of the vote of the Republican Senators against adjournment "for the purpose of wearing out an old man who was speaking for his country, in the midnight hour, after days and weeks wasted by the Senate in idleness."

"Here," he added, "comes at this late hour, after an exhausting day's labor, begging at my feet, as an omen that I shall prevail, and I say to you that I shall rather leave it a dishonored man than to desert it a coward. I feel that I should abandon the plainest duty if I should skulk out of this debate because of my age or because of the lateness of the hour."

Mr. Morgan then went on with his argument, reading from decisions of courts and commenting upon them, showing not the slightest evidence of fatigue, but apparently good for a speech of long duration.

He dwelt at some length on the fact that the Governor, Judges and all other officers of the Philippine Government were to be appointed by the President without any regard "to the advice and consent of the Senate," which is required by the Constitution, and he called the attention of Senators to that surrender of their most important function.

At twenty minutes past 11 Mr. Morgan yielded to Mr. Spooner for a motion to adjourn, and the House then adjourned with Mr. Morgan still entitled to the floor.

TO NEW WARSHIPS.

House Concurs With Senate in Striking Out Item for Barrackships and Cruisers.

WASHINGTON, Feb. 25.—In the House to-day the conference report on the Naval Appropriation bill was presented and adopted.

Mr. Bland (Dem., Tenn.) moved concurrence in the Senate amendments striking out the authorization of two new battleships and two armored cruisers and providing the preparation records of plans for those vessels.

In the debate which followed Mr. Cannon (Rep., Ill.) appealed to the judgment and patriotism of his hearers to unite with the Senate in postponing construction of the ships. When they were built, in his opinion, they would be the best in earth, save only that of Great Britain. And we need not fear that for Canada, with its 1,000 miles of border shutting on the United States, is a hostage in that regard. Shipyards competent to build these ships, Mr. Cannon continued, were full of work, so that on all accounts there was everything to gain and nothing to lose by postponing construction for twelve months.

Mr. Darlton (Rep., W. Va.) denied that the shipyards were full of work and presented telegrams from officers to that effect, one of them saying he could upon notice build the four ships provided for in the bill. Another officer said that he was building the five naval ships as the Cuban States, and the present construction which Mr. Cannon said was in progress represented the expenditure of several years, had up to this time gone while it remained for the creation of ships.

The motion to concur and concur was agreed to, and to put a further embargo upon the expenditure of appropriations was adopted.

The conference report upon the bill authorizing the establishment of a commission to hear and determine claims growing out of the Spanish war as provided in the Treaty of Paris was reported. The changes made by the conference provide for five Commissioners instead of three, permit the appointment of a secretary who does not under-stand the Spanish language, limit the time for the presentation of claims to three months from the date of the organization of the Commission, and provide that the Commission shall report to the President instead of to the Secretary of War. After a long debate the report was adopted, the vote being 39 to 31.

Mr. Sullivan (Dem., Miss.) then moved that the conference report on the Fortifications Appropriation bill be agreed and conference asked.

Mr. Hale (Rep., Me.), chairman of the Committee on Appropriations, Pendleton presented the conference report, which proposed to return to the House two private pension bills.

Mr. Fleming (Dem., Ga.) said he would like to know what the defect in those bills.

Mr. Sullivan: There is no defect; the officers are dead.

A number of bills affecting matters of local interest to Washington were passed. One of them authorizes not more than four burials a year in the grounds of the Protestant Episcopal School on the lands beneath the cathedral, to be constructed on the same grounds in the northwest part of the city. It was said that it was the intention and desire of the authorities of the institution to establish a sort of Westminster Abbey, in which the remains of the dead, who may be distinguished in church history. The House adjourned until to-morrow.

SENATE'S ROUTINE WORK.

Conferences Ordered on Appropriation Bills Pension Investigation Ordered.

WASHINGTON, Feb. 25.—In the Senate this morning a conference was ordered on the Post Office Appropriation bill, and Senators Wolcott, Chandler and Butler were appointed conferees.

