

goods, wares, and merchandise, shall not be required to clear, nor shall the masters or persons in charge of such vessels be required to present manifests, or to pay clearance fees or fees for receiving or certifying manifests.

Mr. E. R. HOAR. I move to insert after the words "required to" the words "enter and;" and in line 4, after the word "pay," to insert the words "entrance or."

The amendments were agreed to.

Mr. E. R. HOAR. The next section to which I desire to offer an amendment is section 4315.

The section was as follows:

SEC. 4315. The Secretary of the Treasury shall provide for the establishment of ten life-saving stations on the coasts of Maine, New Hampshire, and Massachusetts, Virginia, and North Carolina, at such points as he may deem necessary, for the saving of life and property on said coasts.

Mr. E. R. HOAR. I move to amend that section by adding thereto the following:

Provided, That all life-saving stations hereafter erected shall be erected under the supervision of two captains of the revenue service, to be designated by the Secretary of the Treasury, and to be under his direction.

The amendment was agreed to.

Mr. E. R. HOAR. I move that the House do now adjourn.

The motion was agreed to; and (at nine o'clock and fifteen minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following memorials, petitions, and other papers were presented at the Clerk's desk, under the rule, and referred as stated:

By Mr. CROOKE: Several memorials of business men of Brooklyn, New York, in favor of amendments to the bankrupt law and protesting against its repeal, to the Committee on the Judiciary.

By Mr. CROSSLAND: A paper for a post-route from the mouth of Mayfield's Creek, in Ballard County, Kentucky, to Woodville, in McCracken County, to the Committee on the Post-Office and Post-Roads.

By Mr. ELKINS: The petition of William S. McKnight and James W. Richardson, for relief, to the Committee on Military Affairs.

By Mr. HARRISON: The petition of Jacob Bloomstein, of Nashville, Tennessee, for relief, to the Committee on Claims.

Also, the petition of Sarah W. Wilson, of Davidson County, Tennessee, widow of John Wilson, deceased, for salary due her husband as inspector of steamboats, to the Committee on Claims.

Also, the petition of Anderson Davis, of Trenton, Gibson County, Tennessee, for a pension, to the Committee on Invalid Pensions.

By Mr. E. R. HOAR: The petition of 176 judges and lawyers of Alabama, for the passage of an act explanatory of the act of March 3, 1873, in relation to the district and circuit courts of Alabama, to the Committee on Revision of the Laws.

By Mr. KELLEY: The memorial of the Board of Trade of Philadelphia, for a revision of the customs-revenue laws, to the Committee on Ways and Means.

By Mr. McDILL, of Wisconsin: The petition of John Phillips and others, of Wisconsin, for the completion of the work now in progress of opening water-communication between the Mississippi River and the Great Lakes by the way of Fox and Wisconsin Rivers, to the Committee on Commerce.

Also, the memorial of the Legislature of the State of Wisconsin, for an extension of the time for the construction of the railroad from the Saint Croix River or Lake to the west end of Lake Superior and to Bayfield, to the Committee on the Public Lands.

By Mr. ORR: A paper for the establishment of a post-route from Wolfdale to Oto, in Woodbury County, Iowa, to the Committee on the Post-Office and Post-Roads.

IN SENATE.

FRIDAY, March 6, 1874.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.
The Journal of yesterday's proceedings was read and approved.

ENROLLED BILLS SIGNED.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (S. No. 353) for the relief of David Braden; and

A bill (S. No. 365) for the relief of Matthew Woodruff, late sergeant of Company G, Twenty-first Missouri Volunteers.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter of the Secretary of the Treasury, transmitting, in answer to Senate resolution of December 9, 1873, a statement of the amounts paid to collectors, naval officers, surveyors, and detectives engaged in the customs service, on account of distributive shares of fines, penalties, and forfeitures, for the ten years ending June 30, 1873; which was referred to the Committee on Printing, to inquire into the propriety of printing the letter and accompanying documents.

He also laid before the Senate a letter of the Postmaster-General, in answer to a resolution of the Senate of January 30, 1874, calling for information relative to the postal-car service between New York and Washington, New York and Boston, and New York, Albany, Buffalo, and Suspension Bridge; which was referred to the Committee on Commerce, and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a resolution of the Legislature of Wisconsin, relative to the North Branch of the Union Pacific Railroad; which was referred to the Committee on Railroads.

He also presented a memorial of the Legislature of Wisconsin, in favor of the passage of a law to refund to the city of Milwaukee certain moneys advanced for the construction of the straight-cut harbor at Milwaukee; which was referred to the Committee on Commerce.

He also presented a memorial of the Legislature of Wisconsin, in favor of an extension of the time for the construction of the railroad from the Saint Croix River to Lake Superior and Bayfield; which was referred to the Committee on Public Lands.

He also presented a memorial of the Legislature of Wisconsin, in favor of an appropriation by Congress for the improvement of Keweenaw Harbor, in Wisconsin; which was referred to the Committee on Commerce.

Mr. CHANDLER presented a memorial of bankers, merchants, and numerous other citizens of Michigan, protesting against any increase of an irredeemable currency, and praying for the speedy resumption of specie payments; which was referred to the Committee on Finance.

Mr. FENTON. I present resolutions of the Academy of Medicine, Medical Library and Journal Association, and the American Medical Association of New York, in relation to the efficiency of the Medical Department of the United States Army. These resolutions are signed by the officers of these respective associations; and I infer from the first sentence of the proceedings of the Medical Library and Journal Association of New York that it is intended that I should present these papers to the Senate, and ask that they be referred to the Committee on Military Affairs.

The PRESIDENT *pro tempore*. The memorials will be so referred.

Mr. SCOTT. I present the memorial of the Philadelphia Board of Trade, representing that the customs laws are confused, and difficult to understand, and that the proceedings of informers and Government officers acting under these laws have been high-handed and offensive to the moral sense of the mercantile community, and injurious to the Government itself, which has thereby been brought into disrepute. They pray, therefore, that Congress will revise and amend those laws so that honest importers may not be injured in property and reputation by proceedings instigated by men who are actuated by the hope of pecuniary profit to themselves rather than desire to promote the public good. I move the reference of the memorial to the Committee on Finance.

The motion was agreed to.

Mr. SUMNER. I present a petition of a large number of citizens of Boston interested in inventions, in which they set forth at some length that a patent association has recently been organized at Boston, under the title of the "United States Patent Association," mentioning the names of the officers, the president, directors, and others, and representing them as engaged in pressing upon Congress legislation affecting patents which these petitioners regard as contrary to the public interests, as they contemplate the extension of patents through the Commissioner in a way likely to be, according to these petitioners, an abuse. Accordingly they pray that Congress will reconsider this matter, of such vital importance to the whole public, and they pray that no further extensions be granted except as are now provided by law. I move the reference of this petition to the Committee on Patents.

The motion was agreed to.

Mr. STEVENSON presented the petition of Charles H. Hubbard, administrator of the estate of Joseph S. Hubbard, deceased, a resident of Hickman, in the State of Kentucky, praying compensation for ninety-four hogsheads of sugar seized by the United States during the war; which was referred to the Committee on Claims.

Mr. MORRILL, of Maine, presented the petition of Sarah E. Weston, widow, and George Weston and Imogen Weston Rolfe, children of William K. Weston, deceased, praying compensation for the construction of a light-house in New York Harbor; which was referred to the Committee on Claims.

Mr. PRATT presented a resolution of the Legislature of Indiana, asking the establishment of a district court of the United States, and a distributing post-office at the city of Fort Wayne, and for the erection of a suitable building for the purposes contemplated by the resolution; which was referred to the Committee on the Judiciary, and ordered to be printed.

Mr. SHERMAN presented the petition of P. H. Breslin, late captain Eighteenth United States Infantry, asking to be relieved from liability on account of loss of public moneys from embezzlement by a clerk in his office; which was referred to the Committee on Military Affairs.

Mr. CONKLING presented the petition of the chiefs and head-men of the Oneida Nation of Indians, residing in the county of Madison, New York, touching their lands; which was referred to the Committee on Indian Affairs.

Mr. HOWE presented a joint resolution of the Legislature of Wisconsin, asking that if any assistance is hereafter granted to Pacific Railroads, provision shall be inserted requiring a more direct branch to be constructed between Sioux City and the Union Pacific Railroad, east of the Rocky Mountains; which was referred to the Committee on Railroads, and ordered to be printed.

He also presented a memorial of the Legislature of Wisconsin, in favor of Congress refunding to the city of Milwaukee certain moneys advanced for the construction of the straight-cut harbor at Milwaukee; which was referred to the Committee on Commerce.

He also presented the petition of Chloe Ann Ketcham, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. LOGAN. I present the petition of 201 business men, manufacturers, and citizens of the city of Paxton, Illinois; also a petition, with a letter in connection with it, from iron merchants in Chicago, (whether all the iron merchants have signed it I do not know, but the letter says "the iron merchants,") signed by 40 or 50 merchants engaged in that business in Chicago; also a petition of citizens of Illinois, without stating the town; also a petition—I have not counted, but I should say about 200 names—of the small traders and other citizens of a portion of the city of Chicago; also the memorial of the Board of Trade of the city of Peoria, Illinois, signed by its president and secretary, all praying for an increase of the currency, and asking their members of Congress so to vote. I move the reference of these petitions and this memorial to the Committee on Finance.

The motion was agreed to.

Mr. LEWIS presented the petition of David F. Taylor, late of Company M, Ninth Indiana Cavalry Volunteers, praying to be granted a pension from the 30th of June, 1865, to September 30, 1872, at the rate of five dollars per month; which was referred to the Committee on Pensions.

He also presented the petition of J. B. Jeter and others, trustees of the Richmond Female Institute, praying compensation for the use and occupancy of the institute building by officers of the United States Army in 1865 and 1866; which was referred to the Committee on Claims.

Mr. HITCHCOCK presented the petition of J. W. Graham and 196 others, citizens of Utah, praying the passage of the Portland, Dalles and Salt Lake Railroad bill; which was referred to the Committee on Railroads.

Mr. PRATT. I hold in my hand the proceedings of a large and influential public meeting, held in the city of Indianapolis, the capital of my State, which is a city of some 75,000 inhabitants, and full of business, activity, enterprise, and intelligence; and they have adopted certain resolutions on the financial question, which I beg leave to introduce and have referred to the Committee on Finance.

The PRESIDENT *pro tempore*. They will be so referred.

Mr. PRATT. I ask that the resolutions be read at the Clerk's desk.

The PRESIDENT *pro tempore*. They will be read if there be no objection.

The Chief Clerk read as follows:

1. That the recent commercial crisis, while it demonstrated the soundness of our currency and the faith of the public in its value, also demonstrated that its volume was inadequate to the actual substantial demands of legitimate trade.

2. That in the opinion of this meeting it is the duty of Congress, as speedily as practicable, to provide for an increase of currency commensurate with the demands of the usual business of the country, and to establish such a system as will accommodate itself to the growth of our commercial, manufacturing, and agricultural interests in the future.

3. That by spasmodic and untimely efforts at resumption of specie payments the growth of our resources will be crippled, and the date of real resumption will be correspondingly postponed, and we believe that legislation at this time looking to such resumption would be unwise.

4. That we approve the position of our Senators and Representatives in Congress in the objects embraced in the foregoing resolutions, and urge them to persevere until the financial relief demanded by the Northwest is obtained.

The resolutions were referred to the Committee on Finance.

The PRESIDENT *pro tempore* presented a memorial of citizens of Carroll County, Illinois, in favor of an act of Congress authorizing the Secretary of War to construct a canal from Hennepin on the Illinois River, to Rock Island on the Mississippi, with such navigable feeder thereto from Rock River as may be necessary; which was referred to the Committee on Commerce.

He also presented a resolution of the Legislature of Minnesota, in favor of the granting of Government aid for the construction of the North Branch of the Union Pacific Railroad; which was referred to the Committee on Railroads.

Mr. RAMSEY presented a resolution of the Legislature of Minnesota, in relation to the North Branch of the Union Pacific Railroad; which was referred to the Committee on Railroads, and ordered to be printed.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. INGALLS, it was

Ordered, That the petitioners have leave to withdraw the papers referred to the Committee on Military Affairs with the bill (S. No. 264) for the relief of the Fourth and Fifth Indian regiments, copies being retained.

On motion of Mr. CHANDLER, it was

Ordered, That two petitions of citizens of Virginia, praying appropriations for the improvement of Quantico Creek and Neabsco Creek and Bay, be withdrawn from the files of the Senate and returned to Mr. E. M. Willis.

On motion of Mr. CHANDLER, it was

Ordered, That the report of the immigrant inquiry commission, Senate Executive Document No. 23, be referred to the Committee on Commerce.

CHANGE OF REFERENCE.

Mr. BOGY. Yesterday I introduced a bill (S. No. 577) for the improvement of the mouth of the Mississippi River, which, by reference to the RECORD this morning, I perceive was referred to the Committee on Commerce. It should be referred to the Committee on Transportation Routes, and not to the Committee on Commerce.

The PRESIDENT *pro tempore*. That change of reference will be made, if there be no objection.

THE GOVERNMENT PRINTING OFFICE.

Mr. ANTHONY. I have received a communication from the Congressional Printer, calling attention to certain charges that have been made against him in the conduct of his office, and stating that he is a sworn officer of this body, elected by it, and primarily responsible to it, and he conceives it to be his duty, and he thinks that the Senate will concede that it is his right, to explain the reasons in part why these charges have been made; and I am requested by him to ask that the deposition, which I now send to the Chair, may be read.

The PRESIDENT *pro tempore*. The paper will be read, if there be no objection. The Chair hears none.

The Chief Clerk proceeded to read the deposition of H. H. Clapp.

Mr. MORRILL, of Maine. I think it is unusual to read such a paper. I think it is a bad example, too. I hardly think it the privilege of anybody outside of this Chamber to be heard through a speech or otherwise, and it is certainly a bad example.

Mr. ANTHONY. I will not press it against the wish of the Senate.

Mr. MORRILL, of Maine. I move that that paper be received and referred to the Committee on Printing. Of course, if there is any injustice done, that committee will examine into it and report to the Senate. It ought not to go into the RECORD.

Mr. SHERMAN. Let it be printed.

Mr. MORRILL, of Maine. I have no objection to its being printed; but why should it go into the RECORD?

Mr. HOWE. Certainly it ought to go into the RECORD. The accusation is before the public.

Mr. MORRILL, of Maine. How is the accusation before the public? If we are to allow every gentlemen who feels that he is assailed by the newspaper press to come in here and spread his defense upon the CONGRESSIONAL RECORD, I think we shall have enough to attend to. I am certain that it is unusual for such a thing to be done, and it seems to me pretty clear that it is not a good example to set. I move that the paper be referred to the Committee on Printing, and printed.

Mr. HOWE. I thought I could see, myself, a difference between allowing an officer of this body to reply to a public assault on his official conduct, and allowing everybody in the United States to do the same thing. To do the latter might produce a bulky record of the proceedings of the Senate, but to do the former I hope will not produce a record unusually bulky. It seems to me that every officer of the Senate should have this privilege accorded him. I know nothing about the assault; I know nothing about this reply to it. I have not seen it. I only understand that an officer of the Senate asks that he may be allowed to make a statement here in reply to assaults which have been made upon him. I do not think it is much to accord him, and I do not think we should ordinarily decline to accord it.

The PRESIDENT *pro tempore*. The Senator from Maine moves to refer this paper to the Committee on Printing, and that it be printed.

Mr. CONKLING. I beg to say one word. The motion of my honorable friend from Maine implies that, without knowing what this paper is at all, we are to receive it, we are to refer it to a committee, and we are to print it; and that motion is made as an objection to the only proceeding by which we can be informed as to what it is. It seems to me that if the paper is a proper one to be presented it is a proper one to be treated at least like a petition, so that the Senator presenting it may inform us in as condensed form as he chooses of its contents, or that he may have it read in order that we may know its contents; and I quite agree with the suggestion made by the Senator from Wisconsin, that when an officer of this body is publicly arraigned in respect of misconduct in the official place which he holds at the instance and pleasure of the Senate, it is quite right not only that he should make any statement, but that he should make it to the Senate itself. I do not understand my honorable friend from Maine to impeach that position; but he says it is better for us to take this paper blindly without knowing what it is and incur the expense of printing it, and refer it to a committee, all for the purpose of avoiding either our being informed by the Senator who presents it of the substance of its contents or our spending two or three minutes in hearing it read. I think the better course would be to let us know what it is, unless the honorable Senator has some special objection to that.

Mr. MORRILL, of Maine. My objection is that it is not receivable under the rules in any sense whatever.

Mr. CONKLING. Is it not receivable as a petition?

Mr. MORRILL, of Maine. No, sir; it is not receivable as a petition. It does not pretend to be a petition; it is not addressed to the Senate or the Congress of the United States. It is simply an affidavit which this man has chosen to make and hand in here to have read.

Mr. SHERMAN. It is made by his deputy.

Mr. MORRILL, of Maine. It is made by his deputy. That is further off still.

Mr. ANTHONY. It is by his deputy of course, but it is his defense.

Mr. MORRILL, of Maine. It is not an official paper in any sense. Mr. ANTHONY. Mr. Clapp has been sick, but he is convalescent, and this deposition is made by his chief clerk. If it is proper to be read at all, it is made by the proper person, because the deposition is by the only person who is cognizant of the act which is deposed to, and who was acting for the Congressional Printer in his absence. I have not favored the reading of papers generally; but it seemed to me that this being from an officer of the Senate it had a special privilege, and that there should be no objection about its not being addressed to the Senate, because it is addressed to me as the chairman of the committee with which he is in the most intimate relations, with a request that I would place it before the Senate; and it might have been proper for me to put a heading to it.

Mr. MORRILL, of Maine. The Senator can read it if he chooses.

Mr. ANTHONY. I would not read it against the wish of the Senator. Mr. MORRILL, of Maine. But this man is not privileged to have it read and go into the records of the Senate. That is my point; and I make it of course not out of any wish to prejudice the document at all, but I submit that it is an evil example to allow miscellaneous papers to come in here. Somebody is accused of a failure of duty, and he, or somebody on his behalf, thinks he is doing a smart thing by replying to it through the mouth of some Senator and so getting it to the public. I submit that is not a good example.

Mr. ANTHONY. Mr. President—

The PRESIDENT *pro tempore*. The Chair understands the Senator from Maine to object to the reading of the paper.

Mr. MORRILL, of Maine. I object.

Mr. ANTHONY. Allow me to make a statement.

The PRESIDENT *pro tempore*. The Chair will submit the question to the Senate, and it must be decided, under the rule, without debate.

Mr. ANTHONY. The Senator from Maine, I hope, will withdraw the motion long enough to allow me to make a statement.

Mr. MORRILL, of Maine. Certainly.

Mr. ANTHONY. I do not think this ought to be put on the basis of somebody being assailed and coming here to defend himself. It is an officer of the Senate who is assailed.

Mr. MORRILL, of Maine. So I understand in this case.

Mr. ANTHONY. An officer that is responsible to us, and who is assailed for doing that which, if it was true, would subject him to removal by this body; and that being placed before the whole community, and repeatedly, he thought we would consider it his right—at all events he deemed it his duty to submit to us what he considers the explanation and the reason of the assault made upon him. I certainly do not wish to have this read if it is against the will of the Senate; but I cannot think that it stands upon the same basis as an ordinary communication. I think that a communication from an officer of our own body has a certain privilege, not exactly like that of a Senator who has a personal explanation to make, but differing from it in degree rather than in quality.

Mr. MORRILL, of Maine. I ask the Senator whether in his judgment the Congressional Printer, when he has put the facts into the possession of the chairman of the Committee on Printing, under whose supervision this gentleman discharges all his duties, has not secured all the rights he can possibly receive by having this read. If the Senator really desires to have this read, I shall withdraw my objection.

Mr. ANTHONY. As it has been presented—although I would not have presented it if I had thought it would be objectionable on the part of any Senator—and the reading has commenced, I think it had better be finished. ["No," "no."] It will not take more than two minutes.

Mr. MORRILL, of Maine. Then I withdraw the objection, and ask that it be referred to the Committee on Printing.

The PRESIDENT *pro tempore*. The Senator from Maine moves that the paper be referred to the Committee on Printing.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. JOHNSTON, from the Committee on the District of Columbia, to whom was referred the bill (S. No. 224) to incorporate the Washington City Inebriate Asylum in the District of Columbia, reported it with an amendment.

He also, from the same committee, to whom was referred the bill (S. No. 129) concerning and authorizing the Washington, Cincinnati and Saint Louis Railroad Company to extend and construct their railroad into the District of Columbia, and through the States of West Virginia, Ohio, Indiana, and Illinois, to the city of Saint Louis, in the State of Missouri, and a branch road from any point they may elect on the main line of their road, in the State of Indiana, to the city of Chicago, in the State of Illinois, asked to be discharged from its further consideration, and that it be referred to the Select Committee on Transportation Routes to the Sea-board; which was agreed to.

Mr. CHANDLER, from the Committee on Commerce, to whom was referred the bill (H. R. No. 485) to authorize the Secretary of the Treasury to issue an American register to the schooner Carrie, of Eastport, Maine, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. No. 1562) for the relief of Jacob Parmenter, reimbursing him for defending a suit brought against him for an official act, reported it without amendment.

He also, from the same committee, reported a bill (S. No. 580) to

authorize the employment of certain aliens as engineers and pilots; which was read, and passed to a second reading.

He also, from the same committee, to whom was referred the bill (H. R. No. 2206) to grant an American register to the bark Azor, reported it without amendment.

He also, from the same committee, to whom was referred the bill (H. R. No. 519) to grant an American register to the Canadian tug Noah P. Sprague, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. No. 401) to establish a uniform registry of sea-going vessels, to afford protection to life on shipboard, and to govern rebates in duties on merchandise damaged on the voyage of importation, reported adversely, and moved that it be indefinitely postponed; which was agreed to.

He also, from the same committee, to whom was referred the petition of Dr. William Trevitt, former United States consul at Valparaiso, Chili, asking payment of salary and clerk hire, reported adversely; and the committee was discharged from the further consideration of the petition.

He also, from the same committee, to whom was referred the petition of James Curtis, of Florida, praying compensation as master and pilot of the schooner James Buchanan, submitted an adverse report thereon; which was ordered to be printed, and the committee was discharged from the further consideration of the petition.

Mr. STEWART, from the Committee on Public Lands, to whom was referred the bill (H. R. No. 1763) to permit Edward Savage, of Minnesota, to enter one quarter-section of the public lands or any legal subdivision of the same, reported it without amendment.

Mr. SCOTT, from the Committee on Finance, to whom was referred the bill (S. No. 464) to amend an act entitled "An act to provide internal revenue to support the Government, to pay interest on the public debt, and for other purposes," approved June 30, 1864, and the acts amendatory thereof, reported it with an amendment.

Mr. PRATT, from the Committee on Pensions, to whom was referred the petition of Elizabeth Howard, widow of Thomas H. Howard, late of Company K, Fifth United States Veteran Volunteers, praying to be allowed a pension, submitted an adverse report thereon; which was ordered to be printed, and the committee was discharged from the further consideration of the petition.

Mr. OGLESBY, from the Committee on Public Lands, to whom was referred the bill (S. No. 524) to protect timber lands of the United States Government reservations and lands purchased for the United States, reported it without amendment.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. ISAAC STROHM, one of its clerks, announced that the House had passed a joint resolution (H. R. No. 59) amending joint resolution of April 16, 1872, relating to a statue of the late Admiral Farragut; in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. No. 1558) to amend the act entitled "An act to encourage the growth of timber on western prairies."

The message further announced that the House had concurred in the amendments of the Senate to the bill (H. R. No. 2224) appropriating \$1,400 to pay the operators in the departmental telegraph connected with the two Houses of Congress.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills; and they were thereupon signed by the President *pro tempore*:

A bill (H. R. No. 1402) granting a pension to John A. Fisher; and

A bill (H. R. No. 2224) making appropriations to pay the operators of the Government telegraph connecting the Departments with the two Houses of Congress.

BILLS INTRODUCED.

Mr. WINDOM asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 581) amendatory of and supplementary to the act entitled "An act to set apart a certain tract of land lying near the head-waters of the Yellowstone River as a public park," approved March 1, 1872; which was read twice by its title, referred to the Committee on Public Lands, and ordered to be printed.

Mr. BUCKINGHAM asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 582) for the relief of A. B. Fisher; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Indian Affairs.

Mr. MITCHELL asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 584) providing for the permanent location of the southern terminus of the Oregon Central Railroad, and to amend an act entitled "An act granting lands to aid in the construction of a railroad and telegraph line from Portland to Astoria and McMinnville, in the State of Oregon," approved May 4, 1870; which was read twice by its title, referred to the Committee on Public Lands, and ordered to be printed.

Mr. MORRILL, of Maine, asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 585) for the relief of Oliver Moses, Frank D. Moses, Galen C. Moses, Charles Owen, and Robert P. Manson, all of Bath, and George W. Edge, of Richmond, Maine, owners

of the ship John Carver; which was read twice by its title, and referred to the Committee on Naval Affairs.

Mr. DORSEY asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 586) to create a port of delivery at Helena, in the State of Arkansas; which was read twice by its title, and referred to the Committee on Finance.

DISTRICT GOVERNMENT INVESTIGATION.

Mr. THURMAN asked, and by unanimous consent obtained, leave to introduce a bill (S. No. 583) making an appropriation to defray the expenses of the joint select committee to inquire into the affairs of the District of Columbia; which was read twice by its title.

Mr. THURMAN. As the bill proposes an appropriation, I suppose it should go to the Committee on Appropriations.

Mr. CONKLING. Let us hear the bill read.

The Chief Clerk read the bill at length; which appropriates \$10,000 for the expenses of the committee.

Mr. CONKLING. I should like to inquire of the Senator from Ohio what are the objects to which this money is to be devoted.

Mr. THURMAN. To pay witnesses; to pay the clerk; to pay the stenographer; to pay copyists—the usual expenses of an investigating committee.

Mr. CONKLING. I supposed that there were no witnesses before the committee except those who reside in the city of Washington; and the fee is very small; if I remember aright it is half a dollar a day.

Mr. MORRILL, of Maine. Two dollars a day.

Mr. CONKLING. My friend from Maine says two dollars a day. So I was wrong about that. The attendance of witnesses of course would not account for this sum at all, unless they should be witnesses from a distance involving mileage. The copying of papers, it seems to me, would hardly suggest such a sum; and I should like to inquire of the Senator are copies of all the papers to which I see reference made in the public journals—the answer of the governor and the accompaniments—paid for by Congress?

Mr. THURMAN. No, sir; the copying is not paid for. They are sent here. The printing is to be paid for.

Mr. CONKLING. But this appropriation would not relate to that.

Mr. THURMAN. Of course not.

Mr. CONKLING. I rose not to object to this bill, but to get some information, which I have no doubt the Senator is quite willing I should get, and to call attention to the fact that an investigation being directed of matters almost under the eaves of the Capitol, there being no expenses which would naturally occur to one except the small fees paid to witnesses and the services of the stenographer, we are beginning by an appropriation which looks to the devotion of \$10,000 as the first sum to this work. Now, unless we are to pay counsel fees, unless we are to pay something which does not ordinarily enter into an investigation, it seems to me that this amount is large and that the action is rather early.

A memorial was presented here by persons living in this city showing a great deal of interest in the matter. I take it for granted they are ready to employ their own counsel; and I had supposed from the feeling evinced that citizens here would be ready to go before a committee and give information on the subject without having the process of the Senate to go, and an officer employed to subpoena them, and pay them fees, though of course I do not know how that is. I think it is well to take note as we go along that even inquiries so simple and immediate as this seem to draw to themselves considerations involving great expense. Of course if it is necessary we ought to vote for it. I can only express my disappointment that it is so. I supposed the committee would be aided by persons interested enough in this subject to furnish them facts on both sides, and that the District authorities would pay for the copying of their own papers, as far as it was necessary to copy them; and that those adverse would do what was necessary to enable the committee to conduct this investigation, without doing it as if it was a thing compulsory as to both sides, and as if we were to get by main force all the information that is to come. Of course, if that is it, money must be voted; but I think it is rather disappointing that it should take that form.

Mr. THURMAN. It is only necessary for me to say that if the \$10,000 are not needed they will not be expended. I do not suppose the Senator from New York imagines that the committee intend to waste the money, or throw it away, or give it away. As to the amount, I think from some experience which I have had on committees of investigation that the amount, instead of being too large, is moderate enough to ask for. I cannot undertake to say how far this investigation may extend. It would not be proper that I should do so. All I know is that if it is the intention of Congress to have what its resolution imports, a thorough investigation, it is right that the committee should have the means to make such an investigation.

Mr. CONKLING. I quite agree with what the Senator says; but I venture to remark that I have never known, myself, and I cannot recall, an instance of an appropriation of this sort which was not all used. If you appropriate \$10,000, I think the Senator will find opportunities for various expenses which might never be proposed at all if the appropriation had not been made. I do not know but that if we appropriate \$10,000, it may be suggested that we ought to pay counsel fees on one side or on the other.

Mr. THURMAN. Nobody dreams of such a thing.

Mr. CONKLING. I presume not now; but if the money is appro-

priated everybody will consider what is to be done with it. Ten thousand dollars are to be appropriated. Who is to have it? Although, as the Senator says, in theory it need not be expended because it is appropriated, yet I am inclined to think, in practice, that all you appropriate on such occasions is expended. I only call attention to it, not to object to it. On the contrary, I agree that we should vote all the money that is necessary to make this investigation a thorough one. But I cannot help regretting the fact that at this time it is necessary to start with \$10,000 in order to find out from men who seem to be anxious to communicate their information, and who live within the sound of a whistle from the place where the committee is sitting.

Mr. THURMAN. It is not my business to speak about what these memorialists may do or may not do, or can do or cannot do. Nobody pretends that they are all the witnesses, or that other witnesses will not have to be examined, and have to be sent for, possibly some of them sent for at a distance. These memorialists do not profess that they are the witnesses to prove all these matters. In respect to the suggestion about counsel fees, there is nothing in that. Not a dollar of the money can be paid except by order of the committee; and if Congress has not sufficient confidence in the committee to intrust them with such a sum of money, they had better dispense with the committee altogether.

The PRESIDENT *pro tempore*. The bill has been referred to the Committee on Appropriations.

PRINTING OF A COMMUNICATION.

Mr. RAMSEY. There was a communication received this morning in answer to a resolution of the Senate from the Post-Office Department, and ordered to be printed. I neglected at the time to ask that two hundred copies be printed for the use of the Post-Office Department. I make that motion now.

The motion was referred to the Committee on Printing.

ART EXHIBITION AT VIENNA.

Mr. HOWE submitted the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Secretary of State be directed to communicate to the Senate the report made by Professor E. M. Gallaudet on the exhibition of art made at Vienna during the late exposition.

TRANSPORTATION FROM WEST TO EAST.

Mr. RAMSEY. A day or two since I offered a resolution, which is lying over, giving certain instructions to the Committee on Transportation. I should like to call it up now and submit a few remarks to the Senate in explanation of my views.

There being no objection, the Senate proceeded to consider the following resolution, submitted by Mr. RAMSEY on the 4th instant:

Resolved, That the Committee on Transportation Routes to the Sea-board be instructed to consider and report upon the expediency of improving water and railway communications from the Mississippi Valley to the sea-board, and to regulate commerce among the States by cheapening transportation between the East and West, by improving the navigation of the Mississippi River from its source to the Gulf of Mexico, and the lake navigation from Lake Superior to Lake Ontario; and by chartering a double-track freight railroad from the Mississippi River to the ocean at the low maximum rate of six mills a ton a mile.

Mr. RAMSEY. Mr. President, in the year 1873 there were over twenty-two million bushels of wheat raised in the State of Minnesota for exportation, besides oats, meats, butter, cheese, and other products of the soil, amounting in the whole to nearly one million tons. This represents the annual surplus product or income of the State.

The average price of transporting a bushel of wheat from Saint Paul to Chicago, and thence by water to New York, during that year, was about forty cents, if sent by all rail fifty-seven cents.

It is said, and I believe it is true, that grain can be moved from the State to tide-water for one-half the present charges. If this is so, and if reduction in freights to this extent could be made, it would be equivalent to bringing the wheat lands of Minnesota within six hundred miles of New York, or as near as those of Ohio now are. If the entire saving should inure to the benefit of the producing classes, it would add nearly \$8,000,000 to their annual income. A similar state of facts applies to a greater or less extent to all grain-growing States in the valley of the Mississippi. Their growth has been crippled, the rise of their real estate retarded, their ability to expand limited by the high rates of transportation they are compelled to pay; and unless these can be so reduced as to increase the return to the farmer and a fair profit on the products of the soil, they may be prematurely forced into manufactures, to the injury certainly of the East.

The merchants and manufacturers of New England and the Middle States who seek a market for their wares in the West, and the railroads that transport for both the East and West, have as great an interest in this subject as the western farmers. To both, the question of cheap transportation, which is now agitating the West more than any political question, is one of vital interest, for upon it depends the present and future prosperity of both grain-growing and manufacturing States. Some plan must be at once devised by which the western farmer can send his products to a safe and large market at a reasonable cost, and receive a good return for his labors.

The subject of the ways and means of securing cheap transportation claims, therefore, to be brought before Congress, and its serious consideration to be urged until the desired relief has been attained. For the accomplishment of this object four plans have been proposed:

First. To improve the navigation of the Mississippi River from the

Falls of Saint Anthony to the Gulf of Mexico, so as to give a sufficient depth of water to enable steamboats to tow barges of large capacity down the river to New Orleans, and for steam and sailing ships from New Orleans to the Gulf.

Second. The construction of a canal from the head-waters of the Ohio, or its branches, to connect with tide-water on the Atlantic.

Third. The deepening of the channels between the lakes, the widening and deepening of the Welland Canal, and the canals on the river Saint Lawrence, to deep water at Montreal, or through Lake Champlain to New York.

Fourth. The cheapening of transportation by rail.

These water-ways cannot be opened without the expenditure of large sums of money, which must be made by Congress upon the waters within our jurisdiction; for there is no way by which private parties could be authorized to do it, and be permitted to farm out the work so constructed, and to take toll upon vessels passing up and down our rivers.

The right of Congress to make appropriation for harbors, and for the improvement of river navigation, under the clause of the Constitution authorizing it "to regulate commerce," has not only never been questioned, but has been constantly exercised ever since the Republic was formed. If, therefore, the benefit to commerce, or the "facilities afforded to commerce," in the words of Mr. Calhoun, advocating an appropriation for the improvement of the Mississippi River, be the end to be secured by the appropriation for the improvement of water-ways, there can be no reason why the same means may not be used to secure the same end in whatever way it can be best accomplished.

The clause of the Constitution above referred to, under which appropriations for the benefit of commerce have been made, includes the erection of light-houses, the construction of breakwaters, the deepening and extending of harbors, the dredging and deepening of rivers, the construction of the national road, as well as grants of public lands and money for the construction of railroads.

The constitutional rights of Congress under this clause have been so fully elaborated by other Senators, and will be so clearly and ably elucidated by my colleague in the report which he will soon make upon the subject of transportation, that I shall not occupy the time of the Senate on this point.

The republican party has by its acts in the past demonstrated that it was the party of progress. It has made appropriations of land and money for the improvement of our rivers and the construction of railways to open up the West. When sufficient encouragement had been given to railroads to secure the development of the country in that way, further expenditures were stopped.

These Territories have become populous States, raising large quantities of produce; and a demand has arisen for cheap transportation from these lands to the East, which the existing railroads are unable to furnish. As the party of progress, that new want requires of us that we should be prepared for the emergency which has arisen and take proper steps to meet it.

The House has confirmed these views, and by the large vote of 171 to 64 has—

Resolved, That it is within the constitutional power of Congress to regulate commerce among the States, and that the present condition and magnitude of the commerce among these States are such as to demand the prompt and wise exercise of the power and duty declared in the preceding resolution.

That its judgment is correct must be apparent to every one who reflects upon the subject, and considers the result which would ensue if Congress had no power to regulate freight, and if each State had supreme control over all commerce passing through its territory. If Illinois could impose a tax upon through freights traversing that State, or if railroads chartered by that State could increase the rates of freight to whatever sum they pleased, she could cut off Minnesota from all access by railroad to the ocean. The mere statement of this point is sufficient to show the absolute necessity for Congress alone to control the subject. While the West has already nearly three hundred million bushels of grain seeking an eastern market, the East has as many million dollars of her manufactures looking to a western market. The desire of each is to exchange its surplus products for those of the other section. These exchanges constitute commerce. It can be facilitated by the cheapening of transportation more easily than in any other way.

It seems to be well settled, by the experience of Great Britain and America, that a permanent reduction of rates on railroads by competition has never been obtained, since competition is invariably followed by combination.

It is the opinion of the recent parliamentary commission that competition can possibly be maintained by means of rivalry between water-ways and railways. This opinion is corroborated by the fact that the instant competition by rail and water between Chicago and New York is created by reason of the opening of navigation, the charges by rail are greatly reduced by the different lines of railway, to be raised again when competition ceases in the fall by the closing of navigation.

It is feasible by the expenditure of a moderate sum of money to dam up the waters of the Upper Mississippi and thus provide a supply during the dry seasons of the year. As this is a novel and important view of the subject, I will quote a few sentences from the report of General Warren, of the Engineer Corps, to General Humphreys. He says:

In the summer of 1860 Mr. Frank Cook, civil engineer, under my direction, vis-

ited the head-waters of the Mississippi River, made a partial survey of the lakes, rivers, &c., with a view of ascertaining if reservoirs could be made, in which should be stored up the surplus waters of the rainy season for use during the low water. At Pokegama, Pine River, and Mille Lacs, the estimate of the aggregate cost of works, to utilize these bodies of water, is \$114,000, and the aggregate capacity of the reservoirs, when they were completed, as estimated by Mr. Cook, was 54,006,872,330 cubic feet. According to the measurements of the Mississippi in 1867, the volume of discharge at Saint Paul on a two-foot navigable stage, is 6,500 cubic feet per second; at a three-foot navigable stage, 8,100 cubic feet per second; at a four-foot navigable stage, 10,500 cubic feet per second; at a five-foot navigable stage, 14,000 cubic feet per second. The waters from these reservoirs would supply, at Saint Paul, a difference between a two-foot and a three-foot navigable stage for 390 days; a difference between a two and a four foot navigable stage for 156 days, and the difference between a two and a five foot navigable stage for 83 days. It would do as much above the Falls of Saint Anthony.

The longest period of low water at Saint Paul was in 1864, when it was for one hundred and fifty days below the three-foot stage, and part of the time below two feet. It is believed that these reservoirs would have maintained the river at a four-foot navigable stage even during this period. Thus it will be perceived that if these reservoirs can be created and controlled, a four-foot navigable stage would be secured throughout the most unfavorable seasons.

For the completion of this plan it would be necessary to open a ship-canal from New Orleans to the Gulf of Mexico, or, rather, from some point below that city, or in some other way remove the obstacles which now obstruct the navigation of the Mississippi River. This, with the prosecution of the works now under way upon the river, will open the Mississippi, and with the capacious route through the lakes, via Du Luth, will give our produce large facilities to reach the markets of the world by the cheapest possible mode of transit. This plan of improving the river, valuable and absolutely necessary as it is, does not meet all our wants. The Mississippi above the Ohio is closed by ice a portion of every year, and there is no great demand for our wheat in the South. The cotton States require only from fifty to seventy-five million bushels of wheat in a year, and the entire quantity annually shipped to Europe is only about twenty-five million bushels.

There is no market at New Orleans capable at all times of purchasing any and all wheat to be shipped from the West, while in the East there is an enormous home consumption greatly exceeding any foreign demand, and a ready market at all seasons and on every day in the year for every bushel of grain to be sold.

Similar considerations apply with equal force to show that a canal across Virginia or Tennessee could not satisfy the reasonable demands of the West; in addition, the expense of such a canal would be very great, probably much exceeding the cost of opening both of the other water-ways herein proposed, while it would be closed by ice for a portion of every year.

There is no doubt that the Welland Canal and those on the river Saint Lawrence will be deepened and enlarged at the expense of the Canadian government, and a water-way thus made from Lake Huron to the ocean. But this will be of comparatively little benefit to the great Northwest until the canal at the Sault Sainte Marie, connecting the waters of Lake Superior with Lake Huron, shall have been deepened and enlarged sufficiently for the passage of the largest class of vessels navigating the lakes. The vast and generous grants of land that the United States have made to the railroads of the Northwest can only be availed of to their fullest capacity when means are provided for reaching a market.

But even this mode of relief does not give us all we want. The lakes and the Saint Lawrence are closed by ice for several months in the year, while our farmers require access to the markets at all times, that they may sell their grain when the prices are the highest or when they wish to realize.

Railways are preferred by many to internal water-ways for the carriage of grain. This is shown by the fact that, with rates from Chicago to the sea-board, on an average for a series of years, nearly one-third higher by rail than by water, the entire capacity of the railroads has been taxed to the utmost extent; and that, while the tonnage on the New York railways has increased over 120 per cent. within ten years, the tonnage on the Erie Canal has increased only 20 per cent.

If these views are correct, the solution of the question must be found in creating a rivalry between water-ways and railways between the South and the East, improving the navigation of the Mississippi and the lakes, and in new railroad communications between the East and West.

Questions of fictitious issues of stock and bonds, and of unjust and oppressive tolls, are of very great importance, and demand careful investigation; and wherever they are found to exist, there a reform should be made at once. But these questions, though of great importance in themselves, are in reality of minor importance when compared with such low rates on grain to the East as will enable us to market all our produce. There is no doubt that the railroads as at present operated are unable to move freight at rates that will afford relief. There is scarcely a single east and west road where the actual operating expenses for moving its freight are not higher than the rates should be; consequently they cannot make the necessary reduction of rates.

There have been built in Minnesota nineteen hundred miles of railroad, at an expense of over \$90,000,000; there has never been paid a single dollar in dividends on this large amount of capital, but on the contrary one hundred and eighty-seven miles of these roads are in the hands of a receiver, and proceedings commenced to foreclose the mortgage upon them. Eight hundred and thirty miles more have been unable to earn money enough to pay the interest on their debt. It is believed that the same general statement of facts is true of the roads of several of the other Western States.

But, besides the high rates, the railroads have not sufficient capacity to move any great additional quantity of freight. Only about one-tenth of the grain that is raised finds its way to tide-water at New York. Sixty-one per cent. of this goes by the Erie Canal, 25 per cent. by the Erie, 12 per cent. by the New York Central, and 2 per cent. by the Pennsylvania Central Railroad; yet these roads have even now more than they can do. The West could easily have sent twice the quantity it shipped last year if there had been a large foreign demand; but the railroads would have been incapable of transporting it. A very slight addition to the quantity moved would have raised the rates of the whole freight to such an extent that the farmers would not have realized any greater profits from the increased quantity forwarded. To the railroads would have accrued any additional profits from a great foreign demand, and not to the producing class.

The action of two distinct tribunals is necessary in all the Western States to afford the required relief to the farming interest.

