

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. SARGENT. I move that the Senate proceed to the consideration of the bill (H. R. No. 1594) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1877, and for other purposes.

The motion was agreed to.

Mr. SARGENT. I now move that the Senate proceed to the consideration of executive business.

The motion was agreed to.

COUNTING OF ELECTORAL VOTES.

Mr. THURMAN. Before the doors are actually closed, I move a reconsideration of the vote just taken on the passage of Senate bill No. 1 relative to counting the electoral votes; and I wish to say a word. The vote on the bill strikes me with some surprise. What there is that gives any advantage to one party over another in it is past my comprehension. I do not see it in the bill, but there is an objection that has weighed no doubt with many who voted against the bill, and that is that it leaves a case unprovided for, a case where there are two returns from a State. It does not arrive at an ultimate decision, or at least it may not, on that question. I am strongly impressed with the belief that unless the Senate can become more harmonious than it is on this bill, we have no chance to get a law on the subject at this session. Therefore I, for one, am anxious to make one more effort in this body, where such a thing as debate is allowed, where a calm consideration of a great question can take place, to have this matter further considered.

Mr. MORTON. Do you propose to have it considered to-night?

Mr. THURMAN. No; but I ask that the motion to reconsider may be entered in order that it may be further considered.

The PRESIDENT *pro tempore*. The motion to reconsider will be entered.

EXECUTIVE SESSION.

The Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened, and (at five o'clock and three minutes p. m.) the Senate adjourned.

HOUSE OF REPRESENTATIVES.

FRIDAY, March 24, 1876.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. I. L. TOWNSEND.

The Journal of yesterday was read and approved.

ABSTINENCE BY OFFICE-HOLDERS.

Mr. HOLMAN. I hold in my hand a memorial which I have received from the Women's Temperance League of Winchester, Indiana, signed by 1,104 citizens of that State, mostly ladies, asking congressional legislation to promote temperance in the service of the United States. I ask unanimous consent that the memorial may be printed in the RECORD—it is very brief—and referred to the Committee of Ways and Means, which has the subject under consideration.

Mr. KELLEY. The memorial, not the names?

Mr. MOLMAN. Yes. The memorial only I wish printed in the RECORD.

There was no objection, and the memorial was referred to the Committee of Ways and Means, and ordered to be printed. It is as follows:

To the Senate and House of Representatives of the United States:

The undersigned, members of the Women's Temperance League of Winchester, Indiana, and citizens of Randolph County, do most earnestly and respectfully, in consequence of the great and growing evil of intemperance, spreading as it does crime, pauperism, ignorance, and other miseries through all grades of our American society, petition your honorable body to so amend the oath required of all the officers in the service of the United States as to require them to abstain from the use of intoxicating drinks as a beverage during their term of office. This we ask because of the representative character of the persons whom the people have placed in such official position, and because of the salutary and beneficial influence such requirements and consequent conduct would exert upon all the young men of the nation, and also believing that such amendment to the oath of office, with the penalty of removal for its violation, would annually save millions of dollars for the Government.

We therefore most earnestly entreat you to grant our request by laying down such rules of sobriety for the government of those whom the people have placed over them as will secure our request.

TRANSFER OF THE PENSION BUREAU.

Mr. RUSK. I ask unanimous consent to present the views of the minority of the Committee on Invalid Pensions in relation to House bill No. 2590, providing for the transfer of the Pension Bureau to the War Department, and move that they be printed, so that they may be in possession of the House.

There was no objection, and it was so ordered.

POSTAL CARDS.

Mr. BLOUNT. I am instructed by the Committee on Appropriations to report a bill to supply a deficiency in the appropriation for the manufacture of postal cards for the fiscal year ending June 30, 1876, and ask that it may now be put upon its passage.

The bill (H. R. No. 2321) was received and read a first and second time.

The bill appropriates the sum of \$62,300, out of any money in the

Treasury not otherwise appropriated, to supply a deficiency in the appropriation for the manufacture of postal cards for the fiscal year ending June 30, 1876.

Mr. BLOUNT. As the House will have understood from having heard the bill read, there is a deficiency of some \$62,000 for the printing of postal cards. There has been an unusual demand upon the Department for them, and the supply is nearly exhausted. It will be exhausted about the 1st of April. The committee have thought it proper that the demand of the public for these cards should be met. The bill involves no expense except the cost of the paper, printing, packing, and delivery for distribution, which is about \$1.39 a thousand; whereas the revenues are \$10 a thousand, and they are really a source of revenue to the Government. Unless the bill is passed immediately, the manufacture will have to be stopped on the 1st day of April.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

Mr. BLOUNT 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.

EMPLOYMENT AND FEES OF UNITED STATES ATTORNEYS.

Mr. DURHAM. I ask unanimous consent to present, from the Committee on Expenditures in the Department of Justice, a report in relation to the employment of and fees paid United States attorneys and special attorneys in cases where the United States are a party, accompanied by a bill repealing section 363 of the Revised Statutes of the United States and substituting another section in lieu thereof. I desire to have the bill and the report with the exhibit marked "A" printed and recommitment.

There was no objection, and the bill (H. R. No. 2822) was read a first and second time, and, with the accompanying report and exhibit marked "A," ordered to be printed, and recommitment to the Committee on Expenditures in the Department of Justice.

GOVERNMENT FOR THE INDIAN TERRITORY.

Mr. WILSHIRE. I ask unanimous consent to report from the Committee on Indian Affairs a substitute for House bill No. 1923, to provide a government for the Indian Territory, and ask that, with the accompanying report, it may be printed and recommitment.

The substitute, a bill (H. R. No. 2823) to provide a government for the Indian Territory, was received and read a first and second time.

The SPEAKER. If there be no objection, the bill and accompanying report will be printed and recommitment to the Committee on Indian Affairs.

Mr. SOUTHWARD. I desire to move that the bill be referred to the Committee on the Territories. I make this motion for this reason: The bill relates to the organization of a territorial government, and that is a matter which falls within the exclusive jurisdiction of the Committee on the Territories. On the 12th day of January a bill was introduced into the House for the organization of a government for the Indian Territory, and was referred to the Committee on the Territories. Since that time the committee have been considering that bill, and will be ready to report upon it at an early day. This bill covers precisely the same question, and it is manifestly inconsistent with the rules and the practice of the House that two committees should be considering identically the same subject at the same time. And I say further, so far as my knowledge extends and so far as I have been able to learn, there never has been a question of an organization of a Territory since the establishment of the Committee on the Territories that has not been in the exclusive control and jurisdiction of that committee. I therefore make this motion, that the bill be referred to the Committee on the Territories.

Mr. WILSHIRE. I hope the motion of the gentleman from Ohio [Mr. SOUTHWARD] will not prevail. There is a difference between the organization of Territories hitherto and this particular case. The Territory proposed to be organized by this substitute is owned almost entirely by Indians. The soil is theirs in fee simple by treaty stipulations. A peculiar case is therefore here presented, and I think most certainly is within the jurisdiction of a committee of this House which is specially charged with the consideration of Indian matters; and I cannot conceive of any principle upon which the gentleman from Ohio can claim to have the bill referred to the Committee on the Territories.

Mr. SCALES. The Committee on Indian Affairs have had this matter under consideration, and after consideration determined that they had the jurisdiction of it. I suppose the same action has also been taken by the Committee on the Territories. The object is simply to test the jurisdiction.

Now we think we have the jurisdiction because this pertains to a people who are not citizens of the United States. They have always been treated as a separate and independent people. We are free to admit that if this bill pertained to any other class of people or any citizens of the United States, then perhaps it would properly belong to the Committee on Territories. I think that would be in accordance with the practice of the House, although I do not know that it is in accordance with the rules. I read the rule in relation to the Committee on Territories:

It shall be the duty of the Committee on the Territories to examine into the legislative, civil, and criminal proceedings of the Territories, and to devise and report to the House such means as, in their opinion, may be necessary to secure the rights and privileges of residents and non-residents.

There is no provision there for the organization of any Territory, but, as I said, I suppose under the custom of the House they have the right to act upon and report upon bills organizing Territories. But they have not that right upon any question touching the Indians. That belongs exclusively to the Committee on Indian Affairs, in my view. They have been turned over to the Committee on Indian Affairs. They are said to be the wards of the nation, and it is for the nation to do whatever is necessary for their interest and the interest of the Government. It seems to us that the question belongs to us; but if the House decides otherwise we are willing to give it up.

The chairman of the subcommittee was instructed to report the bill to the House, and ask that it be printed and recommitted to the committee. If it be the pleasure of the House to refer it to another committee, so be it.

