

asked how in the face of it the Secretary of State could have made such an agreement. This large sum should not be paid when there was high authority for the statement that most of the claims were unwarranted and unjust. He advocated the Commission provided for in the Treaty, in order that if there were any Americans masquerading under British auspices they might be smoked out.

Mr. McCreary (Democrat) said that of the two alternatives he thought the payment of a lump sum would be the most economical, and that promptness in paying the claims was in the line of economy, justice and honor.

Mr. Hitt (Republican) said that in the case of ten out of twenty ships seized the real owners were Americans. These men were not engaged in a "lawful occupation," but one forbidden by the laws of their own country. They were entitled to fine and imprisonment, not to compensation. He quoted the case of Boscowitz, an American, who lent money to a Canadian, named Warren, on the security of certain ships; foreclosed, and then sold the ships, which thus passed into his hands, to a Canadian named Cooper, for the sum of \$1. This man Cooper now appeared among the claimants for the sum of \$225,000 for the seizure of ships which really belonged to Boscowitz. Cooper had testified that he did not even know the number or names of the ships, and that he had nothing to do with them. Of the total amount of \$542,000 claimed, \$360,000 represented the interests of Americans. As to the character of the claims, the great mass was for an estimated catch—\$377,000 out of \$542,000. It had been decided at Geneva that compensation was not to be paid for prospective earnings. As to the argument that the two Governments had agreed to pay compensation for such losses, it referred only to the claim for damages under the *modus vivendi*. That portion of the claim had been formerly abandoned by the two Governments. As to the fear expressed that more claims would be presented in case of the appointment of a Commission, it was clear from the words of the British Ambassador that the claims presented in June, 1894, included all the claims. A Commission, as proposed by Sir Julian Pauncefote, would probably cost about \$15,000, and would result, perhaps, in the payment by the United States of \$50,000, which is about what was due.

Mr. Dingley (Republican) would not say with certainty that the claim for prospective damages would be disallowed by the Commission. He quoted the case of the Halifax Award. It was a case of a choice of two evils, and it was impossible to foresee what would be the decision of a foreign umpire.

Mr. Breckenridge, in reply, said that he agreed with the last speaker. The claims would grow enormously if the payment was put off, and an immediate settlement was preferable.

Mr. Livingston asked if Congress would not have the supervision of the payments made under the decision of the Commission?

Mr. Breckenridge said that, if Congress refused to make the payment prescribed by a legally-constituted tribunal, it would be a delinquent at the international bar of public honesty and universal integrity. It was not true that Sir Julian Pauncefote had debarred himself from presenting additional claims. Take the case of a man who had died from the effects of imprisonment.