The collection of grain from the different sections of a State, and its transportation to the water-ways or the trunk lines, belongs to the local and branch roads, and relief from burdensome tolls must be sought in State legislation. It is said that rates on railroads terminating at Du Luth, on Lake Superior, discriminate against freight to that port, and thereby grain is forced to an all-rail route to Milwaukee or Chicago. Here is an instance where only State legislation can afford relief.

It has been said that congressional interference is not required in Minnesota. I should heartily rejoice if this was the case. But I know the people of Minnesota will not and should not be satisfied with only the present water communications by Lake Superior and the Mississippi River, closed as they are by ice for several months of the year, when they can have by the action of Congress the water-routes greatly improved and freights reduced, and an all-rail communication, all the year through, at as low rates of freight as the lake routes now give.

State legislation cannot regulate the action nor authorize the construction of a single mile of railroad beyond its territorial limits. Congress alone has jurisdiction, and can "regulate commerce" among the States.

The old Confederation had no power over commerce among the States. Our forefathers, perceiving its defects in this respect, foreseeing the great difficulties that must arise from constant conflicts from this source, gave up the Confederation of States, with State sovereignty, and made a more "perfect Union" for the people of the United States. Each State surrendered to the Congress of the United States the right to regulate interstate commerce within its own territory, and obtained the right for Congress to regulate it through every other State—an inestimable boon to every western farmer.

It has been said "that the burden of extortionate tolls falls eventually on the consumer." While, as a general proposition, this is true, it is entirely inapplicable to this case, and any legislation proceeding on this theory will fail of giving relief.

The price of wheat is fixed in London. If large crops are raised in Russia, Central Europe, and America, and prices fall in London, this fact is immediately telegraphed to New York and Saint Paul, and regulates the prices. The price of wheat at each of these places is the London price, less the freight charges. If it falls in London two cents a bushel, the farmer in Minnesota or Iowa receives just so much less; if it rises, the farmer should receive the benefit. But as railroads establish the rates, they frequently raise them with the increase of the price and demand, and thus generally gain the benefit at the expense of the farmer.

It is our duty to legislate so that equal justice shall be dealt to all; that the producer shall be fully protected in his rights, freed from all unreasonable demands of railroads, and that property vested in railroads be secured in its rights.

A commission for establishing rates on the existing roads has been proposed, but cannot afford the relief we need. The mere inspection of the map is sufficient to show how the western roads radiate from two or three great western centers, and that the hundreds of roads in the West, now open to the public, have no other outlet than the four trunk roads that were in operation twenty years ago. Where they had only millions of bushels of wheat to move, we are called upon to provide for the transportation of hundreds of millions of bushels, and to feed the millions of Great Britain with our surplus products.

It is impossible to adapt an old system, devised for the day of small things, to our present wants. Nor would new roads, constructed and operated on the old system, doing a mixed business of express and local passenger trains, and through and local freight trains, each kind of business adding to the expense and hindering the movement of the other kinds, be sufficient. The only way we can meet the present needs of the country is by a change in the system.

To move the freight by railroad from the extreme West to the East at low rates we must have a double-track freight road, with low grades, large curves, steel rails, and suitable equipment, where immense quantities of freight can be kept moving at a slow and regular speed, day and night, without intermission or interruption. One such road, we are informed by competent engineers, would be sufficient, with the lake and river navigation, to transport all the freight to be moved for years to come. The rates could be reduced one-half from Minnesota and every other grain-growing State in the Mississippi Valley to tide-water.

From 1853 to 1862, 23 per cent. of the imports of wheat into Great Britain were from the United States, and 16 per cent. from Russia. The ocean freights were then 13.7 cents per bushel, and the largest proportion was transported in American bottoms. From 1863 to 1872 the United States supplied 29 per cent., Russia 32 per cent. The ocean freights were 17.24 cents, and the largest proportion was transported in English steamships, our vessels having been driven from the ocean. Once again our commerce is beginning to revive; already a line of American-built steamers sail weekly from Philadelphia to Liverpool. Iron steamships are being built on the Delaware, and wooden sailing ships in Maine. We may soon expect to see our flag again floating on the breeze in every foreign port, and with reduced inland and ocean freights our wheat must supply the demand of Great Britain to the exclusion of all foreign markets.

The following measures should be adopted in order to give adequate relief:

First. The Mississippi River must be made amply navigable from the Falls of Saint Anthony to the Gulf of Mexico.

Secondly. All the canals must be enlarged, and all obstructions removed from the head of Lake Superior to tide-water.

Thirdly. The West must be connected with the East by a double-track freight railroad, to be constructed either by Congress, which must build a road to be operated by parties furnishing their own equipment at a maximum rate per mile, established by Congress, or, which is preferable, by Congress chartering a corporation to construct a road from the East to the West, on condition that the freight shall not exceed certain low maximum rates, and giving this company the right to run over, or to have its cars hauled over, connecting roads, at rates to be fixed by commissioners if the parties are unable to agree, thus giving easy access to every section of the West.

In the year 1866 I introduced a bill into the Senate for an appropriation for the survey of the waters of the Upper Mississippi River, which led to the passage of the acts under which the first appropriations were made for improving its navigation.

It fell to my lot in former years to advocate the passage of certain acts by which lands were donated to Minnesota for railroads, to enable them to construct lines of railway through that State. The results of these appropriations for both water-ways and railways are witnessed in the population that has flowed into our State, in the industry that has tilled our fields, producing from them more wheat *per capita* than is raised by a like population in any other section of the world. I know no reason why I should not now vote for further appropriation for perfecting the work then begun, which has resulted so auspiciously heretofore, and which when completed will realize the fruition of our hopes.

CENTENNIAL EXHIBITION.

The PRESIDENT *pro tempore*. The morning hour having expired the Senate resumes the consideration of the unfinished business of yesterday, which is the bill (H. R. No. 1394) in relation to the centennial exhibition.

Mr. SARGENT. Mr. President, the debate upon this bill shows one fact conclusively, that the Senate will not allow a measure of so much importance, bearing so hard upon the Treasury as it must, to be passed through without full consideration, and without understanding its scope, objects, and effects. One advantage which the debate has had is that the friends of the measure have shown just what they require; at any rate, have made an advance over their former positions. We now learn that the question of invitations sent to foreign powers is rather a minor consideration. In fact, it has been contended on this floor that the invitation has gone out, assimilating the case to that of a Senator who should issue cards stating that he would be at home on a certain day, which would be regarded as an invitation to those receiving the cards to visit him at his home; and, consequently, it is not a question of invitation.

But, sir, we have a more definite statement; and it is now no longer a question of doubt whether this is to be a Treasury charge or not, if further legislation is inaugurated. An amendment is now offered by a friend of the measure, asking that the first draft which we shall endorse upon the Treasury, the first expenditure which we shall authorize, shall amount to the sum of \$3,000,000; and furthermore, the mists gradually clearing away in the course of debate, we find that it is a *sine qua non* that this shall be an international exposition—it shall not be merely the utterance in act of the patriotic emotions of our own people; it is indispensable to that fireside celebration that people of other nations shall be brought to surround the family hearth. It may have been a question heretofore if the promoters of the scheme would not consent to eliminate this incongruous feature; now that hope is disappointed, and we must fight them all along the line.

Two things are therefore developed by the debate, and both of them of infinite use in this discussion: first, that it is a financial proposition, involving the Treasury; and, secondly, that the most expensive form of exhibition is insisted upon.

Now, sir, to a centennial celebration, thus conducted, there are five prominent objections; and I intend, as briefly as I can, to call the attention of the Senate to these objections, and ask Senators if either one of them is not sufficient in itself to cause us to pause, and if all together they have not such force that we ought to stop, and stop forever, in the path in which we are being led.

The first objection to an international celebration, involving the

Treasury, is that there is no public call for it whatever. There is no general movement among the constituents of Senators. There has been very little response of State Legislatures. There have been few favorable indications from the press—none that I have been able to discover except local, the other indications being generally hostile.

Where is the evidence of movements among the constituents of Senators except those of an entirely local character, commencing and ending in a small area of country about Philadelphia, the circle perhaps taking in New Jersey and Delaware, but extending nowhere else? Where are the petitions coming up to us? We all of us receive letters from gentlemen who are in the pay of this commission, whose expenses, as I understand, are paid by the citizens of Philadelphia, and who cannot now better employ their time than by literary efforts in behalf of this exhibition, which, if it continues, continues their pay. But, aside from this, I appeal to any Senator to tell me where there has been any indication of movement on the part of his constituents which would justify him in saying that there is a popular demand that millions be taken from the Treasury of the United States for this purpose? I have no reply, because there have been no such indications.

And what has been the response of the Legislatures? If any, few and far between. The subscriptions made by Legislatures have been confined to a single instance; it is possible there are two. The Senator from New Jersey, [Mr. STOCKTON,] whose graceful eloquence and fine qualities of mind are only exceeded by his generosity and kindness of heart, and to whom I listened with great pleasure yesterday—although not agreeing with much that he said—on account of the kindness which pervaded his whole speech, and the eloquence which characterized it, touched upon the fact that his own State, his own patriotic State, rich with revolutionary memories, containing within its borders some of the battle-fields of the early Republic, had responded to this call, had shown its patriotism by a donation of, how much?

Mr. STOCKTON. One hundred thousand dollars.

Mr. SARGENT. Exactly; \$100,000! New Jersey, in close proximity to the place where the celebration is to be had, feeling most strongly its influence, more strongly, perhaps, than any other State except Pennsylvania, and fifth in wealth and resources of the States of the Union, under these glowing emotions, and with these great resources, donates the munificent sum of \$100,000!

Mr. STOCKTON. Will the Senator from California allow me a moment?

Mr. SARGENT. With pleasure.

Mr. STOCKTON. I should like to state a thing that I forgot to mention yesterday, but am reminded of now, that the name of Sargent is one of the proudest recollections of New Jersey.

Mr. SARGENT. I was endeavoring to do full justice to the State of New Jersey for its patriotism, its grand history, and the magnificent donation which it has made on this occasion. [A laugh.] But, Mr. President, if the donations of other States shall decrease inversely according to the ratio of distance, how much may we expect when we get to Illinois, how much when we get to Iowa? If their donations shall decrease according to their material wealth in comparison with New Jersey, where are the funds to come from except from the Treasury of the United States to sustain this costly international celebration?

But, sir, another indication of public sentiment, an unfailing one, sometimes unjust, sometimes cruel, nevertheless a means by which the average opinion of the people of the United States can be more rapidly and clearly gathered than by other instrumentality, is that of the press; and I say after some care to examine the question, that with the exception of the local press immediately concerned in this undertaking, there is no countenance or support on the part of the press in any part of the Union. If there is any it is entirely exceptional, and I shall be very glad if any Senator will show me the exception. This matter has fallen flat so far as the press is concerned. I have examined papers from all portions of the country in order to find if there were such evidences of public feeling and appreciation in this direction that it would be safe to trust a reasonable, I might say the liberal donation of \$3,000,000 from the United States Treasury, expecting other communities to make up the amount, and I have failed to find the evidence that it would be safe. I find the Boston News and the Boston Herald, representative papers of that city—the others I have not had an opportunity to see—objecting to it; the Boston Herald speaking of it as “the Philadelphia scheme,” and saying it is “ill-advised.” The Washington Chronicle of this morning quotes some other papers to fortify its opinion to the same effect. The New York Tribune, certainly a leading representative paper of the ideas of a very large and powerful class in that city, has a column article going to show the absurdity of the form of celebration, and the folly of burdening the Treasury with such expenditures. I hold here the New York Evening Post. Does anybody impeach the standing of the New York Evening Post in matters of character, where questions of intellect, where questions of higher expediency, to put it as low as that, are concerned? Where the New York Evening Post is sure of its premises its reasoning is always just. Now I wish to call attention to the editorial of this leading paper of New York, and I ask gentlemen, as did the Senator from Nevada [Mr. STEWART] when this question was up several years ago, what can you expect in the way of success of your exhibition provided New York looks coldly upon it? Will you

tell me that when the New York Tribune and the New York Evening Post not only look coldly upon it but denounce it, and when the New York World, that great organ of the democracy, which never falters in its leadership of that party, says that “this centennial business is absurd, and the quicker we get well rid of it the better”—will you tell me that you expect that when New York City, with its vast wealth, with its great commercial influence, with the necessity for it to help this thing along if it can be induced to do so, turns its back upon it and says it is absurd, and that the Treasury ought not to be burdened with it, then the thing can succeed? Let us see what the New York Evening Post says:

But why has the Philadelphia scheme failed, if, as seems now to be pretty generally conceded, it has failed? We think we are discharging a plain and pressing, though by no means pleasing, duty in suggesting three sufficient, though perhaps not the only, reasons:

First. In their haste, compounded not exclusively of patriotism, to forestall conflicting action in other quarters, the Philadelphians somewhat precipitately took the subject out of the hands of the nation and undertook an imperial enterprise with only municipal, or, at best, provincial resources.

Though conscious from the beginning of this disproportion between their means and their pretensions, they did not hesitate to purchase a charter from Congress, with a pledge that the nation should not be helden for any expenses to be incurred under it. This was all wrong. These gentlemen should not have allowed even their patriotism to hurry them headlong into an enterprise so entirely beyond their strength. Icarus was neither the first nor the last to teach that disaster and humiliation are the most certain fruits of presumption.

It was the duty of the President in good season to have named a special committee to devise and submit to him a plan for celebrating the centennial. By the light thus furnished he should have submitted the outlines, at least, of a plan to Congress for its approval and the requisite legislation. Out of the deliberations of such a commission, and those of Congress, the best methods of conducting such a celebration, the amount which might be prudently appropriated to it, and the restrictions most essential to prevent abuses in its management, would have been developed, so that when the plan began to take shape the national enthusiasm would have kept abreast, if not ahead, of it. The Philadelphians, unfortunately, in their indecorous eagerness to make themselves masters of the situation, overlooked the fact that this was a national, not a municipal, festival; a solemn *réle*, and not a financial speculation.

Secondly. This inconsidate haste in appropriating to themselves a work which belonged to the nation bore its natural fruit. A plan was adopted which was not only ill-considered, but, in some of its main features, absurd. Having to show what a century of republicanism has accomplished for us, they propose to invite other nations to contrast with our work, what they have accomplished since the commencement of the Christian era, under forms of government based upon the most antagonistic principles. It is difficult to say whether such an invitation would be more deplorable as a specimen of breeding or of policy. With what face can President Grant ask the sovereigns of Europe to unite with him in celebrating an anniversary which organized rebellion and revolution as legitimate resources of statesmanship? Imagine the Queen of England sending a committee of her nobility to the United States in 1876 to glorify the event which stripped her kingdom of its finest colonies and sent her grandfather to bedlam; or Mexico, asking Spain to celebrate with her the establishment of the first Hispano-American republic; or the Emperor Wilhelm inviting President MacMahon to meet him at Strasburg to rejoice with those who rejoice over the anniversary of the peace of Versailles of 1871. And with what propriety can we ask continental sovereigns, whose most formidable enemies to-day are the republican enemies of their own household, to join us in commanding our example to their people?

It is this illogical and absurd feature of the Philadelphia scheme which, luckily, makes it so expensive as to render it abortive. If our neighbors had contented themselves, as they should have done, with the most effective exposition possible of the best fruits of our fathers' great experiment in 1776, they need not have been beholden to any outside organization for aid, unless it came spontaneously. Neither the buildings nor running expenses of such a display need have been onerous to the State of Pennsylvania, and the results would have given to her the relative prominence among the States in 1876 that she held among the colonies in 1776. More than that she need not ask.

The third mistake made by the Philadelphia commission is, perhaps, less fundamental than either of the others, but in its effect upon the enthusiasm of the country at large has been equally fatal. We refer to the indirect ways taken by its members to entrap Congress into some legislation that should finally compel it to father their illegitimate offspring.

When the Philadelphians found that their eyes were bigger than their stomachs; that they had won an elephant which they could neither stall nor feed, they should have gone frankly to Congress and said—

Now observe, Senators, this is the language of one of the leading papers of the country, not my own; and I could show by papers that I have before me that this language is not exceptional. They talk as they are likely to talk hereafter. They talk as they are likely to talk when we take millions from the Treasury. If the language is not always parliamentary, if it is a little more harsh than that we are accustomed to use on this floor ourselves, it at any rate is instructive, and shows what the people think of this plan. It proceeds to state that the Philadelphians should have said to Congress—

“We have not the ability to execute our plan without aid from some source of from eight to ten million dollars. Give us that money and let us execute our plan, or execute it yourself. If you will not do that, make a plan of your own, and we will restrict our efforts to a municipal celebration.” That would have thrown the responsibility for a suitable commemoration of our national birthday upon the President and Congress, where it belongs, and would have sheltered the Philadelphians from those suspicions which a want of directness in public as well as private matters always begets.

The Philadelphians commissioners are not likely to take this course until too late, both for them and for the centennial. Meantime, what is to be done? That is a question that can no longer be prudently postponed. It is clear that the Philadelphia scheme, pure and simple, from one cause or another, entirely fails to respond to the national feeling on this subject. The centennial will be celebrated even if the President and Congress take that day to go a-fishing. Such an anniversary will celebrate itself. The question is, whether we will make the most or take the risk of making the least of this notable epoch. If we would make the most of it, let the President do at once as any other government but ours, in contemplation of such an occasion, would have done two years ago—invite a half dozen representative men to submit to him a plan for a celebration, taking what has been done in Philadelphia into their consideration, and with the aid of their counsel let him submit a plan of his own to Congress for its approval, and for such legislation as may be needed to carry it into effect. It would have been better if the President had taken this course earlier, but there is ample time yet, and, besides, there is no other

alternative left that is better. The result of such a course of proceeding would have a national rather than a local character, it would reflect national rather than provincial feelings, and, let us hope, would arouse the patriotic rather than the mercenary impulses of the nation.

This extract is long, and I will not read others from other papers which I have before me from the South and West. The remark which I made is fully justified that that method by which we feel the pulse of the nation upon any great question being consulted now shows that there is no public demand for the legislation which was forced upon us. On the contrary, there is condemnation, suspicion, and repulsion.

The second objection to this legislation is on the score of economy. Admit that there is constitutional power, is this legislation expedient? I am willing that my democratic friends shall differ upon that or any other constitutional question among themselves; and it would be unfair to suggest that nearness or remoteness of locality has something to do with shades of difference in Senator's minds upon that question. I am not troubled on that question. I worked earnestly and voted for an appropriation for the expedition to the North Pole, to the Arctic regions; I believed it fell within our constitutional power to promote commerce. I have voted for the embellishment of this Capitol, even for the superfluities and luxuries in the way of pictures and statues, comparatively inexpensive, because I thought there was warrant for it in the Constitution. I have no difficulty in finding authority in the Constitution for any appropriate celebration of the one hundredth anniversary of American independence. But there is another question: is it expedient? We may appropriate \$50,000 to send a vessel into the polar regions, and not thereby commit ourselves to appropriate one hundred times that amount for some other purpose for which we may have equal constitutional warrant. I believe the purse was placed in the hands of Congress, and our discretion is large in these matters. Nevertheless, I think that every dollar that goes out of the Treasury of the United States should leave its friction upon our fingers as it slips out; and by no other means can we discharge our duties as legislators. That does not mean parsimony; it simply means conscientiousness. Did the people mean anything when they asked us for economy? Did the people mean anything when their cry compelled the last two national conventions of the parties to incorporate in their platforms an especial plank in favor of economical administration of the Government? When we promised economy to reach these seats, did we mean anything by it, or was it a mere empty form of words, the mere painting of the rainbow, a deception to the people without substance? If it meant anything, can that economy be in any better way illustrated than by scrutinizing carefully and jealously, ay, by refusing to pass a scheme by which the Treasury is to be depleted of untold millions? Sir, there are pressing wants of the people. There is a want of cheap transportation; and if we wish to celebrate the one hundredth anniversary of the United States, why not realize that plan outlined in the message of the President of the United States, by which the Father of Waters shall be connected with the Atlantic Ocean? Let it stand as a monument to all the States, and as a great memorial work useful to all time, while relieving the present and the future of those enormous costs of transportation which the Senator from Minnesota this morning spoke of, so that the abundant harvests of the West may be brought to the famishing regions of the East and Europe at less rates than it is possible for railroads to transport bulky products.

The President, in his last annual message, says:

The State of New York has a canal connecting Lake Erie with tide-water on the Hudson River; the State of Illinois has a similar work connecting Lake Michigan with navigable water on the Illinois River, thus making water communication inland between the East and the West and South. These great artificial water-courses are the property of the States through which they pass, and pay toll to those States. Would it not be wise statesmanship to pledge these States that, if they will open these canals for the passage of large vessels, the General Government will look after and keep in navigable condition the great public highways with which they connect, to wit, the overslaugh on the Hudson, the Saint Clair Flats, and the Illinois and Mississippi Rivers? This would be a national work; one of great value to the producers of the West and South in giving them cheap transportation for their produce to the sea-board and a market; and to the consumers in the East in giving them cheaper food, particularly of those articles of food which do not find a foreign market, and the prices of which, therefore, are not regulated by foreign demands. The advantages of such a work are too obvious for argument. I submit the subject to you, therefore, without further comment.

Now, sir, if we want a centennial commemoration, let us inaugurate a work like that. Let us inaugurate it in the name of and to glorify the one hundredth anniversary of national independence.

But if that is too practical, if that is not fanciful enough, if that does not involve enough poetry, if it does not give opportunity for gentlemen to display their eloquence upon, let us build a monumental pillar, as Jacob set one up at Hebron, that shall be five hundred feet high, and on its broad base let it stand during that limit of eternity which time will permit, to show to the people a hundred years hence that this pillar was set up by their fathers in testimony of their appreciation of the privileges which had been wrought out by their fathers a hundred years before its erection. Instead of a little ripple upon the surface of business in that single locality, which five months or five years after the time shall have passed will have been forgotten, unless there may have been some scandal about it which may have been remembered, let us have some permanent work, something which will illustrate either the usefulness of the Government to the people, or else the taste and science and art of the people; an embellishment to transmit to the future.

I say, however, that this is forgetting something of the economy

recommended in the President's message, to which I referred. The President of the United States called attention to the condition of the Treasury, and well he might, following such a panic; and he recommends suspension of work upon public buildings—the buildings at Cincinnati, Saint Louis, and Philadelphia, where the Government is suffering for the accommodation which those buildings would furnish; and he recommends, further, a suspension of the river and harbor improvements, because economy compels it; and even our fortifications, the wall that we build between ourselves and the aggression of any foreign foe. Economy requires, says the President of the United States, that we should suspend these things or cut them down to the very least amount possible; and I ask you, fellow-Senators, if the argument does not come with all the more force when it is not for works of public utility or works of public defense, but simply for a transient display to dazzle the eyes of other people?

But there is another and third objection. "We cannot tell what this scheme will cost. There is no man prophet enough to tell to-day how much we shall expend out of the Treasury on this account during the next five years. My friend from Delaware [Mr. BAYARD] wants this bill so perfected that the United States shall be entitled to receive, and shall receive, when there is a distribution of the profits and of the final proceeds, its ratable proportion of these proceeds. Has my friend attended to any of the discussions upon this matter; or did that portion of it arrest his attention where it was shown that in the Vienna exposition, after the whole amount paid upon it was expended, and all the proceeds of it had gone, and everything realized from the sale of the buildings and accessories, that there is a deficit of thirteen million florins—six or seven million dollars?

Mr. BAYARD. May not that have been because the Vienna exposition was not a success? I have heard men speak of the Vienna exhibition rather as a failure, and many reasons were given for it. There can be no doubt that the part the United States played in that exposition was quite unworthy of the capacity of our people. Nor do I understand, Mr. President, that it ought to be any objection, in perfecting the bill in the manner to which the Senator from California has alluded by securing to the United States their proper proportion, based upon the amount which the public Treasury shall have contributed, of the proceeds of any portion of the property which may enter into the construction of these buildings. If there be a profit, they will have their share of that; but if there be no profit, but simply a sum short of what was originally appropriated to be returned, they are still to have their share of that; and if there is to be loss, as occurred in the case of the Vienna exposition, and which I do not think can be fairly predicated, still the more necessity for that reason in having a return made to our Treasury of the proportionate amount we shall have expended toward the completion of the enterprise.

Mr. SARGENT. It might be well perhaps to enact in legislation that the smoke from consumed cigars should be collected for public use. There is no harm in providing that the United States shall have its share of the profits of this institution. I was not criticising that; I was simply criticising the absurdity of the idea that there would be any return to the Treasury of the United States. The Senator says that he understands Vienna was a failure. Why? It was under the auspices and the direct control of a powerful and wealthy government, and there were the Turks and the Algerines and the Chinese, and the people from Nubia and Egypt, and Greece and Persia, which the Senator from New Jersey [Mr. FRELINGHUYSEN] insisted would give success to an institution of this sort, and said we must have here at our exhibition in order to make money out of the affair. They were all there at Vienna. Their quaint costumes variegated the streets of that city and shone through the areas of the exhibition. There was the pig-tail from China, there was the flowing robe from Persia, there were the uncouth costumes of all lands, there was barbarous and civilized art there, there was everything, so far as display is concerned, which could be hoped for in an exhibition; and yet it failed. The Senator says that our exhibition there was not creditable to us. I know that it cost the United States Treasury a good deal of money for that which we did exhibit there; but the reason it was not more successful, so far as the United States were concerned, was the very reason that will make this a failure in Pennsylvania—that there were three thousand miles of water to be crossed, that transportation was expensive, that private enterprise cannot overcome such obstacles. It is because there is no necessary connection between our people and those of distant countries, and great difficulty of intercourse.

Mr. SCOTT rose.

Mr. SARGENT. I will yield in a moment.

They are a world unto themselves, not only in their institutions but in their business, as we are to ourselves; and it is this broad-rolling ocean, this difficulty of communication, which would prevent these elements of success being available to us which they had at Vienna. There they had everything at their command, situated in the midst of two hundred and fifty millions of population against forty millions of our own, and it was a failure.

I now yield to the Senator from Pennsylvania.

Mr. SCOTT. Would it at all interrupt the chain of the Senator's argument if I were to suggest to him that there was one thing which interfered with the success of the Vienna exhibition which he has omitted in his enumeration of what was present, and that was, for a short time, the cholera, and the apprehension for a considerable time that it would be a great deal worse?

Mr. SARGENT. Admitting, Mr. President, that the cholera may have deterred one-fourth of the people who otherwise might have been available for such an exposition, two hundred and fifty millions of people were more accessible to Vienna than forty millions are to Philadelphia. Now, deduct one-fourth, and still the proportion is vastly against you, and the argument fails. But I was going to say further, that it was not on account of the paucity of our exhibition there that the Vienna exhibition failed, as my friend from Delaware would seem to imply. If we had not gone there at all it would still have been a failure; and if we had gone to five or twenty times the amount we did, the failure would still have been. I have a letter, (which I have drawn out by my own request from the Secretary of State,) from Mr. Jay, our minister at Vienna, which was dated in January last, speaking of the finances of the exhibition there, in which he says:

AMERICAN LEGATION, VIENNA, January 30, 1874.

Sir: It may be of interest to the centennial commission and to Congress, should the subject again occupy their attention, to know from an official source the cost of the Vienna exposition, and the extent to which it paid for itself; and as in a former dispatch, No. 653, of November 4, I said I thought that the deficit would exceed one-half of the cost, I now beg leave to say that the cost, as I am advised by the minister of finance, has amounted to twenty millions of florins, and the loss to two-thirds of that amount. The deficit is larger than was expected, and the addition of some thirteen millions of florins to the year's budget is by no means convenient.

I have the honor to be, sir, your obedient servant,

JOHN JAY.

HON. HAMILTON FISH, Secretary of State.

And, sir, when we meet here in December, 1876, with a big deficit on this account, it will be by no means convenient, especially if we find another panic on our hands; and who could have foreseen the panic of last September six months before? Who could have seen it two years before?

Sir, I plead on behalf of economy against this outlay. The people of this nation this year are taxed \$300,000,000. Do Senators realize that amount? I know we have passed through a war where by a single bill we appropriated \$500,000,000, and we became accustomed to vast amounts; but now we have reverted to a state of peace; the country has got back to a normal condition; and although of this great amount \$157,000,000 are for causes springing directly out of that war, and therefore sanctioned by patriotic considerations, nevertheless the burden is none the less great; nevertheless there is no less the obligation upon us not to add to that \$300,000,000 which we annually draw from the pockets of our people.

Sir, I object, Isay, because I do not know how much this thing will cost. If we begin, can we stop? Are we able to stop now? That is the question which presents itself to the American Senate: "Are we able to stop now?" Can we stand up against the solicitation of our brother Senators whom we hold in high esteem? Can we stand up against the official solicitations of those whom we have named from our States, who write to us, or come here, and beg of us not to stop? Can we stop, although we put in all former legislation pledges which disarmed public criticism; pledges which disarmed criticism in Congress; pledges that this should not cost the Treasury a dollar? Can we stop now notwithstanding that? If we cannot stop now, can we stop after we have put \$3,000,000 upon this inclined plane? Can we stop when afterward a deficit is brought to us of \$7,000,000 more or \$10,000,000 more?

We do not know what this may cost, because we do not know that we shall get any money from any other source. The senior Senator from Pennsylvania, [Mr. CAMERON,] the other day, pledged his State to do certain things; to repeal the law to whose features I called attention; and to make an appropriation directly out of her treasury. I admit that that has been done, to a certain extent, by one house—the senate—of the State of Pennsylvania; but that is clogged by legislation which if we put into our bill this exhibition will never realize a dollar from any appropriation we may make. The Senator from Delaware said that on account of the panic it was almost impossible to get subscriptions for any purpose whatever; and yet the Legislature of Pennsylvania makes it a condition of its appropriation of \$1,000,000 that there shall be a million of *bond fide* subscriptions on the part of citizens of Philadelphia. My authority is the Philadelphia North American and United States Gazette, certainly friendly to the cause, for I find in looking it over that its talented and amiable correspondent plays the part of *claquer* to those gentlemen who are in favor of this bill, praises its friends, and slightly speaks of all who oppose it, misrepresents their motives, decries their judgment, and implies that they are governed by the most sordid considerations. So I think the paper itself must be good authority on that side of the question; and according to it the Legislature hampers its legislation with these conditions of which I speak. If the Senator from Delaware is correct, that it is impossible to get private subscriptions, then this \$1,000,000 never will be realized; and, furthermore, I cannot find by reading over the Philadelphia papers that they have taken out the provision that this shall go to build a local, perpetual memorial building. They do not, as was pledged, throw this sum into the assets of the concern. But I do not desire to repeat the argument which I made the other day on that point. I simply state that the amended legislation does not come up to that which was promised. If I am correct in this, then the Treasury of the United States is the only resource. We are not now merely auxiliaries, we are not now merely helping the matter along, but we are taking it under our auspices, in the phrase of the bill, and we are paying the whole expense.

I do not wish to speak unkindly of Philadelphia or Pennsylvania. I simply speak of the managers of this concern, and not of them unkindly, but simply desire to speak truthfully, and I say they come to us in the attitude of a stranger who steps up to another and says, "Please give me a light," and the other feels in his pocket and after some difficulty pulls out a match and hands it to him. "This match is of no use to me without a cigar," and then he wants a cigar. [A laugh.] That is the way they come to us. They want us to do it all. My friend from Kentucky [Mr. MCCREERY] suggests to me that they want a box of cigars. I think so.

The fourth objection to this plan is that it is international; and its friends still, and to the very last moment, insist upon this feature of it. In his reference to the Turks and Algerines and Chinese, &c., the Senator from New Jersey [Mr. FRELINGHUYSEN] said that this was absolutely necessary in order that this might be a pecuniary success. The same ground was taken by the other Senator from New Jersey, [Mr. STOCKTON,] who addressed us yesterday, insisting upon this feature. Allow me to suggest that this is most incongruous. It is incongruous for us to invite those dynasties which are founded upon divine right to come here on such an occasion to help us celebrate such an event as that which, in the language of our forefathers, overthrew forever the divine right of kings, as that which established the truth of the inalienable sovereignty of the people. We ask them to help us celebrate our repudiation and that of our fathers of all their claims to their kingly power, and all their claims to all authority of any kind which they exercise over their people. England and the nations of the earth, on some other occasion, when these memories would not be aroused, when it was not for the very purpose of recalling the events of the past which taught and enforced these doctrines, might come and visit us because they recognize us as in the family of nations. On such an occasion, as the New York Post well says, it is an insult to them to suppose that they will do that. There is no sympathy in behalf of republicanism on the part of any ruler in Europe. Switzerland may have maintained a republic for ages; but it has been because her mountain-peaks, her avalanches, her difficult passes, her rigorous seasons, have enabled her to hurl down invaders as she did Charles of Burgundy, Charles the Bold, who, after his third defeat, was found dead, with his head frozen in the morass of Nancy. The moral and political atmosphere of Europe has asphyxiated three French republics—made it impossible for them to maintain themselves there. The republic of Spain is now struggling against a military power and greater resources than could be wielded by any one man unless he had secret assistance from the cabinets of Europe. How was it during our own rebellion? How ready was the English premier, although an ordinarily intelligent statesman—a liberal statesman according to English politics—how ready was he to declare that we were fallen, fallen, fallen! How prompt was he to say that the North fought only for power and not for principle, and to recognize the belligerency of our adversaries! How ready to wink at the launching of pirate ships upon our commerce, and how sullenly was reparation made therefor! Sympathy for republican institutions! How eagerly the French Empire seized upon the moment to grasp Mexico, and erect there another empire, trusting in our weakness! No, sir; they rushed to exult in our downfall, and take advantage of our misfortunes. There is no sympathy for republican institutions in Europe. If they came here on such an occasion and kept decorous countenances, it would be the decorum of hypocrisy. We must smother our words before them and cease to exult; be un-American in our utterances on that great occasion, or else we must insult their prejudices, the very deepest in their nature. Ask Europe to come at any other time and it may do so, but it can have no cheerful participation in such a glorification. You might as well invite the college of cardinals, and the Catholic powers to celebrate the birth of Luther and his inauguration of the Reformation by nailing his theses to the gates of Nuremberg. You might as well ask the Protestant powers to celebrate the anniversary of the eve of Saint Bartholomew or the extirpation of the Waldenses. You might as well ask the people of Ireland to join in glorifying the battle of the Boyne, or attend an Orange demonstration. As well invite the people of France to celebrate the unity of Germany and the annexation of Alsace and Lorraine. Why not? Because it is incongruous; because there is something revolting either to the prejudice or the principles of those whom you thus invite. And will you tell me that there is nothing revolting to the prejudices or principles of monarchical powers when you ask them to come and hear us glorify the birth of the nation which vindicates the right of individual liberty, of popular sovereignty, the inherent right in the man himself to organize governments in such form as to him seemed best, and sweep away the divine right, the traditions of the hoary past, the feudal maxims and customs that have oppressed peoples? Why, sir, there is just as direct antagonism between these ideas as there is between light and darkness; and this gives the incongruity to this idea. I admit that those who are referred to as the ornaments of this occasion, and as necessary to give it a money-making character, by the Senator from New Jersey, [Mr. FRELINGHUYSEN,] the Persians, and the Chinese, and the Nubians, and the Mongolians, and the Sandwich Islanders, have no very particular ideas or deep prejudice on this matter. But we do invite those who are exemplars in their own person, and by the possession of their power, of exactly the opposite ideas to those we intend to celebrate. We invite them where they will not come.

The fifth consideration why this legislation should not take place is that there is something ominous in the result of similar exhibitions heretofore. My friend from Nevada [Mr. STEWART] briefly adverted to this consideration the other day, but did not elaborate it as fully as I hoped he might do, for it seemed to me that there was very much in the thought.

The first grand national exhibition was that of England. It was designed to inculcate the doctrine of "on earth peace, good will toward men." It was intended to assemble the nations there to a grand peace jubilee to celebrate the very highest principles of humanity, of national justice, and universal good will. Within three years thereafter England was involved in the bloody Crimean war, and principally on account of that exhibition. Philosophic historians say that England so disguised its character that neighboring rulers, notably he of Russia, supposed that England was in a decline; that it had lost its warlike spirit; that it was no longer able or willing to contend in the conflicts of arms, and hence he might partition Turkey, seize upon the property of the "sick man in the south," and England would not resist. I know that this is somewhat an extraordinary statement, but I am prepared to show by authority that the exhibition given by England at that time, with the avowed purpose of perpetuating "on earth peace, good will toward men," involved her in bloody war. I hold in my hand Kinglake's Invasion of the Crimea—the author one of the most philosophical historians that I ever read, and the most careful—and he has a portion of a chapter upon this very idea; and I invite the attention of the Senate to it:

England had long been an enigma to the political students of the Continent, but after the summer of 1851 they began to imagine that they really at last understood her. They thought that she was falling from her place among nations; and indeed there were signs which might well lead a shallow observer to fancy that her ancient spirit was failing her. An army is but the limb of a nation, and it is no more given to a people to combine the possession of military strength with an unmeasured devotion to the arts of peace, than it is for a man to be feeble and helpless in the general condition of his body, and yet to have at his command a strong right arm for the convenience of self-defense. The strength of the right arm is as the strength of the man; the prowess of an army is as the valor and warlike spirit of the nation which gives it her flesh and blood. England, having suffered herself to grow forgetful of this truth, seemed, in the eyes of foreigners, to be declining. It was not the reduction of the military establishment which was the really evil sign; for, to say nothing of ancient times, the Swiss in Europe, and some of the States of the North American continent, have shown the world that a people which almost dispenses with a standing army may yet be among the most resolute and warlike of nations; but there was in England a general decaying of arms. Well-meaning men harangued and lectured in this spirit. What they sincerely desired was a continuance of peace; but instead of taking the thought and acquiring the knowledge which might have qualified them to warn their fellow-countrymen against steps tending to a needless war, they squandered their indignation upon the deceased authors of former wars, and used language of such breadth that what they said was as applicable to one war as to another. At length they generated a sect called the "peace party," which denounced war in strong, indiscriminate terms.

Moreover, at this time extravagant veneration was avowed for mechanical contrivances, and the very words which grateful nations had wrought from out of their hearts in praise of tried chiefs and heroes, were plundered, as it were, from the warlike professions, and given to those who for their own gain could make the best goods. It was no longer enough to say that an honest tradesman was a valuable member of society, or that a man who contrived a good machine was ingenious. More was expected from those who had the utterance of the public feeling; and it was announced that "glory" and "honor"—nay, to prevent all mistakes, "true honor" and "true glory"—were due to him who could produce the best articles of trade. At length, in the summer of 1851, it was made to appear to foreigners that this singular faith had demanded and obtained an outward sign of its acceptance, and a solemn recognition by church and state. The foreigners were mistaken. The truth is, that the English, in their exuberant strength and their carelessness about the strict import of words, are accustomed to indulge a certain extravagance in their demonstrations of public feeling; and this is the more bewildering to foreign minds because it goes along with practical moderation and wisdom. What the English really meant was to give people an opportunity of seeing the new inventions and comparing all kinds of patterns; but, above all, to have a new kind of show, and bring about an immense gathering of people. Perhaps, too, in the secret hearts of many who were weary of tame life, there lurked a hope of animating tumults. This was all the English really meant. But the political philosophers of the Continent were resolved to impute to the islanders a more profound intent. They saw in the festival a solemn renouncing of all such dominion as rests upon force. England, they thought, was closing her great career by a whimsical act of abdication; and it must be acknowledged that there was enough to confound men accustomed to lay stress upon symbols. For the glory of mechanic arts, and in token of their conquest over nature, a cathedral of glass climbed high over the stately clifftop of Knight'sbridge, inclosing them, as it were, in a casket the work of men's hands, and it was not thought wrong nor impious to give the work the sanction of a religious ceremony. It was by the archbishop of Canterbury that the money-changers were brought back into the temple. Few protested. One man, indeed, abounding in scriptures, and influenced with the sight of the glass Babel ascending to the skies, stood up and denounced the work, and foretold "wars" and "judgments." But he was a prophet speaking to the wrong generation, and no one heeded him. Indeed, it seemed likely that the soundness of his mind would be questioned; and if he went on to foretell that within three years England would be engaged in a bloody war springing out of a dispute about a key and a silver star, he was probably adjudged to be mad, for the whole country at the time felt sure of its peaceful temper. Certainly it was a hard task for the sagacity of a foreigner to pierce through these outward signs, and see that, notwithstanding them all, the old familiar "eastern question" might be so used as to make it rekindle the warlike ardor of England. Even for Englishmen, until long after the beginning of 1853, it was difficult to foresee how the country would be willing to act in regard to the defense of Turkey, and the representatives of foreign powers accredited to Saint James's might be excused if they assured their courts that England was deep in pursuits which would hinder her from all due assertion of her will as a great European power. Thus foreigners came to believe that the English nature was changed, and that for the future the country would always be tame in Europe.

Tracing by this very course of reasoning the act of the English in their apparent abdication of warlike ideas, in their glorification of the mechanical arts exclusively, in their great parade of their devotion to "peace on earth and good will to men" as an indication that England would not be in the way in case there were aggressive

movements on the part of Russia, the Emperor Nicholas presumed on the acquiescence of the British lion, and the Crimea became the scene of one of the most terrific conflicts which the world has ever seen.

Mr. SCOTT. It was the mistake of the Czar that brought on the war, and not the exhibition.

Mr. SARGENT. The mistake of the Czar arose from these acts of England. The exhibition was the occasion of the mistake of the Czar, and therefore the direct cause of the Crimean war.

Mr. SCOTT. I did not wish to interrupt the Senator. It was an entirely friendly suggestion that the Czar was mistaken in reading the signs of the millennium, and that it was not the millennium itself that brought on the war.

Mr. SARGENT. The Senator does not disturb me by his suggestions. I very willingly yield to them. I seek only the truth in this debate. Let me give him another illustration.

There was the French exposition. Let us see who was mistaken there. I read the other day a dispatch from the French minister of foreign affairs glorifying his serene highness Prince Napoleon, who with other notable and royal persons was put in charge of that exposition, an exposition gotten up not for peace on earth and good will to men, but to glorify the Napoleonic family; to seat that dynasty strongly in the hearts of the French people; to show how great and magnificent in peace was the genius of this Napoleonic family; and they had there an assemblage and guests from all parts of the earth, and it seemed as if there was a high wave of prosperity sweeping over France. But what was the result? Peculation, corruption, infidelity in every branch of the government, stimulated by this means, stimulated by these vast expenditures. There was the pride of the dynasty itself stimulated by the spectacle which it was making of itself to all the nations of the earth, and the lip-worship which was pronounced at their family altar by other sovereigns who came there then, some of them for the first time recognizing Napoleon as a brother sovereign. It passed by, but the effect of it was felt until that dynasty was overthrown. Was it any wonder, with the corruption caused by such lavish expenditure of money, by the luxury introduced by such lavish hospitality, that subsequently when it came to a war which, if not provoked by France, she was at any rate ready to engage in, her arsenals were depleted of effective arms, and her shells when loaded in the gun to be discharged in the face of the enemy were found to be filled with black sawdust? Was it any wonder that with the pride of family thus stimulated they thought they could fight Germany or all Europe, and were upon the shoulder perpetually a challenge for Germany or any other nation to engage in deadly conflict? The pride of the family under the stimulus of the exhibition became so great that it walked before their destruction and they fell. As in the case of England, here is more than a coincidence; there is natural cause and effect.