Mr. SOUTHARD. The rule which the gentleman from North Carolina has just read provides that—

It shall be the duty of the Committee on the Territories to examine into the legislative, civil, and criminal proceedings of the Territories, and to devise and report to the House such means as, in their opinion, may be necessary to secure the rights and privileges of residents and non-residents.

Now, according to that rule, as I understand it, the Committee on the Territories has the exclusive and sole control of all matters relating to such means as are necessary to secure the rights and privileges of "residents and non-residents" in the Territories. Can it be pretended that these Indians are not "residents," and in addition to the Indians there are in this Territory a large number of American citizens, estimated at from fifteen to twenty thousand, whose rights are to be protected? It is not citizens of the United States that the committee is concerned about. Under the rules, the committee are "to devise and report to the House such means as, in their opinion, may be necessary to secure the rights and privileges of residents and non-residents." There is no place for the question of citizenship.

Now, sir, it seems to me that there can be no question about the jurisdiction in this case in view of the language of that rule.

There has been no Territory organized west of the Mississippi in which the Indians were not largely interested. Look at the case of Kansas, with her numerous reservations and the many questions growing out of the rights of Indians. That case was not referred to the Committee on Indian Affairs. I say that in the organization of all Territories the rights of the Indians are largely concerned.

This rule, if I understand its proper interpretation, is that the Committee on the Territories shall have the exclusive privilege of determining all questions which relate to the rights and privileges of all persons, resident and non-resident, who may be within the limits of the Territory proposed to be organized.

Now, this bill which it is proposed to recommit to the Committee on Indian Affairs covers the whole question. The two committees for some time past have been delayed in the consideration of this question because of the conflict of jurisdiction. It seems to me that the House ought to settle the question of jurisdiction, and that the Committee on the Territories have exclusive control of the matter under and by virtue of the rule. No such duties are prescribed for the Committee on Indian Affairs, but it is clearly prescribed that it shall be the duty of the Committee on the Territories, and it is so admitted by the gentleman from North Carolina, [Mr. SCALES,] to take jurisdiction of all questions relating to the organization of Territories where Indians are not interested.

Mr. GOODIN. I desire to ask the gentleman a question. I would like to know of the chairman of the Committee on the Territories whether any bill has been referred to that committee in relation to the organization of this Territory?

Mr. SOUTHARD. I will answer the gentleman. He asks if any bill has been referred to the Committee on the Territories in relation to this subject. Early in the session, on the 12th of January, a bill on this subject was introduced by Mr. FRANKLIN, of Missouri, and referred to this committee. The committee have considered the bill very carefully and very patiently, and will be ready to report on the measure in due time. The bill referred to the committee was for the purpose of organizing a territorial government over the Indian Territory. Subsequent to that time, and on the 9th day of March, a resolution was offered which I ask the Clerk to read.

The Clerk read as follows:

Resolved, That the Committee on Indian Affairs be requested to inquire into the expediency of opening the Indian Territory to settlement by white men, establishing a form of government adapted to the peculiar wants of that Territory, giving to its inhabitants the rights of citizenship and homestead, and dividing the remaining lands according to the rights and equities of parties entitled thereto, with leave to report by bill or otherwise.

Mr. SOUTHARD. That resolution was agreed to by the House for the reason that no objection was made to it, no member of the Committee on the Territories having observed its introduction. That brings the question precisely before the House as to which committee is entitled to jurisdiction in this case, and as I said before it is manifestly inconsistent with the rules of the House and the proper transaction of its business that two committees should be charged with considering precisely the same subject-matter at the same time.

The Committee on the Territories has long had this question under consideration at this session of Congress, by reason of the bill which was first introduced and referred to it. I would add further that in the history of this House there has been no instance of organizing a territorial form of government that has not come under the jurisdiction

of the Committee on the Territories since that committee was established; none to my knowledge, and I have made extensive inquiries. Therefore the Committee on the Territories is entitled to the support of this House upon the motion which I have made to refer this bill to that committee, the subject having already been considered by it in connection with the bill first referred to it.

Let the matter not be misunderstood. This bill relates to the rights and privileges of residents and non-residents in the Territory covered by it. The purpose and effect of this bill are not to better govern the Indians, but to prescribe a territorial form of government over that country, to authorize the appointment of a governor, secretary of the Territory, and the providing of a territorial legislature and the other machinery of a territorial government. It is a bill in all particulars similar to those which have prescribed forms of government for other Territories. Therefore I say there can be no doubt about the scope or effect of the bill, there can be no doubt about the jurisdiction of the Committee on the Territories, which committee has always had sole and exclusive jurisdiction over such matters.

Mr. PAGE. It seems to me, Mr. Speaker, that there can be no question as to the jurisdiction of the Committee on Indian Affairs in reference to this bill. The bill proposes to organize the Indian Territory under a territorial form of government. There are to-day five different tribes of civilized Indians within the territory proposed to be so organized, numbering from fifty thousand to fifty-five thousand, and there are very few white men in that territory, less than two thousand, I think. Now, if the Committee on Indian Affairs has any duties at all, if there is any bill which could be referred to that committee, it seems to me that this is one that should be so referred. The Committee on Indian Affairs has had this matter under consideration for the last two months, or at least for five or six weeks. We have heard all the representatives of the Indian tribes residing within this territory. They have presented arguments *pro* and *con*, some in favor of and some against the organization of a territory there, and they have done it with marked ability. This morning the committee listened for nearly three-quarters of an hour to an argument in favor of a territorial organization.

I say again that it seems to me that if there is any matter which should be referred to the Committee on Indian Affairs it should be the question of organizing the Indian Territory, a territory inhabited almost exclusively by these five tribes of Indians. I find nothing in the rules that gives the control of this matter to the Committee on the Territories. I say this, however, as a member of the Committee on Indian Affairs: I would not have objected to the Committee on the Territories taking the consideration of this bill had it been in relation to any other Territory excepting the Indian Territory. In a case of that kind I have no doubt it would be a matter purely within the jurisdiction of the Committee on the Territories. But as this is a bill for the purpose of organizing Indian territory exclusively, where there are 55,000 Indians, it seems to me that the Committee on Indian Affairs should have the sole charge of it.

Mr. CONGER. It seems to me that this is not the proper time to raise the question between the committees of the jurisdiction of this subject. This bill, with the accompanying report, comes from the Committee on Indian Affairs, who ask that it be printed and recommitted to them. This bill was referred by the House to the Committee on Indian Affairs; by that reference it belongs to that committee, this particular bill, on which they now make their report.

More than that, by the resolution read a few moments ago at the Clerk's desk, this House directed the Committee on Indian Affairs to examine into and report to the House upon this very subject. Now, whatever question may arise as to which committee shall finally report a bill for action to this House, it seems to me that courtesy requires that the House shall permit this committee to have its bill printed, to have its report printed, and that another committee shall not be allowed to stand by and take the report of the committee which has been carefully prepared, and as soon as prepared, have it transferred to them for their benefit.

I make these remarks in behalf of all the committees of this House who spend their time and give their labor to investigating the several subjects committed to them. They should be allowed the right to have their reports printed and recommitted to them—to the committee making the report, and not to another committee. When the question arises as to the jurisdiction of one of two committees to present a proper bill to the House for action, that subject can be then considered. But I do protest against taking from a committee, even before it has been printed, a bill referred to them and the report which they have made upon it, and transfer them to another committee, which, so far as that report is concerned, has done nothing at all in regard to it.

Mr. HOOKER. I desire to say simply a word upon the proposition presented to the consideration of this House by the motion of the gentleman from Ohio, [Mr. SOUTHARD.] It seems to me that this subject-matter necessarily and properly pertains to the Committee on Indian Affairs, for the reason that prime among the subjects and objects of that committee is the making provision for taking care of the interests of the Indians. If this was simply a proposition to organize an ordinary territorial government with a homogeneous American population resident in the territory, it would be very proper and right and seemly that the Committee on Territories should have exclusive jurisdiction of the subject.

But inasmuch as the question of governing the Indians by constructing a territorial form of government for them is a question *sui generis*, and not like that referred to by the gentleman from Ohio in regard to organizing a territory of homogeneous American population with a view to final admission as a State, I think there can be no question as to the jurisdiction of the Committee on Indian Affairs over this bill. It is very well known to the House that in this Indian Territory there are various tribes of Indians, differing in numbers, differing in the legislation which prevails in their respective councils, and differing in their right of representation in their local legislatures. It therefore presents a very peculiar question, and not one such as is ordinarily presented to the consideration of the House upon a proposition to organize a territorial government upon the showing that a certain territory possesses the requisite amount of population. The primary question is whether the government for the Indians should be a government like that to which we would subject an ordinary territory consisting of American citizens; and this is a very different question from that usually presented with reference to the organization of a territorial government.