A conference was also ordered on the Diplomatic and Consular Appropriation bill, and Senators Hale, Cullom and Teller appointed conferees.

House bill to relieve the estates of William B. Moses and L. H. Rogers from liability for $13,476, as sureties for Capt. Howgate, a defaulter to the Government, was passed without amendment, also House bill to create a new judicial district in Pennsylvania, to be called the Middle District, court to be held in Scranton, also Senate bill to create the Eastern Division of the Northern Federal Judicial District of Georgia, court to be held in Athens.

A resolution was reported and agreed to, instructing the Committee on Pensions to examine carefully, during the recess of Congress, all general and special laws giving pensions, and to pursue such other inquiry on the general subject as may be deemed advisable.

Mr. Morgan (Dem., Ala.) offered a resolution, which went over under the rule, declaring the Nicaragua Canal bill entitled to privileges as a special order.

House bill to amend the act of April 12, 1900, providing a temporary civil government for Porto Rico and to increase the salary of the Commissioner of Education, was taken up, with an amendment, in the nature of a substitute. After debate it was passed. It fixes the salary of the Commissioner of Education for Porto Rico at $4,000 and makes provisions as to fees and jurors and witnesses.

SUPREME COURT DECISIONS.

Blythe Case Disposed Of—Massachusetts Habitual Criminal Act Sustained.

WASHINGTON, Feb. 25.—The Supreme Court reassembled to-day after a fortnight's recess and disposed of ten or a dozen cases, but the Porto Rican cases were not among them. Chief Justice Fuller announced that no business would be transacted next Monday, all business assigned for that day going over until Tuesday, that the members of the court might attend the ceremonies of inauguration of the President of the United States.

The case of Roswell M. Blythe vs. Florence Hinckley, from the Supreme Court of California, raised an interesting question, which, however, the court did not directly answer. It was: "In the absence of a treaty between the United States and a foreign country, may a sovereign State of the Union forbid a subject of that country from holding real estate within its limits by inheritance?"

It was urged that the question as raised in the record was frivolous, and Justice Peckham said that the court, taking that view, would affirm the judgment below. This case arose in the seemingly interminable litigation over the estate of Thomas H. Blythe, who died in 1883, leaving an estate of several millions, which ultimately went to his daughter, Florence Hinckley.

A new trial was granted Homer Bird of New Orleans, who killed Robert L. Patterson and J. H. Hurlin, while on a prospecting trip in Alaska, Sept. 27, 1898, for error in the proceedings of the trial resulting in a judgment of death against him.

The "Habitual Criminal act" of Massachusetts was sustained by the Court in the decision upon the appeal of John A. McDonald, who was convicted of forgery under it and sentenced to the penitentiary for twenty-five years. The Court said that opposition to it was based on the assumption that the largely increased penalty for conviction under it was in fact punishment a second time for crime previously committed, but it was really punishment for crime committed since the passage of the act. The punishment was heavier, it was true, than for earlier violations, but there was nothing in it which violated the Constitution of the United States.

Movements of Naval Vessels.

WASHINGTON, Feb. 25.—The cruiser Atlanta has arrived at Montevideo, the station ship Mayflower at San Juan, the gunboats Annapolis and Wompatuck at Port Said, the hospital ship Solace at Mare Island, and the tug Leyden at New York and the collier Leonidas at Port Royal.

The training ship Dixie has sailed from Pensacola for Alexandria, Va., the training ship Adams from San Diego for San Pedro, the training ship Mohongahela from St. Kitts for St. Thomas, the monitor Puritan, convoyed by the tugs Mohawk and Wabneta, from Annapolis for Washington, the flagship Brooklyn from Hong Kong for Cavite, and the tender Tecumseh from Washington for Kettle Bottom Shoals.

The transport Sherman Mohican will leave San Francisco on March 1 for a cruise along the California, Washington, Oregon and Mexican coasts and to the Sandwich Islands.