How was it in reference to the Vienna exposition? They assembled all nations there; the citizens of Vienna went to work to erect enormous hotels, expecting a high flood-tide of riches to be swept in by the incoming current of visitors. Costly preparations of all kinds were made. The exhibition failed; and as signified by the finance minister of Austria, the enormous proportion of three-fourths of the amount expended is an actual loss. A financial embarrassment was brought on the people of the city—bankruptcy instead of prosperity. What the result may be, we cannot tell yet. It takes two or three years for these things to work themselves out. Nobody could have predicted when the hammer of Prince Albert came down, at the close of the English exhibition, that, three short years after, the peace so much glorified and sought to be illustrated by that exhibition, would be broken, and England be involved in a lengthy and bloody war. Nobody could tell at the immediate close of the French exposition that the dynasty which had shown its own glory would be evanescent as a dream; that in a few short years it would pass away, and by the very causes which took root in that exhibition. And now nobody can tell what may be the result of this deficiency of millions in which the Austrian government is involved, and what may be the result upon its people of the failures, the embarrassments, and bankruptcies which have been occasioned by it. With a strong hereditary dynasty, and a people little given to questioning the acts of their rulers, the utmost result may be financial distress. But who shall not predict even this?

The results of these exhibitions have always been fatal. To what will this exhibition here be fatal? It will be fatal to the republican party! I know my democratic friends are prepared to vote, most of them, against this measure. They, as wise party men, would certainly vote against it; because they can hold us republicans, who have a majority of over two-thirds here and over two-thirds in the other House, responsible for any failure which may come, as failure is inevitable. They know that in the next presidential election this is an effective weapon, that can be brought against us. I do not wonder that the democrats should speak and act against this measure. We are responsible, as the Senator from Illinois, [Mr. LOGAN,] on a former occasion, well said; we are responsible for measures of this character. I do not mean responsible to our individual oaths merely, but responsible as party men, having the weight put upon us by public opinion for the measures which are sanctioned here, and for their failure or success. Now, sir, if this is a failure, as Vienna was a failure, with greater resources and better opportunities, it is a failure that

comes in the very midst of our presidential election. If this is a failure, we get the full disadvantage of it at that moment. But, more than that, have we such confidence in those in whom we may invest the expenditure of millions of dollars that we believe all will be properly applied? The Legislature of Pennsylvania was not willing to trust our finance board with \$50,000, unless it was shown that \$50,000, before doled out to them, had been "properly applied," in the language of the statute. It would be a touching simplicity which would lead us to suppose that \$3,000,000 or \$10,000,000 of money will corrupt no one. We have no right to assume that some portion of this money will not be used for bad purposes. The Constitution of the United States hedges us about in every step which we may take, both Senators and Representatives, and it hedges about supreme and other judges. Wherever you turn in the Constitution of the United States you find that there are guards against the cupidity of men. Why? Because our fathers, wiser than this legislation would seem to indicate us to be, recognized the fact that there was in the average man a tendency toward evil. They provided, among other things with reference to Senators and Members of Congress, that no Senator or Member shall be appointed to any office which shall be created or the emoluments of which shall be increased during his term of service. Why? Because his experience would not be valuable in such office. Because, having served as a Senator of the United States, he would not be better than another to fill a lower position than that of Senator? No, sir; but because they would not hold the temptation to cupidity of any man to create these offices in order to occupy them. The same rule is applied to our judges, to remove from them temptation arising from the fear of their salaries being tampered with on account of any decision they might make which might meet with disfavor from Congress; recognizing the fact that men are open to pecuniary considerations, are open to corruption. By this they did not impeach the court; they did not impeach any individual, and neither do I by my remarks; but simply show that the fathers, wise in their day and generation, surrounded their legislators and their judges with guards which are not in the way of an honest man, but which deter a dishonest man from carrying out dishonesty.

If there be scandal in reference to this exhibition, we shall get the full effect of it in this presidential election that is to come. I am speaking to republicans now. I say that this measure will be fatal to the republican party, as these others have been fatal to dynasties; have involved bloody wars; have produced consequences evil for humanity. Any scandal in connection with this scheme will be worse for us than the Credit-Mobilier exposure; because it will be open to denunciation before the people during the most heated time, during the most inflamed period, of a presidential election. Suppose it is a failure; suppose there are few people who come there; we spend more than \$3,000,000; suppose it runs to \$10,000,000, the original cost of the Vienna exhibition, with a probable deficit—how, I ask, are republican Senators to stand up and explain these things to their constituents? Can we say to them, "We were memorialized by your Legislatures to take that step?" Their reply is, "Show us the memorials of our Legislatures. A few, locally interested or near by and influenced by immediate and direct sympathy, may have so said; but the Legislatures of the United States did not say so as a rule." Shall we say, "We were so invited by the press, and deceived?" On the contrary, they can show, as I have shown this morning—for I have tried to strip this thing bare and show its very skeleton—"The press warned you against it; the press said it was absurd; the leading papers said it was an abuse; they denounced it from day to day, and you ought to have paid attention to them." Shall we say, "We were petitioned by our constituents, who speak for themselves, and not through the press?" They will demand to know where the petitions are; and I say the petitions are not here. We are not thus petitioned. We can have no excuse. We shall have to meet the scandal; we shall have to meet the failure; and if it does not bear down the republican party, then I shall be most happy. But I fear that result.

Now, sir, I appeal on behalf of the Treasury of the United States. I appeal on behalf of this tax-ridden people, with its \$300,000,000 of annual payment to meet the interest on the national debt and to keep the Treasury from bankruptcy; and I beg Senators, in view of all the considerations which have been urged against this bill, to carefully consider, before they determine that this scheme shall be resurrected and put upon its feet, and the life-blood which it shall receive be drawn exclusively from the Treasury of the United States.

The PRESIDENT *pro tempore*. The question is on the amendment of the Senator from New Jersey [Mr. STOCKTON] to the instructions proposed by his colleague, [Mr. FRELINGHUYSEN].

Mr. THURMAN. Let that be reported.

The PRESIDENT *pro tempore*. The amendment will be read.

The CHIEF CLERK. The amendment of Mr. STOCKTON is to add to the instructions moved by Mr. FRELINGHUYSEN the following:

And with additional instruction to provide that the exhibition to be held in commemoration of the one hundredth anniversary of American independence shall be international in its character, so as to exhibit the progress of the United States in the industries and arts beneficial to mankind, in comparison with those of older nations, as provided in the act of Congress approved March 2, 1871.

Mr. CONKLING. To what instructions is that an amendment?

The PRESIDENT *pro tempore*. The instructions moved by the Senator from New Jersey, [Mr. FRELINGHUYSEN], which will be read.

The Chief Clerk read as follows:

With instructions to report a bill making appropriation of a sufficient sum of money from the Treasury of the United States, not exceeding \$3,000,000, toward defraying the expense of the centennial celebration and exhibition to be held under the auspices of the United States at the city of Philadelphia, in 1876, under such regulations as will secure the faithful application and expenditure of said appropriation.

Mr. THURMAN. As I understood it, my colleague moved to refer this bill to the Committee on Appropriations.

The PRESIDENT *pro tempore*. And thereupon the Senator from New Jersey [Mr. FRELINGHUYSEN] moved to instruct the committee as just read, and then the Senator from New Jersey, his colleague, [Mr. STOCKTON,] moved to amend his instructions by adding what was first read.

Mr. THURMAN. The question, then, is on the amendment proposed by the Senator from New Jersey nearest me, [Mr. STOCKTON?]

The PRESIDENT *pro tempore*. It is.

The question being put, it was declared that the negative appeared to prevail, and a division was called for.

Mr. SCOTT. As the Senate is thin and evidently all Senators were not apprised that we were likely to reach a vote at this time, I wish for a few moments to correct one or two statements made by the Senator from California [Mr. SARGENT] which I think would do injustice to other parties than those to whom they were directly applied.

In the first place, the Senator from California made the statement in the opening of his remarks that it was this debate which had developed the international character of this exhibition; at least he made that remark, that it had been developed by this debate.

Mr. SARGENT. That its friends had insisted upon it.

Mr. SCOTT. But the remark made was that the debate had developed two things: first, that this was a financial proposition; and, secondly, that it was proposed to make it an international exhibition.

Mr. SARGENT. That its friends had insisted upon that in spite of all we could do.

Mr. SCOTT. But the remark carried the implication that this was the first time that had been developed. Now, I am not about to repeat anything that I said in regard to the character of the original bill; but as the Senator was at the time that bill passed the House of Representatives a member of that House, I simply wish to do justice to the parties who had charge of the bill then by showing that not only in the bill but in the debate it was clearly announced that it was to be an international exhibition. On the 14th of December, 1870, the author of the bill, and the chairman of the committee who had it in charge, in speaking upon it, said this:

If, then, there be a national celebration worthy of the occasion, there must be an exhibition of universal industries. It must be competitive to evoke and reward merit, elicit interest, and insure success. And as at the appropriate celebration of our most distinguished national *fiè* we must expect the graceful recognition of friendly peoples, we can do no less than invite their attendance, and in doing this we cannot without churlishness refuse to give them the privilege of friendly competition for the rewards of excellence.

To bring together the varied productions of our soil, our mines, and our workshops, the creations of our artists and the works of our authors and inventors, and place them side by side with the productions of other countries, would afford an opportunity for a comparison of the progress in the arts of civilization accomplished in a single century in this country with the best results of human effort in all ages in all the rest of the world. Such an exhibition would call together representatives from all parts of the globe, and familiarize our people with the choicest productions of other lands. It would bring among us the skilled artisans and men of talent and enterprise from every competing country, many of whom, after realizing the opportunities for improving their fortunes that are presented under our free institutions, would make their homes here and give us the benefit of their skill and experience. Others, who would return to their own people, would carry with them vivid impressions of the advantages of a republican Government and just conceptions of the capabilities of the American people. Looking exclusively to the advantages to be derived by our own citizens, it may be safely affirmed that they would be a thousand times repaid for all the expense of every character to which the Government, corporations, associations, and individuals would be subjected.

That is an extract from the remarks made by Hon. D. J. Morrell at that time.

On the same occasion Hon. LEONARD MYERS, a Representative from the city of Philadelphia, made these remarks:

This mighty consummation must be honored not merely by a general thanksgiving, but it is admitted that under the national sanction there should be a national commemoration, an international exhibition, where not only the United States, but other lands shall bring together some of the results which this wonderful century has quickened into existence; where agriculture shall still assert the supremacy of the soil, and the mines pour out their wealth of ores; where commerce shall waft on new wings the gifts of the nations, and steam shall speed to us friendly thousands, and electricity bear their messages of good-will; where manufactures, the prohibition of which was a fruitful cause for the Colonies to rebel, shall contribute from their vast store-house of improvements, and from which it is hoped other lands may learn the lesson of unity and peace.

There were other remarks of a similar character made by this Representative from the city of Philadelphia which I do not take time to quote.

The Senator from California further, in speaking of the five causes that ought to operate against this exhibition, spoke of there being no popular response either by the people or by the press. So far as popular response is concerned, and the press also, I desire to say that the voice of the press at present, within the last few days, since the interest of localities has been enlisted in this procedure, is very different from what it was in the early part of the enterprise. From some of the very papers to which the Senator from California has referred

I could quote extracts of the most favorable character during the early part of the progress of this enterprise. Sir, if I am not misinformed, the boards of trade of two of the very cities to which he has referred were assembled, and to the representatives of the centennial board of finance they gave the most favorable and emphatic assurances that they would contribute the amount which was assessed upon those cities. If I mistake not, the Senator from Massachusetts himself could bear witness that when the Boston Board of Trade assembled they gave that assurance to the gentleman from Philadelphia who was present representing the centennial board of finance.

But, sir, the panic has intervened, and it now becomes a matter to consider, properly to consider, whether it is right, in view of the public finances, to make this appropriation; and in addition to that, there seems to have arisen a feeling of hostility to Philadelphia because this celebration is to be held there. I suppose it would have been the same if any other locality had been selected. We seem, somehow or other, to be so constituted—I was going to say, to quote the remark of a celebrated philosopher—"that we take some consolation, or some delight even, in the misfortunes of our best friends;" and if some other place had been selected, probably—I will not say certainly—Philadelphia might have manifested the same phase of human nature. Her citizens are called upon to take upon themselves the burden of this celebration as well as to realize any of the profits which may result from its locality. Certainly, to a few individuals there will be great inducements; it will be profitable; but to the gentlemen who have charge of the exhibition it is a labor and a burden for which they can have no other compensation than the satisfaction of having discharged a patriotic duty.

Sir, I was somewhat surprised that the Senator from California incorporated into his remarks, thereby to some extent indorsing, the editorial of the New York Post. It had attracted my attention, and its animus would certainly attract the attention of any one, coming at this particular date; and how far the animus of that article should be considered by an American public, I think will be made manifest by calling attention to one sentence in it; and I think those who recognize the Revolution as a milestone upon the highway of human progress will hardly be content to indorse the sentiment of this paper. Let me read it; let me emphasize it:

With what face can President Grant ask the sovereigns of Europe to unite with him in celebrating an anniversary which organized rebellion and revolution as legitimate resources of statesmanship?

The Revolution not one of the legitimate resources of statesmanship—our Revolution—the Revolution of 1776!

Why, sir, where do you get your statesmanship? I understand the underlying principle of our institutions to be that no government has any just powers but those which are derived from the consent of the governed; and it was at the bottom of all political power that the Revolution started, man demanding that he should have the right of self-government, and that no power should be exercised over him without his own consent; and now a newspaper is quoted in the Senate of the United States to throw a sneer upon that Revolution as one of the legitimate resources of statesmanship. It might well be quoted in opposition to the centennial celebration of the Declaration of Independence, and I can hardly conceive of any other appropriate place to quote it. I know the Senator quoted it as a part of the voice of the press; but it shows the animus of that opposition.

One thing more. This same article speaks of the indirect way of doing this thing, and charges it upon Philadelphia:

The third mistake made by the Philadelphia commission is perhaps less fundamental than either of the others, but in its effect upon the enthusiasm of the country at large has been equally fatal. We refer to the indirect ways taken by its members to entrap Congress into some legislation that should finally compel it to father their illegitimate offspring.

Mr. President, the first act was passed in 1871; and let me see who were named by the governors of the States. I will not read them all, but from California I find the names of John Dunbar Creigh and John Middleton; from Massachusetts I find the names of George B. Loring and William B. Spooner; from Kentucky those of Robert Mallory and Smith M. Hobbs; from Iowa, Robert Lowry and Coker F. Clarkson; from Ohio, Alfred T. Goshorn and Wilson W. Griffith, and so on; and I might proceed and name the gentlemen who compose the centennial commission. It was not Philadelphia that came and asked for the incorporation of the centennial board of finance, but it was this whole commission. Mr. Loring from Massachusetts, Mr. Lowry from Iowa, Mr. Goshorn from Ohio, Judge Creigh from California, these were the men who, sitting in Philadelphia in June, 1872, sent their dispatches to the Senate asking them to pass this act of incorporation, so that they might take action upon it before they adjourned. Philadelphia came here in no indirect way. This was the act of the nation through the commission appointed by the States; and when I say the "nation," I mean the acts of all the States in pursuance of a national appointment.

I did not rise for the purpose of going into any further extended debate. I want to vote, and I wish the Senate to declare decidedly and decisively now, first, whether this exhibition shall be international in its character; and, next, whether these men who made all the efforts they could to carry out this organization upon the plan which they adopted, and which Congress sanctioned, and who have failed in that, are to abandon their work as it stands at present and leave it to float on at chance, or whether they are to be encouraged and

receive the sanction of Congress, and endeavor to make this celebration a joy and a credit to the American people.

Now, Mr. President, I trust I shall not be tempted to say another word on this subject.

Mr. SARGENT. Will the Senator allow me to ask him a question?

Mr. SCOTT. Certainly.

Mr. SARGENT. I wish to call his attention to a statute of 1851, of the Pennsylvania Legislature, which, as I am informed, is still in existence, which provides—

That from and after the 1st day of May next—

Now, of course, long past—

it shall not be lawful for any person or persons to sell within the city or county of Philadelphia by sample, card, or other specimen, any goods or merchandise of any kind or description whatsoever, for or on account of any merchant, manufacturer, or other person not having his principal place of business within this State, and to whom a license has not been granted under the laws of this Commonwealth; and if any person shall sell or exhibit for sale, either by sample, card, or otherwise, in the city or county of Philadelphia, any goods or merchandise in violation of the provisions of this act, such person or persons so offending shall be liable to a fine of \$300 for every such offense, which may be recovered by suit, &c.

In the next section I find that the cost of a license is \$300. I wish to inquire if that legislation still exists in the city of Philadelphia, where the manufacturers of the United States are to be invited to show their goods? My impression is that it does.

Mr. SCOTT. That was in 1851. It is a local act applicable to Philadelphia alone; and if there is anything proverbial in Pennsylvania it is that no lawyer would answer any legal question about local legislation until he had looked through every volume of the acts of Assembly from that day down to the present. Whether it is in operation or not I cannot tell; but I can assure him if there be any statute upon the statute-books of Pennsylvania which can interfere with the success of this exhibition, or which might be considered even technically as in the light of this exhibition, there will be no difficulty whatever in repealing it long before it shall be found to be an obstruction in the way of the exhibition.

Mr. MORRILL, of Vermont. Mr. President, I do not rise to prolong this discussion, but to make a suggestion or two. The Senator from Pennsylvania evidently seems to have thought, by his emphasis, that he was scoring at least one against the New York Evening Post, or against the Senator from California, by quoting what was said in relation to rebellion and revolutionary government. Now, it is very possible that here, in a republican Government, we should look with more favor upon a revolution, founded on republican principles, that was brought about by a rebellion than the people under governments that have kings or emperors over them by divine right; and I think that was all that the editor meant—all that he desired.

But, Mr. President, the question now immediately before us is the one upon the reference of the bill with these instructions to the Committee on Appropriations. Without instructions, the matter would go to the Committee on Appropriations to report back such a bill as would carry into effect the wishes of the Senate so far as they can be adduced from the discussion that has taken place; and I think if there is anything that can be legitimately drawn from the discussion thus far, it is that the Senate is not ready to embark at full length as to any possible expenditure that might be made under an international exposition. These instructions evidently commit us to the whole length of an international exposition, whatever that may mean. I think that the friends of any exhibition make a very serious mistake in attempting, at this early day, to thrust that question prominently forward; and I therefore suggest to them whether they are not endangering even a national exhibition by thrusting this amendment forward. I do not believe that there is anything like a majority of the Senate in favor of the amendment proposed.

The PRESIDING OFFICER, (Mr. ANTHONY in the chair.) The question is on the amendment offered by the Senator from New Jersey [Mr. STOCKTON] to the instructions moved by his colleague, [Mr. FRELINGHUYSEN.]

Mr. DAVIS. I should like to have the amendment reported as it would read.

The Chief Clerk read the amendment and the amendment to the amendment.

Mr. STOCKTON. Mr. President, the amendment which I offered to the amendment of my colleague was offered after consultation with other gentlemen, with the belief that it would bring up a question on which the Senate would properly divide, under the hope that the little difficulty which surrounds this question in the way it has come before Congress this session might be avoided by that amendment. The course the debate has taken has led me to believe that that amendment, and a vote upon it, will at the present moment be of no service. Therefore I ask leave to withdraw it.

I have no doubt that the American Congress will in some shape, in some bill, at the proper time, meet the responsibilities which they have already incurred in this matter. I have no doubt that they will justify the expectations of the people in so conducting this matter that it shall be a credit to our country and a matter which we can all feel proud of. I have no disposition myself to press any peculiar view of my own upon the Senate or upon the country. Therefore I desire to withdraw the amendment I offered and let the vote be taken upon the amendment of my colleague.

The PRESIDING OFFICER. The amendment of the Senator from New Jersey to the amendment is withdrawn.

Mr. SUMNER. Has not that already been voted on and rejected?

The PRESIDING OFFICER. It has not been. A division was asked, and before the vote was taken the Senator from Pennsylvania [Mr. SCOTT] desired to submit some remarks; and no vote was taken on the amendment to the amendment, which was the question. The question is now on the amendment of the Senator from New Jersey [Mr. FRELINGHUYSEN] as instructions to the motion to refer.

Mr. THURMAN. I wish to say that upon all questions arising on this bill I am paired with the Senator from Indiana, Mr. MORTON. I am informed by the Senator from Pennsylvania farthest from me, [Mr. CAMERON,] who asked me to pair with him, that he would vote with that Senator on all questions arising on this bill, was of the same opinion with him, and therefore would vote in the same way; and I should vote the other way.

Mr. SUMNER. Let the amendment be reported.

Mr. CONKLING. I take this opportunity to say that the Senator from Wisconsin, Mr. CARPENTER, has been compelled to leave the Senate from indisposition. He is paired with the Senator from New Hampshire, Mr. CRAGIN, the Senator from New Hampshire being favorable to the bill and to amendments looking to its interest, and the Senator from Wisconsin being opposed to the bill.

The PRESIDING OFFICER. The amendment of the Senator from New Jersey will be reported.

The Chief Clerk read as follows:

With instructions to report a bill making an appropriation of a sufficient sum of money from the Treasury of the United States, not exceeding \$3,000,000, toward defraying the expenses of the centennial celebration and exhibition, to be held under the auspices of the United States at the city of Philadelphia in 1876, under such regulations as will secure the faithful application and expenditure of said appropriation.

Mr. CONKLING. Mr. President, I shall vote against these instructions, believing that if the bill is referred to the committee at all it should be referred to the committee with an opportunity to devise and present the best thing the committee knows how to do. I do not see how by saying it shall report not to exceed \$3,000,000 we are going to aid it or aid ourselves especially.

Mr. STEWART. Then we can vote against the whole thing.

Mr. SUMNER. Mr. President, I think the Senate may be congratulated on this debate. It has beyond all question advanced the truth. You all remember how it opened—the confident tone of my friend the Senator from Pennsylvania, [Mr. SCOTT,] with the arguments he presented; but one by one the arguments have been answered, and so day by day the cause that he represented so ably and assiduously has failed. Of this the public press is a record. I hold in my hand to-day's National Republican of this city, containing an article on the doings of Congress, and especially referring to what is known as the centennial bill, which it ardently espouses. Now, hear what this advocate says:

It would appear that early action is necessary for the safety of the bill, as this protracted debate is undoubtedly having a damaging effect upon its chances.

Such, sir, is the admission of a friend, that the chances of this bill are injured by debate. Sir, truth fears no light; a just cause cannot shrink from discussion. Therefore, when the friends of this measure urge instant action, saying that they lose by debate, they confess the infirmity of their cause.

Other things have been developed. At first, the proposition was innocent in form, nothing more than simply to carry out an existing statute; involving nothing; especially that there was no money in it. I felt it my duty to announce that it was an appropriation bill in disguise, for I saw clearly that without money the measure proposed was nothing; was not worth the paper on which it was written. Very little worthy was it of the debate which its friends challenged. It was only because it was an appropriation bill, or the beginning and the preamble to an appropriation bill, that it became of significance. Now, sir, its true character is seen. Even its friends do not deny that it is practically an appropriation bill; and one of its leading and most eloquent supporters has clinched this admission by an amendment in the nature of instructions to the committee, to report a bill appropriating \$3,000,000 to carry forward this scheme. Therefore I do not err when I say it stands conspicuously before the Senate as an appropriation bill. I do not use too strong language. I am simply exhibiting the fact as it is beyond all question; giving to it special importance. We debate appropriation bills day by day. How often have I known questions, insignificant in amount compared with that now in issue, occupy the attention of this Chamber and of the other for days; and yet complaint is made that we have undertaken to discuss this question at a little length, very slightly, however, compared with its magnitude. Complaint is made on this account. Is it not most unjustly? The proposition on which we are to vote immediately commits the Senate to \$3,000,000. Now does any one suppose that even this appropriation is the end of this business? Does any one suppose that if we vote \$3,000,000 and declare this exhibition under the auspices of the nation, we can stop short of a sufficient sum to make the exhibition honorable to the nation? Can any one doubt this responsibility? Do my excellent friends, the Senators from Pennsylvania, doubt it? I know they say that this shall be on condition that no further appropriation shall be called for, that all the rest shall be found elsewhere; but will these corporators, for so I call them, regard the condition? Have we not too much evidence—too much evidence in the past? Notoriously they have disregarded

the condition twice over in two different statutes, a condition openly recognized by their supporters in both Houses of Congress, that the United States should not be called upon for any contribution. Notoriously they have set that condition at naught; they have handed it over to oblivion, treating it as if it did not exist; and now they ask us to hand over \$3,000,000 on the further condition that they shall not call again, but with no assurance that this condition will not be consigned to the same oblivion in which their predecessors are already overwhelmed.

Sir, I would not use too strong language, but I do feel that here is an attempt to commit Congress which ought to be resisted on the threshold, and which I do now resist. You all remember the somewhat remarkable expression which dropped from the pen of General Washington in one of his letters, when, alluding to moneys supplied to him, he said they were "but a flea-bite" compared to what he wanted—an expression which one of his editors regarded as too bold to be preserved, and he accordingly substituted a milder phrase. Sir, I content myself now with the language of Washington, when I say that the \$3,000,000 now proposed will be but a "flea-bite" compared to what will be required if this swelling scheme is carried forward in the form announced, and in the propositions already presented to the Senate.

Sir, I cannot err; there can be no mistake about that. We have before us the experience of the Old World in the exhibitions already held. We know the large expenditures. We have the recent experience of Austria; and although there is a discrepancy in the testimony with regard to the cost or the sum total of cost on that occasion, yet what we do know, even the statement made to-day by my friend, the Senator from California, founded on a diplomatic dispatch from our minister at Vienna, is sufficient to warn us now. Why, sir, according to that dispatch the cost was 20,000,000 florins, gold, equal to \$12,000,000 of our money. Now, does any one suppose that a structure equivalent in architectural character and in its equipment to that which recently excited the admiration of the visitor at Vienna can be reproduced in our country for the same sum it cost them at Vienna? Does any one suppose it can be done? Senators, look at it carefully and frankly. Will it not cost much more? Is there not a difference in labor between Philadelphia and Vienna which introduces at once an enormous discrepancy? If the exhibition at Vienna cost \$12,000,000, will not the exhibition at Philadelphia, if organized on the same scale, cost \$24,000,000? Will it cost a dollar less? Will the people of the United States, if once engaged in this considerable work, be content with an exhibition that shall fall short of that of Vienna? Will they not require that the art treasures assembled here shall find a temporary home in a palace that shall rival anything in Vienna? Will they be content with anything less? Should they be content with anything less?

I open this case on questions, and I should like the answer of my excellent friends. I know their patriotic impulses, their ambition for our natal land, and that they, of all, would desire that on that day it should be truly glorified, so that republican institutions should be enshrined not less worthily than the monarchies of Europe. I know that the Senators from Pennsylvania must be with me in this aspiration. I know they would not lend their sanction to any failure or short-coming; that they would insist upon the exhibition being carried through powerfully, grandly, magnificently, as becomes the destinies of the great Republic. Where, then, does that lead us in cost? Far, very far, beyond \$3,000,000; far, very far, beyond \$10,000,000; far beyond \$15,000,000; I fear far beyond \$20,000,000.

There is one reason that stands forth very plainly why this expense must be very great; I alluded to it when I had the honor of addressing the Senate the other day, but in a different connection; and it is that a World's Fair in 1876 will be an anachronism, out of season, premature, and without a sufficient interval between it and the preceding fair, that of Vienna. Now, be good enough, if you please, to bear in mind certain dates. The London Crystal Palace fair, which began these great festivals, was in 1851. France, filled with a noble emulation, followed with her first Universal Exhibition in 1855, four years later. Then came the London International Exhibition, the most successful of all, in 1862, seven years later. Next the Paris Universal Exhibition, so called, in 1867, five years after the London exhibition. And last arrived the Vienna International Exhibition in 1873, being six years after that of Paris. And now, sir, I believe all competent persons who were at Vienna testify that the Vienna exhibition was premature, that a sufficient interval had not been allowed to elapse after the great exhibition at Paris, so that it was in reality a great bazaar, a sort of Russian fair, rather than a place for comparison of inventions and to review scientific progress. And now we are called to institute another World's Fair after an interval of only three years, not five years, not six years, not seven years, but only three years; and consider, if you please, the extraordinary difficulties from distance, from intervening ocean, that must be overcome; and add to those difficulties the brief period between our proposed exhibition and its immediate predecessor, and you will see that from the nature of the case, in order to make your exhibition successful, you must spend money largely—just in proportion to the difficulties which you must overcome must the expenditures be. Therefore, again I say that the \$3,000,000 you now propose are only a "flea-bite" compared with what you will be called to contribute. The "flea-bite" will be hard to bear now, in the present condition of the Treasury; but with

this "flea-bite" swollen, enlarged, aggravated, I know not where we shall find the means to meet it.

But, sir, another topic has been introduced into this debate, which figures largely, and on which the advocates of this proposition expend argument and eloquence. It is, that the public faith is pledged. Sir, I do not know that I should have said a word to-day—I think I should not—but for the manner in which this argument has been pressed; and I may add, also, the personal allusions from time to time to myself in this connection. I know something of the origin of this original bill. I know to what extent the public faith is pledged. I am a witness, and I take the stand. The bill came from the other House, where it was introduced by a friend of this measure, being, as I understood, supplied to him by one of the Philadelphia associates. It passed the other House, as many measures too frequently pass that House, and came to the Senate. I think I may say the moment it was understood the feeling was adverse. It was said—I am speaking now of conversations—that it was on its face an impracticable measure, involving the country, possibly, in considerable expense. Then it was that Senators against it, or not inclining to its support, said, "Very well; if you will accept the bill with a condition relieving the United States from all liability, there will be no objection. It is in the nature of an act of incorporation; and we give you these large powers, but with no responsibility on the part of the United States." Such was the understanding, and such was the condition expressly, positively, openly introduced into the bill.

Senators speak of pledges, of conditions. Sir, there is but one real pledge in this bill; there is but one real condition. That pledge is, that the United States shall not be called to pay a dollar; the condition is that our Government is relieved of all responsibility on account of this undertaking; and that is the ruling condition to which all else is subordinate. Let me read it. Before I close on this head I shall have a curious parallel to present with the famous club of Mr. Pickwick:

That no compensation for services shall be paid to the commissioners, or other officers provided by this act, from the Treasury of the United States; and the United States shall not be liable for any expenses attending such exhibition, or by reason of the same.

Now, Mr. President, could language be plainer, more explicit? The United States is never to pay a dollar. And now, sir, the vista opens; we are to begin with \$3,000,000 down, and nobody knows how many millions afterward; and yet the fundamental condition was "The United States shall not be liable for any expenses attending such exhibition, or by reason of the same." How, in the face of that condition, can Senators rise in this Chamber and speak of public faith as pledged to this measure? Sir, the public faith is the other way. You and I and all of us are bound to the people of the United States, by that condition embodied in the bill, that not a dollar shall be paid. That condition commended the bill originally to the people, because they saw that under it a generous corporation would undertake a service for which the country would be grateful; and the people saw that their taxes would not be increased, that their pockets would not be entered. But now the proposition is to increase the taxes and to enter the pockets to carry out this bill.

Look further, sir. The Senator from Pennsylvania on my right, [Mr. CAMERON,] while it was under discussion, expressly announced that Philadelphia would take the matter in hand, "just as any other great city of this country probably would do;" and then, again, in the ardor of his eloquence, that the money was to be raised "without expense to the Government." Then, again, "They ask nothing else of the Government;" that is that this charter, which they now have. "There is no doubt they will raise the money." "They will to-morrow go to work immediately to procure this money."

The other Senator, who represents this bill so indefatigably on this floor, [Mr. SCOTT,] said:

When the subject was first introduced in Congress, it was feared that an appropriation would be asked. Everybody in both Houses was so sensitive on that question, that an express disavowal of all responsibility on the part of the Government had to be incorporated in the act.

There my friend admits the condition—"express disavowal of all responsibility on the part of the Government had to be incorporated in the act." Now, in the face of that condition, according to his own admission, incorporated in the act, he rises day by day in this Chamber and charges us who stand by the condition with a breach of public faith. Public faith, sir! Nothing is more beautiful, more sacred, sacrosanct, than the public faith, always to be preserved, and never to be invoked with levity; and permit me to say that when my friend invokes it on this occasion, it seems more like comedy than truth. Unquestionably the public faith is the other way. The public faith is solemnly pledged in this business to economy and to an absolute abnegation on the part of the United States.

Not content with this condition in one statute, the other statute, creating the financial board, repeats it:

Nothing in this act shall be so construed as to create any liability of the United States, direct or indirect, for any debt or obligation incurred, nor for any claim, by the centennial international exhibition, or the corporation hereby created, for aid or pecuniary assistance from Congress or the Treasury of the United States, in support or liquidation of any debt or obligations created by the corporation herein authorized.

And then we have the declaration of my excellent friend, the Senator from Ohio, [Mr. SHERMAN,] while this measure was under dis-

cussion in the Senate, that "it simply authorizes the Philadelphia people, at their own expense, to have a show;" and he added, "as a private bill I hope it will be passed." So, sir, it was treated at the time, and if the question is asked, which I have heard more than once propounded, why it passed without opposition in this Chamber, why according to the record it was *nem. con.*, the answer is easy, that all disinclined to the measure saw full well that by that careful provision, relieving the United States of all liability, they would hereafter be safe; that there would be no return to them, no call upon them, no clamor, no suggestion of public faith. All that was clearly recognized at the time; and that was the reason why the bill passed, as it did, without opposition. That was the reason why I sat silent in my seat. I had drafted that provision, and I was satisfied that it would hold; and I calmly said to all who spoke to me on the subject, "It is in the nature of a private bill; it creates a new and grand corporation for a patriotic purpose; let the corporators have their bill; the United States are not in any way involved."

Why, sir, the case of Mr. Pickwick and his club was renewed. He, you will remember, proposed to travel, and the club solemnly voted that Mr. Pickwick have leave to travel and correspond with the club at all times, paying his own expenses and his postage. [Laughter.] The provision in this bill was the precise equivalent of the permission received by that distinguished and venerable gentleman, so well known in literature, in history, and I may say also in politics, as Mr. Pickwick.

But that is not the only illustration. Every man of business knows that a bill of exchange is often indorsed, "without recourse." I will not give my definition of that phrase, but will read that of Webster's Dictionary, "Without recourse, words sometimes added to the indorsement of a negotiable instrument to protect the indorser from liability to the indorsee and subsequent holders." Here we have indorser and subsequent holders; but the United States, by the provision to which I have referred, are completely secure against all resort from indorser or subsequent holder. These corporators took this great business "without recourse" to the United States; and there I stand. "Without recourse." Let them proceed as they began. At all events, the Senate will adhere, I trust, to the original indorsement.

But I have something more to say—very briefly, however—on the way in which these corporators, if I may so express myself, worked into their present position. They came here for their bill; they obtained it with the condition that I have mentioned, a condition openly announced and accepted by their representatives on this floor, and also in the other House, accepted fully; and the venerable Senator from Pennsylvania on my right was so jubilant that he announced at once that they would obtain the money without delay. Ah, sir, does not the poet tell us:

Fair laughs the morn, and soft the zephyr blows?

It was so with them. Their morning laughed, and the zephyr fanned their cheeks. They were confident of success. They began with their own immediate fellow-citizens, and there they failed. They then turned to the States; there again they failed; and now, sir, morning no longer laughing, and zephyr no longer blowing, they turn to the United States, and ask us to assume this great expense. There should have been more frankness originally. If the United States were at any time to be called to assume this expense they should have known it in advance. Nor is this all. The United States should have had the conduct of the whole business. It should not have been entered upon by a private corporation of stockholders. Permit me to say in a certain sense they are usurpers; occupying supreme national function. Thus far all World's Fairs have been governmental in origin and conduct, and I see no reason in our national condition why we should be an exception. I do not find that we have facilities for massing capital and obtaining the means for a great World's Fair that should make us an exception to the received rule and practice of other nations. The World's Fair should have been in the hands of the nation. And now still further I am about to say that in my judgment a proper celebration of the one hundredth natal day of the Republic should have been by the nation and not by any private corporation. But these private corporators have worked themselves into the business. The authentic story of the Siberian bear is revived. You all remember it. The bear leaped upon a horse, and he ate so furiously that he absolutely ate his way into the harness and drew the sledge. I know not if our Philadelphia bear has not already eaten itself into the harness. But has not the time come to stop? I think we must give the bear notice to quit; at least let him know that he cannot drag this nation into any World's Fair.

Now, sir, allow me to say that I have three earnest desires in connection with our coming anniversary:

First. To secure a proper commemoration of that great day, truly worthy of this Republic, and characteristic, so that republican institutions shall thereby gain;

Secondly. To save the national character, which must suffer if the present scheme is pursued; and

Thirdly, to save the national Treasury.

For these reasons I trust that this bill, which is so justly revealed as an appropriation bill, should be referred to the committee having charge of such bills; and it should be referred without any further instructions than are abundantly found in the existing legislation of Congress and in the open declarations of the friends of this measure

on other occasions, when they declared that the United States should be called upon for no contribution. Twice over has Congress given instructions on this very point—not merely the Senate, but both Houses of Congress, with the approval of the President; twice over in two different bills; once, twice. I hope that the present bill will be referred to the Committee on Appropriations, and that it will take its instructions from existing acts of Congress.

Mr. FLANAGAN. Mr. President, I certainly had no idea of participating in this debate until within about an hour. I am without a note; I have made no preparation; and have perhaps but few ideas to express. I am reminded of the fact that it is said “it is easy to swim in deep water,” and I certainly, in the sense that I am looking to, find myself thus situated on this occasion. I am in the mighty sea between my distinguished friend on my right from Massachusetts, [Mr. SUMNER,] and the distinguished gentleman from California on my left, [Mr. SARGENT.] They have electrified the Senate with their eloquent discourses. They have acquitted themselves well, and surely to their own satisfaction. I regretted, however, to hear a remark or two dropped by my friend from California, to which I venture to allude. I wish he were close by; I have not the pleasure of seeing him now.

Mr. MORRILL, of Maine. He is near at hand.

Mr. FLANAGAN. O, I am gratified to see him now. My friend remarked, among many objections, with force, that it would possibly be said that our action here, if this bill was passed, by the Senate, would bring up in the country, the eyes of the people of the Union being upon us, recollections of the great Credit Mobilier scandal. I regret very much if my friend was serious in the idea that there are any such influences as are known to this proud nation in that connection, associated with this great national enterprise. I hope my friend had no such idea.

Mr. SARGENT. I merely said that if there were scandal in this country we should have the full benefit of it in the presidential election, and our experience is not favorable to the handling of large amounts of money by individuals; that it was very difficult to hedge it around so that we could avoid scandals. That was the force of my argument. I did not mean to imply anything of the kind up to this time.

Mr. FLANAGAN. Unfortunate, it appears to me, to have had the expression drop from so distinguished a republican as my friend is, when he was admonishing the Senate as to its action, and as to what might be charged, either properly or improperly, upon that question directly or remotely. It would at least give a basis for those who are ever ready to take hold of anything that would tend to injure our grand party.

But, sir, I was further amused at the idea of my distinguished friend directly in line on that subject, when he said that the republican party will be responsible for their action in this case. I reflect that if so at least they may be gratified to know that they will have the old Keystone State, with her valor that has upheld republican principles stoutly, standing by them. I am delighted to know that Delaware, in her pride and a jewel as she is, and brave old New Jersey, “true blue,” likewise are directly associated with her, making a beautiful trio to lead off in triumph for the republican party. Thus we are not much endangered even upon that view of the subject. Then so far as Massachusetts is concerned, that proud old republican State, I am proud to know, Senators know, this nation knows, that she has gone through the fiery ordeal, as is well known to her great Senator who has just addressed us with such ability, as he always does, with such warmth and zeal in opposition to this bill. He had the fondness of the proud old State, and especially Boston—I love the name—that Boston which threw the tea overboard; and with all the considerations associated with him, and all the power and influence of the distinguished Senator, he could not pull old Massachusetts from her solid moorings in the sea of republicanism a short time since. Then I take it that with Pennsylvania, New Jersey, Delaware, Massachusetts, and a host of others, if we do nothing worse to put down the republican party of this nation, we have nothing to fear.

Mr. President, a strong argument here is, without inviting any outside facts and considerations, that this measure is objectionable because it will require an appropriation from the United States Treasury. There is no school-boy that does not understand that fact. My distinguished friend in his candor, and I always love it from him, says he is perfectly familiar with this bill, the manner of its introduction to the Senate, and all that sort of thing. That is conclusively proved; and from that very history I feel committed upon this subject. I speak for myself when I say that when the original bill was introduced I thought I knew what the future would be. Then the movement was in its infancy. I knew it would expand; I knew it would grow. I have participated in legislation, not a great deal in Congress, but in smaller bodies, for a quarter of a century. I have voted for appropriations to build state-houses, land offices, and such things, and I know how they grow.

Well, by the way, what is the history of the nation? You appropriate \$100,000 or \$500,000 or \$1,000,000, as the case may be, in the first instance, for a public work. Architects and engineers figure up most beautifully what it will cost, and present their estimate, and the advocates of the bill say, “Here is the entire cost; perhaps there will be a little left out of the appropriation.” I have never found any. The next year we always appropriate further, and we are still appro-

priating broadcast to many buildings in the United States. The States and the Union are alike in that particular. You are appropriating every year for this beautiful capital, the pride of the nation.

I recollect that I remarked at the time the bill of 1871 was introduced, “Ah, yes; this is an introduction, but this is not the last of it. Monsieur Tonson will come again.” I knew that very well. I recognized it; I recognize it now, and I am going to advocate it. I will make him a welcome visitor on this occasion so far as I am concerned.

I am told it will deplete and ruin and bankrupt the United States. I have heard much about bankrupting the United States. I have heard it here remarked, too, that solemn pledges in legislation are to be strictly adhered to. I wish most earnestly that that was the doctrine. I wish it was our experience; if it was, (I hope it will not be considered that I am digressing, because I think it is directly in line now when we are speaking of the Treasury of the United States,) we should have to resume specie payments directly, and I should be very much pleased with that idea; but, notwithstanding the solemn pledge we have made in that respect, we are not exactly resuming up to this time. Therefore, if there be a sacred pledge in this law that no money is ever to be required, the same Senators who are voting one or the other way may reconcile it as best they can, and it is not hard to do, I think. But in a pecuniary point of view it occurs to me that there are some ideas which might be very well advanced here. I am not one of those who are ready to say that it is not a good appropriation, not with a view of lavish or prodigal expenditure on the part of the nation, but that it is simply like the farmer who goes into his field and sows his acre of wheat, rye, or oats, as the case may be, with the expectation at an early day, when the seed shall mature into the crop, to gather fifty bushels perhaps for the one. That is the idea; make this appropriation, invite the world if you please, earls, dukes, princes, lords, potentates, and kings, and let them come. They will be likely to do so; and when they come they will come with their gold, and they will come with large amounts. The immigrants to our country now annually bring us in \$25,000,000 of gold. They do not come with irredeemable paper, such as we have, and I am not boasting of that either, but such are the facts, except that I am gratified that they come.