This question has been elaborately considered by the Committee on Indian Affairs. A very large amount of proof has been taken *pro* and *con*. Quite a number of gentlemen distinguished for their fidelity to the Indians—many of them Indians themselves, some of the whole blood and some of the half-blood—have been before this committee and have expressed their opinions with reference to the question both orally and in writing. It is well known that a difference of opinion exists among prominent and intelligent men of the Indian tribes themselves and those who thoroughly understand their interests as to the policy of organizing the Indians into a territorial form of government. Some conceive that the Indians have arrived at such a point of intelligence with reference to their own affairs and their own interests and the protection of their own rights as to fit them to be organized under a territorial form of government, looking finally to their admission into the Union. But it must be remembered that there are five nations of civilized tribes in this territory, while there are others who cannot probably be so classed. All these interests being involved, the question as to their representation in a territorial government is a subject which properly pertains to the Committee on Indian Affairs.

In answer to the remark of my friend from Ohio, [Mr. SOUTHARD,] that the rules of the House give authority over this subject to the Committee on Territories and that no rule gives it to the Committee on Indian Affairs, I may very properly say that the other day, when the Committee on Appropriations, presided over with so much ability by my friend from Pennsylvania, [Mr. RANDALL,] which seems to draw to itself almost every subject and topic of legislation that can be presented for the consideration of the House—when that committee reported the other day in the general appropriation bill a proposition to transfer the Indian Bureau from the Interior Department to the War Department, they were, in my humble judgment, treading upon the functions of the Committee on Indian Affairs, who, though their special duties have not been defined under the rules, have confided to their hands the great questions of the interests and management of the Indians and the proper mode of carrying out the faith of the Government as expressed in the treaties with the various Indian tribes. The Committee on Appropriations, I say, undertook to handle that question to the exclusion, in my judgment, of the committee to which it properly pertains.

And now, when a bill has been reported, when proof has been taken and presented to the House, and leave asked to print it and recommit it for further consideration of the committee who have already had the subject under examination, the proposition is made by a gentleman from the Committee on the Territories to take this subject from the consideration of the committee who have spent days and weeks and months in the investigation of the question with regard to the interests of these people, whom the plighted faith of the nation requires us to guard and protect quite as much as the favored "wards" who are so often referred to in this House as constituting the subjects of the nation's peculiar guardianship.

After this committee has considered this question laboriously for weeks and months, has reported to the House a bill with accompanying proof, and asked that it be printed and recommitted for further consideration, I do not think the House will consent to take this matter from the committee to which properly pertain the management and control of this question and transfer it to the Committee on Territories, whose functions are simply to present bills for the organization of Territories where the population is homogeneous, not where it is *sui generis*, as is the case with the Indians.

When the Indian Committee shall have passed upon this question, with all the proof it has taken and all the lights before it, it may conclude that a certain form of government ought to exist. But it cannot be supposed that an ordinary territorial form of government would be adapted to the condition, the wants, the necessities, and the respective rights of these various Indian tribes. Why? For the simple and obvious reason that, if in the Indian Territory you organize a territorial government in the ordinary form and manner, the control of that government will in a few years be possessed, necessarily in a large degree, by those who are not Indians. This, in my view, would be the effect of the organization of a territorial government in the ordinary form for the Indian Territory.

For these reasons I agree with my colleague on the committee in the

motion he has made to refer this question to the Committee on Indian Affairs, by whom it has long been considered.

Mr. WILSHIRE. Mr. Speaker, I wish to say a word with reference to the duties assigned to the Committee on the Territories. I do not agree with the gentleman from Ohio [Mr. SOUTHARD] in the construction of the rule on this subject. That rule provides that—

It shall be the duty of the Committee on the Territories to examine into the legislative, civil, and criminal proceedings of the Territories, and to devise and report to the House such means as, in their opinion, may be necessary to secure the rights and privileges of residents and non-residents.

I submit, sir, that by any proper rule of construction the assignment of this duty to that committee presupposes an existing government of the Territory before this committee can lay their hands upon the subject or exercise any jurisdiction. But whether that be so or not, the peculiar condition of the Indians inhabiting the Territory now sought to be organized renders it an especially appropriate subject for the consideration of the Committee on Indian Affairs to inquire first whether there should be any territorial government organized at all. Why? Because, if the Committee on the Territories will refer to the several treaties with these tribes, it will be found that they have accorded to them in fee-simple the right to the soil so long as they preserve their tribal relations. And more, they have the right to local self-government guaranteed to them by those treaties forever.

Mr. FRANKLIN. Will the gentleman allow me to ask him a question?

Mr. WILSHIRE. I cannot be interrupted. I submit to this House that state of facts itself raises a question that addresses itself particularly to the Committee on Indian Affairs and should be considered by that committee and passed upon before any other committee of this House should take cognizance of the subject. I now yield to the gentleman from Massachusetts, [Mr. SEELYE.]

Mr. SEELYE. Mr. Speaker, the question how this Territory shall be organized must of course depend upon the question whether it shall be organized at all, and the question whether it shall be organized at all depends primarily upon the wish of the Indians themselves and upon actual treaty stipulation with those Indians. And if that is not a question which primarily, and properly, and exclusively belongs to the Indian Committee for consideration, I do not know what question does. If it does not, it is about time I think the Indian Committee was entirely abolished. I demand the previous question.

Mr. SOUTHARD. Let us have a moment's further explanation; there have been three speeches on that side.

The SPEAKER. Does the gentleman insist on his demand for the previous question?

Mr. SEELYE. I do.

The previous question was seconded and the main question ordered.

The question first recurring on Mr. SOUTHARD's motion to refer to the Committee on the Territories; which was disagreed to.

The bill and the accompanying report were then ordered to be printed and recommitted to the Committee on Indian Affairs.

Mr. WILSHIRE moved to reconsider the vote by which the bill and report were recommitted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

PROTEST AGAINST REMOVAL OF DUTY ON IRON.

Mr. COCHRANE. Mr. Speaker, I hold in my hand the memorial of a number of iron-manufacturers of Allegheny County, Pennsylvania, protesting against the removal of the present duty on iron, and I ask unanimous consent that it may be printed in the RECORD; and, as there are but a few names attached, the names also be printed.

Mr. STEVENSON. How many names are there?

Mr. COCHRANE. There are only a few names, but if objection be made let it be printed without the names.

Mr. KASSON. I object, as the RECORD is already becoming too much encumbered by including matter which does not properly belong to it.

Mr. COCHRANE. I hope the gentleman will withdraw his objection in this case, as the memorial is exceedingly short, containing only two paragraphs.

Mr. KASSON. I understood it was to be printed with the names.

Mr. COCHRANE. I have withdrawn that portion in reference to the names.

Mr. KASSON. If that be withdrawn and the memorial is short, I withdraw my objection; but I insist the principle is a wrong one.

The memorial was referred to the Committee of Ways and Means, and ordered to be printed in the RECORD, as follows, without the names:

To the Senate and House of Representatives of the United States of America in Congress assembled:

The petition of the undersigned, workmen in the Star Iron-Works, in the county of Allegheny and State of Pennsylvania, respectfully represents that we have observed with alarm and indignation the introduction into Congress of a scheme for tariff reduction, prepared, as we believe, not by members of Congress, for the benefit of this country and its inhabitants, but by adherents of other nations, for the benefit of foreigners. We submit to your wise consideration the following facts: First. Under substantially the existing system of revenue from imports not only the manufactures but the general wealth and prosperity of this country have advanced at an unprecedented rate during the past fifteen years; manufactured goods of all sorts are more abundantly and cheaply produced here than ever before, and the industrial independence of this country is more nearly achieved. Second. In the depression of industry now prevailing all over the world the manufacturing population of this country are bearing their share of the common adversity with resolution, and are endeavoring with all their power to make

use of this period by improving and cheapening their processes, trusting when better times arrive to serve their fellow-citizens even better than hitherto. Third. This attitude of patient endurance and partially-suspended vitality would in many quarters speedily give place to despair and ruin if the changes proposed in the bill now before the Committee of Ways and Means shall be enacted into a law.

We respectfully petition your honorable bodies to leave the tariff laws undisturbed for the present, and, when alterations are made therein, at a more favorable time, to take counsel from your own countrymen and constituents, rather than from the industrial and commercial enemies of your country.

H. G. BOARDMAN.

Mr. COCHRANE, by unanimous consent, from the Committee of Claims, made an adverse report on the bill (H. R. No. 675) for the relief of H. G. Boardman, postmaster at Milton, Vermont; which was laid on the table, and ordered to be printed.

STEAMBOAT PARAGON.

Mr. COCHRANE also, by unanimous consent, introduced a bill (H. R. No. 2824) to change the name of the steamboat Paragon of Pittsburgh, Pennsylvania; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CORRECTION OF ERRORS IN REVISED STATUTES.