Nominations by the President.

WASHINGTON, Feb. 25.—The President to-day sent the following nominations to the Senate:

John H. Fosler of Colorado, to be United States Consul at Amoy, China.

Capt. William Crozier, to be professor of natural and experimental philosophy at the Military Academy.

First Sergt. Thomas F. Loudon, Company F, Fortieth Infantry, to be Second Lieutenant.

CUBAN POLICY DEFINED.

AN AMENDMENT TO THE ARMY BILL REPORTED TO THE SENATE.

Provisions That the Government of Cuba Will Be Asked to Embody in a Permanent Treaty With the United States—The Control of the Island to Be Left to the Cubans as Soon as the Provisions Have Been Complied With.

WASHINGTON, Feb. 25.—The subcommittee of the Committee on Foreign Relations, consisting of Senators Platt of Connecticut and Teller, to which was referred the Cuban Relations that have been pending for several months, reported to the Senate to-day with the exception of the amendment, Mr. Platt of Connecticut offered it to the Senate as an amendment to the pending Army Appropriation bill, a resolution setting forth the policy of the United States toward Cuba and setting forth the terms upon which the United States will withdraw its troops from the island. These are substantially the terms of the Platt amendment, which have adopted the declaration as to Cuba, the Platt resolution, the United States will turn Cuba over to the government of its own people, and not until then. The text of the resolution follows:

That in the fulfilment of the declaration contained in the joint resolution approved April 19, 1898, entitled "For the recognition of the independence of the people of Cuba," demanding that the government of Spain relinquish its authority and withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry the resolutions into effect, the President is hereby authorized to leave the government and control of the island of Cuba to the people thereof as soon as a government shall have been established in said island under a constitution which, either as a part thereof or in an ordinance appended thereto, shall define the future relations of the United States with Cuba substantially as follows:

1. That the Government of Cuba shall never enter into any treaty or other compact with any foreign Power or Powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign Power or Powers to obtain lodgment in or control over any portion of said island.

2. That said Government shall not assume or contract any debt, either public or private, unless the revenues of the island, after defraying the current expenses of the government, shall be adequate to pay the interest upon such debt.

3. That the Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence, the maintenance of a government adequate for the protection of life, property and individual liberty, and for discharging the obligations with respect to Cuba imposed by the Treaty of Paris, on the United States, now to be assumed and undertaken by the Government of Cuba.

4. That all acts of the Government of Cuba during its military occupancy thereof, are ratified and validated, and all lawful rights acquired thereunder shall be maintained and protected.

5. That the Government of Cuba will execute, and as far as may be necessary extend, the plans already decided upon or other plans to be mutually agreed upon, for the sanitation of the cities of the island, to the end that a recurrence of epidemic and infectious diseases may be prevented, thereby assuring protection to the people and commerce of Cuba, as well as to the commerce of the southern ports of the United States and the people residing therein.

6. That the Isle of Pines shall be omitted from the proposed constitutional boundaries of Cuba, the title thereto being left to future adjustment by treaty.

7. That to enable the United States to maintain the independence of Cuba, and to protect the people thereof, as well as for its own defense, the Government of Cuba will sell or lease to the United States lands necessary for coaling or naval stations at certain specified points, to be agreed upon with the President of the United States.

8. That by way of further assurance the Government of Cuba will embody the foregoing provisions in a permanent treaty with the United States.

The amendment was referred to the Committee on Military Affairs.

The resolution is the result of consultations with all factions in the Senate and will be adopted with practical unanimity after a brief debate. It makes certain that there will be no extra session of the Fifty-seventh Congress at present, and brings the legislative and executive departments into close accord on the Cuban question.

The terms laid down for acceptance by the Cuban convention are substantially those that were cabled to Gen. Wood by the Secretary of War two weeks ago for his instruction in laying before the Cuban convention the desires and demands of the United States. It is understood that the Constitution proper, already completed, will not be offered for adoption to Washington until the convention has settled the question of the relations between the United States and Cuba in accordance with the terms of the Senate resolution, and that in the meantime the United States will continue to exercise the authority now exercised over the affairs of the island.