Now, the balance of trade is against us annually, to the tune of many millions. I have no data before me because, as I remarked, I have not dotted down a reference or anything else. I only have in my mind the facts that I am familiar with. Then the millions that are expended by our travelers for pleasure and upon business in Europe annually are immense. Let us invite these crowned heads to come here; let them come and their representatives; let them see and realize what we are, and let us get the balance of trade to set toward the New World, as it naturally should instead of the Old, and at an early day we shall thereby be enabled to resume specie payments. Even in that point of view, I would be gratified to know that within from four to six months, while we had these crowned heads from Europe, they would be looking to and through our country with delight. They would see the vast power of the United States demonstrated in Pennsylvania’s old city of Philadelphia. There they would see Independence Hall, where the immortal Washington and Carroll sat, and a host of others that I might name, proud spirits that have departed this life long since. They would be delighted to look there; and while there, the noble Pennsylvania Central Railroad Company would give them tickets to go West. It would be the delight of all the great railroad corporations, I have no hesitancy in saying, in this vast Union, to invite them into the States, and every State would be competing to get them to visit its localities. They would look at our mighty fields—mighty in every sense of the word. I should be gratified to show them our great cotton fields in Texas. Louisiana would want to have them looking over her sugar plantations. Pennsylvania would have them in the first instance, but the other States directly lying on that line west, like Illinois and Indiana, would want to show them their mighty fields with their sheep, their large herds, to the tune of thousands on thousands. I should like to see them go into Texas, and there they would see cattle not ranging merely on a thousand hills, but they would see them there in millions. I speak not too largely when I thus state. They would see them there spread over the prairies; they would see the best land known to civilized man. These lords and kings, if you please, would invest their money there; most of them are men of brains, and they would see a fine opportunity. Money is cheap in England. I have heard here much said about cheap money. They would find cheap real estate here, and they would purchase it. I think it is a good idea; it is a grand scheme.

I know nothing about how it was gotten up originally, as my distinguished friend from Massachusetts seems to do; but if the idea had ever been presented to me, I should have advocated it then as I do now, and I would even advocate it as an individual enterprise for the purpose of realizing a good speculation out of it. I do not think the United States Treasury, or the people of the Union, will be called upon to pay higher taxes on account of the expenditure that it may require to get up this grand enterprise; but if they be, as I have already said, I think it will be at an early period paid back to them with a large interest. We have nothing to fear.

I have heard many distinguished Senators who can speak much more fluently and better than I can portray these facts more admirably and happily. My distinguished friend from Nevada, [Mr. STEWART,] however, I believe, rather fears to interview lords and kings,

this, that, and the other. He thinks it would be in bad taste. I think my distinguished friend from Massachusetts, too, rather deprecates that idea. Why, great God, are we fearful of any man on earth? None under the sun. Are we afraid of ourselves, that we will expose ourselves on that occasion in their presence, not knowing how to deport ourselves? Surely not. We are better raised than that; we are Americans; we tower over all such considerations; we simply tender them the right hand of fellowship, recognizing them for the time being, and while they conduct themselves properly, as our equals. That is all. We do not beg them to receive us thus and so. They will be our guests. They are well raised, and they will deport themselves well. I have no idea of expressions being used that would be grating upon their ears by any gentleman or gentlemen who would be the orators of the day on that occasion. Sure I am that if my distinguished friend from Massachusetts were permitted to respond to an invitation—and I take it that he would be placed at the head of the list, for his would be one of the first names selected by any committee that would have the authority to designate them—responded and addressed them, he has so profound a regard and respect for them that he would not wound their feelings even remotely. Then there would be no danger. Let them come and realize who we are and what we are. Let them come to us at home. Our homes, humble though they are, are to us as dear as the greatest palace known to a monarch is to him.

I advocate this measure feeling that I was committed to it originally and understandingly. I would not pretend to plead here that I was so green as not to have recognized what would be the result upon the first presentation. Therefore, so far as I am concerned, I intend to support the measure.

The PRESIDING OFFICER, (Mr. ALLISON in the chair.) The question is on the amendment of the Senator from New Jersey, [Mr. FRELINGHUYSEN.]

Mr. DENNIS. On this question I beg leave to state that my colleague [Mr. HAMILTON] is paired with the Senator from South Carolina, Mr. PATTERSON. My colleague would vote against the measure in all its phases, and the Senator from South Carolina would vote for it.

Mr. SCOTT. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. LOGAN. Let the amendment be read.

The CHIEF CLERK. It is proposed to amend the motion to refer by adding:

With instructions to report a bill making an appropriation of a sufficient sum of money from the Treasury of the United States, not exceeding \$3,000,000, towards defraying the expenses of the centennial celebration and exhibition to be held under the auspices of the United States, at the city of Philadelphia, in 1876, under such regulations as will secure the faithful application and expenditure of said appropriation.

Mr. INGALLS. On this question I am paired with the Senator from Connecticut, Mr. FERRY. If he were present he would vote "nay," and I should vote "yea."

Mr. MITCHELL. On this question I am paired with the Senator from New Hampshire, Mr. WADLEIGH.

The question being taken by yeas and nays, resulted—yeas 17, nays 33; as follows:

YEAS—Messrs. Bayard, Cameron, Clayton, Dennis, Dorsey, Flanagan, Frelinghuysen, Hamlin, Hitchcock, Logan, Pease, Ramsey, Robertson, Scott, Spencer, Stockton, and West—17.

NAYS—Messrs. Allison, Anthony, Bogy, Boreman, Buckingham, Chandler, Conkling, Cooper, Davis, Fenton, Gilbert, Goldthwaite, Gordon, Hager, Hamilton of Texas, Howe, Johnston, Lewis, McCreery, Merrimon, Morrill of Maine, Morrill of Vermont, Norwood, Oglesby, Pratt, Ransom, Sargent, Saulsbury, Sherman, Stevenson, Stewart, Sumner, and Wright—33.

ABSENT—Messrs. Alcorn, Boutwell, Brownlow, Carpenter, Conover, Cragin, Edmunds, Ferry of Connecticut, Ferry of Michigan, Hamilton of Maryland, Harvey, Ingalls, Jones, Kelly, Mitchell, Morton, Patterson, Schurz, Sprague, Thurman, Tipton, Wadleigh, and Windom—23.

So the amendment was rejected.

The PRESIDING OFFICER, (Mr. ALLISON in the chair.) The question recurs on the motion of the Senator from Ohio [Mr. SHERMAN] to refer the bill to the Committee on Appropriations.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. ISAAC STROHM, one of its clerks, announced that the House had passed the following bills; in which it requested the concurrence of the Senate:

A bill (H. R. No. 2228) to authorize the Secretary of the Treasury to change the name of the propeller William M. Tweed, of Buffalo; and

A bill (H. R. No. 2347) authorizing the Secretary of the Treasury to deliver to the Connecticut Historical Society certain papers on file as vouchers for the discharged claims of the heirs of Silas Deane.

ENROLLED BILL.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. No. 1558) to amend the act entitled "An act to encourage the growth of timber on western prairies."

ADJOURNMENT TO MONDAY.

On motion of Mr. STEWART, it was

Ordered, That when the Senate adjourns to-day, it adjourn to meet on Monday next.

ORDER OF BUSINESS.

Mr. WEST. I move to take up the Army appropriation bill.

Mr. SHERMAN. I trust the Senator from Louisiana will not move to take up the Army appropriation bill, because I hope that on Monday the Senate will be prepared to go on with the finance bill; but at all events I appeal to the Senator to let that matter of the order of business be determined on Monday morning, when we can no doubt make an arrangement between ourselves.

Mr. WEST. I should have no objection to yielding in favor of the finance question were I satisfied that the Finance Committee would be ready to go on with the finance question on Monday. I move now to take up the Army appropriation bill, with the understanding that on Monday I shall waive it in preference to finance, if the finance question is ready.

Mr. SHERMAN. I have no objection to that.

Mr. WRIGHT. If I can have the attention of the Senate I want to say one word. Yesterday morning, it will be remembered that, by the unanimous consent of the Senate, the bill known as the liquor-commission bill was laid aside and made the special order to follow immediately the centennial bill. That was done by unanimous consent, and now I trust that nothing will be allowed to intervene, but that I shall have the unanimous consent of the Senate to proceed with and dispose of that bill at present. I think we can do it this afternoon. I am certain we ought to do it in a very few moments.

Mr. SHERMAN. Let us take it up now.

Mr. WRIGHT. Then I trust my friend from Louisiana will withdraw his motion, and it will be the first business in order.

The PRESIDING OFFICER. Does the Senator from Louisiana withdraw his motion?

Mr. WEST. I can renew it afterward. I will withdraw it for the present.

Mr. SHERMAN. I give fair notice that on Monday morning I shall move to take up the finance bill.

LIQUOR-TRAFFIC COMMISSION.

The PRESIDING OFFICER. The Chair understands that there was a general agreement to take up the bill referred to by the Senator from Iowa.

Mr. WRIGHT. It was the order of the Senate that it should follow immediately the centennial bill. I asked unanimous consent, and the Chair announced that there was no objection, and it was so ordered.

The PRESIDING OFFICER. Then the bill (S. No. 161) to provide for the appointment of a commission on the subject of the alcoholic liquor traffic is before the Senate as in Committee of the Whole.

Mr. MORRILL, of Maine. Now I hope we shall have the vote.

Mr. ANTHONY. I hope so, too; but I wish to say to my friend from Iowa, that while I agreed very cordially to his proposition that this bill for a liquor commission should follow the centennial bill, I must protest against his bringing it up every day in the morning hour. We have been devoting that hour to those bills that nobody has any particular interest in, but which are of very great importance to American citizens. They are the orphans, the foundlings, that are put into our care, and we ought not to devote the morning hour to any disputed questions. If the Senator from Iowa now moves to take up this bill, which I shall vote for, it will be with the understanding, on my part at least, that it is not to come up in the morning hour, to displace the undisputed bills.

Mr. WRIGHT. I do not move to take it up. It was made a special order at this time at the request of the Senator from Rhode Island.

Mr. ANTHONY. Yes; but with the distinct understanding that it should not be taken up in the morning hour; and yet five minutes after that understanding was had the Senator from Iowa called up his bill.

Mr. WRIGHT. My good friend makes a very great mistake. It was the Senator from Ohio [Mr. SHERMAN] that insisted on proceeding with the bill, and there was no objection made at the time. My understanding was that it was passed over till this time; but the Senator from Ohio said, the morning hour not having expired, we could as well proceed with this bill, and there was no objection.

Mr. ANTHONY. I stand corrected then. The Finance Committee are always making trouble in the Senate. [Laughter.]

Mr. WRIGHT. Now I trust we shall have the vote on this bill, and get it out of the way.

The PRESIDING OFFICER. The Secretary will read the pending amendment.

The CHIEF CLERK. The question is on agreeing to the amendment of the Committee on Finance, as amended by the Senate, which is to strike out all of the original bill after the enacting clause, and insert in lieu thereof:

That there shall be appointed by the President, by and with the advice and consent of the Senate, a commission of five persons, neither of whom shall be the holder of any office of profit or trust in the General or a State government. The said commissioners shall be selected solely with reference to personal fitness and capacity for an honest, impartial, and thorough investigation, and shall hold office until their duties shall be accomplished, but not to exceed one year. It shall be their duty to investigate the alcoholic and fermented liquor traffic and manufacture, having special reference to revenue and taxation, distinguishing as far as possible, in the conclusions they arrive at, between the effects produced by the use of distilled or spirituous liquors as distinguished from the use of fermented or malt liquors, in their economic, criminal, moral, and scientific aspects, in connection with pauperism, crime, social vice, the public health, and general welfare of the people; and also inquire and take testimony as to the practical results of license and restrictive legislation for the prevention of intemperance in the several States, and the effect produced by such legislation upon the consumption of distilled or spirituous liquors

and fermented or malt liquors, and also to ascertain whether the evil of drunkenness has been increased or decreased thereby, whether the use of opium as a stimulant and substitute for alcoholic drinks has become more general in consequence of such legislation, and whether public morals have been improved thereby. It shall also be the duty of said commissioners to gather information and take testimony as to whether the evil of drunkenness exists to the same extent, or more so, in other civilized countries, and whether those foreign nations that are considered the most temperate in the use of stimulants are so through prohibitory laws; and also to what degree prohibitory legislation has affected the consumption and manufacture of malt and spirituous liquors in this country.

SEC. 2. That the said commissioners, all of whom shall not be advocates of prohibitory legislation or total abstinence in relation to alcoholic or fermented liquors, shall serve without salary; shall be authorized to employ a secretary at a reasonable compensation, not to exceed \$2,000 per year, which, with the necessary expenses incidental to said investigation, (not exceeding \$10,000,) of both the secretary and commissioners, shall be paid out of any money in the Treasury not otherwise appropriated, upon vouchers to be approved by the Secretary of the Treasury; and for this purpose the sum or \$10,000 is hereby appropriated. It shall be the further duty of said commissioners to report the result of their investigation, and the expenses attending the same, to the President, to be by him transmitted to Congress.

The amendment was agreed to.

The bill was reported to the Senate as amended.

The PRESIDING OFFICER. The question is on concurring in the amendment made as in Committee of the Whole.

The amendment was concurred in.

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

Mr. BAYARD. On the passage of the bill I ask for the yeas and nays.

The yeas and nays were ordered; and being taken, resulted—yeas 26, nays 21: as follows:

YEAS—Messrs. Anthony, Boreman, Buckingham, Cameron, Chandler, Conkling, Dorsey, Fenton, Flanagan, Frelighuysen, Hamlin, Ingalls, Logan, Mitchell, Morrill of Maine, Oglesby, Pease, Pratt, Ramsey, Sargent, Scott, Sherman, Spencer, Sumner, West, and Wright—26.

NAYS—Messrs. Bayard, Bogy, Clayton, Cooper, Davis, Dennis, Goldthwaite, Gordon, Hamilton of Texas, Hitchcock, Johnston, Kelly, Lewis, McCreery, Merriman, Norwood, Ransom, Robertson, Saulsbury, Stevenson, and Stockton—21.

ABSENT—Messrs. Alcorn, Allison, Boutwell, Brownlow, Carpenter, Conover, Cragin, Edmunds, Ferry of Connecticut, Ferry of Michigan, Gilbert, Hager, Hamilton of Maryland, Harvey, Howe, Jones, Morrill of Vermont, Morton, Patterson, Schurz, Sprague, Stewart, Thurman, Tipton, Wadleigh, and Windom—26.

So the bill was passed. Its title was amended so as to read: "A bill to provide for the appointment of a commission on the subject of the alcoholic and fermented liquor traffic."

HOUSE BILLS REFERRED.

The bill (H. R. No. 2228) to authorize the Secretary of the Treasury to change the name of the propeller William M. Tweed, of Buffalo, was read twice by its title, and referred to the Committee on Commerce.

The bill (H. R. No. 2347) authorizing the Secretary of the Treasury to deliver to the Connecticut Historical Society certain papers on file as vouchers for the discharged claims of the heirs of Silas Deane was read twice by its title, and referred to the Committee on the Judiciary.

The joint resolution (H. R. No. 59) amending joint resolution of April 15, 1872, relating to a statue of the late Admiral Farragut, was read twice by its title, and referred to the Committee on Public Buildings and Grounds.

NATIONAL-BANK CIRCULATION.

Mr. SHERMAN. I now move that the bill for the equalization of the currency be taken up.

The motion was agreed to; and the Senate, as in Committee of the Whole, resumed the consideration of the bill (S. No. 432) to amend an act entitled "An act to provide for the redemption of the 3 per cent. temporary-loan certificates, and for an increase of national-bank notes," approved July 12, 1870.

Mr. LOGAN. I take the floor, with the view, however, of yielding to my friend from Michigan, [Mr. FERRY,] if he is here on Monday; if not, I propose then to proceed with the argument of the question.

Mr. MORRILL, of Maine. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After nine minutes spent in executive session the doors were reopened, and (at four o'clock and thirty-five minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 6, 1874.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday was read and approved.

TIMBER ON WESTERN PRAIRIES.

Mr. DUNNELL. I am instructed by the Committee on the Public Lands to ask unanimous consent to take from the Speaker's table the bill (H. R. No. 1558) to amend the act entitled "An act to encourage the growth of timber on western prairies," and concur in the Senate amendments to the same.

The SPEAKER. The amendments of the Senate will be read.

The Clerk read the amendments, as follows:

On page 3, line 27 of section 2, strike out "three" and insert "five;" so as to read:

And if at the expiration of such time, or at any time within five years thereafter, the person making such entry, &c.

Add to section 2 of the bill the following:

And in case of the death of a person who has complied with the provisions of this act for the period of three years, his heirs or legal representatives shall have the option to comply with the provisions of this act, and receive, at the expiration of eight years, a patent for one hundred and sixty acres, or receive without delay a patent for forty acres, relinquishing all claim to the remainder.

Strike out section 3, and insert in lieu thereof the following:

That if at any time after the filing of said affidavit, and prior to the issuing of the patent for said land, the claimant shall abandon the land, or fail to do the breaking and planting required by this act, or any part thereof, or shall fail to cultivate, protect, and keep in good condition such timber, then, and in that event, such land shall be subject to entry under the homestead laws, or by some other person under the provisions of this act: *Provided*. That the party making claim to said land, either as a homestead settler or under this act, shall give, at the time of filing his application, such notice to the original claimant as shall be prescribed by the rules established by the Commissioner of the General Land Office, and the rights of the parties shall be determined as in other contested cases.

Mr. DUNNELL. I move that the Senate amendments be concurred in. There is no objection to them; they are all in harmony with the purpose of the bill.

The motion was agreed to.

Mr. DUNNELL moved to reconsider the vote by which the amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF SURVEY OF THE UTE COUNTRY.

Mr. CHAFFEE, by unanimous consent, submitted the following resolution; which was read, considered, and adopted:

Resolved, That the Secretary of War be directed to transmit to the House of Representatives a copy of a report from Lieutenant E. H. Ruffner, Corps of Engineers of the United States Army, of a reconnaissance in the Ute country, in Colorado, made during the year 1873.

EVENING SESSION FOR DEBATE.

Mr. McCRARY. I ask unanimous consent that a session be held this evening for debate only upon the special order, being the bill (H. R. No. 1385) to regulate commerce by railroads among the several States.

No objection being made, it was so ordered.

Mr. RANDALL moved to reconsider the vote by which the order was made; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PERSONAL EXPLANATION—FRANKING BILL.

Mr. LOWNDES. Mr. Speaker, I was compelled to be absent from the House on yesterday. I am opposed to the franking bill that was then under discussion. If I had been present I would have voted against it.

REORGANIZATION OF THE GENERAL LAND OFFICE.

Mr. TOWNSEND, by unanimous consent, reported back from the Committee on the Public Lands, with a recommendation that the same do pass, the bill (H. R. No. 1060) to reorganize the clerical force of the General Land Office, and moved that the same be referred to the Committee of the Whole on the state of the Union, and that the report accompanying the same be printed.

The motion was agreed to.

PENSION AGENTS.

Mr. SPEER. I ask unanimous consent to submit the following resolution:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to this House, at his earliest convenience, the names and post-office addresses of all the pension agents in the service of the Government, with the number of pensioners paid by each for the quarter ending on the 4th day of January, 1874, with a statement of the salary, fees, and emoluments received by each agent for the last year.

Upon the motion of the gentleman from Massachusetts [Mr. BUTLER] an order of the House was made, under a suspension of the rules, that it might be in order to move an amendment to the pension appropriation bill, to abolish the payment of pensions by agents. In order that the House may act intelligently on that proposition when it shall be presented, it is proper that we should have this information from the Secretary of the Interior.

Mr. STARKWEATHER. I desire to suggest a modification of the resolution. Before the war, under the old system, payments were made to pensioners by agents. I suggest to the gentleman to include in his resolution a call for information as to how many agents there were, how many pensioners, and the cost of payment under the old law.

Mr. SPEER. I have no objection to that.

The SPEAKER. The gentleman will please reduce the modification of his resolution to writing.

EPIDEMIC CHOLERA.

Mr. BROMBERG. I ask unanimous consent to report back from the Committee on Commerce the amendments of the Senate to House joint resolution No. 29, authorizing the Secretary of War to detail medical officers of the Army to inquire into and report upon the

causes of epidemic cholera, with a recommendation that the amendments of the Senate be concurred in.

Mr. COX. I will reserve my right to object.

The SPEAKER. Objection will be in order after the amendments have been reported.

The Senate amendments were then read by the Clerk.

Mr. COX. I must object to this joint resolution. Let the amendments be referred.

Mr. BROMBERG. They have been referred to the Committee on Commerce, and this is their report. The Senate have done nothing more than to make some clerical corrections, and to add the supervising surgeon of marine hospitals to the Surgeon-General of the Army to take charge of this matter.

Mr. COX. I cannot understand these amendments from their reading. I must object.

MEDICAL CORPS OF THE ARMY.

Mr. WOODFORD, by unanimous consent, presented memorials of the New York Academy of Medicine, New York Pathological Society, and other medical societies of New York, in regard to increasing the efficiency of the Medical Corps of the Army, and asked that the same be printed, referred to the Committee on Military Affairs, and also printed in the RECORD.

The motion was agreed to.

The memorials were as follows:

Action of the New York Academy of Medicine in support of a movement by the American Medical Association to increase the efficiency of the Medical Department of the United States Army.

At a regular meeting of the New York Academy of Medicine, held January 7, 1874, a committee of three, consisting of Drs. Gurdon Buck, Frank H. Hamilton, and John C. Peters, was appointed to report on the present condition of the Medical Corps of the United States Army.

At the next stated meeting the following resolutions were read and unanimously adopted.

[L. s.]

AUSTIN STONE, M. D., President.

W. T. WHITE, M. D., Secretary.

Resolved, That the New York Academy of Medicine do hereby cordially unite with the American Medical Association in its memorial to Congress in support of a bill to increase the efficiency of the Medical Department of the Army of the United States, now before that honorable body. They consider it an act of justice that the members of so important a branch of the service, gentlemen of the highest professional attainments and excellence of character, and charged with such weighty and responsible duties, should have the same relative rank and enjoy the same emoluments as members of the other staff corps of the Army; that it be respectfully urged upon the members of Congress of the State of New York to use their influence in support of the bill in question; that a copy of the above resolutions, duly authenticated, together with a copy of the memorial pamphlet, be furnished to each member of Congress.

Resolved also, That a copy of these proceedings be furnished for publication to the medical journals.

JOHN C. PETERS, M. D., Chairman.

GURDON BUCK, M. D.,

Surgeon New York Hospital, and of Saint Luke's Hospital.

FRANK H. HAMILTON, M. D.,

Surgeon-in-Chief of the Reception Hospital, New York City,

and Surgeon Bellevue Hospital and Saint Francis.

JANUARY 15, 1874.

The above resolutions, passed by the New York Academy of Medicine, were read and unanimously adopted at the regular meeting of the New York Pathological Society, on Wednesday evening, February 25, 1874.

H. KNAPP, M. D., President.

GEORGE F. SHRADY, Secretary.

Action of the Medical Library and Journal Association of New York.

Whereas the American Medical Association, at its meeting in Saint Louis, May, 1873, appointed a committee to memorialize the honorable Senate and House of Representatives in relation to increasing the efficiency of the Medical Department of the United States Army; and whereas said committee has prepared such memorial and prepared a bill embodying such amendments to the present laws of the United States as it is believed will add dignity to the medical staff of the Army: Therefore,

Resolved, That this association cordially indorses the action of the aforesaid committee, and respectfully adds thereto the weight of its influence, in the hope that Congress will pass the bill proposed.

Resolved, That while it is an established American principle to educate the people in order that they may be fitted to intelligently and patriotically perform the duties of citizenship, it seems pre-eminently proper for the nation to recognize the genius and fidelity of those occupying public positions by a corresponding honorary and pecuniary reward.

Resolved, That the achievements of our Army surgeons, aided by the liberality of Congress, have largely contributed to our national greatness, and at home and abroad are regarded with the merit they deserve.

Resolved, That a copy of these resolutions be forwarded to J. M. Toner, M. D., secretary of the committee of the American Medical Association, for such use as may best subserve the purpose for which they have been prepared.

GOUVERNEUR M. SMITH, M. D.,

Chairman.

JOEL FOSTER, M. D.,

MATLOCK CHEESEMAN, M. D.

The above resolutions were read and unanimously adopted at a regular meeting of the Medical Library and Journal Association of New York, on Friday evening, January 23, 1874.

JOHN C. PETERS, M. D.,

President.

ANDREW H. SMITH, M. D.,

Physician to Saint Luke's Hospital, Secretary.

At a meeting of the comitia minora of the Medical Society of the County of New York, held at the house of the president, Dr. Ellsworth Eliot, on the afternoon of Wednesday, January 21, 1874, on the motion of Dr. John C. Peters, a committee of three, consisting of Drs. H. B. Sands, Alfred C. Post, and Isaac E. Taylor, was appointed to consider the best method of increasing the efficiency of the Medical Department of the United States Army.

On Monday evening, January 26, 1874, at a regular meeting of the Medical Society of the County of New York, the chairman, Dr. H. B. Sands, offered the following resolution:

Resolved, That this society cordially indorse the action of the American Medical Association, held at Saint Louis, in May, 1873, and the resolution of the Academy of Medicine, adopted on January 15, 1874, and those of Medical Library and Journal Association of New York, on January 23, 1874.

H. B. SANDS, M. D.,
Professor of Anatomy College of Physicians and Surgeons,
Medical Department of Columbia College, New York.

ALFRED C. POST, M. D.,
Professor of Surgery, Military Surgery and Hygiene,
Medical Department of the University of the City of New York.

ISAAC E. TAYLOR, M. D.,
Emeritus Professor and President of the Bellevue Hospital Medical College,
City of New York.

The above resolution was unanimously adopted at the regular meeting of the Medical Society of the County of New York, held on Monday evening, January 26, 1874.

ELLSWORTH ELIOT, M. D.,
President.
A. E. M. PURDY, M. D.,
Secretary.

SIOUX INDIANS.

Mr. AVERILL. On Saturday last a bill was reported from the Committee on Indian Affairs, and referred, I think, by an error of the Clerk, to the Committee of the Whole on the state of the Union. It is House bill No. 420, to authorize the Secretary of the Interior to discharge certain obligations of the United States to the creditors of the bands of Upper and Lower Sioux Indians. I ask that the Committee of the Whole on the state of the Union be discharged from its further consideration, and that it be referred to the Committee of the Whole on the Private Calendar.

Mr. RANDALL. Is it a private bill?

The SPEAKER. The Chair thinks it is a private bill.

The motion of Mr. AVERILL was agreed to.

ORDER OF BUSINESS.

Mr. RANDALL. I call for the regular order.

The SPEAKER. The regular order being called for, the morning hour now begins at twenty minutes past twelve o'clock. The call of committees for reports of a private nature will be resumed.

WILLIAM YOUNG.

Mr. SAYLER, of Indiana. I am directed by the Committee on Patents to report back the petition of William Young, for compensation for the use of his patent galley in the Navy; and to move that the Committee on Patents be discharged from the further consideration of the petition, and that it be referred to the Committee on Naval Affairs.

Mr. SCOFIELD. The Committee on Naval Affairs will, of course, consider carefully everything that the House may refer to them; but we have already reported back two propositions similar to this, and have asked their reference to the Committee on Claims.

Mr. SAYLER, of Indiana. This claim of William Young is for compensation for the use of a galley or cooking-range used in naval vessels. I take it for granted that it is a part of the naval equipment, and that therefore the subject is peculiarly germane to the business of the Naval Committee. As a matter of course we do not wish to impose any more work on that committee than is proper.

Mr. SCOFIELD. I make no objection to the reference of this petition to our committee.

Mr. CONGER. The Committee on Patents were of opinion that perhaps the Committee on Naval Affairs might wish to give a direction in this matter to the claims commission, and therefore preferred to have the paper go to that committee first.

The motion of Mr. SAYLER, of Indiana, was agreed to, and the petition was referred to the Committee on Naval Affairs.

STATUE OF ADMIRAL FARRAGUT.

Mr. PLATT, of Virginia, from the Committee on Public Buildings and Grounds, reported back, with a favorable recommendation, the joint resolution (H. R. No. 59) amending joint resolution of April 16, 1872, relating to a statue of the late Admiral Farragut.

The joint resolution was read. It authorizes the Secretary of the Navy to contract with some suitable and skillful sculptor for a bronze statue of the late Admiral Farragut, as authorized in the joint resolution of April 16, 1872, to be disposed of as therein directed.

Mr. PLATT, of Virginia. Mr. Speaker, I have no disposition to take up the time of the House in discussing this matter. The object being so meritorious, I hope it will so commend itself to every member of the House that the measure will need no discussion to secure its passage. I will, as briefly as possible, state what has heretofore been done by Congress in an effort to procure a suitable statue to commemorate the life and deeds of that greatest of all naval heroes, Admiral Farragut.

In the Forty-second Congress, the Committee on Public Buildings and Grounds, acting upon a petition presented to Congress by members of his late staff and many of the most eminent naval officers of our service, reported to this House a joint resolution which was adopted without a dissenting voice, and which, being subsequently passed by the Senate, became law. I ask the Clerk to read that joint resolution.

The Clerk read as follows:

Joint resolution to authorize the erection of a colossal statue of the late Admiral Farragut.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Committees on Public Buildings and Grounds of the Senate and House of Representatives be, and they are hereby, instructed to inspect all models for a colossal statue of the late Admiral Farragut that may be presented to them on or before the 1st of January, 1873, and select therefrom, within thirty days thereafter, the one that in their judgment shall be the most faithful likeness in form and feature, and the most appropriate to commemorate the deeds and character of the said admiral; and that the Secretary of the Navy be, and he is hereby, directed to contract with the sculptor who shall have prepared the model so selected, for a colossal statue of the said admiral, at a cost not exceeding twenty thousand dollars, to be erected in Farragut Square, in the city of Washington, District of Columbia, or in such other place as he may designate: Provided, That if no such model shall be presented on or before the time designated which the said committees shall agree upon as a work of art entirely worthy as a tribute of the nation to the naval hero whose memory it is proposed to commemorate, they may reject any and all so presented, and report the fact to their respective Houses.

Mr. PLATT, of Virginia. In pursuance of the provisions of that resolution, the Committees on Public Buildings and Grounds of the House of Representatives and of the Senate had several meetings. The artists of this and other countries were invited to present models for inspection; and that invitation was embraced by a large number of artists both in this country and abroad. Gentlemen will recollect that for several months we had at the other end of the Capitol, in a room under the Senate, a collection of the models presented under that invitation, which models were, while they remained there, inspected by members of both Houses, and were especially examined by the committees of the two Houses having charge of this subject. Those committees held a number of meetings and endeavored to come to some decision as to which of the models presented should be adopted. They were, however, unable to agree; and in pursuance of the resolution under which they acted, the following report was presented on the last day of the last session to the House, a similar report being presented in the Senate by the committee of that body:

The Committee on Public Buildings and Grounds, in accordance with the provisions of the joint resolution "to authorize the erection of a colossal statue of the late Admiral Farragut," approved April 16, 1872, submit the following report:

That they have inspected all models for a colossal statue of the late Admiral Farragut that have been presented to them; and, after a full conference with the Senate Committee on Public Buildings and Grounds, have been unable to agree on a choice, and therefore report the facts to the House, as directed by a provision of the resolution.

No further action was taken by Congress on the subject; and knowing from past experience that it is impossible for a body of men containing so many members to agree upon a subject of this kind, the committee of the House having had the subject under consideration, have reported the resolution which we now ask the House to adopt. It provides that the Secretary of the Navy, who by the former resolution had charge of the expenditure of the money that was to be appropriated for this purpose, shall himself select the artist to execute this work. We make this proposition because the experience of Congress in this effort to honor the memory of Admiral Farragut has been exactly the same that has always attended any attempt to reach a conclusion on any subject of art, whether a statue or picture; and because it is much easier for one gentleman to make a decision on a question of this kind than it is for a body.

He will have in this decision the assistance of the friends of the late Admiral and of gentlemen who are experts in art. And we believe by the adoption of this resolution almost the unanimous wish of this Congress and of the people of the country may be met, and a suitable statue in commemoration of the life and deeds of Admiral Farragut secured to the country. As the subject is well understood, I will now demand the previous question.

Mr. KELLOGG. The gentleman agreed to yield to me.

Mr. PLATT, of Virginia. I will yield to the gentleman from Connecticut for a few minutes.

Mr. KELLOGG. I offer the following amendment, to which I think the committee will not object, and which I hope the House will adopt. The Chief Clerk read as follows:

Add to the end of the resolution these words:

Provided, That the selection of the sculptor or artist to execute the statue shall be made by the Secretary of the Navy, the General of the Army, and Mrs. Virginia Farragut, or a majority of them.

Mr. KELLOGG. Mr. Speaker, I offer that amendment for this reason: it is not amenable to the objection which the gentleman from Virginia has indicated, that of raising a committee that cannot decide; for it provides this committee of three, or a majority of them, shall make a selection of the statue. I have selected the name of the General of the Army, because he was so intimate with Admiral Farragut and knew him so well, and that of Mrs. Farragut; for if any person on earth ought to know a statue that resembles our great Admiral it should be Mrs. Farragut. I think this amendment is not liable to the objection that there can be no decision made, for it is a committee which must make a decision, as it provides that the majority shall select the statue. I hope the amendment will commend itself to the good sense of the House. I think Mrs. Farragut should be consulted. I think it eminently proper she should have a voice in the selection of the statue of Admiral Farragut.

Mr. PLATT, of Virginia. I will permit the amendment to come in to be voted on.

Mr. COX. I ask the gentleman to yield to me.

Mr. PLATT, of Virginia. I will yield to the gentleman for five minutes.

Mr. COX. I propose to amend the amendment of the gentleman from Connecticut by adding the names of Albert Bierstadt and Edward Church to the commission to decide upon this statue. They are eminent artists; they are painters; they are not sculptors, but they are men of rare taste, and fair men; and unless this House wants to decorate this Capitol so the next generation will be iconoclasts to break down the decorations we appropriate money for, they had better go on some other principle than naming a commission such as my friend here designates. Why should the Secretary of the Navy be an especial judge of art? Why should the honored widow of Admiral Farragut simply decide on the resemblance of a stone statue to her husband, and call it art? Why should General Sherman, who is accomplished in many ways, be an especial judge of statues? At least, from this time forward, let us select men who are artists—fair artists—who may make this building what it ought to be—a building for the future; for the growing taste of the future, as well as for the elegant taste of the present.

I hope, Mr. Speaker, the gentleman will accept my amendment. It does not disturb his present amendment but only adds a little taste to what he has already given to the House in the way of respect for the officers of the Army and Navy.

Mr. PLATT, of Virginia. I will allow the amendment to be voted on, and will now demand the previous question.

The previous question was seconded and the main question ordered. Mr. COX's amendment was rejected.

The amendment of Mr. KELLOGG was adopted.

The joint resolution, as amended, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PLATT, of Virginia, moved to reconsider the vote by which the joint resolution was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

EMANUEL SMALL AND JAMES TATE.

Mr. PARKER, of Missouri, from the Committee on Appropriations, reported back a bill (H. R. No. 2207) making an appropriation to pay Emanuel Small and James Tate, of Atchison County, Missouri, for carrying the mails, with the recommendation that it do pass; which was referred to the Committee of the Whole House on the Private Calendar.

OLIVER POWERS.

Mr. DUNNELL, from the Committee on Claims, reported back, with the recommendation that it do pass, the bill (S. No. 366) for the relief of Oliver Powers; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

ESTATE OF J. B. ARMSTRONG

Mr. DUNNELL also, from the same committee, reported back, with the recommendation that it do not pass, the joint resolution (H. R. No. 39) in the matter of the payment of certain moneys appropriated to the estate of J. B. Armstrong, deceased, to the administrator; and the same was laid on the table, and the accompanying report ordered to be printed.

W. W. ELLIOTT.

Mr. SMITH, of Ohio, from the Committee on Claims, reported back with the recommendation that it do pass, the bill (S. No. 310) for the relief of W. W. Elliott; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

THOMAS T. CRITTENDEN.

Mr. SMITH, of Ohio, also from the same committee, reported back, with the recommendation that it do pass, the bill (H. R. No. 1297) for the relief of Thomas T. Crittenden, of Missouri; and the same was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

TIMOTHY D. CROOK.

Mr. SMITH, of Ohio, also, from the same committee, reported back papers in the case of Timothy D. Crook; and moved that the committee be discharged from the further consideration of the same, and that they be laid on the table, and the accompanying report be printed.

The motion was agreed to.

LAFAYETTE WARD.

Mr. SMITH, of Ohio, also, from the same committee, reported back the memorial of Lafayette Ward, asking compensation for the use by the United States of the invention known as the Ward patent mail-bag catcher; and moved that the committee be discharged from the further consideration of the same, that it be laid on the table, and the accompanying report be printed.

The motion was agreed to.

SAMUEL L. HIGHLYMAN.

Mr. NUNN, from the Committee on Claims, reported back, with the recommendation that it do not pass, the bill (H. R. No. 691) for the relief of Samuel L. Highlyman, formerly deputy collector of the fifth

district, Missouri; and the same was laid on the table, and the accompanying report ordered to be printed.

JOHN CLINTON.

Mr. NUNN also, from the same committee, reported a bill (H. R. No. 2345) for the relief of John Clinton, postmaster at Brownsville, Tennessee; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

PERRY BROYLES.

Mr. BURROWS, from the Committee on Claims, reported back, with the recommendation that it do not pass, the bill (H. R. No. 88) for the relief of Perry Broyles; and the same was laid on the table, and the accompanying report ordered to be printed.

W. A. SAYLOR.

Mr. BURROWS also, from the same committee, reported a bill (H. R. No. 2346) for the relief of W. A. Saylor, of Bryan, Texas, for internal-revenue taxes illegally assessed and collected during the years 1867 and 1868; which was read a first and second time, and, with the accompanying report, referred to the Committee of the Whole on the Private Calendar, and ordered to be printed.

METROPOLITAN POLICE, DISTRICT OF COLUMBIA.

Mr. BURROWS also, from the same committee, reported back, with the recommendation that it do not pass, the joint resolution (H. R. No. 24) relative to the Metropolitan police of the District of Columbia; and the same was laid on the table, and the accompanying report ordered to be printed.

HEIRS OF SILAS DEANE.

Mr. HAWLEY, of Illinois. I am instructed by the Committee on Claims to report back, with the recommendation that it do pass, the joint resolution (H. R. No. 48) authorizing the Secretary of the Treasury to deliver to the Connecticut Historical Society certain papers on file as vouchers for the discharged claims of the heirs of Silas Deane.

The joint resolution was read. It authorizes and directs the Secretary of the Treasury to deliver to the Connecticut Historical Society the papers now on file in the Treasury Department as vouchers in support of the claims of the heirs of Silas Deane, it being understood that those claims have been fully satisfied and discharged, and that the heirs aforesaid have transferred to said historical society all the papers of historical interest left by said Silas Deane.

Mr. HAWLEY, of Illinois. I presume nobody will object to the passage of this joint resolution. I am instructed by the committee to offer the following amendment:

Add at the end of the joint resolution the following:

Provided, That copies of said papers shall be left on file in said Department.

The amendment was agreed to.

Mr. HAWLEY, of Illinois. I ask that the joint resolution be changed into a bill.

There was no objection, and the bill, (H. R. No. 2347,) as amended, was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. HAWLEY, of Illinois, 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.

REV. GEORGE MORRISON.

Mr. LAWRENCE, from the Committee on War Claims, reported a bill (H. R. No. 2348) for the relief of the Rev. George Morrison, late of Kentucky; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

BURKE & KUNKEL.

Mr. HARRIS, of Virginia, from the same committee, reported a bill (H. R. No. 2349) for the relief of Burke & Kunkel; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

LEMUEL C. RISLEY.

Mr. HOLMAN, from the same committee, reported back, with the recommendation that it do pass, the bill (H. R. No. 799) for the relief of Lemuel C. Risley, late a second lieutenant of the Eighty-fifth Regiment Illinois Volunteers; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

WILLIAM F. PEAK AND OTHERS.

Mr. HAZELTON, of Wisconsin, from the same committee, reported adversely on the petition of William F. Peak and others; and the same was laid upon the table, and the report ordered to be printed.

LIEUTENANT PARRIS L. REED.

Mr. SMITH, of Pennsylvania, from the same committee, reported back, with the recommendation that it do not pass, the bill (H. R. No. 1403) for the relief of Lieutenant Parris L. Reed; and the same was laid upon the table, and the report ordered to be printed.

ISSUE OF A NEW REGISTER.

Mr. WHEELER, from the Committee on Commerce, reported a bill

(H. R. No. 2350) authorizing the Secretary of the Treasury to issue a certificate of registry and enrollment to the schooner Almina and changing the name to Minnie Davis; which was read a first and second time.

Mr. POTTER. I would inquire whether the testimony shows what moneys have been expended upon this vessel by the present owner?

Mr. WHEELER. The affidavits accompanying the claim show that the vessel has been largely repaired, so as to come within the rule adopted by the Committee on Commerce.

Mr. POTTER. How largely?

Mr. WHEELER. I cannot tell definitely; but the cost of the repairs amount to more than one-half of the value of the vessel.

Mr. MERRIAM. Nearly three-fourths.

Mr. POTTER. Then it is just this case: Here is a British vessel which, under the general law, could not be admitted to registry; but some one gets hold of her for a small sum, because she is not entitled to registry, and spends a certain amount of money on her, and then comes to the Committee on Commerce and asks them to recommend a registry, and the Committee on Commerce in this case recommend it.

Now, I am in favor, within proper limits, of free ships, but as long as the law prevents the registration of foreign bottoms it ought to extend to every one. This giving to one man permission to bring in a foreign-built vessel is like giving to one man permission to bring in a case of goods without paying the duties upon them. It is founded on no principle of law or justice, but the contrary, and ought not to be tolerated.

Mr. WHEELER. There was no attempt at evasion of the registry laws in this case that the committee are aware of.

Mr. WOOD. I think this bill subject to yet graver objections than those urged by my colleague, [Mr. POTTER.] Like him, I am in favor of free ships, but as long as we pursue the policy of taxation upon the materials which enter into the construction of ships, we should make no discrimination against our own ships by the free introduction and change of registration of foreign-constructed vessels, that pay no tax either in duties upon the imported materials of which the vessel is constructed, or a direct tax, as we have heretofore imposed by our laws on the materials which enter into the construction of ships.

Now, of course, as the representative of a commercial community, I am in favor of bringing in as many vessels, whether foreign or native bottoms, as can possibly come in; but when men will buy for a song vessels that are wrecked, or partly wrecked, built in foreign lands, come here, and by a simple application to the Committee on Commerce procure an American register to put that vessel in all respects upon the same footing with our own vessels, which are built in this country and upon which we tax our own citizens very heavily, I say we ought not to grant them what they ask. While there are cases in which we should grant this change of register, I do not think the practice should be carried to the extent that the Committee on Commerce carry it under existing circumstances.

Mr. CONGER. I am glad to see my friends on the other side, who are in favor of free ships, coming to the rescue of this question so earnestly.

There are in the minds of the Committee on Commerce special reasons for the recommendation in this case. My friend from New York, [Mr. POTTER,] an old member of the Committee on Commerce, knows that it was no easy matter to procure a recommendation from the former committee, nor is it from the present committee for such a bill as this.