Mr. ROBINSON, by unanimous consent, from the Committee on the Revision of the Laws, reported a bill (H. R. No. 2825) to correct errors and supply omission, in the Revised Statutes of the United States; which was read a first and second time, ordered to be printed, and recommitted.

PETER WRIGHT & SONS.

Mr. BURCHARD, of Illinois, by unanimous consent, from the Committee of Ways and Means, reported a bill (H. R. No. 2826) to refund and remit certain duties to Peter Wright & Sons; 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.

COMMITTEE ON EXPENDITURES IN THE TREASURY DEPARTMENT.

The SPEAKER. In accordance with a resolution of the House passed the other day, the Chair announces the following additional members of the Committee on Expenditures in the Treasury Department: Mr. STENGER, of Pennsylvania; Mr. HOOKER, of Mississippi; Mr. SAVAGE, of Ohio; and Mr. WILSON, of Iowa.

ORDER OF BUSINESS.

Mr. CONGER. I demand the regular order.

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

The SPEAKER. Without having a morning hour?

Mr. BRIGHT. I thought the morning hour had expired. I withdraw the motion.

The SPEAKER. The regular order having been demanded, the morning hour begins at one o'clock and ten minutes, and the business in order is the calling of committees for reports of a private nature. The call begins with the Committee on Patents.

STEPHEN HULL.

Mr. J. H. BAGLEY, from the Committee on Patents, reported a bill (H. R. No. 2827) for the relief of Stephen Hull; which was read a first and second time.

The bill, in its preamble, recites that a patent for an improvement in harvesters was granted to Stephen Hull, which bears date September 14, 1869, and which, without any fault or negligence on his part, was not issued to him by the Commissioner of Patents till the 20th day of January, 1876; and the bill declares that said patent shall continue in force for the term of seventeen years from the said 20th day of January, 1876; provided that no person shall be liable to an action for any infringement of said patent which was done or committed previous to the said 20th day of January, 1876.

Mr. J. H. BAGLEY. I call for the reading of the report.

The report was read. The committee state that on the 14th day of September, 1869, a patent was granted to Stephen Hull for an improvement in harvesters, to continue in force for seventeen years; that this patent was withheld from the patentee by the arbitrary act of the then Commissioner of Patents for more than six years and four months, which arbitrary act is now conceded by the present head of the Office to have been wholly illegal and unjust. The reason given for not delivering the patent was that the patentee had neglected certain requirements of the Office, but Commissioner Duell, in a decision rendered January 4, 1876, says: "After a careful consideration of all the facts and the law applicable to this case, I am convinced that the alleged laches of the applicant consist entirely in the delays imposed by the action of the Office, and for which the Office was solely responsible." The patentee claims, and justly, the committee think, that he should not be deprived of the enjoyment of his patent for the time that it was withheld, and the committee therefore recommend the passage of the accompanying bill, which declares that said patent shall continue in force for seventeen years from January 20, 1876, the date when said letters-patent were delivered.

Mr. J. H. BAGLEY. It will be understood by the House from the reading of the report that this bill is not for an extension of a patent. The case, which is fairly presented I think in the report is this: The patentee applied in 1869 for a patent for an improvement in harvesters. The papers were drawn and the patent was granted. But before the delivery of it the Commissioner ascertained or thought that there

was something imperfect in the application, and therefore withheld the patent. Upwards of six years passed away, and Commissioner Fisher, who was the acting Commissioner, retired from office, and Commissioner Duell came into the place. The patentee then applied to Commissioner Duell, and Commissioner Duell upon an examination of the case decided that by the arbitrary act of the Patent Office the patent was withheld from the patentee. He now asks Congress to permit his patent to run from the 20th day of last January, when he came into possession of it. That is the substance of the case. The committee think it is a very proper and just case, and ask the House to decide upon it favorably. It is not an extension of a patent at all.

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. J. H. BAGLEY 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.

JOHN STAINTHORPE.

Mr. J. H. BAGLEY also, from the Committee on Patents, reported back, with an adverse recommendation, the memorial of John Stainthorpe, and the same was laid on the table, and the accompanying report ordered to be printed.

Mr. CONGER. I ask that the report may also be printed in the RECORD.

There was no objection, and it was so ordered.

The report is as follows:

The petition of John Stainthorpe recites "that some time before the 6th March, 1855, he invented an improvement in machinery for molding candles which was not before known or used, and that he obtained letters-patent for his said invention dated 6th March, 1855, for fourteen years, which patent was extended for seven years." The patent therefore, after a life of twenty-one years, expired March 6, 1876.

Your committee, after a careful investigation, find the facts in accordance with the above statement, with the exception that a machine was used in England previous to the issue of this patent possessing some of the characteristics of the Stainthorpe machine. The possession of the letters-patent by the said Stainthorpe is, however, evidence sufficient to the committee that he had a right to what he claimed as his invention. The invention is of great value to manufacturers and to the public, reducing the amount of labor in a very great degree, producing candles many-fold faster than by the old method, and thereby of necessity reducing the cost of the article. The committee have no hesitation in saying that this inventor is entitled to great credit for his ingenuity. Mr. Stainthorpe, like many others of his craft, labored under the disadvantage of poverty, and was unable for the first fourteen years to realize much profit. It is not, however, in evidence that he was a loser, but, on the contrary, it seems he did receive a small compensation. After obtaining the extension Stainthorpe sold to parties in New Bedford, Massachusetts, his right in the patent for \$14,000. The patent has since been held as a monopoly, particularly in the manufacture of paraffine candles, the licensees being restricted from making that particular article. The result of the extension asked for will be to again place the patent in the possession of the present owners, Stainthorpe receiving as a consideration \$11,000, according to a contract already drawn and which the parties in interest admit with commendable frankness.

The petition meets with very strong opposition from the principal candle-manufacturers in many of the large cities of the United States. It is denounced as being the effort of speculators to hamper and injure a great industry employing much capital and labor, and that its continuance will enhance the price of candles.

The remonstrants also claim that a further extension will be detrimental to the public interests. Your committee are somewhat undecided upon this branch of the subject, and are inclined to think that, from the decreased consumption of candles attributable in great part to the immense production of petroleum and its use for illuminating purposes, there would be no great addition to the price by the payment of a royalty on the machines.

Your committee, however, having considered the case in all its bearings, one strong point being that the patent has had a life of twenty-one years, believe it would be improper to grant an extension, and recommend that the petition do lie on the table.

JACOB A. CONOVER.

Mr. J. H. BAGLEY also, from the Committee of Claims, reported back, with an adverse recommendation, the bill (H. R. No. 1381) for the relief of Jacob A. Conover; and the same was laid on the table, and the accompanying report ordered to be printed.

FREEDMAN'S SAVINGS AND TRUST COMPANY.

Mr. DOUGLAS, from the Select Committee on Freedmen's Banks, reported, as a substitute for Senate bill No. 141, a bill (H. R. No. 2828) to amend the act entitled "An act amending the charter of the Freedman's Savings and Trust Company, and for other purposes," approved June 20, 1874, and moved that the substitute be printed and recommitted.

Mr. EDEN. Is that report in order under this call?

The SPEAKER *pro tempore* (Mr. SPRINGER.) The Chair thinks it is. The Chair understands that this is a private bill.

The motion was agreed to.

Mr. DOUGLAS. I ask that the committee may be allowed to report it back at any time.

There was no objection, and it was so ordered.

RAILWAY BRIDGE AT OMAHA.

Mr. PHILIPS, of Missouri. I am directed by the Committee on the Pacific Railroad to report back, with amendments, the bill (H. R. No. 1547) limiting rates for the transportation of freight and passengers over the bridge constructed by the Union Pacific Railroad Company across the Missouri River at Omaha, Nebraska.

The SPEAKER *pro tempore*. This report is not in order under the present call.

Mr. PHILIPS, of Missouri. I think this might be considered a report of a private character. It affects private corporations.

The SPEAKER *pro tempore*. The Chair thinks not. It is a public bill.

A. K. EATON AND J. D. JENKINS.

Mr. PRATT, from the Committee of Claims, reported, as a substitute for House bill No. 988, a bill (H. R. No. 2829) for the relief of Ariel K. Eaton and James D. Jenkins; 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.

CHARLES MASON.

Mr. CASON, from the same committee, reported a bill (H. R. No. 2830) for the relief of Charles Mason; 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.

WILLIAM C. CALLAHAN.

Mr. CASON also, from the same committee, reported adversely on the petition of William C. Callahan, of Warsaw, Richmond County, Virginia, praying relief for money paid under a demand of the Post-Office Department and claimed as due on his accounts as postmaster before the war, for the sum of \$135; and moved that the petition be laid on the table and the report printed.

The motion was agreed to.

JAMES ALLENDER.