President McKinley has for a month past been frank and positive in his statements that if Congress should not enact Cuban legislation providing for carrying out the letter and spirit of the Teller resolution he would call an extra session of Congress as soon as the Constitutional Convention should complete its work. The leaders in both the Senate and House knew that the President meant what he said, and they set themselves to the task of framing legislation that would meet the situation and merit his approval. The Senate Committee finally succeeded in this by appointing a sub-committee, of which Mr. Teller, Silverite, and Mr. Money, Democrat, were members, as well as Platt and Spooner, Republicans, and they finally secured an agreement by including in the resolution provisions that were demanded by all factions in the Senate. The resolution will come up for action as soon as the pending Philippines amendment is disposed of. It will pass the Senate by a very large majority and be included in the Army bill when it goes to conference. There will be no further talk of an extra session, and the President will continue his arrangements for visiting the Pacific Coast and other points during the spring and summer.

Now that the Cuban question is disposed of the legislative programme for the rest of the session can be easily mapped out, and all will be smooth sailing. The pending Army bill has been the only possible stumbling block, because if that should fail an extra session would be necessary. When that bill goes to conference the River and Harbor bill will be brought forward, and it is now thought that it will be passed in the revised shape in which it came from the Senate Commerce Committee, the aggregate amount of appropriations having been materially reduced. The conferees on the War Tax Reduction bill had another protracted session to-day, and the indications are stronger than ever that an agreement will soon be reached and the bill passed in the closing hours of the session. It is probable that while some slight changes may be made, the measure when it becomes a law will be practically as passed by the Senate.

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GOLF.

Mrs. Ogden Rankes Makes a Record at Somerville.

SOMERVILLE, Ga., Feb. 25.—A wonderful performance was the event of last week on the links of the Pine Forest Golf Club, the prize being prize golfer of a tourney. Mrs. Ogden Rankes of Philadelphia, who made the new record for a [illegible] 18 holes, 78, Mrs. J. B. Brown winning the 1st prize. The prizes for members which included the winning prize Mrs. William Rhett, who came in at the top competition with 104, and Mrs. Wm. H. Gaston and Mrs. T. B. Lobb, the latter winning on the play of [illegible] Mrs. Rhett was the [illegible] the course on this large and [illegible] the order. Summary:

[illegible]

F. B. Young for the past two years president of the Pine Forest Golf Club, of Richmond, Va., was elected president of the Pine Forest Golf Club. A new links is under way at Virginia Beach, and there will be monthly tournaments throughout the entire year.

[illegible]

DAVIS, Ga., Feb. 25.—The most [illegible] golf ever played in a tournament [illegible] Friday, Saturday and Monday [illegible] Pine Forest Golf Club. The course was [illegible] seventy and eighty [illegible] the 1st to the 18th, the number was drawn [illegible] 1st put to his revolver and [illegible] while the scores were turned in. Pairs were allotted to those in opposing tourneys [illegible] of the 1st round to be [illegible] the 2d round to be played [illegible] the 3d round to be played [illegible] the 4th round to be played [illegible] the 5th round to be played [illegible] the 6th round to be played [illegible] the 7th round to be played [illegible] the 8th round to be played [illegible] the 9th round to be played [illegible] the 10th round to be played [illegible] the 11th round to be played [illegible] the 12th round to be played [illegible] the 13th round to be played [illegible] the 14th round to be played [illegible] the 15th round to be played [illegible] the 16th round to be played [illegible] the 17th round to be played [illegible] the 18th round to be played [illegible] the 19th round to be played [illegible] the 20th round to be played [illegible] the 21st round to be played [illegible] the 22nd round to be played [illegible] the 23rd round to be played [illegible] the 24th round to be played 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