Mr. POTTER. I took it for granted that there were some reasons for this extraordinary recommendation, and so I asked for them.

Mr. CONGER. In former days these objections did not come from my friend from New York. It is well, perhaps, that we are beginning to see things alike. This vessel is a small craft, owned by Bruce M. Davis, an American, and employed on the Saint Lawrence. It has been owned by him a great many years; and under Canadian laws he has been allowed to run it nominally under the name of another master, although he has had the use and control of it himself. It is used for transporting freight and passengers among the islands of the Saint Lawrence, and partly as a pleasure-boat. It is not engaged particularly in any great commercial transactions. We might say that since the present ownership it has been almost entirely rebuilt. All that is of substantial value in the vessel has been put upon it by Mr. Davis, and in American waters. It is for the purpose of furnishing some craft to ply around among the islands, and to give pleasure to the gentleman from New York, and others, when they go there. Mr. Davis desires an American registry only that he may have it more completely under his own control. The vessel approaches somewhat, though not entirely, to the class of pleasure-yachts. As it has been owned some years by an American, as it has been rebuilt by an American, of American materials, the committee thought there was no objection to the request in this case, and that in fact there was a seeming propriety in granting an American register. In that view of the case, with all the strictness which the committee hold now as in former days, the committee have reported in favor of this bill.

Mr. POTTER. I am very sure that I shall never come to any general agreement with my friend from Michigan [Mr. CONGER] about legislation; for I believe it should be conducted by rule, while he believes that it should be conducted by favor. Now, that "the gentleman from New York" may be able, as he suggests, to go to these islands of the Saint Lawrence and enjoy a sail there in this vessel, is to my mind no reason whatever for passing this bill.

Mr. CONGER. Is it not more pleasure to the gentleman to see the stars and stripes rather than the red cross on a vessel?

Mr. POTTER. Yes; but it is a higher pleasure to see the law administered equally for all men, without partiality and without distinction. I am in favor of having free ships, of course accompanied, as my colleague [Mr. Wood] suggests, with free material for shipbuilding; otherwise free ships would be putting the American builder at a disadvantage. But so long as the laws impose a duty on ships, as they do upon silks, why should one man be allowed to bring in a ship free of duty, when the rest of us are not allowed to do so? That is all there is of this bill.

Here is a vessel, worth more or less, built in Great Britain, not allowed American registry under our laws, excluded from participation in our commerce. The man who owns her comes here and asks, through the Committee on Commerce, that she shall be given a special license to be treated as an American vessel. The general policy of opening our ports to foreign-built vessels I shall be ready to meet whenever it is proposed. But just so long as we put the vessels built in foreign countries at a disadvantage, no man should be allowed to bring in a foreign-built vessel for his own benefit alone, when every one else is excluded from that privilege.

Mr. KELLEY. Is there not a general law by which foreign vessels wrecked and rebuilt in this country may obtain a license from the Treasury?

Mr. WHEELER. This is not such a case; this is not a wrecked vessel.

Mr. KELLEY. Exactly; it is not a wrecked vessel. There is a general law on the subject, to which I think we had better adhere.

Mr. POTTER. That is it exactly.

Mr. WHEELER. I am not prepared this morning, nor do I think this the time or occasion, to discuss the question of free trade in ships or anything else. Unless Congress is to depart from a policy which it has observed for twenty years past, then this bill should pass. It is the case of a vessel originally British built; but, as the chairman of the sub-committee, [Mr. CONGER,] who had this bill in charge, informs the House, it has been repaired to at least three-quarters of its value. In such a case, even though the vessel has not been wrecked, we have always been in the habit of granting an American register.

Mr. POTTER. Always in the habit of granting an American register in such cases?

Mr. WHEELER. I do not know any precedent to the contrary since I have been in Congress. In this very Congress we have passed several such bills; we passed one last Friday. I now call the previous question.

The previous question was seconded and the main question ordered; and under the operation thereof the bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. WHEELER 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.

CHANGE OF REFERENCE.

Mr. WHEELER, from the Committee on Commerce, reported back the following memorials, and moved that the committee be discharged from their further consideration, and that they be referred to the Committee on Claims:

A memorial of the Legislative Assembly of Utah Territory, praying for an appropriation to pay for Indian depredations and expenses incurred in suppressing Indian hostilities; and

Petitions of commanders and masters of United States naval vessels, and others, for allowing Howl Colby compensation for assistance rendered shipmasters in the service of the United States.

The motion was agreed to.

PROPELLER WILLIAM M. TWEED.

Mr. CONGER, from the Committee on Commerce, reported back, with a favorable recommendation, the bill (H. R. No. 2228) to authorize the Secretary of the Treasury to change the name of the propeller William M. Tweed, of Buffalo.

The bill was read. It authorizes the Secretary of the Treasury to change the name of the propeller William M. Tweed, of Buffalo, owned by the Union Steamboat Company, a corporation of the State of New York, to Newburgh, and to grant said vessel proper marine papers in said name.

Mr. G. F. HOAR. I suggest whether this bill ought to pass without the gentleman from New York [Mr. Cox] being heard? [Laughter.]

Mr. CONGER. It had been supposed that possibly this bill might be in conflict with the law which prohibits the registry of two vessels of the same name in the same district. I will state, therefore, that I have received a telegram from the collector of the district of Buffalo, stating that there is no steamer of the name of Newburgh already registered in that district. Therefore there is no objection on that score to this change of name. I ask the Clerk to read a passage which I have marked in the petition of the Union Steamboat Company, who own this propeller.

The Clerk read as follows:

In pursuance of such lawful business, the said company is the owner and manager of a certain steamboat known as the William M. Tweed, which said steamboat is

duly enrolled according to the laws of the United States relating to the enrollment of vessels navigating its waters. Her enrollment is dated April 14, 1873, a copy of which, for the better description and identification of said steamboat, is annexed to and made part of this petition.

Mr. CONGER. This is a steamer of about twelve hundred tons, navigating the upper lakes. It is owned by the Union Steamboat Company, who have petitioned for a change of its name for reasons they have assigned. I would yield to my friend from New York [Mr. POTTER] to speak on this subject, but that I have promised to yield to my other friend from New York, [Mr. COX.]

Mr. COX. Mr. Speaker, the remark made by my honorable friend from Massachusetts [Mr. G. F. HOAR] "had reference to an allusion" made by my gallant friend from Kentucky [Mr. CROSSLAND] some time since. Several years ago I introduced a bill here to change the name of a vessel from Industry to William M. Tweed. That bill never passed, although this House was republican then, as it is now; and, considering the whole case, that is strange.

But, Mr. Speaker, without any personal allusions, I think it may be a wise thing, commercially considered, to change the name of this vessel. There are reasons, political and otherwise, why the name of William M. Tweed should not be upon any of our national vessels. The Federal Administration is so sensitive and so much reproached by such denomination! The influence which Mr. Tweed once exercised in the city of New York and in the party to which I belong, is now as extinct as the dodo. The gentleman from Michigan [Mr. CONGER] knows what bird that is. [Laughter.] Our party in New York City, since Mr. Tweed's absence from politics, has been entirely reformed and reinvigorated. I only wish the party of the gentleman from Michigan would take the same pains and exercise the same Roman virtue to reform itself as the democratic party of the city of New York. It is thought that Mr. Tweed did our party harm. I presume that is the reason why the allusions to myself in this connection seem so significant to the ignorant. One bad man can kill a party. Will my friends remember that. Was it not Josh Billings who remarked that "one hornet, if he felt well, could break up a whole camp-meeting?" [Laughter.]

Mr. CONGER. If no further remarks on this subject are desired, I call for the previous question.

The previous question was seconded and the main question ordered; and under the operation thereof the bill was ordered to be engrossed for a third reading; and being engrossed, it was accordingly read the third time, and passed.

Mr. CONGER 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.

PENSION BILLS.

Mr. RUSK, from the Committee on Invalid Pensions, reported back, with a favorable recommendation, bills of the following titles; which were severally referred to the Committee of the Whole on the Private Calendar, and the report in each case ordered to be printed:

A bill (H. R. No. 393) granting a pension to Rosanna Quinn;

A bill (H. R. No. 1305) granting a pension to E. Caroline Webster, widow of Lucius H. Webster;

A bill (H. R. No. 1907) granting a pension to Henry B. Havens, late a private of Company K, Twelfth Regiment Wisconsin Volunteers; and

A bill (H. R. No. 1835) granting a pension to Mary A. Lowe.

A. KENNEDY.

Mr. RUSK, from the same committee, reported back adversely the petition of A. Kennedy, of Company H, Third West Virginia Cavalry; which was laid on the table, and the report ordered to be printed.

MARY S. MOORE.

Mr. RUSK also, from the same committee, reported back adversely the petition of Samuel Moore and Mary S. Moore, asking that a pension be granted to Mary S. Moore; which was laid on the table, and the report ordered to be printed.

LYDIA BENJAMIN.

Mr. RUSK also, from the same committee, reported back the petition of Lydia Benjamin, widow of David Benjamin; and moved that the committee be discharged from the further consideration of the same, and that it be referred to the Committee on Military Affairs.

The motion was agreed to.

SUSANNA BENNETT.

Mr. WALLACE, from the same committee, reported back, with a favorable recommendation, a bill (H. R. No. 1414) granting a pension to Susanna Bennett; which was referred to the Committee of the Whole on the Private Calendar.

JOHN B. MILLER.

Mr. WALLACE also, from the same committee, reported a bill (H. R. No. 2351) granting a pension to John B. Miller; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and ordered to be printed.

REFERENCE OF BILLS.

Mr. BARRY, from the same committee, reported back, with a favorable recommendation, bills of the following titles; which were re-

ferred to the Committee of the Whole on the state of the Union, and the reports ordered to be printed:

A bill (H. R. No. 196) granting a pension to Peter J. Cratzer; and

A bill (H. R. No. 1719) granting a pension to Ezra H. Foster.

MAGDALENA DOCKS.

Mr. MCJUNKIN, from the same committee, reported back, with a favorable recommendation, the bill (H. R. No. 2116) for the relief of Magdalena Docks; which was referred to the Committee of the Whole on the Private Calendar.

LEWIS HINELY.

He also, from the same committee, reported a bill (H. R. No. 2352) granting a pension to Lewis Hinely; which was read a first and second time, referred to the Committee of the Whole on the Private Calendar, and ordered to be printed.

ZEBINA F. RAWSON.

Mr. CRITTENDEN, from the same committee, reported back adversely the bill (H. R. No. 1692) for the relief of Zebina F. Rawson, of Shelby County, Missouri; which was laid on the table, and the report ordered to be printed.

WILLIAM MAY, SR.

Mr. CRITTENDEN also, from the same committee, reported adversely upon the petition of William May, sr., of Spencer County, Indiana, praying for increase of pension to his insane son; which was laid on the table, and ordered to be printed.

LUCY ANN CUMMINGS.

Mr. CRITTENDEN also, from the same committee, reported a bill (H. R. No. 2335) granting a pension to Lucy Ann Cummings; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

MRS. ADELAIDE ADAMS.

Mr. O'BRIEN, from the Committee on Invalid Pensions, reported adversely on the petition of Mrs. Adelaide Adams, widow of George Adams, United States Navy; which was laid upon the table, and the accompanying report ordered to be printed.

MRS. EMILY L. SLAUGHTER.

Mr. O'BRIEN also, from the same committee, reported a bill (H. R. No. 2354) granting a pension to Mrs. Emily L. Slaughter, widow of Albert G. Slaughter, commander in the United States Navy; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ANN R. VOORHEES.

Mr. O'BRIEN also, from the same committee, reported a bill (H. R. No. 2355) granting a pension to Ann R. Voorhees, widow of P. F. Voorhees, late captain United States Navy; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SEMINOLE INDIANS.

Mr. AVERILL. I ask unanimous consent to take from the Speaker's table a bill (H. R. No. 1923) authorizing the payment of annuities into the treasury of the Seminole tribe of Indians, which has been returned from the Senate with an amendment.

The SPEAKER. If there be no objection the bill will be taken up. There was no objection.

Mr. AVERILL. I move non-concurrence in the amendment of the Senate, for the purpose of getting a committee of conference.

The amendment of the Senate was read as follows:

In line 17 of the bill strike out "seventy-five hundred" and insert "five thousand."

Mr. HOLMAN. I should like to know in what connection that amendment comes.

Mr. AVERILL. It simply reduces the appropriation from \$7,500 to \$5,000.

The SPEAKER. The question is, will the House concur or non-concur?

Mr. AVERILL. I move non-concurrence, and that the House ask for a committee of conference on the disagreeing votes of the two Houses.

Mr. HOLMAN. In what connection does the amendment come?

Mr. AVERILL. This \$7,500 was a portion of the annuity set apart by the bill as an educational fund. The Senate has seen fit to reduce it to \$5,000. It has been considered again by the committee, and the committee adhere to their bill. I move non-concurrence.

The amendment was non-concurred in, and a committee of conference was requested on the part of the House on the disagreeing votes of the two Houses.

ENROLLED BILLS.

Mr. HARRIS, of Georgia, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles; when the Speaker signed the same:

An act (H. R. No. 2224) making an appropriation to pay the oper-

ators of the Government telegraph connecting the Departments with the two Houses of Congress; and

An act (H. R. No. 1402) granting a pension to John A. Fisher.

ABOLITION OF THE FRANKING PRIVILEGE.

The SPEAKER laid before the House the following message from the President.

The Clerk read as follows:

To the House of Representatives:

I have the honor to transmit herewith replies from the several Departments, in answer to a resolution of the House of Representatives of the 16th of January last, requesting a list of all expenses incurred by the various Departments for transportation of any matter which before the abolition of the franking privilege was carried in the mails.

U. S. GRANT.

EXECUTIVE MANSION,
Washington, D. C., March 4, 1874.

The message and the accompanying documents were ordered to be printed, and referred to the Committee on the Post-Office and Post-Roads.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. STONE for eight days, to Mr. LAMISON indefinitely, and to Mr. RAY for two weeks.

PENSION AGENTS.

Mr. SPEER. I offer the following resolution, which I have modified to meet the suggestions of several gentlemen.

The Clerk read as follows:

Resolved, That the Secretary of the Interior be, and he is hereby, directed to transmit to this House, at his earliest convenience, the names and post-office address of all the pension agents in the service of the Government, with the number of pensioners paid by each for the quarter ending on the 4th day of December, 1873, and with a statement of the salary, fees, and emoluments received by each agent for the last year; also, the number of pensioners, manner and cost of payment prior to the rebellion; also, the cost of payment prior to the act of 1870 changing the salaries of agents and changing the mode of payment.

Mr. ALBRIGHT. I think that information is already before the Committee on Military Affairs.

Mr. RUSK. I think we have that information before us.

Mr. ALBRIGHT. I think the Military Committee have that information, and authority was given to have three thousand copies of the report for the reduction of the Army printed.

Mr. SPEER. It will be necessary, when we come to consider the amendment to the pension bill reported by the gentleman from Massachusetts.

Mr. RUSK. I shall insist that shall go to the committee or I will object.

Mr. SPEER. I will withdraw the resolution, and offer it under a suspension of the rules on Monday next.

ARMY REGISTER AND NATIONAL FLAGS.

Mr. BUTLER, of Massachusetts. I ask unanimous consent to present a resolution of the Commonwealth of Massachusetts. I desire to have the resolution read and to make a single remark thereon.

The Clerk read as follows:

COMMONWEALTH OF MASSACHUSETTS, in the year 1874:

Resolve rescinding and annulling a resolution passed December 18, in the year 1872, relating to Army register and national flags.

Resolved by the senate and house of representatives in General Court assembled, That the resolution passed on the 18th day of December, 1872, at the extra session of the Legislature of that year, relating to a bill introduced in the Senate of the United States concerning the Army register and regimental colors of the United States, be, and hereby is, rescinded and annulled.

SENATE, February 11, 1874.

Passed. Sent down for concurrence.

S. N. GIFFORD, Clerk.

HOUSE OF REPRESENTATIVES, February 13, 1874.

Concurred.

GEORGE A. MARDEN, Clerk.

SECRETARY'S DEPARTMENT,

Boston, March 3, 1874.

A true copy of the original resolve.

Attest:

OLIVER WARNER,

Secretary of the Commonwealth.

Mr. BUTLER, of Massachusetts. This resolution of the Legislature of Massachusetts, referring to the somewhat famous bill of Mr. SUMNER, to strike out the names of the battles of the rebellion from the Army Register and national flags, has been sent to me by the governor of the State, I assume for the purpose of presenting it to the House and having it read. I have discharged that duty. What it refers to is something I should not have done myself. I should myself neither have presented the bill, nor censured anybody for presenting it. Every member of either House of Congress has the constitutional right to present anything to his branch of the Government without being called to account for it in any other place. Therefore, as I do not believe in the doctrine of instructions or resolutions of State Legislatures about the conduct of members of Congress, I take pleasure in doing this, my duty, in presenting the resolution to the House.

The resolution was referred to the Committee on Military Affairs, and ordered to be printed.

COMMUNICATIONS FROM THE WAR DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of War, in relation to the course now pursued by his Department in ad-

dressing to the Speaker communications intended for the consideration of any of the committees of the House; which was referred to the Committee on Rules, and ordered to be printed.

MAJOR HENRY PRINCE.

The SPEAKER also laid before the House a letter from the Secretary of War, in relation to the case of Major Henry Prince, paymaster United States Army; which was referred to the Committee on Military Affairs, and ordered to be printed.

NEW MEXICO PRIVATE LAND CLAIM.

The SPEAKER also laid before the House a letter from the Secretary of the Interior, in relation to the New Mexico private land claim No. 72; which was referred to the Committee on Private Land Claims, and ordered to be printed.

SURVEY OF HARLEM RIVER, ETC.

The SPEAKER also laid before the House a letter from the Secretary of War, transmitting reports of survey of Harlem River, Raritan River, Crow Shoals, and Old House Channel to main channel to Pamlico Sound, entrance to Matagorda Bay, and San Antonio Creek; which was referred to the Committee on Commerce, and ordered to be printed.

SANBORN CONTRACT.

The SPEAKER also laid before the House a letter from the Secretary of the Treasury, transmitting additional papers in relation to the Sanborn contract; which was referred to the Committee on Ways and Means, and ordered to be printed.

Mr. FOSTER. I hold in my hand correspondence relative to that matter between District-Attorney Tenney and the Secretary of the Treasury. This correspondence was furnished to me on my application to the Secretary. I ask that it be printed and referred to the Committee on Ways and Means, in connection with the communication just referred to that committee.

There was no objection, and it was so ordered.

G. L. MALONEY.

The SPEAKER also laid before the House a letter from the Secretary of War, in relation to the claim of G. L. Maloney, late first lieutenant Company C, Sixth Tennessee Volunteers; which was referred to the Committee on Claims, and ordered to be printed.

JAMES H. BAKER.

The SPEAKER also laid before the House the petition of Helen M. Barnard, in relation to charges against James H. Baker, Commissioner of Pensions; which was referred to the Committee on Invalid Pensions, and ordered to be printed.

PRIVATE CALENDAR.

Mr. HAWLEY, of Illinois. I move that the House resolve itself into Committee of the Whole on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the Private Calendar, (Mr. NIBLACK in the chair,) and proceeded to the consideration of the bills, in their order, upon the Private Calendar.

R. W. CLARKE.

The first business on the Private Calendar was the bill (H. R. No. 2086) for the relief of R. W. Clarke, postmaster at Brattleborough, Vermont.

The bill was read. It directs the Auditor of the Treasury for the Post-Office Department to credit to R. W. Clarke, postmaster at Brattleborough, Vermont, in his account as such postmaster, with the sum of \$1,312.87, being the amount of postage-stamps and postal money-order funds stolen from the safe of said post-office by burglars on the 24th day of November, 1873, without fault or negligence on the part of said postmaster.

No objection being made, the bill was laid aside, to be reported to the House.

DR. EDWARD JARVIS.

The next business on the Private Calendar was a bill (S. No. 302) for the relief of Dr. Edward Jarvis.

The bill was read. It authorizes and directs the Secretary of the Treasury to pay Dr. Edward Jarvis the sum of \$1,500, in full for his services in the preparation of the United States census for 1850.

No objection being made, the bill was laid aside, to be reported to the House.

WILLARD DAVIS.

Mr. HAWLEY, of Illinois. The bill immediately preceding the point where we commenced this morning, (H. R. No. 1956,) for the relief of Willard Davis, was passed over the other day on the objection of the gentleman from Tennessee, [Mr. MAYNARD,] chairman of the Committee on Banking and Currency, not because he had any objection to the bill, but because there was a long report, and he did not want to have it read. I hope there will be no objection to taking it up now.

No objection was made; and the bill (H. R. No. 1956) for the relief of Willard Davis was taken up for consideration.

The bill was read. It directs the proper accounting officers of the Treasury Department to pass to the credit of Willard Davis, late col-

lector in the second and fifth collection districts of Kentucky, the sum of \$14,333.33.

The report was read as follows:

The Committee on Claims, to whom was referred the bill (H. R. No. 571) for the relief of Willard Davis, present the following report:

The claimant, Willard Davis, was, from the 18th day of April, 1863, until the 14th day of October, 1864, collector of internal revenue for the second district of the State of Kentucky. Said district comprised thirty counties and nearly one-third of said State; and said Davis collected therein and paid into the Treasury of the United States the sum of \$175,673.30. Your committee also find that, upon a reorganization of said State into collection districts, said Davis was internal-revenue collector in the fifth district in said State from October 15, 1864, to April 28, 1866; that said fifth district comprised twenty-nine counties; and that said Davis collected therein \$1,031,754.53. Both of said districts were in the southeast part of said State, and bordered upon Tennessee and Virginia, and during the late war were often overrun by lawless bands of guerrillas; and said collector was often obliged to pack up and remove his official papers belonging to his said office, for the purpose of securing them against loss and destruction. The disturbed and dangerous condition of that section of country during the period of the war, while Mr. Davis was acting as collector, is fully shown by the testimony of a large number of respectable and intelligent witnesses. Among these is General S. G. Burbridge, who for a long time commanded the Union forces in that State. In his testimony before the committee he states that he assumed command of the Department of Kentucky in the early part of the year 1864, with headquarters at Lexington; that during his administration of the military affairs of the State there were frequent invasions of the eastern and southeastern portions of the State by rebel troops, and guerrilla raids were almost constantly occurring; that he never had at his command sufficient troops to protect the State from such invasions and raids, and that the old second and fifth districts were often overrun by guerrillas and marauders. He states that when he assumed such command he found said Collector Davis at Richmond, in said fifth district, using his best endeavors to collect the internal-revenue taxes due the Government; that said Davis frequently applied to him for troops to enable said collector and his deputies to go to different parts of his district, and that he was never able to comply with the request but on one occasion, for the want of troops; that for miles around Richmond, in said district, and in all the mountainous portions of said district, neither said collector nor his deputies were safe alone; that owing to said disturbed and dangerous condition of the country said collector was obliged to pay extra compensation to his deputies, and was also obliged, at great expense, to hire guards to accompany him and them in their trips to the different parts of the district. General Burbridge further states that he is only surprised to learn that so much of the revenue was collected by said collector in the midst of such constant and great dangers, and that simple justice to said collector requires that the Government should not only relieve him from any uncollected taxes charged against him, "but that he should be reimbursed for moneys paid out, and have, in addition, reasonable compensation for his services so well and faithfully performed at a time when there was no law or protection in his district."

Said collector claims in his petition the sum of \$20,633.10 as a proper allowance to be made to him by Congress in the settlement of his accounts with the Internal Revenue Department. The committee have rejected all the said claim except the following:

He claims \$150, taken from his deputy by guerrillas.

For money paid out in the employment of necessary guards to enable him and his deputies to discharge the duties of their respective offices, \$1,500.

For uncollected taxes, charged against him in the Internal Revenue Department, the lists for which were destroyed by guerrillas, without any fault upon the part of said collector, the sum of \$7,613.33.

For additional compensation as collector in said second and fifth districts, \$8,000.

For expenses necessarily incurred in sending a messenger to the assessor's office, distant one hundred and fifty miles, \$75.

The Commissioner of Internal Revenue, in a letter addressed to the chairman of this committee, referring to the item in reference to the destruction of the collection-lists, says: "Referring to your letter of the 31st instant, relative to item 10 in the claim for relief of Willard Davis, late collector second and fifth districts of Kentucky, I have the honor to say that this office is satisfied that he should receive credit for the \$7,613.33 referred to therein, being amount of taxes unaccounted for, covered by lists alleged to have been destroyed by rebel raiders." It also appears in proof by several witnesses that the guerrillas got possession of the papers and lists of said collector and destroyed them.

In a letter of the Commissioner of Internal Revenue, addressed to the committee, in reference to the item for compensation, that officer says: "This office cannot approve this item for the full amount thereof, but does indorse it to the amount of \$3,000, as that sum, added to the amounts credited and allowed him, will insure to Collector Davis a net compensation of about \$5,000 per annum, not an excessive amount when due consideration is given to the hardships and difficulties incident to the discharge of the duties of the collector, at a time when his district was infested with guerrillas and other lawless persons, who rendered the transaction of all business by agents of the United States, in its behalf, a matter of great personal peril, and also rendered it necessary to incur many expenses which could not be considered by the Department as a legal credit to the collector. Mr. Davis was considered to be an honest and efficient officer, who, by misfortune resulting from the peculiar situation of affairs referred to above, rather than from any fault or lack of diligence on his part, became involved in his accounts with the Government, and is believed to be entitled to generous treatment by Congress."

The first and last items above mentioned are fully sustained by the evidence before the committee, and the committee are of opinion that the charge of \$1,500 is, under all the circumstances, reasonable and just. The evidence in this case is very voluminous, and shows beyond question that the said collector was an honest, capable, and faithful officer.

In view of all the facts, your committee recommend that said collector be allowed the sum of \$14,333.33, and for that purpose recommend the passage of the accompanying substitute for said bill.

No objection being made, the bill was laid aside, to be reported to the House.

OLIVER P. MASON.

The next business on the Private Calendar was the bill (H. R. No. 763) for the relief of Oliver P. Mason.

The bill was read. It appropriates the sum of \$787.50 for the payment to Oliver P. Mason, for services rendered as assistant provost-marshal in the Department of Kansas; and the proper officers of the War and Treasury Departments are hereby authorized to pay the said sum to the said Oliver P. Mason or his legal representatives.

The report was read, as follows:

The Committee on Claims, to whom was referred the bill (H. R. No. 763) for the relief of Oliver P. Mason, having considered the same, report:

This bill appropriates the sum of \$787.50 for military service rendered by the claimant, under the following circumstances:

In 1864 it was deemed necessary by the general commanding the Department of

Kansas to appoint an assistant provost-marshal for duty at Nebraska City, for the apprehension of such fugitives from courts-martial and deserters from the draft for military service, as might seek obscurity and safety from military observation and arrest in that remote locality. There was no other authority for this appointment than military rule and necessity, as the claimant was a civilian, and few troops, if any, had post at Nebraska City. The appropriation act, approved July 9, 1863, (section 2,) prohibited the payment of money from the Treasury to any person acting or assuming to act as an officer, civil, military, or naval, as salary in office, which office was not authorized by some previously existing law, unless such office should be subsequently sanctioned by law.

But the claimant was a citizen of high character and reputation, was well versed in the laws, competent to administer criminal and military law, and was lately the chief justice of the State of Nebraska. He was thought to be the best person for that duty, and his administration was sanctioned by his superior officers and by the War Department. Through his instrumentality, there were arrested and returned to the military authorities at Leavenworth and Saint Louis many desperate criminals, who had killed Union men and officers in Kansas and Missouri. He arrested and brought to justice the murderers of a deputy United States marshal in Iowa, who was killed while executing the duties of his office. He had draft-deserters and bounty-jumpers returned to Kentucky and Ohio, and these services were performed at his own expense from the 22d July, 1864, to January 31, 1865.

His accounts were presented to the Quartermaster's Department, which declined to pay them, and were referred to the Adjutant-General at a period so late that the "provost-fund" of that officer was exhausted.

No objection being made, the bill was laid aside, to be reported to the House.

JULIUS GRIESENBECK.

The next business on the Private Calendar was the bill (H. R. No. 2087) for the relief of Julius Griesenbeck, of Waco, Texas.

The bill was read. It instructs the Secretary of the Treasury to pay to Julius Griesenbeck, of Waco, Texas, the sum of \$212.50, which shall be in full for his claim for supplies furnished by him for a detachment of the United States cavalry, under command of Sergeant Von Urick, in the service of the United States, at Waco, Texas, in the year 1863.

The report was read, as follows:

The Committee on Claims, to whom was referred the claim of Julius Griesenbeck, of Waco, Texas, respectfully report:

That the claim is for supplies furnished and provided by the claimant in the year 1863, for a detachment of United States cavalry, under command of Sergeant Von Urick, at Waco, in Texas, in the service of the United States. The supplies consisted of corn, hay, horseshoeing, wagon repairs, medical attendance, and coffin furnished for a soldier injured by being run over with a transport wagon, from which injury he died, and for other items of supplies. The claim and account is fully and satisfactorily shown, as well by the affidavits of the claimant and of one of the soldiers, Hugh Marrion, belonging to said detachment, as also by the receipts and vouchers of Sergeant Von Urick, in command, given at the time. The prices and values charged appear to be reasonable. The claim amounts in the whole to the sum of \$212.50. The claimant having in good faith furnished the supplies on request of the officer in command, and not having received pay therefor, the committee are of the opinion that compensation should be made to him, and they report the accompanying bill for his relief, and recommend its passage.

Mr. HOLMAN. I would like to inquire, for I do not quite understand the report, why the proper officers of the regiment did not make payment of this money. This occurred in 1863, I understand.

Mr. HAMILTON. There was no commissioned officer to receive the articles furnished. It was a detachment of cavalry under the command of a sergeant who received for the supplies, and they are all proven by affidavits and by the non-commissioned officer in command.

Mr. HAWLEY, of Illinois. I will say, in answer to the gentleman from Indiana, that the only trouble about it was the fact this was a non-commissioned officer.

No objection being made, the bill was laid aside, to be reported to the House.

OFFICERS AND CREW OF STEAMER BIENVILLE.

Mr. LAMISON. I ask the committee to indulge me by taking up, out of their order, three bills, which I reported from the Committee on Naval Affairs. I have received telegrams announcing illness in my family, and I am going home to-day, having bought my through tickets; but if I am detained here until those bills come up, I shall be unable to get away.

The CHAIRMAN. The Chair hears no objection, and the bills will be taken up out of their order.

The first bill called up by Mr. LAMISON was the bill (H. R. No. 1201) authorizing the payment of prize-money to the officers and crew of the United States steamer Bienville.

The bill was read. It authorizes the Secretary of the Navy to direct the proper accounting officers of the Treasury to allow and pay to such persons as were the officers and composed the crew of the United States steamer Bienville, on the 5th day of August, 1864, a sum equal to that to which the officers and crew of said steamer would have been entitled to receive as prize-money had the name of said steamer been inserted in the list of the vessels entitled to share in the captures made in the bay of Mobile on said 5th day of August, 1864, the name of said vessel having been accidentally omitted from said list; said sum to be paid out of any money in the Treasury not otherwise appropriated, and distributed as prize-money.

Mr. LAMISON. I desire to make a brief statement to the House in regard to that bill, inasmuch as there is no report accompanying it.

The CHAIRMAN. All that can be done is to read the bill.

Mr. HOLMAN. This is not objection day.

The CHAIRMAN. The first and fourth Fridays of the month are objection days. Last Friday was the fourth Friday in February, and therefore was objection day, and this is the first Friday in March, and is also objection day.

Mr. LAMISON. This is a claim for prize-money on the part of the

officers and crew of the United States steamer Bienville, growing out of the engagement in Mobile Bay in 1864.

Mr. HAWLEY, of Illinois. What is the amount of the claim?

Mr. LAMISON. About \$20,000. The facts in the case are briefly these: The steamer Bienville was placed on the outside of the bar at Mobile, under the command of Lieutenant Commander Howison. He had a signal officer on board his ship, and he was the nearest of the outside fleet to the bar. He took part in the engagement, having lost his mast, which was shot away, one man being killed and three wounded. When the prize-list came to be made up for the capture of the rebel ram Tennessee, and other rebel vessels taken by the fleet at Mobile, Commander Howison presented his prize-claim in the usual way to the admiral commanding—Admiral Farragut; but by some fatality or other it appears that his claim was never forwarded to the prize-court which convened in New Orleans. All the other vessels that were stationed on the outside of the harbor received their prize-money; they were all included in the adjudication of the court at New Orleans. Captain Howison made his application to the Department for the purpose of ascertaining why his claim had not been acted on, and the Department referred him to the court at New Orleans. Finally he made application to Admiral Farragut, for the reason that it deprived him and his officers and crew of the prize-money to which they were entitled.

Mr. FORT. I understand that nobody is objecting to this bill at all.

Mr. LAMISON. I desire to make a brief statement, for the reason that there is no report in full. Admiral Farragut replied as follows:

NEW YORK, February 18, 1869.

DEAR SIR: Having just learned from the Navy Department that the Bienville, commanded by you in the attack on the forts at Mobile, Alabama, in 1864, was not included in the decree setting forth the vessels entitled to a share in prize-money, I take pleasure in stating that your vessel was one of the outside fleet, in full sight of action, afterward conveyed the prisoners from Fort Morgan to New Orleans, and is as much entitled to a share in the prize-money as any of the outside fleet, consisting of the Pembina, Pinald, Sebago, Tennessee, and Genesee.

I am, very truly, yours,

D. G. FARRAGUT,
Admiral.

Lieutenant Commander HOWISON.

Mr. HOLMAN. I wish to ask the gentleman from Ohio [Mr. LAMISON] if the effect of passing this bill will not be to give to these officers prize-money, when all the prize-money for all the vessels engaged in the battle was distributed among these other vessels, giving them in fact a greater share than they were entitled to.

Mr. LAMISON. The effect of passing this bill is to pay these officers the amount of prize-money to which they are entitled.

Mr. HOLMAN. In adjudicating this money in the district court of Louisiana, was not the whole amount that all these vessels were entitled to receive distributed among the other vessels?

Mr. LAMISON. Precisely.

Mr. HOLMAN. So that the effect of passing this bill is to give an additional sum over and above the amount that was awarded by the district court of Louisiana.

Mr. LAMISON. Not at all. The effect is to pay out of the money now in the Treasury derived from the sale of prizes the share which these officers would have received if their claim had come properly before the court.

The amendment was to strike out the words "any money in the Treasury not otherwise appropriated and distributed as prize-money;" and to insert in lieu the words "the naval-pension fund."

The amendment was agreed to; and the bill, as amended, was laid aside, to be reported to the House.

MARY C. BELL.

Mr. LAMISON. The next bill I desire to have now considered is the bill (H. R. No. 2094) granting an increase of pension to Mary C. Bell.

The bill directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary C. Bell, dependent mother of David N. Bell, late an ensign in the United States Navy, at the rate of fifteen dollars per month from and after the passage of the act; the pension certificate now held by the said Mary C. Bell to be given up, surrendered, and canceled from and after the time the act shall take effect.

Mr. LAMISON. I will state briefly the facts in this case. Mary C. Bell is the mother of Daniel N. Bell, who was a midshipman in the United States Navy. He was put on board the Dakota at Philadelphia in 1865, and because of exposure while engaged in assisting to fit out the vessel during that winter, one of the coldest on record, he contracted bronchitis. He sailed for Madeira, and while there became very much prostrated. He afterward recovered, I may say completely, and having been examined by the surgeon, received a commission as ensign. His mother presented her claim for a pension to the Pension Bureau, and was awarded a pension of ten dollars a month—the pension of a midshipman. The committee think she should receive the pension of an ensign, and have reported this bill to increase her pension five dollars a month.

No objection being made, the bill was laid aside, to be reported to the House.

MARY SWIFT.

Mr. LAMISON. The next bill which I wish considered is the bill

(H. R. No. 52) granting an annuity to Mary Swift, daughter of Thomas Truxton, deceased, late commodore in the United States Navy.

The bill directs the Secretary of the Interior to place the name of Mary Swift, daughter of Thomas Truxton, deceased, late commodore in the United States Navy, on the pension-roll, and allow her a pension at the rate of fifty dollars per month, to be paid as now provided by law in such cases.

No objection being made, the bill was laid aside, to be reported to the House.

Mr. LAMISON. This completes the list of bills which I desire to have considered; and I again thank the committee for its courtesy in consenting that they should be taken up out of their order.

SURETIES OF JESSE J. SIMKINS.

Mr. BUTLER, of Massachusetts. I ask unanimous consent to take up and consider the bill (H. R. No. 1200) for the relief of the sureties of the late Jesse J. Simkins, collector of the port of Norfolk, Virginia. That bill was passed over last week during my absence.

The bill, which was read, releases and discharges the sureties of Jesse J. Simkins, deceased, late collector and public depositary at the port of Norfolk, Virginia, from a judgment rendered in the circuit court of the United States for the eastern district of Virginia against said sureties and in favor of the United States of America, on the 10th day of January, 1871.

The amendment reported from the Committee on the Judiciary was to add to the bill the following proviso:

Provided, however, That nothing in this act shall affect the just claim of the United States to the money specially deposited in the treasury of the State of Virginia by said Simkins to the use of the United States.

Mr. BUTLER, of Massachusetts. The papers in this case are voluminous; I think I can state the facts precisely. Jesse J. Simkins, now dead, was collector at Norfolk, Virginia, at the breaking out of the war of the rebellion. He had settled up his accounts to the 1st of April, according to the law and the regulations of the Treasury Department. On the 19th of April the town of Norfolk was taken possession of by the confederate forces. Mr. Simkins then had money in his hands belonging to the United States. The custom-house at Norfolk was made the headquarters of the confederate general, Huger. General Huger gave Mr. Simkins an order to turn this money over to him. Mr. Simkins asked his sureties what he should do, and they asked General Huger to allow them to consult the authorities at Richmond. General Huger said that if they would give him their word of honor that the money should not be disposed of in any way except under the orders of the authorities at Richmond he would wait. Thereupon they went to Richmond and made an arrangement with the governor of the State of Virginia to make a special deposit of this money in the treasury of the State of Virginia, where it now is. The confederate authorities ordered Mr. Simkins, further, to deposit all moneys that should come to him in any way from customs in the treasury of the State of Virginia, which he did, until an amount in the neighborhood of \$21,000 was so deposited.

During the war I believe he died. After the war the United States called upon his sureties to pay that money which had been deposited in the treasury of the State of Virginia. His sureties called upon the State; but the State refused to give any relief. A suit was brought, the question being whether an unauthorized act of the public enemy would release the contract of the sureties. The court decided that it would not; that they must be held responsible. Thereupon we passed, a year or two ago, a bill for the relief of Mr. Simkins's sureties, by giving him credit for the amount, provided the State of Virginia would pass it over, and authorizing the Attorney-General to call on the State for that money. The State of Virginia, when the demand was made upon it, submitted the question to its attorney-general, who decided that as the constitution of the State made invalid all claims arising out of the war of the rebellion, this was a claim arising in that way, and that the State could not pay it.

Mr. Simkins did the very best he could, under the circumstances, to defend the interests of the United States and to protect his sureties. He acted under a *vis major*. A direct order would have taken the money away from him if he had not placed it in the treasury of the State to protect himself. General Huger, who at that time had his headquarters in the custom-house there, had entire control of that money whenever he chose to take it. It was only the endeavor of Mr. Simkins and his sureties to protect themselves and the interests of the United States that caused the money to be paid into the treasury of the State.

These facts now appearing from the documents sent to us by the Attorney-General, the Committee on the Judiciary (unanimously I believe) agreed that it was but right that Mr. Simkins's sureties should be discharged, and that the United States should look for their money where it is on deposit. We have inserted in the bill a provision that this legislation shall not invalidate any claim which the United States may have upon the State of Virginia. This is the whole case from beginning to end.

Mr. POTTER. When the gentleman from Massachusetts [Mr. BUTLER] spoke of an arrangement made by Mr. Simkins with the authorities at Richmond, I presume the gentleman did not mean the confederate authorities, but the legally authorized government of the State.

Mr. BUTLER, of Massachusetts. The State government of Virginia.

Mr. HOLMAN. I observe that the law passed by the last Congress provides that—

The sureties of the said Jesse J. Simkins, upon his bond as collector and public depositary in said Norfolk, shall, upon the payment of said moneys by the State of Virginia and the receipt thereof by the United States be released and discharged from liability on said bonds to the United States to the extent of the moneys so received by the United States and no further.

I infer from this provision that it was understood the amount of money deposited by this collector in the treasury of Virginia was not a sum equal to the Government's claim against him.

Mr. BUTLER, of Massachusetts. The clause which the gentleman has just read was introduced into that act *ex maiore cautela*—from greater caution. The amount in dispute is exactly the amount that went into the treasury of Virginia. This appears clearly from the statement of the Attorney-General, and the facts elicited in the suit. There was no defalcation. Mr. Simkins had settled his accounts up to April 1, 1861. That appeared clearly before our committee.

Mr. HOLMAN. I understand that this suit was brought in the circuit court of the United States for the district of Virginia.

Mr. BUTLER, of Massachusetts. Yes, sir.

Mr. HOLMAN. And appealed to the Supreme Court of the United States?

Mr. BUTLER, of Massachusetts. No, sir; no appeal was taken.

Mr. HOLMAN. The circuit court held, as I understand, that the payment of this money into the treasury of Virginia by compulsion of the confederate authorities did not release the sureties.

Mr. BUTLER, of Massachusetts. No, sir; the decision was that the payment of this money into the treasury of Virginia in order to escape the taking of it by the military authorities of the confederacy was no answer to a suit on the bond.

Mr. HOLMAN. Did it not appear in that action that this money was voluntarily paid by this collector?

Mr. BUTLER, of Massachusetts. It was not voluntarily paid in the way I have stated; the collector placed it voluntarily in the treasury of Virginia, instead of having it taken away involuntarily.

Mr. PLATT, of Virginia. I ask the gentleman from Massachusetts [Mr. BUTLER] whether it is not a fact fully proven to the satisfaction of every member of the Judiciary Committee, and every other gentleman who has examined the case, that Mr. Simkins had presented to him this alternative: either to have the money taken from him by military force and devoted to the confederate service, or to pay it into the treasury of Virginia, taking the chance of the Government of the United States recovering it afterward.

Mr. BUTLER, of Massachusetts. That was the exact alternative.

Mr. POTTER. If the State constitution had not been altered since the war, this money would, as I understand, have been recovered. The only difficulty is that the State treasurer, under the provisions of the present constitution, is disabled from paying the debt; not that the debt has been repudiated by the State.

Mr. BUTLER, of Massachusetts. That is the fact.

Mr. HOLMAN. I apprehend that the effect of this bill may be to repeal the first section of the act passed by the last Congress; and I would suggest the insertion of a provision that nothing in this bill shall be understood as repealing the first section of that act.

Mr. BUTLER, of Massachusetts. The bill already contains a provision that it shall not affect the claim of the United States against the State of Virginia.

Mr. HOLMAN. But the act of the last Congress makes it the duty of the Attorney-General to demand and receive from the treasurer of the State this money.