Mr. DUNNELL, from the Committee on Commerce, reported back, with a favorable recommendation, the bill (H. R. No. 650) for the relief of James Allender, of Preston County, West Virginia; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

L. MADISON DAY.

Mr. McCRARY, from the Committee on the Judiciary, reported a bill (H. R. No. 2831) for the relief of L. Madison Day; 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.

Mr. McCRARY. The chairman of the Committee on the Judiciary, I understand, desires to submit a minority report. He is not now in his seat, and I ask that he have leave to submit his report if he chooses to do so.

The SPEAKER *pro tempore*. The Chair hears no objection, and the leave is granted.

MRS. ELIZA E. HEBERT.

Mr. CONGER, from the Committee on War Claims, reported a bill (H. R. No. 2832) for the relief of Mrs. Eliza E. Hebert; which was read a first and second time, and, with the accompanying report, ordered to be printed.

SUSAN P. VANCE.

Mr. EDEN, from the same committee, reported a bill (H. R. No. 2833) for the relief of Susan P. Vance; 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.

SEWELL B. CORBET.

Mr. CABELL, from the same committee, reported a bill (H. R. No. 2834) for the relief of Sewell B. Corbet; 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.

R. J. HENDERSON.

Mr. MILLIKEN, from the same committee, reported a bill (H. R. No. 2835) for the relief of R. J. Henderson, of Newton County, 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.

JOSEPH WILSON.

Mr. MILLIKEN also, from the same committee, reported, as a substitute for House bill No. 183, with a favorable recommendation, the bill (H. R. No. 1836) for the relief of Joseph Wilson, of Bourbon County, Kentucky; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

N. H. VAN ZANDT.

Mr. KNOTT, from the Committee on the Judiciary, reported back the bill (H. R. No. 2736) to remove the political disabilities of N. H. Van Zandt, of Virginia.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed, two-thirds voting in favor thereof.

M. A. HANCE.

Mr. SCALES, from the Committee on Indian Affairs, made an adverse report on the memorial of M. A. Hance, of Wyoming Territory, for relief on account of Indian depredations; which was laid on the table, and the report ordered to be printed.

W. W. MORRISON.

Mr. TUFTS, from the same committee, made an adverse report on the claim of W. W. Morrison; which was laid on the table, and the report ordered to be printed.

JOHN S. WALKER.

Mr. JOHN REILLY, from the Committee on Military Affairs, re-

ported back, as a substitute for House bill No. 148, the bill (S. No. 199) for the relief of the estate of the late paymaster Major John S. Walker, United States Army; which was referred to the Committee of the Whole on the Private Calendar, and, with the accompanying report, ordered to be printed.

LIEUTENANT HENRY METCALF.

Mr. FAULKNER, from the Committee on Foreign Affairs, reported back adversely the joint resolution (S. No. 5) authorizing First Lieutenant Henry Metcalf, of the Ordnance Department, United States Army, to accept a decoration from the Sultan of Turkey; which was laid on the table, and the accompanying report ordered to be printed.

HOMESTEADS AND BOUNTIES.

Mr. JENKS, from the Committee on Invalid Pensions, reported back a petition of citizens of West Middlesex, Mercer County, Pennsylvania, in favor of granting a homestead and \$200 in money to each of the soldiers of the late war, and moved that the committee be discharged from its further consideration, and that it be referred to the Committee on War Claims.

Mr. CONGER. I do not see why that should be referred to the Committee on War Claims. It relates to homesteads, and I think should be referred to the Committee on Public Lands.

Mr. JENKS. It relates to a bounty of \$200; and how that can go to the Committee on Public Lands, I cannot see.

Mr. CONGER. And how it can go to the Committee on War Claims, I cannot see.

The motion of Mr. JENKS was agreed to.

J. W. THORNTON.

Mr. JENKS also, from the Committee on Invalid Pensions, reported back adversely the bill (H. R. No. 169) for the relief of J. W. Thornton; which was laid on the table, and the accompanying report ordered to be printed.

EDWARD F. EDDY.

Mr. JENKS also, from the same committee, reported a bill (H. R. No. 2837) granting a pension to Edward F. Eddy; which was read a first and second time, with the accompanying report ordered to be printed, and referred to the Committee of the Whole on the Private Calendar.

THOMAS H. MARTIN.

Mr. JENKS also, from the same committee, reported a bill (H. R. No. 2838) granting a pension to Thomas H. Martin; which was read a first and second time, with the accompanying report ordered to be printed, and referred to the Committee of the Whole on the Private Calendar.

HENRY W. HIGLEY.

Mr. BAGBY, from the same committee, reported back, with a recommendation that the same do pass, the bill (H. R. No. 2076) granting a pension to Henry W. Higley, of Lena, Illinois; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

HARRIET C. DUNHAM.

Mr. BAGBY also, from the same committee, reported back, with a recommendation that the same do pass, the bill (H. R. No. 2804) granting a pension to Harriet C. Dunham, widow of Charles A. Dunham, late a private Company A, One hundred and eighteenth Regiment Pennsylvania Volunteers; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

LOUIS A. McLAUGHLIN.

Mr. BAGBY also, from the same committee, reported back, with a recommendation that the same do pass, the bill (H. R. No. 1521) granting a pension to Louis A. McLaughlin; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

NANCY A. HAMMOND.

Mr. BAGBY also, from the same committee, reported adversely the memorial of Nancy A. Hammond, for a pension; which was laid on the table, and the accompanying report ordered to be printed.

ELLEN MORROW.

Mr. RICE, from the same committee, reported a bill (H. R. No. 2839) granting a pension to Ellen Morrow, mother of John Morrow, late private in Company H, Potomac Home Brigade, Maryland Volunteers; 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.

HARVEY BURK.

Mr. RICE also, from the same committee, reported adversely the bill (H. R. No. 1232) granting a pension to Harvey Burk; which was laid on the table, and the accompanying report ordered to be printed.

GIDEON CURTIS.

Mr. RICE also, from the same committee, reported back the petition of Gideon Curtis, for a pension, and moved that the committee be discharged from its further consideration, and that it be referred to the Committee on Revolutionary Pensions.

The motion was agreed to.

MARGARET A. NORTHERN.

Mr. RUSK, from the same committee, reported adversely the petition of Margaret A. Northern, for a pension; which was laid on the table, and the accompanying report ordered to be printed.

JOHN J. PARTILLO.

Mr. RUSK also, from the same committee, reported back, with a recommendation that the same do pass, the bill (H. R. No. 1931) granting a pension to John J. Partillo, of Gratiot County, Michigan; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

WILLIAM THOMAS.

Mr. RUSK also, from the same committee, reported, as a substitute for House bill No. 2103, a bill (H. R. No. 2840) granting a pension to William Thomas; which was read a first and second time, with the accompanying report ordered to be printed, and referred to the Committee of the Whole on the Private Calendar.

GREEN EDWARDS.

Mr. RUSK also, from the same committee, reported, as a substitute for House bill No. 2216, a bill (H. R. No. 2841) granting a pension to Green Edwards; which was read a first and second time, with the accompanying report ordered to be printed, and referred to the Committee of the Whole on the Private Calendar.

ROBERT S. TOLAND.

Mr. RUSK also, from the same committee, reported, as a substitute for House bill No. 1734, a bill (H. R. No. 2842) granting a pension to Robert S. Toland, of Bay City, Michigan; 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.

JAMES C. BATES.

Mr. RUSK also, from the same committee, reported, as a substitute for House bill No. 2117, a bill (H. R. No. 2843) granting a pension to James C. Bates, of Indiana; 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.

LEVI D. HAYWARD.

Mr. RUSK also, from the same committee, reported, as a substitute for House bill No. 605, a bill (H. R. No. 2844) granting a pension to Levi D. Hayward; 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.

HERMON NETTLEFIELD.

Mr. RUSK also, from the same committee, reported, as a substitute for House bill No. 1527, a bill (H. R. No. 2845) granting a pension to Hermon Nettlefield; 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.

BARTON R. BAKER.

Mr. SINICKSON, from the same committee, reported back, with a recommendation that it pass, the bill (H. R. No. 2050) granting arrears of pension to Barton R. Baker; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

LOVINA ADELINE BOWKER.

Mr. SINICKSON also, from the same committee, reported, as a substitute for House bill No. 1353, a bill (H. R. No. 2846) granting a pension to Lovina Adeline Bowker; 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.

LUCINDA STEARNS.

Mr. SINICKSON also, from the same committee, reported a bill (H. R. No. 2847) granting a pension to Lucinda Stearns; 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.

HENRIETTA J. FOUST.

Mr. SINICKSON also, from the same committee, reported back, with a recommendation that it pass, the bill (H. R. No. 1680) granting a pension to Henrietta J. Foust; which was referred to the Committee of the Whole on the Private Calendar.