Mr. BUTLER, of Massachusetts. That requirement is not interfered with by this bill.

Mr. HOLMAN. Then I do not insist on my suggestion.

There being no objection, the bill was laid aside, to be reported to the House.

JAMES LILLIE.

The next business on the Private Calendar was the bill (H. R. No. 2088) for the relief of James Lillie, postmaster at Lisbonville, Ray County, Missouri.

The bill was read. It directs the Auditor of the Treasury for the Post-Office Department to credit, in the account of James Lillie as postmaster at Lisbonville, Ray County, Missouri, the sum of \$22.26, being the value of stamps and stamped envelopes destroyed by fire in said post-office on the 19th day of January, 1873, without negligence on the part of said postmaster.

Mr. HOLMAN. The amount of this claim is so small—twenty-two dollars—that its very modesty ought to commend it to the House.

There being no objection, the bill was laid aside, to be reported to the House.

JOHN DOLD.

The next business on the Private Calendar was a bill (H. R. No. 764) for the relief of John Dold.

The bill, which was read, authorizes and directs the Secretary of the Treasury to pay to John Dold the sum of \$1,525.83 in lieu of check numbered A, 7531, on the United States depositary, dated the 26th day of February, 1872, payable to the order of said John Dold, and signed by A. J. McGonigle, acting quartermaster United States Army; which said check, it is claimed, has been lost, and was never received by the said John Dold; provided that before the payment authorized the

said John Dold shall execute a bond of indemnity to the United States, with sufficient sureties, against the claim of the payee in said draft.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

WILLIAM CHESTER.

The next business on the Private Calendar was a bill (H. R. No. 692) for the relief of William Chester.

The bill, which was read, authorizes and directs the proper accounting officer of the Post-Office Department to credit William Chester, postmaster at Knobnoster, Johnson County, Missouri, with the sum of \$329.85, on his account as postmaster, as aforesaid, with said Department, said sum being the amount of postage-stamps and postal money stolen from said post-office on the 11th day of May, 1872, by the burglarious entry of the said building in which said office was kept.

The report was read, as follows:

William Chester has been postmaster at Knobnoster, Missouri, since the year 1861. The post-office was entered on the night of the 11th of May, 1872, by burglars, and robbed of postage-stamps to the value of \$322, and of money to the amount of eight dollars, and of two registered letters containing \$7.85.

The building in which the post office was then and is now kept is a large and substantially built brick, with a basement underneath. The burglars entered the building through a window between six and seven feet from the ground, and afterward forced the lock attached to the door of the office proper, which is located inside of said large brick building, which lock, as it appears from the testimony of Mr. Chester, was in good condition and properly locked when he left the office the evening before the robbery.

The testimony in the case is very strong that Mr. Chester is an upright and honorable man, and that the robbery was committed without any neglect or fault of his. That is the distinct opinion of the special agent who examined the case soon after the robbery was committed, as will appear by a copy of his report hereto attached.

On inquiry at the Post-Office Department we find the probable amount of postage-stamps that Mr. Chester should have had on hand on the 11th of May, 1872, was \$333.06. The actual amount, as Mr. Chester claims, was \$322.

As it appears that Mr. Chester was obliged to pay or make good the sum of \$7.85 which was inclosed in the registered letters, it seems to the committee that he is as justly entitled to that amount as to the value of the stamps which were stolen. As to the eight dollars in money, as it does not distinctly appear from the evidence that it was received for stamps, and as the committee feel great reluctance to recommend the repayment of money so stolen, we do not recommend its payment. Believing the stamps and the money in the registered letters should be refunded, we recommend the passage of the accompanying substitute for the bill referred to the committee.

SAINT LOUIS, Mo., July 20, 1872.

SIR: Please find inclosed Department case 5172, robbery of the Knobnoster, Johnson County, post-office. I gave this case a personal investigation, as I considered the case an important one. The amount of stamps lost is large, and Mr. William Chester, the postmaster, is an honest old man, (a cripple,) and is a true friend of the republican party. The post-office was kept in Mr. Cordell's drug-store, and was entered (it is supposed) on Sunday morning early, by breaking a pane of glass. The office had no safe, and it was easy work to steal everything the thief wanted. The party suspected is one Thomas Emerson, a fellow about twenty-two years of age, a barber by occupation. Emerson left on Monday, May 13, and went to Saint Louis, Missouri, then to Holden, and now is in Kansas City. Emerson has been watched, but up to date no convicting evidence has been found against him. Two registered letters were rifled on the night of the robbery—No. 23, addressed to Alexander Dixon, Republican, Ohio, and No. 24, to the Sun office, New York; one contained \$6.85, and the other one dollar; both letters in package No. 23. The stamps stolen amounted to about \$322, and the small change in the till was about eight dollars, making in all a loss of \$337.85. As the law does not relieve a postmaster of the responsibility for losses by burglary, except by special acts of Congress, I requested Mr. Chester to make good all the losses, which he did. I have no further need of the case. Should I succeed in getting the thief, I can get the papers again. Case respectfully returned.

Yours, very respectfully,

F. W. SCHAUERTE,
Special Agent.

CHARLES COCHRAN, Jr., Esq.,
Superintendent Mail Depredations, P. O. D.

POST-OFFICE DEPARTMENT,
OFFICE OF THE THIRD ASSISTANT POSTMASTER-GENERAL,
Washington, D. C., January 30, 1874.

SIR: Yours of the 26th instant, asking certain information in regard to the alleged robbery of the post-office at Knobnoster, Missouri, on the 11th of May, 1872, is received. In reply, I have the honor—

1st. To inclose a copy of a report on file in the Department of an investigation of the case made by Special Agent Schaurte.

2d. To submit the following estimate of postage-stamps and stamped envelopes on hand:

Postage-stamps and stamped envelopes on hand March 31, 1873, as per quarterly returns to the Auditor.....	\$464.67
Deduct estimated sales for forty-one days, (average daily sales for six months ending March 31, 1872, being \$3.21).....	131.61

Gives probable amount on hand May 11, 1872..... 333.06

It will be observed that the loss of stamps is given by Mr. Schaurte as \$322. 3d. To state that an estimate gives \$101.70 as the probable amount of funds in the hands of the postmaster and belonging to the United States. Mr. Schaurte, however, gives the money loss at only \$8.

4th. To state that the post-office at Knobnoster is not a money-order office.

Very respectfully, &c.,

E. W. BARBER,
Third Assistant Postmaster-General.

Hon. J. Q. SMITH,
Of Committee on Claims, House of Representatives.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

JOHN BRENNAN.

The next business on the Private Calendar was a bill (H. R. No. 650) for the relief of John Brennan.

The bill, which was read, provides that John Brennan shall be allowed the sum of \$643, for disbursements made by him in compensating assistant janitors in the United States court-house and post-office at Indianapolis, Indiana, under authority from the United States marshal.

The report was read, as follows:

This is a claim of John Brennan, who was employed as a janitor in the United States post-office and court-house at Indianapolis, Indiana, for reimbursement for moneys paid by him to assistants in the years 1867 and 1868. The bill has been regularly presented to the Treasury Department and payment refused. A special act is asked.

The amount of the claim is \$643.19.

The evidence of the claimant in support of the bill is the certificate of General Benjamin Spooner, the United States marshal of Indiana, who certifies "that he believes that the account is correct and just; that the services were rendered as stated, and were necessary for the public service."

General Spooner is the successor of Colonel D. G. Rose, who, as marshal of the United States, directed Brennan to employ assistance in the first instance. He was afterward continued in service during Spooner's term of service, and the most of the money paid out during that time. The evidence of General Spooner as to the rendition of the services and their value is conclusive.

Brennan swears to his own account, his employment, and the payments made to his assistants,

His statement is corroborated by William Lawlor; he testifies as to payments made to his assistants.

The testimony of E. P. Thompson, late assistant postmaster at Indianapolis, shows that the services rendered, and that Brennan has not been paid.

The official statement of Hon. George S. Boutwell, Secretary of the Treasury, says that "it appears that the services charged were actually rendered, and that the prices named in the bill are reasonable, but under existing law the bill cannot be paid from any appropriation under the control of this Department, and it would be necessary to have a special appropriation for its payment." The Secretary puts it as his conclusion "that the services charged were actually rendered, and that the prices named in the bill are reasonable."

This claim is just; the money has been paid; the proof is conclusive, and the Government should reimburse Brennan for the amounts paid by him as hire for help as janitor. We recommend the passage of the bill.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

JAMES COATS.

The next business on the Private Calendar was a bill (H. R. No. 104) for the relief of James Coats, of Jackson, Mississippi.

The bill, which was read, authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to James Coats, of Jackson, Mississippi, the sum of \$36.70, in full for labor and repairs, and materials and furniture, furnished to the United States court-house at Jackson, Mississippi.

The report was read, as follows:

On the 23d day of March, 1871, Mr. Coats entered into a contract with Michael Shanaghnessy, United States marshal for the southern district of Mississippi, to repair and fit up the city-hall at Jackson, Mississippi, or that part of it used by the United States Government for the United States district-court room and offices. The work was done in accordance with plans of Joseph Willis, architect for the State, and for the sum of \$2,535. Upon the removal of the carpet it was found to be so full of vermin as to be unfit for further use. Some extra painting and work upon the doors and windows, with items of repairing, were found necessary to be done. These were found to be unprovided for in the contract. The next term of the court was at hand, and it was imperative that the work should be done before the day of its assembling. With the full approval of the United States marshal, and of District Judge Hill, Mr. Coats undertook to furnish the new carpet, and to do all the extra work, believing that upon the proper representation being made he would be compensated. The fact that the United States marshal and judge of the court concurred as to the necessity of the work being done, that it was well done, and the charges reasonable, and that they jointly recommend the payment of the claim, is set forth in a statement to that effect, over their signatures, now in the hands of the committee.

The claimant brings in a bill in items amounting to \$986.76, which, it is alleged, was for repairs and furnishing outside of the contract and of the plans of the State architect.

Your committee are of the opinion that although the claimant acted without proper authority from the Department, still he made the repairs under the pressure brought to bear upon him by the United States officers, and in perfect good faith; and that, as the Government is now in full possession and enjoyment of the repairs and furniture, it owes it to its own credit, as well as to the demand of the claimant, to make him proper compensation; and therefore recommend that the bill, which is an exact copy of a bill which passed the House of Representatives January 17, 1873, and which was reported favorably upon by the Senate Committee on Claims February 27, 1873, do pass.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

MRS. LOUISA P. MOLLOY.

The next business on the Private Calendar was the bill (H. R. No. 2089) for the relief of Mrs. Louisa P. Molloy.

The bill was read. It authorizes and directs the Postmaster-General to credit to the account of Mrs. Louisa P. Molloy, postmaster at Potosi, Washington County, Missouri, the sum of \$170, on account of postage-stamps stolen from the office on the night of the 16th of December, 1872, and with the further sum of \$125, being the amount of money stolen from a registered letter at the same time, the amount of which was paid by her to the owners thereof on the order of a special agent of the Post-Office Department; which credits may be allowed in favor of said Louisa P. Molloy in any settlement hereafter made by her with the Post-Office Department.

The report of the committee was read, as follows:

The Committee on Claims, to whom was referred the bill H. R. No. 229, have had the same under consideration, and beg leave to report:

That Mrs. Louisa P. Molloy, erroneously called Mallery in the bill, has for a number of years been postmaster at Potosi, Missouri, and that on the night of the 16th of December, 1872, the post-office in said town was burglariously entered, and postage-stamps to the value of \$170 were stolen therefrom; and that at the same time the sum of \$125 was stolen from a registered letter remaining in the office.

It appears that the thief effected an entrance into the post-office through an adjoining building, by raising an outside window and breaking two inside doors. The office at Potosi is of the fourth class, and Mrs. Molloy was not able to provide a safe to secure stamps and other valuables.

The building in which the office was kept was as secure as could at that time be found in Potosi, all the business part of the town having been destroyed by fire about ten days before. Prior to the time of the fire Mrs. Molloy kept the stamps and money belonging to the office in the safes of merchants in town; after the fire she was denied that privilege. At the time of the burglary the stamps and money belonging to the office were in a tin cash-box, locked, and this box was in a desk in the office, the desk being also locked. The amount of money taken from the registered letter was paid to the person to whom directed by the order of a special agent of the Post-Office Department.

Mrs. Molloy's own testimony is all the evidence in the case in reference to the burglary and the loss of the stamps and money. Her character, however, as a truthful woman and faithful officer, is indorsed by a great many leading citizens of the vicinity, including a judge of the circuit court, and the United States marshal of the eastern district of the State of Missouri.

In addition to the evidence of Mrs. Molloy, as to the extent of her loss, we have an estimate from the Post-Office Department, showing that the amount of postage-stamps and stamped envelopes on hand at said office September 30, 1872, as per quarterly returns to the Auditor, was ninety dollars; amount sent October 11, 1872, \$276.40; total, \$366.40; and that the average daily sales at said office for six months ending September 30, 1872, was \$2.22. Taking the average daily sales at the same rate for seventy-seven days, from the 30th of September, 1872, to the day of the burglary, makes \$170.94. Deducting this sum from the amount received, as above, leaves \$195.95 on hand at the time of the burglary.

The evidence is satisfactory that the loss occurred without the negligence or fault of Mrs. Molloy, and she ought to be credited by the Post-Office Department with the amount of stamps lost, and the money in the registered letter, paid by her to the owners by the order of the special agent of the Post-Office Department.

Inasmuch as the bill referred to the committee does not give the correct name of the person asking for relief, your committee reports to the House a bill in the nature of a substitute, authorizing the Postmaster-General to credit Mrs. Louisa P. Molloy with the amount of stamps so lost by her and the money taken from the registered letter, and recommend that the same do pass.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

JACOB HARDING.

The next business on the Private Calendar was the bill (H. R. No. 2090) for the relief of Jacob Harding.

The bill was read. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, to Jacob Harding the sum of \$195, as compensation for his services as inspector of the distillery of Messrs. Gordon & Co., at Paris, Illinois, in the year 1867.

The report of the committee was read, as follows:

The Committee on Claims, to whom was referred the memorial of Jacob Harding, have had the same under consideration, and beg leave to report:

That they find that the memorialist was for several months inspector of the distillery of Messrs. Gordon & Co., at Paris, Illinois, in the seventh collection district in that State, and that for the working days from the 1st day of February to March 18, 1867, while he was inspector as aforesaid, making thirty-nine days in all, he has received no compensation for his services. It appears that Mr. Harding's account for the services was made out by him according to law, presented to the assessor of the district, approved by him, and the amount assessed against the distillery and placed in the hands of the collector of the district for collection, but was never collected, and that Gordon & Co. and their sureties finally proved to be insolvent. The facts and circumstances attending the services and making out the accounts, showing full compliance with the law on the part of Mr. Harding, are set forth in detail in his memorial, which is sworn to. It also appears that the proper accounting officer of the Treasury declined to order the payment of the claim, for the reason that there was no appropriation out of which it could be paid.

The Commissioner of Internal Revenue, when called upon for information in reference to this claim, says, under date of January 30, 1874: "The records of this office show that Mr. Jacob Harding has an equitable claim against the Government for the sum of \$195, as his compensation for services rendered as inspector of the distillery of Messrs. Gordon & Co., at Paris, Illinois, at five dollars per day for the working days from February 1 to March 18, 1867, inclusive, the date of his delivery of the keys of their warehouse to W. Alexander, deputy collector, in compliance with the written instructions of Collector W. T. Cunningham, seventh district Illinois, dated March 10, 1867. Mr. Harding's claim, therefore, is of such a nature that it cannot be paid out of the appropriations made for internal-revenue purposes; as the law provided that those inspectors should receive their salary from their collector, it being assessed and collected from the distillers. In this case it was assessed but not collected, and it appears that owing to the insolvency of the distillers and of their sureties it cannot now be collected from them."

The evidence is conclusive that Mr. Harding rendered the services as claimed in his memorial; and that the failure to collect the amount of the salary from the distillers was owing to no fault of his. Your committee, therefore, report to the House the accompanying bill, with a recommendation that it do pass.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

COLONEL WILLIAM NORTHEDGE.

The next business on the Private Calendar was the bill (H. R. No. 2091) for the relief of the heirs and next of kin of Colonel William Northedge, deceased.

The bill was read. It authorizes and directs the Secretary of the Treasury, out of any moneys in the Treasury not otherwise appropriated, to pay to the personal representatives of William Northedge, deceased, who shall be duly appointed and qualified as such, for the benefit of the widow and children of said deceased, the sum of \$7,500, in full for moneys expended by said deceased in subsisting and equipping the Fifty-ninth Regiment New York State Volunteers.

The report of the committee was read, as follows:

The Committee on War Claims, to whom was referred the petition of Mrs. Jane Northedge, widow of William Northedge, deceased, late colonel of the Fifty-ninth Regiment New York State Volunteers, ask leave to report:

That this case has twice passed the Senate, and that it passed the House in the last Congress, but was not reached in the Senate; that the same has received the investigation of several committees of Congress without adverse action or report, and that your committee, after careful examination of the case, are satisfied that it is a meritorious claim.

The Senate Committee on Military Affairs, in the second session of the Forty-first Congress, reported a bill (S. No. 128) appropriating the sum of \$10,260.32, which passed the Senate on the 12th of December, 1870. The report accompanying states the facts fully, and your committee adopt the same as the facts, and make it a part of their report.

The report is as follows:

"It appears, upon examination, that on or about the 1st day of June, 1861, Colonel Northedge commenced recruiting troops for the United States Volunteer Army; that on or about July 24, 1861, he reported to the War Department and was authorized to complete a regiment of volunteers; that at that time he had five companies, and had established a camp at Elm Park, Staten Island, Richmond County, New York, and that from the 1st day of June, 1861, to the 13th day of October, 1861—at which time his men were consolidated with others and formed the Fifty-ninth New York State Volunteers—he had expended large sums in subsisting said men.

"It appears, upon an examination of official copies of affidavits on file in the War Department, furnished by the honorable Secretary of War to your committee, that the sum of \$5,490 was paid for provisions; that the sum of \$3,525 was paid for wall and A tents; that \$451.32 was paid for rent of offices; that \$388 was paid for printing, and that the sum of \$406 was paid for stoves and for camp and garrison equipment; and that the total amount thus expended by Colonel Northedge was \$10,260.32.

"It further appears that at the time these various purchases were made, receipts and vouchers covering the entire amount of said expenditures were obtained by said Northedge, and by his order were carefully filed away with other valuable papers, and were lost in the month of August, 1862, in the following manner, to wit: While the Army was lying at Harrison's Landing, Virginia, an order was issued by Major-General George B. McClellan, ordering all the extra baggage of officers to be forwarded to a place of safety, and the Army to be in readiness to move in light marching order; and that, in obedience to the said order, Colonel Northedge ordered his trunk to be placed in charge of the regimental quartermaster, and by him to be transported to barges lying at Harrison's Landing, Virginia, to be shipped to Washington, District of Columbia, and from thence to their destination. That his trunk, containing the bills and receipts heretofore referred to, including other papers pertaining to the organization until the 13th day of October, 1861, with his extra clothing, was carefully marked and directed to be shipped by express from Washington, District of Columbia, to Baltimore, Maryland, and that his trunk was lost or stolen after delivery on board the barge as aforesaid; that he has made diligent search for the same, but without success. While the petitioner in this case is unable to produce the proper receipts for the expenditures made, it is shown by positive evidence from whom the purchases were made, and the reason why other vouchers cannot be produced is satisfactorily accounted for in the affidavit of James H. Birdsell, late captain in said regiment. It is in evidence that there were about two hundred men subsisted daily from the 1st of June, 1861, to the 1st of October, 1861; and further, that the men were accepted by the United States Government.

"The committee further find that the said Northedge during his life-time presented the aforesaid claim to the War Department for adjudication, and that the same was rejected for the reason that he, Northedge, was unable to comply with a certain order existing in regard to the payment of such claims, to wit, furnishing receipts of the parties to whom payment was made, the reason being, as heretofore stated, that such receipts were unavoidably lost with his baggage. It further appears that the said Northedge is now deceased, and has left a widow surviving; that his record while in the United States Army was good; that he subsisted out of his own private funds an average of two hundred men daily from the 1st day of June, 1861, to the 13th day of October, 1861; and that the Government in the hour of trial had the aid and services of the men thus recruited.

"Your committee, therefore, firmly believe that the claim is just in every particular, and earnestly recommend that the bill be at once passed for the full amount of said claim."

Your committee are of opinion that the action of the Committee on Claims of the House of Representatives of the last Congress in reducing the amount allowed to \$7,500 was dictated by prudence, in view of the fact that a portion of the evidence was *ex parte*, and that amount your committee believe to be fully warranted by the evidence in the case.

Your committee, therefore, report the accompanying bill and recommend its passage.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

JOHN W. DIVINE.

The next business on the Private Calendar was the bill (H. R. No. 2092) for the relief of John W. Divine, late assistant surgeon of the Eleventh Regiment of Tennessee Cavalry.

The bill was read. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$738.83, in full payment for services rendered as assistant surgeon of the Eleventh Regiment of Tennessee Cavalry, from the 8th day of May, 1863, to the 1st day of October, 1863.

The report of the committee was read, as follows:

The Committee on War Claims, to whom was referred the petition of Dr. John W. Divine, late assistant surgeon of the Eleventh Regiment of Tennessee Cavalry, having had the same under consideration, ask leave to report:

That the facts of the case are fully set forth in the petition of the claimant, which is herewith appended and made a part of this report:

To the honorable Senate and House of Representatives in Congress assembled:

Your petitioner, John W. Divine, a citizen of Claiborne County aforesaid, respectfully represents that on the 8th day of May, 1863, he was enlisted in the service of the United States by Major Edward Black, of the Eleventh Regiment Tennessee Cavalry Volunteers, at Lebanon, Kentucky, and was by said Major Black at once placed upon duty as assistant surgeon of said Eleventh Tennessee Cavalry Volunteers, there being no other medical officer in the command at that time.

Your petitioner continued to discharge the duties of assistant surgeon as aforesaid until the 1st day of October, 1863, when he was commissioned as assistant surgeon of said regiment, Dr. G. R. Brandeau having been some time prior thereto commissioned as surgeon of said organization, to wit, May 28, 1863.

Your petitioner further shows that during the interval between his enlistment, May 8, 1863, and the date of his commission, October 1, 1863, he received no pay nor allowances for his services as aforesaid, although, during the whole of said period of nearly five months, he was constantly on duty with that portion of the Eleventh Tennessee Cavalry Volunteers which was stationed at Lebanon, Kentucky, under the command of Major Edward Black. Your petitioner, believing himself entitled to pay for said services, filed his claim therefor with the Second Auditor United States Treasury, and afterward applied to the Adjutant-General United States Army for a correction of said muster, so as to enable him to obtain his pay for the period as aforesaid, but he was unsuccessful in both of said undertakings, as will be seen by referring to the annexed exhibits, which he hereby makes a part of this petition, and failing as aforesaid, he has been compelled to abandon the further prosecution of said claim before the Treasury Department. Your petitioner herewith submits the affidavits of the said Major Edward Black and Surgeon G. R. Brandeau, late officers of the said Eleventh Tennessee Cavalry Volunteers, as evidence in support of his said claim.

Your petitioner would further state that some time after the war he was appointed examining surgeon of the Pension Bureau, at Tazewell, Tennessee, which office he held for a considerable length of time and then resigned. The premises considered, your petitioner prays that your honorable body pass a special act granting him the relief sought, being the amount as shown in the following itemized account, namely, \$738.83 $\frac{1}{2}$, to which amount he is justly entitled for services rendered. And your petitioner would ever pray, &c.

The United States to John W. Divine, Dr.

To services as assistant surgeon of the Eleventh Regiment of Tennessee Cavalry Volunteers, from the 8th day of May, 1863, to the 1st day of October, 1863, four months and twenty-three days, at \$155 per month... \$738.83 $\frac{1}{2}$

JOHN W. DIVINE,

Late Assistant Surgeon Eleventh Tennessee Cavalry.

STATE OF TENNESSEE, *Claiborne County:*

Personally appeared before me, the undersigned authority, John W. Divine, the foregoing petitioner, to me well known as credible, and made oath, in due form of law, that the matters stated in the foregoing petition and account are true to the best of his knowledge, information, and belief.

Subscribed and sworn to before me this 27th day of November, 1871.

J. N. TREECE,

Clerk Circuit Court said County.

The proof adduced in support of the claim establishes the fact to the satisfaction of the committee that the services were rendered as claimed, and that the petitioner is entitled to compensation therefor.

They therefore report the accompanying bill, with the recommendation that the same do pass.

There being no objection the bill was laid aside, to be reported to the House with the recommendation that it do pass.

PETER S. PATTON.

The next business on the Private Calendar was the bill (H. R. No. 753) for the relief of Peter S. Patton.

The bill was read. It recites in the preamble that whereas in the month of March, 1872, the post-office at Burlington, in the State of Kansas, was burglariously entered and robbed of public moneys and property to the amount of \$420; and whereas such robbery was effected without fault or negligence on the part of the postmaster, Peter S. Patton; and whereas said Patton has paid to the United States the amount and value of said moneys and property so stolen, and expended in the pursuit and arrest of the burglars the further sum of \$100; therefore the bill provides that there shall be paid to the said Peter S. Patton, out of any moneys in the Treasury not otherwise appropriated, the sum of \$510, to reimburse him for the payments and expenses so by him made and incurred.

There being no objection the bill was laid aside, to be reported to the House with the recommendation that it do pass.

GENERAL SAMUEL W. CRAWFORD.

The next business on the Private Calendar was the bill (H. R. No. 2093) for the relief of General Samuel W. Crawford, United States Army.

The bill was read. It proposes so to amend the retirement as a colonel, on February 19, 1873, for disability on account of a wound received in battle, of Brevet Major-General S. W. Crawford, United States Army, that the said Crawford shall be retired and be borne on the retired list of the Army as a major-general as of and from the said date, he having been in the exercise of the command of a major-general at the time he was wounded, being then in command of the first division of the Twelfth Army Corps.

The report was read, as follows:

The Committee on Military Affairs, to whom was referred the memorial of Colonel and Brevet Major-General Samuel W. Crawford, asking for an amendment of his record on the retired list, and the bill (H. R. No. 1182) in relation to same subject, beg leave to submit the following report:

That the records of the War Department and the letter of its Secretary show the following facts:

At the battle of Antietam, on the 17th of September, 1862, General Crawford, then holding the rank of brigadier-general of volunteers, and exercising the command of a major-general over the first division, Twelfth Corps, to which he had succeeded upon the killing of General J. K. F. Mansfield, was severely wounded in the right thigh by a musket-ball.

Upon recovery from the immediate prostration caused by the wound, he continued, notwithstanding it, in active service, participating in the battle of Gettysburg and other principal engagements of the Army of the Potomac, including the battles of the Wilderness, Spottsylvania, Jericho Mills, Bethesda Church, Petersburg, and Weldon Railroad, until after the surrender of Lee at Appomattox Court-House.

On the 22d of February, 1869, General Crawford, having been since March 10, 1851, in continuous service in the regular Army, was commissioned, in the ordinary course of promotion, colonel of the Second Infantry, United States Army.

His disability in consequence of his wound, which is still open, having increased to such an extent as to entitle him to be retired, he applied August 29, 1871, to the Secretary of War to be ordered before a retiring board. This application was not granted, because, in the opinion of the Secretary of War, "the condition of the Army demanded that other officers should have the preference in being retired at that particular time."

As the Secretary also certifies, if General Crawford had been retired at the time of his application he would have been entitled to have been retired as a major-general, in accordance with the provision of the act of Congress of July 28, 1866, section 32 of chapter 299, as follows: "That officers of the regular Army entitled to be retired on account of disability occasioned by wounds received in battle, may be retired upon the full rank of the command held by them, whether in the regular or volunteer service at the time such wounds were received."

This act continued to be in force for about ten months after General Crawford's application above stated, and until it was repealed as to its future operation by the act of June 10, 1872.

On the 19th of February, 1873, he was placed, with the rank of colonel, on the retired list of the Army.

While the law of 1866 above quoted was in force, seventy-two officers of the regular Army were retired with increased rank in accordance with the provisions of that law. Many of these officers holding rank inferior to that of the memorialist were retired as general officers. Thus one lieutenant-colonel, who was a major-general of volunteers, was retired with that rank in the Army; one lieutenant-colonel, two

majors, and a captain, who held the rank of brigadier-general in the volunteers, were retired as major-generals in the Army.

The question now presenting itself to this committee does not relate to the propriety or expediency of the provision of the act of July 28, 1866, for retirement with increased rank. Whatever view may be entertained upon such a question, it seems manifest to the committee that it could not have been the intention of Congress in repealing that statute to thereby cause any invidious or unfair discrimination against any officer who, having been fully entitled to the benefit of that liberal legislation, has by mere accident, without fault or laches of his own, been debarred from such benefit.

It doubtless was rather the view of Congress in passing the repealing act that all officers who were properly entitled or deserved to be retired upon the rank held or exercised by them when wounded probably had already been retired, and that therefore the time had arrived for discontinuing the general operation of the statute of 1866, leaving any case which, for any cause, had been omitted to be acted upon to be passed upon by Congress according to its merits, and provided for, if thought proper, by a special act.

Such a case most clearly is the one now under consideration.

Having continued in active service despite a severe and unhealed wound, General Crawford now finds himself, owing to this very adherence to duty, and the concurring delay of action upon his application for retirement, occupying an anomalous position upon the retired list, where he stands below both his peers and inferiors in lineal rank and in command.

It is considered by the committee that to rectify this hardship would be merely a righteous act of rigid justice, as well as a fit recognition of constant and faithful service for nearly a quarter of a century in both peace and war—in the late war, beginning with the defense of Sumter and ending only with hostilities. To do otherwise would in reality be to enforce the degradation of a meritorious officer for no better cause than that he preferred a patient devotion to duty rather than such a persistent importance as might have timely secured him the advantages provided by law.

The committee therefore recommend the accompanying bill for the relief of General Samuel W. Crawford, United States Army.

Mr. HOLMAN. I must object to that bill as it requires more consideration than can be given to it on objection day.

Mr. G. F. HOAR. I raise the point of order, the report having been read, that it is in the nature of debate, and objection cannot be made by the gentleman from Indiana.

The CHAIRMAN. The Chair overrules the point of order raised by the gentleman from Massachusetts, as it has been uniformly held that the reading of a report on objection day is not in the nature of debate. The bill is objected to.

Some time subsequently,

Mr. ALBRIGHT said: I understand that the gentleman from Indiana [Mr. HOLMAN] withdraws his objections to the bill No. 2093, for the relief of General Crawford.

Mr. HOLMAN. While I think legislation of this kind ought to be general, I am told that the case of General Crawford is a very exceptional one, and that he is the only officer who would be affected by the provisions of a general law, or the revival of the act of 1866. Under these circumstances I withdraw my objection.

There being no further objection, the bill was laid aside, to be favorably reported to the House.

WILLIAM A. SNODGRASS.

The next business on the Private Calendar was the bill (H. R. No. 2095) for the relief of William A. Snodgrass, late lieutenant Company H, Thirty-ninth Ohio Veteran Volunteer Infantry.

The bill was read. It authorizes and directs the Secretary of War to pay to William A. Snodgrass, late lieutenant Company H, Thirty-ninth Ohio Veteran Volunteer Infantry Regiment, his pay and allowances as second lieutenant from March 30, 1865, to July 9, 1865, out of any money appropriated, or that may hereafter be appropriated, for the pay of the Army.

The report of the committee was read, as follows:

The Committee on Military Affairs, to whom was referred the petition of William A. Snodgrass, first lieutenant Company H, Thirty-ninth Ohio Veteran Volunteer Infantry, beg leave to report as follows:

Lieutenant Snodgrass commenced his service in the Army as a private soldier with his regiment in 1861, and served until the close of the war.

On the 7th of June, 1865, his regiment was ordered from Washington, District of Columbia, to Louisville, Kentucky, and while en route it passed within twelve miles of his home. It seems, according to the sworn statement of Lieutenant Snodgrass, that he had important papers to execute and acknowledge, and being informed by his commanding officer that he could obtain no regular leave, he went on an informal leave, from Parkersburgh to his home in Marietta, Ohio, by railroad, attended to his business, and immediately proceeded by rail to Louisville, Kentucky, to join his regiment, where he would have arrived before his regiment, had he not been delayed by a train being thrown off the track—the regiment having traveled from Parkersburgh to Louisville by steamer. He was absent from his regiment from the 8th to the 13th of June, 1865; arrived in Louisville the day after his regiment. For this absence he was tried before a court-martial June 20, 1865, and convicted and sentenced to be dishonorably dismissed the service of the United States, although the court was not unanimous in this sentence.

Daniel Weber, his colonel, says Lieutenant Snodgrass invariably conducted himself as a good and obedient soldier, conspicuously brave in action, and ever ready to perform any duty assigned him. He was one of the best men in the regiment. The facts in relation to his absence from his command, which resulted in his being tried by a court-martial, are as he states them, and taking into consideration the circumstances of his absence and its very short duration, as well as the splendid record of his service for four years, the sentence of the court-martial was particularly severe, and justice to a gallant soldier requires that he should have the relief asked for.

Governor Edward F. Noyes, of Ohio, formerly colonel of the Thirty-ninth Regiment Ohio Infantry, concurs in this recommendation of Colonel Weber.

The committee therefore recommend the accompanying bill.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

OLIVE S. BREED.

The next business on the Private Calendar was the bill (H. R. No. 814) granting a pension to Olive S. Breed.

The bill was read. It authorizes and directs the Secretary of the Interior to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Olive S. Breed, widow of I. Henry Breed, deceased, who was a private in Company K, Fourth Regiment Wisconsin Volunteer Infantry, to take effect from and after the passage of this act.

The report of the committee was read, as follows:

The Committee on Invalid Pensions have had under consideration House bill No. 814, granting a pension to Olive S. Breed, and submit the following report:

An examination of this case discloses the following facts: I. Henry Breed enlisted in Company K, Fourth Regiment Wisconsin Volunteer Infantry, on or about the 20th day of April, 1861, under the proclamation of the President of the United States calling for seventy-five thousand men. Said Breed remained with his company at Chilton, drilling and preparing for the service, until the 17th day of June, 1861, when said company (K) was marched to Racine, in the State of Wisconsin, where it went into camp with the other companies of the said Fourth Regiment. After a continued and honorable discharge of his duties in said company of about two months, and just before the arrival of the mustering officer, said Breed was taken sick with a cold brought on by the exposures of the camp, in the line of his duty. This sickness resulted in quick consumption, with which disease he died on the 8th day of September, 1861, leaving widow, the petitioner, Olive S. Breed, and four small children, three girls and one boy, and leaving no property except a poor house, on a small lot in the village of Chilton, in which the said petitioner has lived and remained a widow until the present time, supporting her family entirely by her own labor. And the said petitioner certifies that her health and strength will not permit her to labor much longer, as her constitution is now nearly broken down by hard work.

These facts are substantiated by the testimony of the surgeon who attended Private Breed during his sickness, all the county officers where petitioner resides, and also by General Harrison C. Hobart, who makes the following statement:

"I have read the petition of Mrs. Olive S. Breed, and of my own knowledge can certify that the facts therein stated are substantially true. As captain of Company K, Fourth Regiment Wisconsin Volunteers, I enlisted the said I. Henry Breed, mentioned in said petition; and the said Breed was on duty with his company about two months before he was taken sick. Had the mustering officer reached the camp a few days earlier, Private Breed, who was sick in the camp at the time of his arrival, would have been mustered into the service. I carried him to his home, distant about one hundred miles from the camp, where he died, as stated in the widow's petition."

Being satisfied from the foregoing statement of facts that the petitioner, Olive S. Breed, has been deprived of the assistance and support of her husband by his volunteering in the service of the United States, and that her husband, said I. Henry Breed, died from a disease contracted in the line of his duty in said service, therefore your committee recommend the passage of the bill.

There being no objection, the bill was laid aside, to be reported to the House with the recommendation that it do pass.

ANN CRANE.

The next business on the Private Calendar was the bill (H. R. No. 280) granting a pension to Ann Crane.

The bill was read. It directs the Secretary of the Interior to place upon the pension-rolls the name of Ann Crane, widow of the late Benson B. Crane, of Pickens County, South Carolina, and pay her a pension at the rate of fifteen dollars per month; said pension to commence from the date of the approval of this act and continue during her widowhood.

The report was read, as follows:

The Committee on Invalid Pensions, to whom was referred a bill (H. R. No. 280) granting a pension to Ann Crane, having considered the same, submit the following report:

Mrs. Ann Crane, the applicant, is a resident of Pickens County, South Carolina, and the widow of Benson B. Crane, who was killed by the rebels in 1864, on account of his adherence to the Union forces. Said Benson B. Crane, as is shown by the affidavits of the officers themselves, had secreted, fed, clothed, and piloted several officers, to wit, Hannibal A. Johnston, Samuel Gilman, James Cheeds, B. F. Blair, James B. Pophrey, Charles H. Byrdick, H. M. Anderson, and others, who were escaped prisoners of war, across the mountains into the Union lines in East Tennessee, and after his return to his home, as he was about to remove his family and a force of loyal men into the Union lines in East Tennessee, his place of concealment was detected by the rebel conscript forces, and they, knowing of his services to their enemy, surprised their camp, and shot down Benson B. Crane and wounded one of the comrades.

Mrs. Crane is now left with a family of small children and without means of support; and your committee, considering the fact that her husband was killed in defense of his country, and carrying out the orders he had received from the Government forces in East Tennessee, would make a favorable report, and recommend the passage of the bill.

There being no objection, the bill was laid aside, to be reported favorably to the House.

JOHN C. FARNAM.

The next business on the Private Calendar was the bill (H. R. No. 240) granting a pension to John C. Farnam.

The bill was read. It authorizes and directs the Secretary of the Interior to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of John C. Farnam, of Westmoreland, in the State of New Hampshire, who was a private in Company E, Fifteenth Regiment New Hampshire Volunteers, and pay him a pension from and after the passage of this act.

There being no objection, the bill was laid aside, to be reported favorably to the House.

PENELOPE C. BROWN.

The next business on the Private Calendar was the bill (H. R. No. 330) granting a pension to Mrs. Penelope C. Brown, of Tennessee, widow of Stephen C. Brown, late a private of Company C, Eighth Tennessee Cavalry Volunteers.

The bill was read. It authorizes and directs the Secretary of the Interior to place on the pension-rolls, subject to the provisions and limitations of the pension laws, the name of Penelope C. Brown, of Greene County, Tennessee, widow of Stephen C. Brown, late a private of Company C, Eighth Tennessee Volunteer Cavalry.

The report was read, as follows:

The Committee on Invalid Pensions, to whom was referred the petition of Penelope C. Brown, widow of Stephen C. Brown, asking a pension, submit the following report:

The committee find, upon a careful examination, there is but one question involved in this application; that is as to the death of the husband, Stephen C. Brown.

The proof is conclusive in regard to his enlistment, capture, and imprisonment in Virginia. It is equally conclusive regarding his feeble condition, when last seen by witness on his way to exchange boat, but witness does not know that he was exchanged. This was on the 22d of February, 1865. The muster-roll on file in adjutant-general's office in Tennessee shows he was sick in hospital at Baltimore March 20, 1865, just one month from the date when last seen at Richmond, Virginia, on his way to exchange boat. This is the last that has ever been seen or heard of him. The proof shows also that when captured he went under an assumed name, having been drafted in the rebel army, which may account for the absence of his name on the hospital record at Baltimore.

Under all the circumstances, your committee is forced to the conviction that this is a meritorious case, and therefore report favorably.

There being no objection, the bill was laid aside, to be reported favorably to the House.

CHARLES McCARTY.

The next business on the Private Calendar was the bill (H. R. No. 2095) granting a pension to Charles McCarty.

The bill was read. It authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Charles McCarty, late an engineer on the Mississippi Railroad, and pay him a pension from and after the passage of this act.

The report was read, as follows.

The Committee on Invalid Pensions, to whom was referred the petition of Charles McCarty, for a pension, have had the same under consideration, and find the following facts well established:

Charles McCarty, on and preceding the 15th day of June, 1863, was an employé of the United States, as a locomotive engineer, in the State of Tennessee, and was engaged in running trains on the Mississippi Central Railroad, between Grand Junction and Bolivar, Tennessee. On the 15th of June, 1863, he had charge of the locomotive running a reconnoitering party of Federal troops on said railroad, and while passing over some part of the road that was treed, the track and trestle-work gave way in consequence of the removal of some supporting timbers by the rebels, and the locomotive (with Mr. McCarty) was thrown some distance to the ground. To the engine was attached a gun-car, as it is called. It seems to have been in front of the engine. A six-pound James rifle, with ammunition and shells, were on the car. In the fall the engine was thrown on top of the cannon and shells, which, exploding, caused the boiler of the engine to burst. In the fall Mr. McCarty was fastened by the pressure of the wood and tool-boxes against the end of the boiler, near the furnace of the engine, and, besides being badly scalded, was seriously and permanently injured in shoulder, head, and legs. Dr. Goodwin says he was thus injured: "Severe and complete fracture of the left clavicle, which was not adjusted at the time of the injury, causing and leaving a permanent non-union, thereby disabling the left shoulder and arm for life; also both of his legs are injured from scalds of the flesh and periosteum, that will, in my opinion, cause permanent disability, amounting to two-thirds; disabled from obtaining his subsistence from manual labor." Eleven good citizens of Mitchell, Indiana, including the circuit clerk, the surgeon of the Fiftieth Indiana Volunteers, and the major of that regiment, bear testimony to the permanency and severity of his injuries. These gentlemen, with two others, McCorkle and Herman, prove the identity of Charles McCarty. J. D. Webster, late brevet major-general, states that he was at the time of the injury superintendent of military railroads in Tennessee, and remembers the case. From the evidence before the committee they arrive at the conclusion that Mr. McCarty was at the time of the injury in the service of the Government, engaged in the most perilous business; that he received pay from the Government as an engineer, and that he is now an object of pity, caused by his fidelity to the Government. A pension is recommended for him. It is one of those cases which, although it may not be reached or covered by the wording of section 1 of pension law 1873, yet it is covered by the spirit of the same.

There being no objection, the bill was laid aside, to be reported favorably to the House.

SOPHRONIA AUSTIN.

The next business on the Private Calendar was the bill (H. R. No. 2097) granting a pension to Sophronia Austin.

The bill was read. It authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sophronia Austin, widow of Charles Austin, late of Company I, Second Regiment Wisconsin Cavalry, and pay her a pension from and after the passage of this act.

The report was read, as follows:

Charles Austin was wagoner of Company I, Second Regiment Wisconsin Infantry. He died suddenly in Arkansas, while out with his troops on a scout, on the 25th July, 1862, with a disease contracted in the line of his duty. Dr. Alexander McBean, assistant surgeon of the regiment, says he knew Austin; says he died suddenly on 25th July, 1862, in Arkansas; says he died of heart disease, he supposes; says he was sound when he enlisted. Dr. Peck, in a sworn statement, says he knew Charles Austin; was his family physician two years preceding his enlistment; says he was a sound, healthy man at the time of enlistment, capable of doing all kinds of labor. Dr. Peck says he knew Charles Austin and Sophronia Austin lived together as man and wife, and were recognized as man and wife.