F. M. BRUNER.

Mr. HEWITT, of Alabama, from the same committee, reported, as a substitute for House bill No. 2092, with a recommendation that it pass, a bill (H. R. No. 2848) granting a pension to F. M. Bruner; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

CARLISLE BRIDGES.

Mr. HEWITT, of Alabama, also, from the same committee, reported back adversely the bill (H. R. No. 2502) granting a pension to Carlisle Bridges, of McCracken County, Kentucky; which was laid on the table, and the accompanying report ordered to be printed.

GEORGIANNA PARKER.

Mr. HEWITT, of Alabama, also, from the same committee, reported

back adversely the petition of Mrs. Mary F. Parker, of Portsmouth, Virginia, for a pension for Georgianna Parker, daughter of George Parker, late a sail-maker in the United States Navy; which was laid on the table, and the accompanying report ordered to be printed.

SUSAN ELLEN STEWART.

Mr. HEWITT, of Alabama, also, from the same committee, reported back adversely the petition of Susan Ellen Stewart for a pension; which was laid on the table, and the accompanying report ordered to be printed.

WILLIAM RULE.

Mr. BRADLEY, by unanimous consent, from the Committee of Claims, reported, as a substitute for House bill No. 881, a bill (H. R. No. 2849) for the relief of William Rule, postmaster at Knoxville, 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.

MAJOR G. M. SCHOLEFIELD.

Mr. BRIGHT, by unanimous consent, reported back from the Committee of Claims the petition of the bondsmen of the late Major G. M. Scholefield for relief; and moved that the committee be discharged from its further consideration and that it be referred to the Committee on the Judiciary.

The motion was agreed to.

SARAH F. ALBERTSON.

Mr. ROBBINS, of North Carolina, by unanimous consent, reported back from the Committee of Claims, with a recommendation that it pass, the bill (H. R. No. 1503) for the relief of Sarah F. Albertson, of Boonville, Missouri; which was referred to the Committee of the Whole on the Private Calendar, and the accompanying report ordered to be printed.

ORDER OF BUSINESS.

Mr. RICE. I move that the House resolve itself into Committee of the Whole to proceed to the consideration of business on the Private Calendar.

Mr. RANDALL. I move that, according to order, the House go into Committee of the Whole on the legislative appropriation bill.

Mr. RICE. This is regular private-bill day—objection day; we insist that the regular order be maintained.

The SPEAKER *pro tempore*. (Mr. SPRINGER.) The Chair will state that yesterday afternoon the House made a special order that after the morning hour to-day the House would go into Committee of the Whole on the legislative appropriation bill. That is now the business in order.

Mr. RANDALL. I make that motion.

Mr. RICE. My motion was made first. I do not withdraw it.

Mr. RANDALL. It requires unanimous consent to supersede the agreement made yesterday.

The SPEAKER *pro tempore*. The gentleman from Pennsylvania is right.

Mr. HURLBUT. The order of the House is of record. I ask that it be proceeded with.

The SPEAKER *pro tempore*. The regular order is called for, which is that the House now resolve itself into Committee of the Whole on the legislative appropriation bill. The gentleman from New York [Mr. COX] will take the chair.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The House accordingly resolved itself into Committee of the Whole on the state of the Union, (Mr. Cox in the chair,) and resumed the consideration of the bill (H. R. No. 2571) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1877, and for other purposes.

The CHAIRMAN. By order of the House the Committee of the Whole resumes the consideration of the legislative, executive, and judicial appropriation bill; and general debate will terminate in one hour. The gentleman from Illinois [Mr. HURLBUT] is entitled to the floor.

Mr. HURLBUT. Mr. Chairman, it seems to be the custom of the House on bills of this nature to allow the most unbounded latitude of discussion, and I propose to avail myself of the time allowed me to pass in review certain questions which, in my judgment, are of paramount importance to the peace, good order, and harmony of this nation, and I do it in reply to the long line of argument, assault, and invective which has been poured upon the republican party, its conduct and management, commencing with the thundering harangue of the gentleman from the highlands of Georgia [Mr. HILL] and ending with the good-natured scolding of the gentleman from the lowlands of North Carolina, [Mr. YEATES.]

There are questions that rarely come into this House, for the reason that the Representatives of the people are not as a general rule up to the requirements of their own position. The rank and file of this country—the thinking, working, voting, fighting men—are as a rule, on this question, in advance of their Representatives. Now, sir, we had here in the speech of the gentleman from Georgia on the amnesty bill one of the most astonishing parodies I have ever happened to hear upon the beautiful parable of the prodigal son. I do not know any particular in which the prodigal son of Scripture had not the advantage over the gentleman from Georgia and those who are united

with him in his movement. The prodigal asked the consent of his father. He asked for the share that belonged to him; he took it by gift. These gentlemen did not ask; they took. The parallel runs along very well in the next matter; they both went off into far countries and "wasted their substance in riotous living." But, sir, the next feature in the case is wholly to the advantage of the prodigal of the Scripture, because he "came to himself." That is what these gentlemen have never done. Away off in that far country, in the misery to which he was reduced by his own unwise and wrongful act, the prodigal "came to himself;" and he remembered his father's house.

There was something strangely amusing in the pretense vauntingly set out by the gentleman from Georgia that he had come back to his father's house. The trouble with him was he would not come. We sent for him all sorts of messages, but he would not come; and from that time to this no man has ever heard from his lips, or any of those who train with him, those words of penitence which came from the broken heart of the prodigal son and which gained him reconciliation and re-admission to his father's house.

All along in all these debates there has been a constant assertion that no wrong had ever been done, that the rebellion in itself was a right thing, that they were obeying the higher law in attempting to break down this country. And they wonder now, to judge from the speeches I have heard lately, how it is that the American people do not trust them as frankly, as completely, as absolutely as they would men who had never sinned.

There is no use, Mr. Chairman, of mincing matters as to plain facts. There exists a division to this day in the public sentiment of this country as marked and distinct as it existed in 1864 and 1865. That distinction is between those who believed then and still believe that levying war against the United States was treason and crime and the men who did not so believe then and do not so believe now. That distinction is irreconcilable and it is one on principle. I have neither the time nor the disposition to deal with individual men. I propose to address myself to this question of the division upon principle that exists in this country.

I assume, sir, that nine-tenths of those men who went into the rebellion in 1861 went because they believed they were right and believed all they said. They argued the question before their people broadly and strongly as to the right. Nor have I ever heard any man who went into that movement who did not justify it at the time it was done and insisted it was the only thing freemen could do. The literature of that time has not perished yet from the memory of men. There are here in this House, as there are everywhere, men who, by voice and by vote, by eloquence and by argument, by reason, by appeals to passion, by every means which could carry the public mind, urged their people to that fatal measure of secession and war, and so far as I know no man has ever taken back those arguments. They urged that this Government of the United States in 1860-'61 was a tyranny so bad, that no free, self-respecting man could afford to stay in it. They alleged that to remain in that same old Government of ours would be to confess themselves slaves, and slaves of most unworthy masters. And, sir, the people were swept away by that doctrine.

Now, Mr. Chairman, there was logic in this thing. I can remember perfectly when nullification was trampled out under the armed heel of the last democratic President who ever stood by the nation. I can recollect when that attempt failed there was deliberately organized all over the southern country—deliberately carried into effect the means for sweeping, changing, controlling the whole public mind of that country; and those means did not fail. Then it was especially that this same doctrine of the right of secession, resting on the right of State sovereignty, was spread and taught everywhere. Then, as the best and wisest of all men I knew in that country wrote to me in 1861, "every avenue by which the hearts and intellects of the people can be reached has been perverted; the pulpit, the bench, the bar, the press, the school, the universities, have all been debauched with this doctrine."

And, sir, the logic of the men who prepared that doctrine is just as inexorable as any human logic can be. It is as accurate, as close, as complete as the Calvinistic doctrine of the five points: given original sin, and you come to universal damnation; given State sovereignty, and you come to secession and rebellion. [Laughter.]

This same doctrine, I am sorry to say, has been repeated here on this floor, and there is logic in that, because, if the doctrine of State sovereignty be true, then these gentlemen, who, in our opinion and under the Constitution and laws, committed treason, committed no crime. The doctrine of extreme State sovereignty justifies any citizen of a State in following that State against the Union; and hence it is repeated and brought in here, as in the very able and logical speech of the gentleman from Virginia, [Mr. TUCKER,] because it is the only shield in the world against the fixing upon each man who took part in the rebellion the crime of treason and the name of traitor.

But, sir, it is a pertinent inquiry, and it is one that is asked by thousands upon thousands of thinking men throughout the country. If it be true that, in all honesty and all fair dealing, believing the thing to be right, the men who inaugurated and carried on secession and rebellion were in 1861 honest in their hatred to the Union, their assertions of independence, and determination not to remain in the Union, the question arises, what has the nation done to them since to win back their affection? What justification is to be given for this

gushing of centennial patriotism? It is a question asked by the people, and it is a question entitled to an answer.

Let us look at the facts of history, and I allude to them with no vindictive spirit. The war came, and then what followed? Army after army penetrated into the vast fields of the South, and wherever an army goes destruction follows; for, sir, there is nothing on earth that is so complete an instrument of destruction as an army. What followed? Losses of life innumerable, captures of cities, storming of towns.

Now, sir, not here, or anywhere, have I failed, or will I ever fail, to render to the men who met us in the field the tribute which is their due for the splendid manhood with which they fought out their cause. That is true and it is honorable, and it is American, and it belongs to me as well as it does to them. But, sir, in the end all this resistance failed. From mere weariness, exhaustion, and inability, the arms fell from hands that could no longer hold them. Was the defeat on the field the wearing out of their armies? Was that one of the tender ways in which the United States has won back this lost allegiance and this lost love?

But it did not stop there. During the war, and as a war measure, the Commander-in-Chief of the armies of the United States declared freedom to a vast class of persons who had up to that time been called slaves and held as such. Look back at the records of that time. I read here in the debates of Congress many very interesting remarks of gentlemen then and now in the opposition, likening that order of the President to the Pope's bull against the comet, declaring it to be a mere *brutum fulmen*. But it did not so turn out. Large masses of these men wherever the armies went became free.

What else? When the war was over, the first among the chief things done was the preparation and passage of an amendment declaring this whole class that had previously been property to be men, and at one single blow \$400,000,000 of the best and most valuable property of the South were annihilated. Is it by that "confiscation," as they call it, that the love, the alienated affections, of the former slaveholders were won back? But, sir, it did not stop there. The inexorable logic of events drove this nation not only into the assertion of the manhood of the slave, but into the assertion of his civil and political rights; and the prejudices of two centuries were struck to the roots; the long inheritance of the sense of dominion and mastery was shocked to the last extreme; and without any preparation two races of men, of whom the one had been master in the fullest sense of dominion and the other had been slave in the most abject of all servitudes are brought face to face upon the theater of our Southern States, upon the common right of equal manhood and equal citizenship. Is that which so shocks the heart, the feeling, the prejudice, the passions of the whole population down there—is that one of the means by which the affections that gush in such brave words upon this floor were won back? No, sir. We cannot truly say as a matter of fact that this nation was eminently magnanimous to those who revolted. Whether the nation intended it or not, no more severe, no more crushing, no more continual punishment could have been inflicted than has been inflicted under those amendments. And, sir, it is so felt and recognized at the South to-day.

Few men, even of the most cautious minds, hesitate to say that the reconstruction amendments are a failure and a curse to the country, and the baser and more violent sort hesitate at no steps to make them barren and fruitless of results.

Now, sir, the plain people in my country know all these facts. You cannot answer them by any well-constructed and rhetorical discourses over dead statesmen, whose lives you made bitter while they lived. Nor can you answer them by loving appeals to the Constitution, which the gentleman from Georgia says he carried off, like other defaulting partners who ran away carrying off the goods of the partnership, and are brought back by blue-coated policemen by the nape of the neck. No assertion merely of unreasonable and unwonted affection is going to change the deliberate, well-considered, solid, substantial opinion of the people of this nation; and by the people of this nation I mean the men who think, who act, who fought, who work, who vote.

The gentleman from North Carolina [Mr. YEATES] gave utterance yesterday to a sentiment which I have no doubt is true. He said that the South had come back, come back united with the democracy. Well, sir, the unconverted South ought to be united with the northern democracy. That is the place for it. Why not? These very things of which they complain, these amendments to the Constitution each and every one of them were passed in this House, in the State conventions, and in the Legislatures against the will, against the protest, and against the argument of the then existing democracy. There is not a statesman in the democratic party in the North that I know of who has not on the record to-day his settled opinion not only that these amendments never ought to have been put into the Constitution, but that they never were in fact legally and constitutionally adopted.

Now, sir, whether they are doing the democracy any good or not is entirely another thing. Whether it may not be that the taint, if I may call it so, the suspicion which in the popular mind attaches to men who have within the last ten years occupied the place which they have done—whether that taint will not affect in the public mind the men whom they have voluntarily claimed and who claim them as allies, is a question to be determined hereafter.

There is another terrible mistake which seems to prevail among the

members of this House. There seems to be an impression as if the republican party of the United States were on trial. Well, it is on trial, as every other organization which wields power is, before the people; but the real party which is now standing the crucial test is this very majority in this present House. The calm, incorruptible scrutiny of the American people rests upon you to know whether you have the competency and the will to carry out those great reforms to which you affirm yourselves to be pledged. The trial works both ways. The great tribunal before which we are to be tried is the American people, and the American people are governed as all other people are by reason, by sentiment, by affection, and perhaps by prejudice. But, unless it shall be made to appear to the satisfaction of the thoughtful men of this country that there is better hope for the future prosperity, future unity, and future greatness of this country in the hands of the holy or unholy alliance of which the gentleman from North Carolina talked yesterday, rather than in the hands where it rests now, you need not expect any special change.

Sir, there are undoubtedly here a great many men on the other side of the House who have come into this House by the regular expression of the political opinions of the districts which send them; so also there are a great many men who are the spasmodic result of a certain hysterical affection of the body-politic, the result of some shock or disgust, and the trial is working now. The demonstration to be made is that you are more competent, more true to the Union, more true to its real interests, more true to its undeniable rights and to its future destinies than those who have had it in charge so long; and that sort of thing cannot be met by any petty line of business; it cannot be met by any flinging of mud. It has got to be met by demonstration of purpose, heart, and ability, and that is where this majority is now being tried. You cannot meet the demands of the people as you propose to do it in this bill by a rash, sweeping, cutting off of expenditures without any reason, or by simply asserting without any proof that the Departments of the Government are overloaded, or by cutting down the poor clerks from their monthly pittance. The American people are not poor. These gentlemen opposite, and especially the gentleman from New York, [Mr. WILLIS,] who represents, I believe, all the wealth of Wall street, have no right to talk about the American people being poor. They never have been, and they never will be too poor to pay a fair and competent price for the labor they ask from their public servants.

But, sir, the question which overrides all others in this matter is the question of the maintenance and perpetuity of this nation. That is the real thing. With this doctrine of secession asserted here again upon this floor and argued elaborately, with the declaration that we are not a nation, with the assumption that we are but a loose confederacy of States, all men see an attempt to roll back the whole current of events, to set aside all the great fruits of the struggle the country has gone through; and I warn gentlemen here now that the most prominent sentiment in these United States to-day is nationality and the perpetuity of the country. And the man or men, the party or parties, that either run against it or that even indicate that they shudder from coming up to the full requisition of that demand, are doomed.

Now, sir, I for one desire the establishment of absolute peace, absolute order, perfect good-will all over this country; but I do not expect it to come from resolutions nor from speeches. I expect it to come in the only way in which it can come—by action. I expect the judgment and conscience and feelings of the great conquering, victorious portion of this nation in the late struggle to be satisfied by the acts of those who now are restored to the Union. Those acts are of a nature so plain, so manifest, so clear, that they will be satisfied with nothing else, for, sir, the people of these United States—and I mean by the people of the United States that mass of brain and bone and muscle which saved the country in its hour of peril and which defends the country now—that mass of mind and brain and muscle will not be satisfied with anything but the fruition of that for which they fought. They have accepted, sir, as full payment for all that they have done and suffered, the complete enforcement of the three great amendments to the Constitution. They receive them as payment for the services which they have rendered; they receive them as the reward and the result of the great war. They receive them in payment for their empty hearthstones and their crowded graveyards. And whenever it appears that in any part of this country there exist combinations by which the rights secured under these amendments are either violently or fraudulently defeated, it touches the tenderest spot in the sensibilities of the people of this country.

Unless throughout this nation there shall be no differences between citizens; unless it shall be absolutely lawful and absolutely secure for any man anywhere under this flag to speak and act and vote just precisely as he likes; until that consummation has been reached, this cause of irritation and trouble will remain.

Mr. Chairman, every man knows that in all these things that I have said, or in what I may say, I am governed by no sense of personal bitterness. There is probably no man who stands upon this floor upon this side of the House who has such close relations by blood and kindred with the Southern States as I have. Some of the very leading spirits who assisted in seducing the people from their allegiance are among those who are bound to me by ties of kindred. I believe they were honest and earnest in what they did, but the cause for which they worked, the end which they sought to bring about, was,

in my judgment and in the judgment of the people of these United States, the most criminal for which men ever combined together. To strike at the life of a man is but to extinguish a single existence, but to strike at the life of the nation is to arrest the entire progress of civilization, to roll back the current of progress, and to cast us all adrift again upon a sea without compass and without chart, and so the people have considered it.