The committee recommend a pension.

There being no objection, the bill was laid aside, to be reported favorably to the House.

JAMES ROACH.

The next business on the Private Calendar was the bill (H. R. No. 2096) granting a pension to James Roach.

The bill was read. It authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James Roach, late a gunner on the ship Plymouth, and pay him a pension from and after the passage of the act.

The report was read, as follows:

The committee have had under consideration the case of James Roach, and report in favor of granting a pension to him.

It seems that Mr. Roach was a seaman and second gunner on the ship Plymouth, and was honorably discharged from the service of the Government on the 28th of December, 1858, by reason of injuries received by the bursting of a cannon. One eye was put out; the other was injured. Mr. Roach was a good seaman. Commodore John A. Dahlgren, in July, 1861, gave Mr. Roach a letter of recommendation, and it is indorsed by Secretary Gideon Welles. Mr. Roach was acting as gunner on board of the Plymouth at the time of the bursting of the cannon. This was at the time when the Secretary of the Navy, Mr. Usher, was killed. He should have been pensioned before this.

There being no objection, the bill was laid aside, to be reported favorably to the House.

MRS. NANCY PARKHURST.

The next business on the Private Calendar was the bill (H. R. No. 2098) granting a pension to Mrs. Nancy Parkhurst.

The bill was read. It authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Nancy Parkhurst, mother of Wilfred Parkhurst, late a private in Company H, Twelfth Regiment Connecticut Volunteers, and pay her arrears of pension from the date of her said son's death to the date of her pension certificate.

The report was read, as follows:

Mrs. Nancy Parkhurst, the applicant, is the mother of Wilfred Parkhurst, late a private in Company H, Twelfth Regiment Connecticut Volunteers, who died in the United States service, and in line of duty, September 13, 1862. In the year 1865 she made application for a pension through a claim agent, having all the papers duly made out and left in the hands of her agent to be forwarded. The evidence shows that about this time the office of her agent, with all the contents, was burned, and though they then supposed that the papers had all been forwarded to the Commissioner of Pensions, it seems that they were not, and that they were also destroyed with the agent's office. This fact they had not discovered until the five years' limitation had run, when she then applied for, and is now receiving, a pension as the dependent mother of said soldier.

Your committee, considering the fact that she was entitled to a pension and has so proven, are of the opinion that she should not be deprived of her arrears of pension, for it was no fault of hers that the application was not filed. A bill was passed by the Forty-third Congress in favor of the petitioner, but for want of time it was not reached by the Senate.

There being no objection, the bill was laid aside, to be reported favorably to the House.

MRS. ELIZABETH COPELAND.

The next business on the Private Calendar was the bill (H. R. No. 2099) granting a pension to Mrs. Elizabeth Copeland.

The bill was read. It authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Elizabeth Copeland, widow of Henry Copeland, late a private in Company D, First Connecticut Heavy Artillery, and pay her arrears of pension from the date of the death of said Henry Copeland to the date of her pension certificate.

The report was read, as follows:

Elizabeth Copeland, the applicant, is the widow of Henry Copeland, late a private in Company D, First Connecticut Heavy Artillery, and who died in the service in 1862. The widow made application through one E. L. Cundall, and while the papers were in his office, the office and the contents were burned. The claimant supposed the application had been filed with the Commissioner, and did not know of the fact of its not being filed till the five years' limitation had run, when she then made application for, and is now receiving, the pension due her.

The committee, considering the fact that she was entitled to her pension, are of the opinion that she should be allowed the arrears due her, for she used all the means in her power to file the application within the time. The last Congress passed a bill in favor of the petitioner, but for want of time it was not reached by the Senate.

Mr. HOLMAN. It seems to me that this matter of the date of the pension should be made the subject of general legislation. There ought to be some rule. I do not object to this bill in particular, but I insist that all this class of bills should be made the subject of general legislation.

There being no objection, the bill was laid aside, to be reported favorably to the House.

OLIVER C. DENSLAW.

The next business on the Private Calendar was the bill (H. R. No. 360) granting a pension to Oliver C. Denslow.

The bill was read. It authorizes and directs the Secretary of the Interior to place upon the pension-roll, subject to the provisions and limitations of the pension laws, the name of Oliver C. Denslow, late hospital steward of the Eighteenth Regiment of Missouri Volunteer Infantry, now of Putnam County, in the State of Missouri, and pay him a pension from and after the passage of the act.

The report was read, as follows:

Brief of claim to original invalid pension in the case of Oliver C. Denslow, a hospital steward, of Company F, Eighteenth Regiment Missouri Volunteers.

Post-office address: Livonia, Putnam County, Missouri. Enlisted September 4, 1861, discharged May 22, 1862. Served afterward from —, 18—, to —, 18—. No re-enlistment. Filed May 29, 1871.

Declaration and identification in due form, filed June 22, 1863.

Alleged disability from deafness, from exposure in the wet, cold weather, in the fall and winter of 1861, in the northwest of Missouri.

1. Roll for January and February, 1862, reports claimant nurse in post hospital, Saint Joseph, since February 9, 1862.

2. Affidavit of Privates James H. Forbes and Samuel Garringer, filed March 16, 1867, shows that claimant became disabled about the 12th day of February, 1862, while in the service of the United States, and in the line of his duty; that during the month of November, 1861, while on a march from Unionville, Putnam County, Missouri, to Laclede, in Linn County, Missouri, he was exposed to cold and wet, from which cause, having taken neuralgia and catarrh in the head, he became deaf; that he was in good health at the time he entered the service; that he became so

deaf that he could not hear any conversation, and could hear a cannon but a very short distance.

3. Affidavit of Privates Thomas Franklin and Absalom Garringer, filed March 16, 1867, corroborates the above, and that he was in good health at enlistment.

4. Affidavit of Thomas Franklin and Absalom Garringer, filed March 16, 1867, shows that they have been acquainted with claimant for the last three years, and that he has been disabled from procuring a livelihood as much as if he had been wounded.

5. Affidavit of Captain Henry P. Stults, filed October 1, 1867, shows that claimant became deaf at the time and in the manner stated above; that he was in good health, and his hearing was good at the time he entered the service; that at the present time he is too deaf to perform the duties of a soldier.

6. Affidavit of Regimental Surgeon William O. Torrey, filed May 20, 1871, shows that claimant was acting as hospital steward, and was detailed as surgeon to accompany a scout from Laclede, in Linn County, Missouri, to Unionville, Putnam County, Missouri; that he was in good health when he left the post in Laclede; that while absent on said scout, and in the discharge of his duty as surgeon of said detachment, he contracted a deafness, for which he was discharged; that said disability still exists, and will probably continue until death.

7. Affidavit of claimant, filed May 20, 1871, shows that he was treated in the regimental hospital at Weston, Missouri, at post hospital at Saint Joseph, Missouri, and at the general hospital at Hamburg, Tennessee; that he was treated by the surgeons at said hospitals, but was never enrolled as a patient in either of them; that he was hospital steward at said regimental and post hospitals, and assistant post surgeon at the last-named hospital.

Barred by the act of July 4, 1864. Admitted January 3, 1872.

Present, SAMUEL V. NILES.

H. P. LEECH,
Examiner.

The committee adopt the above brief as their report, and recommend the passage of the bill granting Oliver C. Denslow a pension.

There being no objection, the bill was laid aside, to be reported favorably to the House.

MARTIN HOFF AND OTHERS.

The next business on the Private Calendar was the bill (H. R. No. 2100) for the relief of Martin Hoff, Casper Doerr, and George Gebhart, citizens of Saint Louis, Missouri.

The bill was read. It authorizes and directs the Secretary of the Treasury to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$2,618.62 to Martin Hoff and Casper Doerr, for work and labor performed and material furnished by them in curbing, guttering, and macadamizing, and crosswalks on Marine avenue, and paving alley in front of and adjoining United States marine hospital in the city of Saint Louis, Missouri; and the sum of \$616.58 to George Gebhart, for work performed and material furnished in paving sidewalks on Marine avenue, adjoining to and in front of the United States marine hospital in Saint Louis, Missouri; in all, the sum of \$3,235.20.

The report was read, as follows:

The Committee on Public Buildings and Grounds, to whom was referred the memorial of Martin Hoff, Casper Doerr, and George Gebhart, citizens of Saint Louis, Missouri, asking that Congress make an appropriation to pay them for work performed and material furnished in paving, guttering, curbing, macadamizing, laying crosswalks, and sidewalks on Marine avenue in front of the United States marine hospital, and paving an alley contiguous thereto in the city of Saint Louis, Missouri, make the following report:

That, under the charter and ordinances of the city of Saint Louis, property-holders are required to bear the expense of all paving of streets and alleys and for laying sidewalks adjacent to their property; that the two first-named petitioners are entitled to the sum of \$2,618.62 for labor performed and material furnished in macadamizing, paving, guttering, curbing, and laying crosswalks on Marine avenue and the alley in front of and adjacent to the United States marine hospital in the city of Saint Louis, Missouri.

That the last-named petitioner is entitled to the sum of \$616.58 for labor performed and material furnished in laying sidewalk on Marine avenue in front of the United States marine hospital in the city of Saint Louis, Missouri. That the work was performed by these petitioners during the year 1872, under contract with the city of Saint Louis, Missouri; that its completion in a satisfactory manner is attested to by the certificate of the surveyor of the port of Saint Louis accompanying this report; that the Secretary of the Treasury, whose letter also accompanies this report, recommends that an appropriation be made to pay these petitioners, in all, the sum of \$3,235.20; and that the work was performed and material furnished at a reasonable rate.

There being no objection, the bill was laid aside, to be reported favorably to the House.

STEAMER CLARA DOLSEN.

The next business on the Private Calendar was the bill (H. R. No. 2101) for the relief of the owners of the steamer Clara Dolsen.

Mr. MCKEE objected; and the bill was accordingly passed over.

LAND IN SCOTT COUNTY, MISSOURI.

The next business on the Private Calendar was the bill (H. R. No. 2187) authorizing and requiring the issuance of a patent for certain land in the county of Scott, in the State of Missouri.

The bill was read. In the preamble it recites that whereas by the act of the Congress of the United States entitled "An act to quiet the title to certain lands in the State of Missouri," approved December 27, 1872, certain lands therein mentioned were granted to the county of Scott, in the State of Missouri, which were not specifically described; and whereas no provision for the issuance of a patent for said lands was made in said act; therefore it provides that it shall be the duty of the Commissioner of the General Land Office to cause a patent to be issued to said county of Scott, in the State of Missouri, for all the lands included in that portion of township numbered 27 north, of range 12 east of the fifth principal meridian, lying east of Little River, as the same appears on the plat of survey on file in the General Land Office; provided that nothing in the act shall prejudice the rights of any person claiming any of said lands by virtue of any homestead, pre-emption, or other entry made under the laws of the United States.

The report was read, as follows:

The Committee on Private Land Claims submit the following report: By an act approved December 27, 1872, Congress granted to Scott County, Missouri, 4,410.71 acres of land, described as follows: Parts of sections 1, 2, 3, 11, 12, 13, 24, and 25, all in township 27, range 12, in said county. The description in this grant is vague and indefinite, and the act makes no provision for a patent. The present bill is designed to remedy these defects by specifically ascertaining the lands and providing for the issuance of a patent therefor to said county.

Township 27, in said county of Scott, was surveyed in 1860 under the authority of the Commissioner of the General Land Office, and the survey was approved by the surveyor-general of Missouri in July, 1861, and at the same time said surveyor-general forwarded to the General Land Office a list of swamp selections, which embraced all of said township lying west of the Little River, except section 16. These selections were approved October 14, 1865, and patented to the State January 3, 1866.

This patent disposed of the entire township except section 16 (reserved for schools) and that portion of the township lying east of Little River. That portion of the township lying east of the river contains 4,412.69 acres, and these are the lands intended to be granted by the act of December 27, 1872.

The committee, therefore, report back the bill with the accompanying substitute, which specifically ascertains and describes the lands in question, and recommend that said substitute do pass.

No objection being made, the bill was laid aside, to be reported to the House.

Mr. HAWLEY, of Illinois. I move that the committee rise and report the bills to the House.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. NIBLACK reported that the Committee of the Whole had had under consideration the Private Calendar, and had directed him to report sundry bills to the House with the recommendation that they do pass.

BILLS PASSED.

The House proceeded to consider and pass the following bills, reported from the Committee of the Whole:

A bill (H. R. No. 1956) for the relief of Willard Davis;

A bill (H. R. No. 2086) for the relief of R. W. Clarke, postmaster at Brattleborough, Vermont;

An act (S. No. 302) for the relief of Dr. Edward Jarvis;

A bill (H. R. No. 763) for the relief of Oliver P. Mason;

A bill (H. R. No. 2087) for the relief of Julius Griesenbeck, of Waco, Texas;

A bill (H. R. No. 2088) for the relief of James Lillie, postmaster at Lisbonville, Ray County, Missouri;

A bill (H. R. No. 764) for the relief of John Dold;

A bill (H. R. No. 692) for the relief of William Chester;

A bill (H. R. No. 650) for the relief of John Brennan;

A bill (H. R. No. 104) for the relief of James Coats, of Jackson, Mississippi;

A bill (H. R. No. 2089) for the relief of Mrs. Louisa P. Molloy;

A bill (H. R. No. 2090) for the relief of Jacob Harding;

A bill (H. R. No. 2091) for the relief of the heirs and next of kin of Colonel William Northedge, deceased;

A bill (H. R. No. 2092) for the relief of John W. Divine, late assistant surgeon of the Eleventh Regiment of Tennessee Cavalry;

A bill (H. R. No. 753) for the relief of Peter S. Patton;

A bill (H. R. No. 2093) for the relief of General Samuel W. Crawford, United States Army;

A bill (H. R. No. 2094) for the relief of William A. Snodgrass, late lieutenant Company H, Thirty-ninth Ohio Veteran Volunteer Infantry;

A bill (H. R. No. 2094) granting an increase of pension to Mary C. Bell;

A bill (H. R. No. 52) granting an annuity to Mary Swift, daughter of Thomas Truxton, deceased, late commodore in the United States Navy;

A bill (H. R. No. 814) granting a pension to Olive S. Breed;

A bill (H. R. No. 280) granting a pension to Ann Crane;

A bill (H. R. No. 240) granting a pension to John C. Farnam;

A bill (H. R. No. 330) granting a pension to Mrs. Penelope C. Brown, of Tennessee, widow of Stephen C. Brown, late a private in Company C, Eighth Tennessee Cavalry Volunteers;

A bill (H. R. No. 2095) granting a pension to Charles McCarty;

A bill (H. R. No. 2097) granting a pension to Sophronia Austin;

A bill (H. R. No. 2096) granting a pension to James Roach;

A bill (H. R. No. 2098) granting a pension to Mrs. Nancy Parkhurst;

A bill (H. R. No. 2099) granting a pension to Mrs. Elizabeth Cope land;

A bill (H. R. No. 360) granting a pension to Oliver C. Denslow;

A bill (H. R. No. 2100) for the relief of Martin Hoff, Casper Doerr, and George Gebhart, citizens of Saint Louis, Missouri; and

A bill (H. R. No. 2187) authorizing and requiring the issuance of a patent for certain land in the county of Scott, in the State of Missouri.

The following bills were reported from the Committee of the Whole with amendments:

A bill (H. R. No. 1200) for the relief of the sureties of the late Jesse J. Stinkins, collector of the port of Norfolk, Virginia; and

A bill (H. R. No. 1201) authorizing the payment of prize-money to the ~~crew~~ and crew of the United States steamer *Bienville*.

The amendments were agreed to; and the bills, as amended, were passed.

Mr. HARRIS, of Georgia, ^{LED BILL SIGNED.}

Committee on Enrolled Bills,

reported that the committee had examined and found truly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. No. 1558) to amend the act entitled "An act to encourage the growth of timber on western prairies."

EDWARD JARDINE.

Mr. MELLISH, by unanimous consent, from the Committee on Invalid Pensions, reported a bill (H. R. No. 2356) granting a pension to Edward Jardine, late colonel and brevet brigadier-general, United States Volunteers; which was read a first and second time.

Mr. WOODFORD. I would ask unanimous consent that that bill be put on its passage. It provides a pension for a gallant officer who lost a leg in what were known as the "draft riots" in New York City in the perilous summer of 1863. It has been unanimously reported by the committee, and there can be no objection to it.

The bill was read. It authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Edward Jardine, late brevet brigadier-general United States Volunteers, at the rate of fifty dollars per month, from and after the passage of this act; and in the case of the death of the said Edward Jardine, the amount of pension allowed by this act shall be continued to his widow or minor children, under the provisions and limitations of the general pension laws.

Mr. HOLMAN. I call for the reading of the report.

The report was read.

No objection being made, the bill was ordered to be read a third time; and it was accordingly read the third time, and passed.

Mr. WOODFORD 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.

SHIPPING COMMISSIONERS.

Mr. COX, by unanimous consent, introduced a bill (H. R. No. 2357) to amend the act authorizing the appointment of shipping commissioners, and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ALCOHOLIC LIQUOR TRAFFIC.

Mr. POLAND, by unanimous consent, from the Committee on the Judiciary, submitted a report, to accompany House bill No. 2079, (now on the General Calendar,) to provide for the appointment of a commission on the subject of the alcoholic liquor traffic; which was ordered to be printed.

MARSHAL FOR WESTERN DISTRICT OF NORTH CAROLINA.

Mr. COBB, of North Carolina. I ask consent that the Committee of the Whole be discharged from the further consideration of the bill (H. R. No. 225) to amend an act entitled "An act to establish the western judicial district of North Carolina." The bill was referred to the Committee of the Whole on a point of order. It passed the last Congress, and is the unanimous report of the Committee on the Judiciary of this Congress.

The bill, which was read, provides for amending section 8 of the act of June 4, 1872, entitled "An act to establish a western judicial district of North Carolina," by adding thereto the following:

There shall also be appointed a marshal of the United States for said western district of North Carolina, who shall receive such fees and compensation, and exercise such powers and perform such duties, as are fixed and enjoined by law.

Mr. HOLMAN. How did it happen that there were no marshal provided for this district when it was established?

Mr. COBB, of North Carolina. At that time it was consented to by all parties here that the business of the courts would be accelerated by the then marshal retaining control of all matters in both districts. That arrangement met with the approval of all parties in Congress at that time. This bill is now reported unanimously from the Committee on the Judiciary, and meets no opposition from the North Carolina delegation here.

Mr. HOLMAN. While I think the second district of North Carolina should not have been formed, it seems to be inevitable that, having been formed, a marshal should be provided for that district. I will not object to the bill.

No objection being made, the Committee of the Whole was discharged from the further consideration of the bill, and the same was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. COBB, 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.

ELIZABETH BRAY.

Mr. BUTLER, of Tennessee, by unanimous consent, introduced a bill (H. R. No. 2358) granting a pension to Elizabeth Bray, widow of Edward Bray, late a private of the Eighth Tennessee Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NATIONAL HOME FOR DISABLED VOLUNTEERS.

Mr. COX. I ask unanimous consent to introduce and have considered at this time a bill to authorize and direct the Secretary of War

to reserve from sale ten thousand suits of old and disused Army uniform clothing now in the Quartermaster's Department of the Army, and to transfer the same to the National Home for Disabled Volunteer Soldiers.

No objection was made; and the bill (H. R. No. 2359) was read three times, and passed.

ADDITIONAL JUDICIAL DISTRICT IN NEW YORK.

Mr. TREMAIN. I ask consent that the Committee of the Whole be discharged from the further consideration of House bill No. 2083, a bill to establish an additional judicial district in the State of New York, and to make further provisions in relation to the courts of the United States in said State.

Mr. HOLMAN. I must object.

APPOINTMENTS ON COMMITTEES.

The SPEAKER. The gentleman from Virginia, Mr. SENER, and the gentleman from New York, Mr. MELLISH, ask to be excused from further service on the Committee on Invalid Pensions. If no objection be made they will be excused, and Mr. THOMAS, of Virginia, and Mr. SMART, of New York, will be appointed in their places.

The House on yesterday, by its action in the election case of Thomas *vs.* Davis, from the State of Virginia, has rendered it necessary to appoint a member of the Committee on Agriculture to take the place of Mr. Davis. The gentleman from West Virginia, Mr. DAVIS, will be appointed in his place.

LEAVE OF ABSENCE.

Mr. BERRY was granted leave of absence for ten days.

Mr. BUNDY was granted leave of absence for two weeks.

SESSIONS FOR DEBATE.

Mr. McCRARY. I move that the House now take a recess until half-past seven o'clock this evening.

The SPEAKER. By order of the House the session of this evening will be for debate only, upon the bill in relation to commerce by railroad between the several States. On Monday last the House, under a suspension of the rules, ordered that the session of to-morrow should be for debate only as in Committee of the Whole upon the bill reported from the Committee on Ways and Means repealing the tax on matches, and upon kindred bills, no business whatever to be transacted.

Mr. GARFIELD. Members of the Committee on Ways and Means say that the debate was to be after the morning hour.

The SPEAKER. That is not the recollection of the Chair.

Mr. HALE, of Maine. It was for the entire day.

Mr. RANDALL. That is my recollection.

The SPEAKER. The committees were called through this morning for reports of a private nature, and there would be no business of that character for a morning hour to-morrow, Saturday being private-bill day. If the record of the Journal be that the debate was to be after the morning hour, that is contrary to the recollection of the Chair. Is there objection that the entire day of to-morrow shall be for debate only? [After a pause.] The Chair hears no objection, and it will be so ordered. The House, therefore, will meet to-morrow for debate only upon the bill for the repeal of the tax on matches, &c.

This evening the gentleman from Pennsylvania, Mr. Ross, will preside as Speaker *pro tempore*. To-morrow the gentleman from Iowa, Mr. WILSON, will preside as Speaker *pro tempore*.

The motion for a recess was then agreed to; and accordingly (at four o'clock and twenty minutes p. m.) the House took a recess until half-past seven o'clock p. m.

EVENING SESSION.

The House reassembled at half-past seven o'clock p. m., Mr. Ross in the chair as Speaker *pro tempore*.

INTERSTATE COMMERCE.

The SPEAKER *pro tempore*. The House meets this evening for the consideration of the bill (H. R. No. 1385) reported by the chairman of the Committee on Railways and Canals, entitled "An act to regulate commerce by railroads in the several States."

Mr. WILSON, of Iowa. Mr. Speaker, the object sought by the bill before the House is cheaper transportation. Into the discussion of this question will enter the quantities to be moved, the past and present methods of moving merchandise, the rate charged, the routes in use, present and prospective, points to be reached, the countries with which we compete, and the future needs of the country in this respect. I purpose to speak upon one branch of the subject, the movement of the grain and meat products of the Northwest, as the whole is too comprehensive for an hour.

If it be necessary to offer excuses for so circumscribing my remarks, I will say that the strongest reason given for opening any new canal, or widening any old one, for improving any river, or building a Government railroad, is that provision may be made for the rapidly increasing surplus of this region.

The manufacturer of the East looks to this locality for his bread. The cotton and sugar-cane planters of the South regard the price of grain an important factor in their operations.

The problem presented for the solution of Congress now is, how

can the surplus products of the West be transported to market where there is a deficiency, so as to bring the prime necessities of life within the reach of the consumer in our own country and encourage their production in the bread and meat producing States? The increasing industries of the Eastern States, the growth of manufacturing and mining interests, the growth of cities, towns, and villages, make greater demands yearly upon the grain-producing States.

The decline of our foreign commerce has increased the cost of sea freights on our exports 66 per cent., from twelve to twenty cents per bushel, in addition to the loss of its profits to the country, thereby lessening the profit of the producer.

The agricultural changes of the last two decades have resulted in making the Atlantic slope substantially a dairy district, that portion of the country west of the Alleghanies and east of the Mississippi a meat-producing district, while the greater part of the surplus grain, especially wheat, is grown west and immediately east of the Mississippi.

The great water system of the country, that, prior to the late civil war, was used extensively for floating the staples of the interior to the sea-board at a low rate, has been little used since 1860. The advances made in the West in the knowledge of the various departments of the farm, in improved machinery, in knowledge of soil and climate, have made temporarily profitable a system of husbandry that, in reality, has consisted in making large drafts upon the hoardings that nature has for centuries been accumulating.

While the first fruits of the prairie were being gathered, and large prices were realized, the railroads, encouraged by the national and State governments, and by the people, have been extended into all the grain-fields of the Northwest; and while freights have been high little complaint has been made, the hope prevailing that the completion of the railroad system would bring regulation by competition.

But now that on many of the choicest fields the largest crops have been gathered, and the cultivator is admonished that profitable agriculture in the future must comprehend a systematic rotation of cropping and harmonious balancing of the various departments of the farm, instead of exclusive wheat raising, and it is apparent that the production of cheap, bulky breadstuffs is prohibited by high freights by rail to the consumer, it is evident that the prosperity of the Northwest will be seriously impaired, or cheaper routes must be opened for the surplus.

An inquiry into the movement of vegetable food throughout the world will establish the fact that water transportation only is profitable for long distances; and the fact that our grain-producing center has already moved beyond profitable transportation by rail, warns us that facilities must be provided for using the thirteen thousand miles of navigable waters in the interest of the grain-producing States of the Northwest.

To fully anticipate the future wants of the Northwest, as well as to provide for the present, regard must be had to the agricultural changes that are gradually taking place, as well as the realities that now exist.

The improvement of the water system of the interior is so generally conceded to be of national importance that the only questions demanding consideration concerning it are the ways and means.

But the same States that produce grain produce, in excess of their consumption also, everything of which grain is the basis; and while the excess of grain might reach the consumer by the nearest water-route to the sea-board at half the present cost, and thereby solve the transportation problem as far as the transportation of cereals is concerned, the beef, pork, and dairy products that in those States are now made in abundance, and must be shipped East by rail, will in future be the leading staples, and for the reasonableness of their transportation we cannot look to either river, lake, or canal.

If that part of the United States lying west of the Alleghanies and north of the mouth of the Ohio River was one State, it would not be so necessary for its people to ask Congress to interfere in the transportation of their surplus to market; they could regulate the carriage of their goods to the lakes, from which there is the closest competition for freight on the continent, the Saint Lawrence outlet would compete with the New York canals, and the Grand Trunk with the Erie and Central; while on the south of this great section, the open Mississippi would perpetually offer a cheap route to the ocean. State law could prevent discrimination against non-competing points, and State regulation secure reasonable tariffs. It might be possible to solve the transportation problem without the aid of Congress if each State had a navigable water-route the year round, or State lines only existed between the grand divisions known as the East, the South, and the West. But a policy, against the wisdom of which I utter no word, has formed out of the territory to which I refer, States and Territories containing nearly half the population in the Union; whose laws and occupations are kindred to each other, but having no commercial jurisdiction beyond their respective borders. In 1870 the total production of cereals in the United States was 1,467,299,183 bushels, of which 56,707,843 were exported, leaving for consumption, *per capita*, about 34 bushels. This district, not including California, nor the States bordering on the Rocky Mountains, produced in 1870 about 1,000,000,000 bushels of grain. According to the average consumption and deficiency in the Southern States, on the same basis, including New York, New Jersey, Pennsylvania, Delaware, and

the District of Columbia, received 216,000,000. While our total exports of grain from the United States in 1870 were 56,707,843 bushels, they rose to nearly 100,000,000 in 1873, making the total surplus of the Northwest over 400,000,000 bushels.

The want of proper facilities to transport 400,000,000 of bushels of grain is the main object of the legislation sought; but in addition to that 500,000 tons of pork have been packed in this locality during the last season, and as many tons of live hogs are moved eastwardly during each year, and nearly all of the surplus beef and mutton; 510,025 head of cattle and 145,016 head of sheep being shipped by rail from Chicago alone during the year ending June 30, 1873.

An inquiry into the tonnage of the leading transportation lines east of the lakes will show that while their capacity is taxed to the utmost, their whole vegetable tonnage is only equal to the carriage of the deficiency east of the Alleghanies. The New York and Welland canals, the New York Central Railroad, the Erie Railroad, the Pennsylvania Railroad, the Baltimore and Ohio, and Grand Trunk, for the year 1871, only carried about 6,000,000 tons, while the deficiency in the States east of the Alleghanies is 6,500,000 tons. There are other routes to the sea-board, not named here, that have carried large quantities, more than equaling our foreign export, but this will sufficiently show the inadequacy of facilities for transporting even the present crop of the West.

This district that now produces the bread and meat for the nation, and for export, is supplied by nature with a river system second only to that of South America; and until the breaking out of our civil war, and the extension of railroads into the grain-fields of the Northwest, the water system of the Mississippi was extensively used for transporting grain to the sea-board, in the same manner in which the wheat that now comes into competition from Russia with ours is transported to the sea-board.

In 1853 the total receipts of grain at New Orleans were 8,311,422 bushels; the shipments from Chicago for that year, 6,292,233 bushels. But in 1861 the total receipts at New Orleans were but 16,191,822, while the extension of railroads brought to Chicago 50,481,862 bushels. The war then closed the river. Since that time the prostration of business in New Orleans, and the continued extension of railroads into all the grain-fields of the Northwest, has prevented the heavy staples of the Northwestern States from seeking their natural channel. The magnitude of the trade previous to the war will abundantly answer all objections that may be raised to the climatic influences of the route on cereals, without calling attention to the fact that the grain of California crosses the equator twice on its way to Europe; that wheat shipped from Chili crosses the equator on its way to England; and also, that wheat from Australia crosses the equator and the tropics.

There are no published reports of the exact amount moved East by the different lines of transportation that account for all the surplus grain of the West, nor can we definitely arrive at the cost of transportation; but the cost of carrying on the New York canals and on the lakes is obtainable. The published rates on through lines of railroad from the heart of the grain-raising districts eastwardly to the sea-board, and the cost by river to the Gulf of Mexico, are known. The Erie Canal, that in 1862 carried 84 per cent. of the grain from the lakes, now carries but 42 per cent. The New York canals, in 1861, moved 2,500,000 tons of agricultural products, while the three railroads carried only 900,000 tons. In 1872 the canals moved only 1,683,962 tons, while the railroads moved 3,670,614 tons. The canal that once was a powerful corrective between the lakes and the sea-board is now impotent, lacking capacity for future increase. Between 1869 and 1871 the amount of freight moved one mile decreased 14,802,039 tons on the canals of New York, and increased on the Erie and Central Railroads 375,701,579 tons moved one mile. The New York Central, in 1871, moved 880,327,865 tons one mile at 1.65 cents per ton per mile; the Erie Railroad moved 897,446,728 tons one mile at 1.47 cents per ton per mile. The New York canals moved 1,050,104,125 tons one mile at 1.02 cents per ton per mile. The tariff on wheat was three mills per ton per mile, showing very clearly that while the water rate is the lowest, the canals have not the capacity to move the surplus products of the West, and the railroads beat them in close competition at this low rate. The Welland Canal, in 1872, carried 625,891 tons of vegetable food.

There are three distinct movements of grain from the field to the ocean. The first is from the field to the lakes, the second from the western borders of the lakes to the canals, and the third to the sea-board. I have inquired into the movement of grain from the lakes to the sea-board, and find that the rail predominates. The total tons of vegetable food moved from the lakes by all the canals in 1872 was 2,309,553, and the total tons moved by the Central, Erie, and Pennsylvania Railroads 2,770,614. There is no hope of any further reduction from competition with these canals from the lakes.

An inquiry into the movement of grain across the lakes, or the same distance by rail, will show a state of facts no more encouraging. From Chicago, the largest shipping point on the lakes, where the railroads converge that gather the grain from the Northwest, only 2 per cent. was shipped East by rail in 1862, but in 1872, 22 per cent.

From Chicago to Buffalo in 1870 it cost, on an average, to carry a bushel of wheat 5.89 cents; from Buffalo to New York, 11.56; from Chicago to Oswego, 9 cents; from Oswego to New York, 8.25 cents.

For the year ending June 30, 1873, there were received in Chicago

1,532,014 barrels of flour, of which only 223,457 were shipped East by lake; 12,724,141 bushels of wheat, of which 8,831,087 bushels were shipped East by lake; 47,366,087 bushels of corn, of which 41,589,508 were shipped East by lake; 15,061,715 bushels of oats, of which 6,370,784 were shipped East by lake; 1,129,036 bushels of rye, of which 231,538 were shipped East by lake; and 5,251,750 bushels of barley, of which 2,330,523 were shipped East by lake. This shows that only the lower-priced cereals are moved in greater amount by lake than rail, except the one instance of wheat; and when to this are added all the live animals, and 144,780 barrels of pork out of 208,664 shipped in that year, it requires not the aid of inspiration to foretell that very soon the lakes will be as powerless to regulate the rate of transportation of vegetable food to the sea-board as the canals will be. When the Erie Canal was completed there was a cheap water-route from all points within reach of the canal or the lakes; but railways have been built parallel with the canals and with the lakes, whose policy is to prevent traffic from reaching these cheap routes, and every new road that is built from the sea-board at any point is, from its very nature, at war with every water-route in the country.

The rate on wheat per bushel, that has obtained for several years from Chicago to New York by rail, is twenty-seven cents in summer when the lakes are open, and thirty-six cents in winter when lake navigation is closed. One of the remedies sought by this bill is the prevention of such unreasonable rates from points where competition half the year indicates what the rate should be. The average rate from the wheat center west of the Mississippi is about eighteen cents per bushel to Chicago or Milwaukee, making the total charge to the sea-board, independent of handling, fifty-four cents; to Liverpool, besides handling at New York, seventy-four cents. Monthly statements of the shipments from Chicago show that shipments in the winter months average the whole year. Of the four hundred millions of bushels of surplus grain, only sixty millions are moved eastwardly from Chicago by lake, and about twenty millions from Milwaukee. Less than three million tons of grain are moved East by our lake system, of the twelve million surplus. The Pennsylvania Railroad moved 7,844,778 tons of all kinds of freight in 1872. The lakes, then, for moving grain, are equal to half such a railroad. From the Mississippi River the average rate, according to tables published on the 1st of January, 1874, computed from five different points, is two cents average per ton per mile, and the lowest class averages eleven mills per ton per mile, while for all intermediate points the rate varies from fourteen to sixteen mills per ton per mile by rail to New York.

Here I desire to call attention to the peculiar hardships imposed on interior non-competing points. The freight rate from the Mississippi, averaging five different points, is eleven mills per ton per mile to New York, a rate of which no one complains; but when five mills more are added on the same class of freights from one of the interior counties that ships one million bushels of grain, the overcharge exceeds all the taxes levied for State, county, township, and municipal purposes. The total levy of 3 per cent. on assessed valuations on any one of these counties is considerably below the excess charged over the rate from the Mississippi to New York; while according to current theories the rate per ton per mile for a long distance should be less than for a short distance.

To be pointed, then, the bill before the House will to a great extent remedy discriminations against non-competing points on the amount of the surplus four hundred million bushels of grain that go to market by rail directly East. The remedy is pointed out by the railroad companies themselves. The railroads from Chicago to the eastern sea-board charge thirty-six cents per bushel for wheat, but the railroads from points west of Chicago, that come into competition with roads running to the lakes, carry to New York for thirty-six cents per bushel; and railroads at the Mississippi, that compete with the river, also carry at thirty-six cents per bushel.

The average rate from the heart of this grain-producing region on the Mississippi to the ocean at New Orleans is about half the rate to New York from April to September; in 1873 the rate averaged eighteen cents per hundred-weight, and was as low as twelve and a half cents.

This indicates very clearly where relief can come from, and a route by which the bulky staples of the Northwest can reach the ocean without costing so much as to prohibit production.

The grain center, especially the wheat center, is rapidly moving westward. The great wheat-raising States are now beyond the Mississippi, and from the nature of the soil the grain center will always in the future be west of the great river. The Southern States will hereafter receive their surplus from States west of the river. The surplus the United States has to spare for Europe must be sent from the same place; the surplus sent to the West Indies also will be found there. All these markets can be reached more readily and with less cost than by rail to New York at present prices. If the railroads can carry grain from the Mississippi to the eastern sea-board as cheaply as it can be carried on the river, they will have the item of time in their favor; but there is no reason why the present surplus west of that river, estimated at 47,786,738 bushels by the Merchants' Exchange of Saint Louis, in which estimate Iowa was put 8,000,000 bushels too low, should be compelled to go East by rail.

We have the most extensive railroad system of any country in the world. It has been less interfered with than that of any other country. The accommodations for the carrying of passengers are on a grander scale than those provided for any other people. The enter-

prise of our railroad men has no parallel in any land. The increase of our miles of railroad is unprecedented; and if the result has been to encourage the various industries of the country by carrying at reasonable rates, with reasonable safety, economy, and expedition, not rendering comparatively useless the natural lines of commerce by discrimination, and not exacting returns for capital never invested, if there is no danger of the growth of corporations whose revenues are greater than those of the Federal Government, then nothing remains to be done but be thankful for the blessings we enjoy. But in view of the complaints that are heard in the East and the West, from our great cities and country towns, from merchant, farmer, and manufacturer, of extortion, discrimination, and inadequacy, the system is either insufficient for the wants of commerce, or we are as a people incapable of gratitude.

While the country was prosperous and the workers of every kind were all employed, the manufacturer finding ready sale for his wares, the appeal of the West for better transportation facilities was not regarded of sufficient importance to attract much attention at the national capital. But when the appeal of the West is echoed by hundreds of thousands of idle men who lack bread and employment, and the great producing West is unable to ship products that are needed in the South, the East, and in Europe, and because these products cannot be shipped the West cannot buy as usual from the East of her wares, then the appeal must be heeded by the representatives of the people, or it may as well be admitted that this great evil is beyond the reach of the people and their representatives.

States have tried to grapple with this question, but it has been beyond the reach of States. Municipalities have endeavored to measure it by the statutes that apply to other persons, but have found that the gauge does not apply. The influence is national, the interest is national, the benefits are national, and the wrongs are national. The railroads of the country extend from the east to the west, and their passage over State lines is no more observed in any respect than their passage over meridians of longitude. Their traffic is national, and if so conducted as to be detrimental to the well-being of the nation, why should not the remedy be national? The people are asking such remedy through their State Legislatures; through political, social, and commercial conventions. It is confined to no class nor occupation; to no State or section, East or West.

The equality of all men before the law was till lately left to the determination of States, but that is now a national question, the solution of which for many years has convulsed the Republic. We are now brought face to face with a question of material interest, the solution of which is looked for at our hands with an interest second only to that which attaches to the question of human rights. Enlightened public opinion demands the one; intelligent public opinion widely expressed requires the other. Some constitutional expounders saw grave difficulties in the way of the solution of the question of human rights, and the same class of men see the same difficulties in the solution of the question of material interest; the same conclusion to which the people pressed in one case is the conclusion at which they desire to arrive now—justice.

The closest scrutiny into all the affairs of Government is being exercised by the people. The expenditure for each Department, the salaries of all officers and employés, the disposition of the public domain, the rate of interest on the public debt, and even the foreign policy of the Government, are generally well understood by the people. Can it be expected that corporations that have become so potential in the Republic, whose past policy and future purposes are blank leaves, and whose acts are so arbitrary as to bear no resemblance to any element in our political economy, shall be longer permitted to dictate the fate of States and the measure of prosperity of millions of people? The increase of salaries less than two millions of dollars has agitated the country as few things have in the present century. But a few men can meet, and by raising the freight on wheat five cents per bushel, take ten times that amount of money from the already distressed producer, and no power known to the laws can forbid.

Relief will be asked from the several States to the extent of their jurisdiction; but that does not go far enough. The corporations that are confined to a State are not the most exacting, although generally operating under greater disadvantages. The through roads are fast absorbing them, and are beyond State jurisdiction. One State cannot look to another for reasonable rates across its territory. One State may be under the control of corporate influence, and decline to require corporations to observe any law. Interference with through railroads, for the interest of both the people and the road, must be comprehensive, and by a power having jurisdiction of its whole length, and power to inquire into all its operations, or the result otherwise will but annoy the railroad and not benefit the people, as the company can charge on through freight sufficient to satisfy them for any local reductions.

From 1863 to 1872 the reduction in the average rate of carrying on eastern railroads was from 2.17 cents to 1.56 cents, or 28 per cent.; but during the same time, on western roads, the reduction has been from 2.32 cents to 2.23 cents, or less than 4 per cent.; this is based on the charges of the Chicago, Rock Island and Pacific, Chicago, Burlington and Quincy, and the Illinois Central. Yet the traffic has increased on these roads from 281,228,704 tons moved one mile, in 1863, to 631,912,588 tons moved one mile in 1872, or 142 per cent. These roads have all received very large land grants, very extensive subsidies, and

much local aid; but they control, from their initial point to their termini, the country from which they gather the surplus. Competition never has and never will be thought of. They cross the Mississippi, and prevent its use, and will continue to do so unless prevented by law.

One illustration of discrimination against the Mississippi and the interior towns of Iowa: from Davenport to New York by rail, eleven hundred miles, the charge is for wheat sixty cents per hundred-weight, or ten mills per ton per mile; from Iowa City, eleven hundred and fifty miles, the charge is ninety-two cents per hundred-weight, or sixteen mills per ton per mile; from Council Bluffs, fourteen hundred miles, the charge is ninety cents per hundred-weight, or twelve mills per ton per mile. From Iowa City the amount of discrimination is fifteen cents per bushel, or one dollar per mile to the Mississippi for hauling a car of ten tons. This rate of excess is charged from nearly every non-competing station in the State.

Iowa raised, in 1873, thirty-four million bushels of wheat. Estimating five bushels for the consumption of each inhabitant and three million bushels for seed, the State will have twenty-four million bushels to export. Instead of taking fifteen cents as the basis of overcharge, as lower rates fixed at some competing points, if we estimate the excess at twelve cents per bushel, the excess of tariff on this one product equals \$2,880,000. Then the State raised, in 1873, one hundred and five million bushels of corn; it cannot be estimated how much of this crop is exported. The crop of 1871 has lain in the cribs until the farmers could increase their stock to consume it, while in one year the crop has decreased forty millions in the State, very much for the reason that it was not a remunerative crop, and as a consequence was neglected. This is easily proved, from the fact that stock-raisers, who never produce corn for the market, had average crops. But the well-known fact that while for the last two years corn could not be shipped from Iowa owing to the high rates of freight, it sold for seventy-five cents to one dollar in the South and East, and the producers who were not able to transform it into meat suffered in consequence, is much of the cause of complaint.

The State suffers, however, in the transportation of everything of which corn is the basis. The same rates that are exacted for wheat are the rates charged for moving fat cattle and hogs and for return of heavy merchandise. I have no hesitation in concluding that this one State pays annually for transportation, over the actual value of the labor performed, enough to pay interest on the capital that would construct a freight railroad to the sea-board. But unless some such measure as that now before the House be adopted, a freight railroad would only benefit the locality through which it might pass. The same policy that discriminates against the river and the lakes would discriminate against the Government railroad. No goods could reach it without paying such a penalty as would make it as useless to shippers living fifty miles distant as the Mississippi River is. This has been the order ever since these through railroads were built. The prosperity of the Northwest has been seriously checked. Low-priced crops cannot be profitably cultivated in rotation. Economy enforced by financial distress has been common, especially with men who are opening farms and are not prepared to condense. It will not serve any purpose but that of aggravation to tell the people that overproduction is the cause of the low prices. The excess over the real value of carrying goes into the treasury of the carriers, and while our total export of grain scarcely pays for our hardware bills in England—a country that annually buys three times as much grain as we have to spare—and while the workingmen of the East have to pay too much for everything of which grain is the basis, overproduction will only be presented as an evasive answer by those who are opposed to interfering with the present order, or by those whose interest dictates hostility to any change.

I look upon this as contributing very much to the present depressed financial condition of the country. The Northwest has been the best customer the manufacturing East has had. For several years the Northwest has felt more and more severely the disabilities under which it has been placed from excessive rates for transportation. Its purchasing power has been very much curtailed; perhaps \$100,000,000, that would have been expended in improvements mainly, have gone into railroad extensions, and into the various avenues of extravagance so common with that class of men. This has rendered manufacturing unprofitable; hundreds of thousands of men are idle; the industries of the country seem to be paralyzed, while the year 1874 begins with higher freights from the West to the sea-board, and a corresponding depression on the mind of every man in the great West who knows the reward of his toil is wholly to be measured by the directors of the line of railroad upon which he must ship his goods.

Various schemes and methods have been proposed comprehending, in a greater or less degree, the solution of this question. Several States have, in different ways, attempted to regulate the transportation of freight and passengers on railroads. It has been proposed to build railroads as national highways to be operated through a national bureau; it has been proposed to build railroads as national highways over which any person might have a car hauled, or over which any company might run a train by paying toll for the use of the road. Many projects are current looking to the improvement of the various water systems of the country in order to furnish cheap transportation for the heavy staples of the country and bring about competition between carriers—the improvement of the Mississippi and its naviga-

ble tributaries, projects to connect the river and lake systems by the Fox and Wisconsin River improvement, by the Rock Island and Hennepin Canal, and by connecting the river system of the Atlantic slope with the river system of the interior through the James River and Kanawha Canal and the Atlantic and Great Western Canal below the freezing line.

Before entering upon the prosecution of a comprehensive improvement of our transportation facilities, either through an improvement of our water-courses or by building Government railroads, it must first be considered how the products of the country are to reach these lines of communication with eastern markets and the sea-board. A road built by the Government, charging reasonable rates, would afford relief to the localities through which it might pass. A road built by private enterprise, under Government charter, would subserve the same end; but if the producers and shippers of the various States have to pay a discriminating penalty upon all freights switched off other lines for the purpose of availing themselves of the reasonable rates charged by the Government road, the amount of which penalty would equal prohibition of its use, then all the benefit derived from such a line of railroad would be by shippers residing immediately upon the line.

A canal dug at the expense of the Government that would charge reasonable rates of freight would encourage production in each locality through which it might be constructed, and be of great benefit to all who could conveniently reach it at either end or any point in its course; but if any intersecting line of transportation charged a rate of tariff that would amount to prohibition of its use, the extent of its benefits would only reach those who could avail themselves of it without first shipping on other lines.

The improvement of the Mississippi River or any of its tributaries, or the improvement of any other rivers of the country, would be an unmixed good; and to the towns and cities situated on their banks, cheaper and better transportation would result; but if any line of transportation that crosses any of our rivers should charge such an increase of rate on all freight proposed to be taken from such lines and shipped upon the rivers as would amount to prohibition, the rivers, notwithstanding any amount of improvement, would only benefit those who could reach their waters without the use of other lines of communication.

The first step to be taken, then, in the solution of the transportation problem, is to make it possible for a shipper to use more than one line of transit without extortion; to make it possible to use both rail and water without excessive penalties; to prevent discrimination against competing points, where it may be desirable to leave one line to take another, to leave the rail for the water, or the water for the rail; to prevent discrimination against non-competing points, where excessive and arbitrary rates on isolated lines prevent the production of many low-priced staples and forbid the establishment of manufactures.

To bring this about will solve the problem as far as the capacity of our present railroads and water-courses is concerned; and to do this there is a distinct field for State legislation and a field beyond the jurisdiction of the several States. Each State can secure reasonable rates on all lines where goods are billed from any point to any other point not outside of its own limits; but when freight is shipped to a market outside of the boundaries of the State, jurisdiction ceases; and the rates of charge are entirely under the control of the carrier, who may grade them to encourage or destroy any branch of industry at any given point.

The great through lines that traverse the Northwest, having their initial point at the lakes or the sea-board, crossing the navigable rivers at right angles, gathering at each station along their lines the crops that can be shipped at the prescribed rate, operate as independently of each other as if competition were a thing unheard of; it is their interest, when freight is once on their lines, that it shall not stop till the end of the line is reached. Cities along the rivers may desire to grind wheat, pack pork, wholesale merchandise, or establish manufactures, but the growth of inland cities, and every species of diversified industry that they might engage in, is encouraged or prohibited, as the interest of the railroad directors dictates.

The railroads were encouraged by grants of land paid for by the people along the lines, each alternate section costing the settler double entry. Right of way, municipal aid, and private assistance were given to an extent never definitely estimated, but sufficient to indicate the good will of the localities through which they passed. The builders were regarded as benefactors; they were largely instrumental in the development of the West; but their roads have mostly passed into the control of directories inaccessible to their patrons; men who apparently fail to comprehend the changes that a few years bring about in an agricultural district; men who fail to encourage the growth of cities along the navigable streams, and who have succeeded by extortion and discrimination in alienating the respect and wholly losing the confidence of all classes of people not dependent upon them.

The result of our great railroad system has been to enrich individuals at the expense of the multitude, to build up great cities at the expense of the country.

The true route to market of any product is the one by which it can go with sufficient safety and expedition for the least cost. And the true cost of transporting any article is the value of the labor necessary to move it. These two principles cover the whole ground, and until they

are either observed by carriers voluntarily, or enforced by the Government, the dissatisfaction will increase. It is well known that neither of these principles is being observed at present in the movement of the most of our staples. The Mississippi River is prevented from competing with the railroads that cross it by discriminating rates, and while it is proverbial that river transportation is cheaper than rail, the railroads are the only routes available, and that by their own arrangement.

The bill before the House will remedy this evil; and unless this step is taken, providing for reasonable rates to the Mississippi from any point west or east of it where the merchandise is transported through more than one State, as it will be in winter from most of the great grain and meat producing States, it will give no relief to these States to improve to the utmost either the Mississippi River or the waters which might connect it with the rivers that fall into the lakes, the Gulf, or the Atlantic.

The reason why I press this point repeatedly is that the Mississippi is now the center of the district that produces our surplus grain, and very soon will be east of the center.

Railroads are the means of gathering the surplus crops throughout the Northwest, and must of necessity continue to be such, whether such surplus finds its way to the sea-board by the great trunk lines, or by the lake or river systems. The best interests of the whole country would be subserved if the principles of economy were as regularly observed in this movement as the principles of gravitation are in the natural movement of matter; but the present practices not only violate natural and philosophic laws, but trench upon the equitable, vested rights of the people. For example, when the citizens gave franchise, right of way, and perhaps \$3,000 per mile donation for the express and understood purpose of reaching competing rail and water routes by a branch road, and their object is thwarted by the directories of a great trunk line obtaining possession of it and diverting it from its original purpose, is it cause of astonishment if the people consider their vested right antecedent to that of any one else?

The systems of water-routes have been ignored by the railroads ever since they were constructed. Did all the railroad lines stop at the Mississippi, the shipper who could reach the river would have choice of routes, as the commerce of the lakes has choice to the sea-board of canal or rail; and the low rates obtaining on eastern railroads might be imitated; and the same would be the case with railroads when they are extended to any of our rivers. But the railroads having crossed the Mississippi, or any of its navigable tributaries, and entered into the great grain districts beyond, carefully arrange, by discriminating rates, to haul everything as far on their lines as possible. The consequence of this practice has substantially resulted in removing the Northwest as much farther from market as the rates paid for moving any staple are greater than would be paid if the article were permitted to seek a market by the nearest and cheapest route. For example, when corn at the sea-board sells for sixty cents per bushel, and the rate is fifty cents by rail, that point is so far remote from market by rail as to prohibit the shipment of corn; and if the rate is as low as corn can be carried for, then all such points are too remote to export that cereal, but if the rate charged is double that which corn can be moved for, then the extortion virtually places such points twice their natural distance from market.

But if the discriminating practice of railroads prevents the use of water-routes, whereon freight might be carried for half the rates exacted by them, then the result of the extension of our railroad system has been to refuse to gather for the water-routes that might carry at half the railroad rates, after having prohibited shipments on their own lines.

The practical effect of the committee's bill will be to make collecting agents of the railroads for the water-routes; and without this both railroads and water-routes are of little value to a large majority of the people of the Northwest.

It is very remote from the present policy of the railroads to enter upon any policy so apparently detrimental to their interests, but I am confident that the result would be such an increase in all the staples of the West that the railroads would derive much more profit than they do now.

Under the present rule, at a given distance from the eastern seaboard the shipment of cheap breadstuffs ceases; and, consequently, in a corresponding degree, the production; and while the privilege of condensing still remains, the producer of moderate means cannot avail himself of it. The young man who has been advised to "go West" needs time to prepare for transition from the production of raw materials to the production of manufactured articles. The continuation of the present practice will continue the present grievances. The loss to the country is not only the excess of charge on what is exported, but on the general paralysis that has stricken all the industries of the far West. From the Mississippi, the distance to the sea indicates the river route as the cheapest; but from the Missouri, there is no comparison in distance to the permanently open river and the Atlantic. Still, all that country within the reach of each railroad is compelled to ship directly East, because it is the interest of the roads that traffic should go East. The economic transportation of the staples of that vast expanse of fertile country to market is never thought of, and rates unless the bill before the House looking to the fixing of reasonable should become law, the directory of one through railroad can, as in the past, control the industries of a strip of territory forty miles wide, across

the continent, as far as the railroads may have extended. The Missouri River country is comparatively new and unoccupied. It is the finest on the continent, as a wheat-growing district, both as regards soil and climate. Its growth under the present practice is impossible. True, poor men may exist there, but cannot prosper. The Missouri River is greatly superior to Russian rivers that float the wheat to tide-water that comes into competition with our wheat in England, but the present railroad policy prevents the use of the Missouri, and when it reaches the Mississippi discrimination prevents its use.

Farming is but in its incipient stages in the West; but a fraction of the soil is under cultivation, and but few have had the time to study out a system of harmony among the departments of the farm, or the means to institute and successfully carry on to demonstration experiments that will result in economy of labor, increase of fertility, and steady profit. Of the States that border on the great river one acre in four only is cultivated. From the one-fourth that are cultivated, by rotation of crops, grazing, fallowing, draining, and an intelligent reduction of the details of farming into agricultural science, double the present results will be reached.

From 1860 to 1873 the shipment of wheat from Russia to England has been 238,343,547 bushels; from the United States to England 274,657,182 bushels. The ocean freight from the Baltic is about forty cents per bushel, and from the Black Sea about fifty cents, while from New York it averages about twenty cents per bushel. But an inquiry into the means used to transfer grain to the sea-board will illustrate the disadvantages under which we compete with Russia. We use the rail almost exclusively from the field to the sea-board, the greater part of our surplus being moved during the winter when the lakes and canals are frozen, or in late autumn when water-rates and insurance are high, or by railroads that do not connect with lake or canal, and that carefully discriminate against our navigable rivers. Wheat shipped from Odessa and Taganrog, ports that rival New York in the volume of their wheat exports, is floated down the Dnieper, the Dniester, and the Don, from the richest fields in interior Russia, at a cost consequent upon water transportation. The railroad system of Russia does not seem to interfere with their mode of reaching the sea-board with bulky products. The Vistula is as much used to carry wheat to Dantzig as it was before railroads penetrated into the interior.

If the Russian farmer had to reach the sea-board at a rate equaling that exacted from the trans-Mississippi farmer, with his antiquated machinery and methods of husbandry, he would not be formidable as a competitor; but the one advantage of cheap water communication more than balances the skilled labor and ingenious appliances whereby the time of one man in our harvest fields accomplishes more than a dozen in theirs. The river system of Russia is insignificant compared with ours, yet the persistent use of this mode of transportation enables them to compete successfully with us in the grain markets of Europe, and when they shall have adopted our implements of husbandry, our gang-plows, seeders, harvesters, and thrashers, then, unless we can reach the nearest navigable river, lake, or canal, at a reasonable rate of tariff, we will be shut out of the markets of the world. This is not pleasant to contemplate with a balance of trade of \$100,000,000 annually against us. That could easily be met by increased exports, provided no discrimination hindered our grain from going to market by the nearest water-route.

A careful estimate of the surplus cereals of the Northwest, that are grown in localities nearer the open Mississippi than the lakes, will show that two hundred million bushels can be moved cheaper by the river that now are moved directly East by rail, or wait till the opening of navigation for transportation by lake and canal, or are sent to New Orleans by rail, as grain now is from Central Iowa. The bill before the House contemplates the possibility of reaching the river in winter at reasonable rates on any railroad running in that direction. If this one point is accomplished, provision will be made for future increase as well as competition with the lake and rail system.

I have shown that the rate from any part of the grain-fields of the State of Iowa to Chicago is very nearly the same; two hundred miles here or there apparently make no difference. The rate, from fifty miles west of the Mississippi to the Missouri, varies very little. If this rate even (about eighteen cents per bushel) was charged to Saint Louis, the surplus for the Southern States could reach the consumer at greatly reduced cost by river and Gulf. We have seen that the South requires eighty million bushels. The one hundred millions that we now export to foreign countries could reach their markets at half the present rates, while the surplus needed in the Eastern States could also be moved much cheaper.

We must anticipate the growth of the East and her annually increasing deficit. We must anticipate the growth of the South, the growth of villages where her cotton will be manufactured, the opening of her mines, whose development will annually require larger quantities of grain, and we should arrange for, as well as anticipate, direct shipments of grain to the West Indies, instead of first shipping it to Liverpool.

We have choice of two results: either make the present avenues of commerce subserve the wants of the people of the Northwest in this respect and reanimate her crippled industries, or wait till the machinery that makes exports of grain possible is in use in Russia; and not only will we be driven from European markets, but the day may come when Boston can get wheat cheaper from Odessa than Omaha. Look

at the figures. In 1872 we exported twenty-four million bushels of wheat, excluding imported wheat, which was over two million bushels—just what Iowa has to spare in 1873. It is true the export was greater in 1873 by twelve million bushels for the year ending June 30, but this is owing to the very grievance the bill before the House seeks to remedy. Corn would not bear all-rail transportation, or even rail and water, at the rates current in 1872 and 1873 from beyond the Mississippi. Its production declined two hundred million bushels in the ten States of Ohio, Michigan, Indiana, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Kansas, and Nebraska from 1872 to 1873. Corn is now worth fifty cents per bushel in Iowa for home consumption, which scarcity will in the coming year reduce the wheat surplus; it costs the shipper eighty cents per bushel to send wheat to Boston, including handling, from west of the Mississippi. Even at present rates by ocean it would only cost seventy cents to ship wheat from Odessa to Boston. Two millions of acres raise our surplus wheat; two millions of acres would raise it in Russia. Give the Russians our machinery, and I see nothing to prevent them from selling wheat in Boston.

It is surely desirable that we, as a nation, sell as much as we buy. Reduction of rates of carriage will increase production in proportion as tariffs are lowered; and even if it be necessary to admit that all the reduction would inure to the benefit of the consumer at home—as it cannot affect the English market, that annually requires three times the amount of our total export—the producer would buy the wares of the manufacturer at a lower price whose workman now pays too much for his bread and meat on account of high rates of freight.

The Northwest is just beginning to develop her capacity to produce beef and pork, and dairy products. What is to be the future? The people have waited long and patiently. They modestly ask of Congress to see that fair and reasonable rates are charged. They do not regard with any hostility any enterprise being prosecuted by any citizen. They have no more desire to destroy their railroads than they have to destroy their children. They have nourished both through much self-denial and great expense, after having given life to the latter and franchise to the former. Their joy at the construction of the one has been only exceeded by their pride at the birth of the other.

No people in the world tax themselves so heavily as the people of the Northwestern States to educate; no people in America have contributed so liberally to build railroads. They hope that careful, though expensive, education will develop and ripen in the West the best youth of American growth. They have hoped that the full development of the railroad system would bring them nearer market and regulate itself by competition. As regards distance from market, we might as well be one thousand miles further from it as be compelled to pay prices that would carry our products double the present distance; and as regards competition, prices are only depressed at one point that they may be raised at another.

I believe that in the business of carrying by rail are to be found not only our most enterprising citizens, but that many of them are fair-minded men, who perhaps would, and doubtless in many cases do, content themselves with reasonable charges; but it will readily be seen that the temptation to extortion is very great where unlimited power is given, and the compensation for the labor performed does not come under the law of supply and demand. Railroad men individually—many of them—deplore the unhappy situation, but assert that any one company is powerless to reform. The owners of western lines live in eastern cities, and are beyond the reach of their patrons. The caprice of a freight superintendent may prohibit the production of some article valuable in well-ordered husbandry, and the husbandman can only turn in sorrow to the cultivation of something that will bear transportation, and recognize, while he suffers, that there is no remedy.

The common law does indeed provide a remedy, and redress has been had, and damages have been collected; but it has generally required a decade of years, and is quite beyond the reach of common men. The bill before the House provides for a commission to make schedules that shall be *prima facie* evidence of fairness; it will be incumbent on the corporation to prove the unreasonableness of the schedules, instead of on the individual. If the bill becomes a law, then it will be possible for the shipper to stop at any river and float down to salt water; then the east and west railroads will be required to carry to north and south roads that run to any of our contemplated canals or improved rivers; the trans-Missouri country can use the east and west railroads to reach any of the navigable tributaries of the Mississippi; the Missouri can be utilized as the Dnieper, the Dniester, the Don, the Vistula, and the Volga are now utilized in Russia, to float the future products of that great valley to the Mississippi. Iowa, Missouri, and Minnesota can have choice of routes to the Mississippi, the lakes, or the sea-board, and can reach the Fox and Wisconsin Rivers, or the Rock River Canal, or float up the Ohio and reach the James River and Kanawha Canal when completed, or go farther down the Mississippi and ship on the Tennessee, the Cumberland, or any system of water communication that may be developed as now asked for by Southern States. But without this primary step none of these projects will ever be of more than local benefit; the through railroads will arrange their schedules to discriminate against all such routes, or against any railroad leading to them.

Belgium has one mile of railroad to six of area; England and Wales one to five; the United States one to fifty. We have seventy-five

thousand miles of railroad now, and when our system is as complete as that of England and Wales we will have seven hundred and thirty thousand miles. Taken as a whole, the United States is, from an agricultural point of view, much the richer country; if our mines are to be considered, there is no comparison. The revenues of fifty-four thousand miles of our railroad system exceed \$478,000,000.

The influence of the owners and directors heretofore, in controlling the legislative, executive, and judicial departments of Government, is painfully apparent from the investigations had concerning the management of the Erie directory. The extent to which the people are compelled to pay interest on fictitious stock is well illustrated by the New York Central. It seems to be high time that Congress, the only power having jurisdiction over the whole, should inaugurate a wholesome restraint over this interest, that is so powerful in its incipiency as to defy interference.

We have one mile of railroad to five hundred and forty-seven people. He who controls a line from the sea-board to the Missouri, controls the carrying interests of seven hundred and sixty-five thousand eight hundred of our citizens; and the tendency of the system is to unity of control. Does the history of the East India Company, or the monopolies granted by Queen Elizabeth, furnish greater evidence of exclusive right to tax than the more than royal prerogative exercised by fifty of our fellow-citizens?

The sacred rights of the people must not be forgotten while we proclaim the sacred rights of capital. The accumulations of old States are as necessary to assist in building up the industries of new States as the labor of the pioneer; but when the conduct of capitalists is such as to render labor unremunerative, conservatism need not wonder if legislation, new to our statutes, is needed to cure evils new to the calendar of human wrongs.

Mr. STORM. Mr. Speaker, I am sorry to detain the House at this late hour; but as this is probably the only opportunity I shall get to say anything upon the bill reported by the gentleman from Iowa, [Mr. McCRARY,] I avail myself of this occasion to briefly express my views.

Mr. Speaker, in my opposition to this bill I do not pretend to decry or belittle the importance of the subject. I freely concede to it all the magnitude that the gentleman from Iowa [Mr. McCRARY] has stated it possesses. I believe it to be one of the most important that ever claimed the attention of Congress. I may here say that my record as a member of this House, and before I became a member of it, has not been one of sympathy with the railroads of the country. I cannot be accused in my short political life of ever having said or done anything in favor of railroad corporations or corporations of any kind as against the interests of the people. I think no gentleman can say that any vote of mine while I have been a member of this House has indicated any such disposition upon my part. If I cannot support the bill which the learned gentleman from Iowa has introduced, it is because the Constitution which I have taken an oath to support gives no warrant for the enactment of such a measure as this.

Mr. Speaker, the desirableness of an object is never the measure of its constitutionality. A thing may be very desirable, and yet no warrant may exist for it in the Constitution. It is desirable, for instance, that all men should be temperate and moral; yet who believes that this House would undertake to pass a law which would enforce the virtue of temperance or morality upon the people of the country? It is desirable that all men should be educated; we all believe that ignorance is an evil; yet this House has declared over and over again that Congress does not possess the power to impose upon the States even a system of education. Hence, I say, that the desirableness of an object can never be a measure of its constitutional sanction, nor an argument for its adoption, if it has no warrant in the Constitution.

It was said by the Supreme Court, in an important case reported in 12 Peters, page 657, that in the construction of the Constitution we must look to the history of the times and examine the state of things when it was framed and adopted.

Now, Mr. Speaker, I will admit that in one point of view this argument may not appear to have great force as against this bill. Gentlemen have well said that at the time of the adoption of the Constitution such a thing as a railroad or a steamboat was of course unknown, and therefore no such thing could have been within the purview of the framers of the Constitution. Yet, nevertheless, Mr. Speaker, I contend that construing the Constitution with reference to the circumstances of the then existing times, no warrant can be found for the legislation now asked at the hands of this House.

What was the great difficulty which the framers of the Constitution sought to remedy when in 1787 they entered upon the work of framing the organic law under which we now live? It was the fact that different States had passed conflicting legislative enactments by which the commerce of the country had been nearly ruined. It was in such a disordered condition that the people of the country felt a strong necessity for a surrender by the States of the entire control over this question of commerce and the vesting of jurisdiction over that question in some general head or central authority. This was the great necessity felt at that time. We must, as I contend, consider the question, what were the evils at that time proposed to be remedied by constitutional enactment? They were nothing more nor less than the difficulties growing out of conflicting legislation of the different

States in regard to the imposition of duties upon imports and exports to and from the different States of the Union.

The history of those times will bear me out in saying that this subject of charges for the carrying of either passengers or freight had never entered into the minds of the people at that time. Because there were then no railroads and no steamboats, it does not follow that there were not such things as common carriers. We had then our ocean commerce, our coastwise commerce, and our interstate commerce—our inland trade—just as we have such commerce and trade now. These subjects were constantly engaging the attention of public men in those days; yet there cannot be shown any act, any argument, any decision of a court, or any statement of any public man of those times, giving even a semblance of authority to this proposed legislation.

There are three provisions in the Constitution relating to this subject, from which I take it the gentleman from Iowa and those who take the same view of the subject as he does must derive the supposed authority for the passage of this bill.

It is provided in the first place that—

Congress shall have power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.

This was a general grant of power to Congress over this whole subject.

But in the ninth section of the same article there is this further provision, which is a restriction upon the power previously granted:

No tax shall be laid on articles exported from any State.

Thus literally curtailing or limiting the power granted in the previous section by at least one-half.

The next clause provides that—

No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another; nor shall vessels bound to or from one State be obliged to enter, clear, or pay duties in another.

Now, these are the three provisions of the Constitution relating to that subject, and who that will read them, study them, and study the comments upon the Constitution by approved writers, will not say that what the framers of the Constitution then had in view, when they used this language, was simply the regulation of commerce as to duties? In support of that view Mr. Madison, who was the most influential and the most active member, if we except Alexander Hamilton, in that convention, in a letter that he wrote to Mr. Monroe, said at that time:

Much indeed is it to be wished, as I conceive, that no regulations of trade, that is to say, no restrictions on imports whatever, were necessary.

To Washington, in 1787, he wrote:

The national Government should be armed with positive and complete authority in all cases which require uniformity, such as the regulation of trade, including the right of taxing both exports and imports.

To Jefferson, in 1787:

The line of distinction between the power of regulating trade and that of drawing revenue from it, which was once considered the barrier of our liberties, was found on fair discussion to be absolutely undefinable. Some contended for an unlimited power over trade, including exports as well as imports.

More than thirty years afterward President Monroe, who had also taken an active part in the discussions on this question, maintained in an elaborate document, that the sense in which the power was understood and exercised by the States was doubtless that in which it was transferred to the United States.

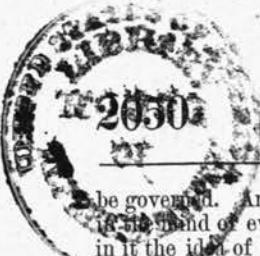
The sense in which the power was understood and exercised by the States was doubtless that in which it was transferred to the United States. * * * Commerce between independent powers and communities is universally regulated by duties and imposts. It was so regulated by the States before the adoption of the Constitution, equally in respect to each other and to foreign powers. The goods and vessels employed in the trade are the only subjects of regulation. It can act on none other. A power, then, to impose such duties and imposts in regard to foreign nations, and to prevent any on the trade between the States, was the only power granted.

In the same document President Monroe, referring to the earlier propositions for regulation of commerce, said:

Those of 1784, '85, '86, and '87, leading step by step to the adoption of the Constitution, had in view only the obtaining of a power to enable Congress to regulate trade with foreign powers. It is manifest that the regulation of trade with the several States was altogether a secondary object, suggested by and adopted in connection with the other. In entire harmony with this the authors of the Federalist called the power to regulate commerce between the States a "supplemental provision." They said that without this supplemental provision the great and essential power of regulating foreign commerce would have been incomplete and ineffectual.

Now, Mr. Speaker, in reading the history of the times I will take it upon myself to say that no authority can be found under the clause to regulate commerce among the States for saying we have the right to go the monstrous length of providing what shall be the charges that a railroad may make for the transportation of passengers or of goods. And I am glad to know that I am relieved of the necessity for any extended argument on the constitutional view of this question, because that has been already done to my hand by the learned argument of the gentleman from Kentucky, [Mr. ARTHUR,] in which, I think, he clearly shows that this never was within the intention of the framers of the Constitution.

Now, then, to regulate commerce, means what? It has been said by Chief Justice Story, in his learned commentaries on the Constitution, that it meant to prescribe the rules by which commerce was to



be governed. And when we use the expression there is at once raised in the mind of every man an idea of a *rule*; that is, a rule which has in it the idea of uniformity. The idea was to establish a rule or a plan by which certain things may be governed. Now, to regulate the price of freight would be to establish a rule for every different railroad in the country. I have not had time to ascertain how many railroads in the country would fall under the operation of the bill of the gentleman from Iowa, [Mr. McCRARY,] but it is safe to say there would be several hundred of them.

Now, what rule could be established governing the freights of three or four or five hundred railroads in this country, in every one of which the question of freight would depend upon, probably, a hundred different circumstances? The sparseness of population, the grade of the road, and thousands of different circumstances which you could well imagine, would all govern and settle this question of freight. And yet we would be asked to regulate commerce and to prescribe rules for it by a commission of nine men, when you would be required to have as many different rules for the regulation of commerce—if that is what you mean by the regulation of commerce—as there are railroads in the country.

I think, Mr. Speaker, that this is an unfortunate proposition coming from the West at this time. Now that they are complaining about the want of capital and currency in that part of the country, they come here into this House and ask us to pass a law which would more effectually throttle western improvements and western enterprise than any other proposition that could be introduced. I do not know anything that would more prevent the investment of capital in the western country from the East than the proposition of the gentleman from Iowa. And it is a well-known fact—I do not suppose that it is disputed—that it is to the railroads that the West owes almost all its greatness and prosperity at the present day. And I believe that it is just as little disputed that those railroads have been built up in a great measure by the capital of the East. And now that they have got their railroads, it ill becomes the West to turn around and say to the East, "Do not bring your capital here; do not invest it in western railroads; if you do you will go away without any dividends or any profits." I say at this time, when the great want of the West and the Southwest is capital, for them to come here and ask us to put all the capital of the country at the mercy of nine irresponsible individuals, nothing could be introduced into this House that could more effectually kill and destroy all enterprise in railroad building.

I cannot imagine what has caused this sudden change in the minds of our friends from the West. Not more than three years ago they were here in this House, as I know well, and could not get railroads enough. They demanded land grants for railroads. The Representatives from Minnesota, one of whom I see before me, from Iowa and Kansas, could not get railroads enough; but a change has come over the spirit of their dreams, and all at once they have seemed to think that the greatest curse in the country is railroads.

Now, I differed with these gentlemen in the last Congress on this question. I did not think it the most desirable thing for them, and I especially fought the proposition to give to these railroads large grants of land. But if the western people are now prepared to turn round and say that they will kill the goose that laid the golden egg, they may do so; I shall not be a party to the transaction. I believe these railroads have done much for the West, and I am surprised that a proposition, coming from western men, should be introduced into the House, which would destroy, in a measure, all railroad building in the West while this measure should remain a law upon the statute-book, should it ever get there.

If, Mr. Speaker, I could bring my mind to the conclusion that this bill had any warrant in the Constitution for its enactment, there would be another objection to it as serious and grave as it would be possible to conceive of against any bill. It is well known to-day that one of the greatest difficulties on this whole subject is the power which railroad corporations have over legislative bodies. It is difficult now for the thirty-seven different Legislatures of the Union and Congress to circumvent the grasping tendencies of these soulless and heartless corporations; but when you take away from those thirty-seven States, and take away from ourselves, all control over this important subject and place it in the hands of nine men, I cannot conceive of any more monstrous proposition. We might well say, *quis custodiet ipsos custodes*—who shall guard the guards themselves?

Mr. Speaker, I have just as much faith in man as the history of fallen humanity compels me to place in him—no more and no less; and I say that this is placing in the hands of a few men powers and responsibilities that I am unwilling to assent to. If it is difficult now, with all our various State Legislatures and with Congress, to circumvent and control the grasping tendencies of these corporations, what will be the effect when the whole subject is placed under the control of nine men?

I do not believe the gentleman from Iowa, if he could pass this bill and get his nine commissioners appointed to carry it out, would gain the object for which I believe he is honestly and sincerely laboring. I do not think he would attain his point, because it is just placing those men in a position where they would be subject to influences and temptations which I believe even an angel from heaven would hardly be able to resist and withstand.

I believe in controlling these corporations and keeping them within

proper limits, and I do not deny that our authority goes to the extent of saying to a railroad running from one State into another, or running through two or more States, that they shall make no discrimination against the commerce of another State. I believe we have full authority for that; but that is quite a different thing from saying what shall be the schedule of freights for railroads. I do not believe a railroad beginning in Chicago and ending in New York City, has any right, in order to destroy the trade of Philadelphia, to carry goods cheaper to New York than to Philadelphia, so as to throw the trade into the latter city; but it is a monstrous proposition that we may say what a railroad shall charge for carrying freight from Chicago to New York, and there is no authority in the Constitution for it. As well might you say what they shall pay their engineers, and what dividends they shall strike, because really the dividends of railroad companies are struck from the surplus earnings; and if you have the right to say what their earnings shall be, you strike at the dividends. I believe the gentleman from Iowa will not say that either of these positions is tenable.

Now, Mr. Speaker, in my desultory way I have said a few things merely to indicate my views on this subject; not that I have no sympathy with the object the gentleman from Iowa has in view; not that I am indifferent to this great question; but only because I believe after all we must place it where it belongs. If the States do not take up the question and legislate upon it and control it, I do not see what authority we have over it.

My own State has recently adopted, by a very large majority, a constitution which has been pronounced to be the best in the Union, and that constitution places all corporations doing business in the State within the grasp of the people, and puts them completely under the control of the people. I hope the time will soon come when the other States of the Union will take action on this subject as Pennsylvania has done; and when they do so, I believe there is a remedy applicable to this case, and within the provisions of the Constitution, that will avoid the great corruption that would be introduced if we should pass the bill of the gentleman from Iowa, and which would be equitable and fair as well to the corporations as to the people.

[Mr. MCNULTA addressed the House. His remarks will appear in the Appendix.]

Mr. McCRARY. If no other gentleman wishes to be heard to-night, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at nine o'clock and five minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following memorials, petitions, and other papers were presented at the Clerk's desk under the rule, and referred as stated:

By Mr. ADAMS: The petition of Andrew Yates, a soldier of the war of 1812, for a pension, to the Committee on Revolutionary Pensions and War of 1812.

Also, the petition of John S. Friend, a soldier of the war of 1812, for a pension, to the Committee on Revolutionary Pensions and War of 1812.

Also, the petition of sundry citizens of Jackson County, Kentucky, for a pension to the minor children of John Jones, to the Committee on Invalid Pensions.

Also, the petition of Samuel M. Reynolds, late brevet lieutenant-colonel and paymaster United States volunteers, to be allowed a credit for money stolen from him while paymaster, to the Committee on Claims.

By Mr. BURCHARD: The petition of D. A. Knowlton, Jacob Krohn, and 54 others, merchants, bankers, and business men of Freeport, Illinois, deprecating further inflation of the currency, and asking that the United States notes issued out of the so-called reserve may be withdrawn from circulation as speedily as possible, to the Committee on Banking and Currency.

By Mr. COBURN: A memorial of a meeting of business men of Indianapolis, Indiana, asking for an increase of the currency by law of Congress, and prompt action in the premises, to the Committee on Banking and Currency.

By Mr. COX: The memorial of the New York Academy of Medicine in favor of the bill to increase the efficiency of the Medical Department of the Army, to the Committee on Military Affairs.

By Mr. CRUTCHFIELD: The petition of William Clift, of Chattanooga, Tennessee, for compensation for services as recruiting officer, to the Committee on War Claims.

Also, the petition of sundry citizens of Tennessee, for the survey and improvement of the Hiwassee River from its mouth to the "Savannah Farm," or Mountain Pass, to the Committee on Commerce.

By Mr. HAMILTON: The petition of 260 citizens of New Jersey, for the free transportation by mail of newspapers within the county of their publication, to the Committee on the Post-Office and Post-Roads.

By Mr. HARRISON: Additional testimony to accompany House bills Nos. 638 and 639, to the Committee on War Claims.

By Mr. LAWSON: Memorials of the New York Academy of Medicine, Medical Library and Journal Association of New York, and Medical Society of the County of New York, in support of the bill to increase the efficiency of the Medical Department of the Army, to the Committee on Military Affairs.

By Mr. McCRARY: The memorial of citizens of the District of Columbia, in relation to drainage and sewerage in the cities of Washington and Georgetown, to the joint select committee to inquire into the affairs of the District of Columbia.

By Mr. MACDOUGALL: The memorial of the New York Academy of Medicine, in support of the bill to increase the efficiency of the Medical Department of the Army, to the Committee on Military Affairs.

By Mr. MYERS: The petition of William Hoffman, of Philadelphia, Pennsylvania, for a pension, to the Committee on Invalid Pensions.

Also, the petition of Mrs. Mercy E. Scattergood, of Philadelphia, Pennsylvania, widow of Edward Scattergood, for increase of pension, to the Committee on Invalid Pensions.

By Mr. POTTER: The memorial of the New York Academy of Medicine, in support of the bill to increase the efficiency of the Medical Department of the Army, to the Committee on Military Affairs.

By Mr. RANDALL: The petition of Charles T. Campbell, of Dakota Territory, for relief, to the Committee on Military Affairs.

By Mr. E. H. ROBERTS: The petition of citizens of Rome, New York, for the repeal of that portion of the act of June 6, 1872, which made a reduction of 10 per cent. in certain duties, to the Committee on Ways and Means.

By Mr. SENER: Several petitions of citizens of Virginia, for an appropriation for the improvement of Quantico Creek and Neabsco Creek and Bay, to the Committee on Commerce.

By Mr. THORNBURGH: The petition of G. R. Brandon, of Knoxville, Tennessee, for relief, to the Committee on War Claims.

By Mr. WALLS: Papers relating to the claim of Robert H. Watts, of Warrington, Florida, to the Committee on War Claims.

HOUSE OF REPRESENTATIVES.

SATURDAY, March 7, 1874.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Journal of yesterday was read in part, when,

On motion of Mr. FRYE, the further reading of the Journal was, by unanimous consent, dispensed with.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced that the Senate had passed a bill (S. No. 161) to provide for the appointment of a commission on the subject of the alcoholic liquor traffic; in which the concurrence of the House was requested.

FINANCE.

The SPEAKER *pro tempore*, (Mr. WILSON, of Iowa, in the chair.) The House, pursuant to order, meets to-day as in Committee of the Whole, to consider the special order, being the bill (H. R. No. 262) to repeal the stamp duty or tax on matches and on bank-checks. The gentleman from New York [Mr. WOOD] is entitled to the floor.

Mr. WOOD. Mr. Speaker, the remarks which I intend to present to the House to-day for its consideration, were prepared immediately after the chairman of the Committee on Ways and Means delivered his speech upon the finances of the country, which has attracted so much attention in Congress and out of it. My attention has been so continuously devoted to the duties of the committee of which I am a member that I have not had time to further continue the line of discussion which the speech of that gentleman invited.

Before proceeding, however, to present these views, I wish to occupy the attention of the House for a short while, in referring to two speeches which have been made within a few days in answer to the speech of the gentleman from Massachusetts, [Mr. DAWES,] one by my colleague from the Oneida district, [Mr. E. H. ROBERTS,] and one by the chairman of the Committee on Appropriations, the gentleman from Ohio, [Mr. GARFIELD.]

My colleague, in accordance with his temperament, presents a very placid and agreeable view of the public exigencies. He is satisfied with the condition of the public Treasury, with the disbursements which are made, and with his own estimate of the probable revenue to meet any possible deficiency. In this regard, like his own individual character, he is a contented, happy man. He sees no difficulty in the way; and in the figures he presents—no doubt carefully drawn, and I am not prepared to say not accurately presented—a justification from his stand-point of the degree of agreeableness with which he views the aspect of public affairs.

There is, however, one very remarkable statement made by that gentleman to which I desire to refer. It is to be found in his speech, page 16 of the CONGRESSIONAL RECORD of March 3, in which he refers to what he calls “the actual situation.” He says:

In a word, the revenues are now ample to meet every accruing obligation. If they were not I would not look to the future for a remedy, but would *now cry “tax.”*

According to his figures and according to his sanguine view of the revenues of the country, he deems them ample. Ample for what? Ample to meet every accruing liability of the Government. But if they are not so, that is, if our receipts are not equal to our expen-

tures, then he is for taxation. Did it never occur to that gentleman that there was another way, and that is by a reduction of obligations?

Sir, in my judgment, if we fall short of a sufficient revenue to meet the accruing obligations of the Government, our first duty is to decrease those obligations within the limits of our revenue, and the last measure to which, in the present condition of the industries of the country, we should have resort is to that of additional burdens in the way of taxation on the industries of the people. Therefore, sir, I beg respectfully, without measuring words with my colleague as to his estimation of the facts, to take issue with him whether we should resort to taxation until we have tried my first remedy, and that is a reduction of the expenditures of the Government.

But, sir, the chairman of the Committee on Appropriations addressed the House on the same subject a day or two ago, and I notice his speech only because it emanates from the chairman of the Committee on Appropriations. If that gentleman held an ordinary position on this floor, the same as other members do, I would not consume the time of the House by making any reference whatever to his remarks. He advances a very extraordinary theory. I quote from the CONGRESSIONAL RECORD of March 6, page 25. He says:

The necessary expenditures of the Government form the base line from which we measure the amount of our taxation required, and on which we base our system of finance. We have frequently heard it remarked since the session began that we should make our expenditures come within our revenues—that we should “cut our garment according to our cloth.” This theory may be correct when applied to private affairs, but it is not applicable to the wants of nations.

Why not, sir? Why not? Do not the same principles of political economy govern the humblest individual in the ordinary transactions of life as govern the greatest and most powerful nation in the conduct of its affairs? If a merchant, or a lawyer, or a trader, or a manufacturer, or a farmer, finds himself curtailed in his receipts, what is his first thought? What is his first duty? It is to bring those expenditures within the limitation of the resources. It is, in short, in the language of the honorable chairman of the Committee on Appropriations, to cut his garment according to his cloth, and not to spend \$15,000 when his income is only \$10,000. But the gentleman rejects that theory, and says that while it may be a proper principle to apply to an individual it will not do to apply it to this Government. Of course not. Why should *he* desire to apply it to this Government? He wants the expenditures, with the exception of the curtailment of a few thousand dollars, to go on, and to lift up the resources of the Government by taxation on the people to meet them. An individual will reduce his expenses to meet his income; but he is for keeping up the expenses whatever the consequence. If the total expenditures be \$310,000,000 or \$320,000,000 one year, and by any extravagance, or profligacy, or necessary expenditures they are increased to \$350,000,000 the next year, he would raise, either by taxation or borrowing, that \$350,000,000. He does not tell you exactly by what means he would do it, but the necessary logical inference from his speech is that he must resort to one or the other of these expedients. He reverses the sound political maxim applicable to the individual as well as to the nation. Now, sir, as to that gentleman's practice, I refer to it only because he seeks credit for a desire of economy. In the last bill reported by him from the Committee on Appropriations, the legislative, executive, and judicial appropriation bill, I find several important items in which he proposes an increased expenditure. I will cite some of them:

Purpose.	Appropriated, 1873-'74.	Recommended, 1874-'75.
For United States mints and assay offices.....	\$762,180 00	\$1,026,240 00
For Territories and the District of Columbia.....	244,480 00	257,067 00
For the office of Secretary of the Interior, including contingent expenses of building occupied by		
Interior Department.....	134,100 00	170,340 00
For General Land Office, including contingent.....	244,560 00	254,560 00
For Indian Office, including contingent.....	68,140 00	73,680 00
For Bureau of Education, including contingent.....	34,850 00	35,510 00
For Post-Office Department, including contingent.....	479,382 00	486,312 00
For United States courts, district attorneys, marshals, &c.....	379,850 00	401,750 00

I quote from the bill reported by the Committee on Appropriations, pages 69 and 70, showing that he proposes a very large and, in my judgment, a very unnecessary increased expenditure.

The Navy bill that came from that committee, in addition to the \$4,000,000 which we had appropriated previously, made a much larger increased expenditure for the Navy Department for the coming fiscal year than the expenditure for the last fiscal year; and that bill comes back from the Senate amended by a further increase, which his committee, I am informed, will agree to.

I will digress for the purpose of objecting to the habit of the Senate in adding to our appropriation bills. In one instance now within my mind the Senate went so far as to add between six and seven million dollars upon an appropriation bill sent from this House. Sir, the English House of Commons would not permit that. The House of Peers would not dare to amend an appropriation bill originating in the House of Commons. When the Washington commission recently sat here for the settlement of our Alabama claims, Sir Stafford Northcote, the present chancellor of the exchequer of England under the Dis-