It was said of old, Whether is the greater, the gift or the altar that sanctifieth the gift? What is there that a man values more highly than he values his life? And yet innumerable lives were freely offered up, sons given by their mothers, husbands parted from their wives, and their lives offered up on the altar of their country. It is by the price which we pay for things, or are willing to pay for them, that we value them. And we recognize the price that has been paid; we recognize that that price is one that cannot be afforded to be paid again in a generation, scarcely in the life-time of any nation. It is a full, complete, satisfactory price. And the reward that is claimed for it is not that men shall join in adopting resolutions, but that they shall recognize the dominion of the law; that they shall recognize that force shall not be substituted in the place of law; that they shall recognize that violence is not a mode to be applied among a nation of freemen to control elections.

When these things shall come to pass, when it shall come to pass in this country that everywhere throughout this nation the rights of all men, black and white and of all the intermediate shades, shall be recognized fully, completely, and absolutely, then there will be peace. But that peace never can come as long as men who themselves have been active in the original promulgation of this doctrine stand up before the American people asserting that same dangerous, suicidal, ruinous doctrine of extreme State sovereignty and the right of secession. Two-thirds of all the thinking men in this nation to-day have been educated up to this point: that they can raise their bold foreheads up to the blue sky that hangs over them, recognizing but the one flag of their country, and say in all honesty and pride: "Above us there is nothing but the nation; above the nation there is nothing but God."

I now yield to the gentleman from Iowa [Mr. KASSON] the remainder of my time.

Mr. KASSON. In approaching the consideration of this legislative appropriation bill, I feel that many in this House as well as myself must be embarrassed by two distinguishing facts that continually present themselves. The first is that the political situation of the House itself in relation to the General Government is peculiar. Very rarely does it happen in our history that the majority of the House of Representatives is antagonistic to the Administration of the country. In other countries having a responsible government it so happens that the administration changes with the majority of the popular branch of the legislative body. Here our Constitution provides for a different system; and hence it is possible, and to-day it is actual, that a majority of the body that originates appropriation bills is in political antagonism to the Administration charged with the function of executing the laws. This is the first difficulty.

And gentlemen of the majority will see, as clearly we do, that in the eyes of the country it subjects them to the suspicion, unless they act with great prudence and discretion, that they strike heavier blows in the reduction of appropriations at the Administration of the National Government than they would do if they were in political harmony with that Administration. I beg to submit that thought to their consideration, and to take to myself also the proper consideration that the minority, being in harmony with the Administration, may possibly have such sympathy with it as not to be willing to go quite far enough. I propose to ascertain whether there may be some ground upon which the careful, prudent men of the majority of this House and of the minority may combine in the consideration of this bill.

The second fact is that the civil service in our country, which is so seriously struck at by this bill, is upon a different basis from that of any other country in the civilized world, I believe, whether under monarchical or republican administration. In no other country within my knowledge, and I have had actual contact with the civil force of several different nations—in no other country does the mass of the civil service in its personal composition depend upon the political complexion of the body making the appropriations. It does not even depend upon the political complexion of the administrative department. And the struggle of the true republicans and reformers in the United States to-day is to put our civil service upon a more permanent footing, to make attachment to the Constitution, obedience to the laws, integrity of character, and fitness for the office the leading characteristics and qualifications; and then, as long as they are faithful in the discharge of their duties in all the minor employments of the Government, to let them remain in office.

I submit that gentlemen on both sides of the House who seek the good of the nation will unite with me in the hope that at some time, not too long postponed, we may agree that the first question to be put to a candidate for a subordinate position under this Government shall not be to what political party do you belong? but shall relate to his fidelity to the Constitution, his observance of the laws, his honesty, and his fitness for the functions proposed to be assumed by him. Let me say that I am myself endeavoring to mature a bill upon these principles, and will present it to the House as early as I may be able to do so.

Then there is one other trouble in coming to the consideration of this bill in addition to those I have mentioned. That is, that the Committee on Appropriations, through its leading members, have not made it comfortable for those who dissent from their propositions to offer and support any amendment, no matter how carefully drawn, which shall propose any change in their bill. On the contrary, they have chosen hitherto in the main to insist that their propositions shall be supported in such a way as to shut out from fair consideration propositions for amendment coming from either side of the House. Owing to the views I entertain touching some of the provisions of this bill, I must appeal to the majority of this House whether it is not for the interest of the whole country that their minds shall be open to the reasons presented for some amendments to this bill, whatever side of the House they may come from, in order that we may arrive at correct results?

With these preliminary observations, and remembering the short time allowed me to direct the attention of the House to the provisions of the bill, let me proceed to apply what I have said to some of these clauses. The committee by this bill raise the question of compensation, beginning with the President of the United States and extending almost to the least of the appointees of the Government, coming down to \$1,200, where they stop. Is this proposition wise and right? Gentlemen know very well my position in the last Congress touching the compensation of members of the House and the Senate. Those who were members of the Forty-third Congress know well that I endeavored, as did the majority of the House, to comply heartily and frankly with the demand of the country, which I believed right, in the reduction of those salaries to the former standard. This committee have raised the question, shall we go further? Shall we go beyond what the Forty-third Congress did, and again raise the question then settled to the satisfaction of the country.

If the proposition be to make a sweeping, horizontal reduction of all salaries, the committee is nearly right. If, on the contrary, the action of the committee should have been directed to a discriminating consideration of those salaries which were too high with reference to the permanent wants of the Government and of the country, then the question is open to consideration and the bill should be amended. I have only to say that a thousand times sooner will I strike our own salaries down to the figures which prevailed prior to 1860, down to \$3,000, than touch the poorly paid laborious employes of your Department living only upon salaries which have pertained to their positions for nearly thirty years. If you are going to strike these poor employes who now barely pay their yearly bills, let us strike down our own pay so that it will barely meet our yearly bills, living here in Washington in the humblest manner consistent with self-respect.

The committee have re-opened the whole question by the manner in which they have presented it to us; and I feel that my own self-respect will not allow me to receive \$4,500 if I am not willing to allow the laborious clerk to receive for the service which he renders the Government his \$1,400 or \$1,600 or \$1,800—salaries fixed before there was any depreciation in the currency of the country, or increase in the expenses of living, when rents in the city of Washington were nearly one-half what they are now.

Sir, if all the members of this House would take the trouble to acquaint themselves, as well as others of us who have been here longer, with the actual impossibility of these poor employes living on these reduced salaries and properly supporting and educating their families, they would at once put their hands upon those clauses of the bill and say, "You shall not touch those old-established salaries that have stood for over twenty years without being increased." If you strike at the salaries which were increased in consequence of the increased cost of living and the diminished value of the circulating money, then you are right. On that principle we on this side will work with you heartily and put them down to the least limit consistent with the employment of proper men and the decent support of human life here in this city.

What then will you do? Will you entertain an amendment that shall nullify those clauses of the bill that affect the old salaries that have stood in old times, salaries fixed when the political majority was different and never since changed, and limit your reduction to those that have been increased, or will you assent to the whole proposition of the committee and strike down all salaries irrespective of their relation to the necessary scale of expenditure or the responsibility of the office? Of course when these principles come to be applied, gentlemen must be prepared upon the very brief debate allowed on these questions to come to some intelligent and proper opinions.

Now let me call attention to the two Departments with which I am most familiar; and the House will pardon me for saying that as to one of them, having once served in a post that rendered me familiar with every branch of that Department, I cannot see how this House can support the provisions of this bill. You will observe that there are some Departments of the Government whose labors have been largely increased during and at the close of the war, and whose labors have since been diminished. There we have been cutting down continually, and we ought to continue to cut down as the work diminishes. But there are some Departments of the Government where the work has increased in consequence of the termination of the civil war, where in the growth of the country increase of labor has necessarily resulted. There your theory of cutting down by a horizontal percentage cannot apply.

The Post-Office Department is one to which I refer more particularly now. During the civil war the post-offices throughout the Southern States had no administration from Washington. Since the close of that war those post-offices are restored. With every increase of settlement in the Territories and the Western States the labors of that Department increase, and in connection therewith the duties of the Sixth Auditor's Office of the Treasury. Do not gentlemen see, in contrast with certain Auditors connected with the Treasury and having charge of war expenditures, that while the duties of the latter are diminished and you may cut down the clerks in those offices, you cannot apply your 20 per cent. or any other percentage of reduction to the Post-Office Department without striking immediately at the ability of the Department to perform the public business.

The Post-Office Department, which by this bill is reduced in its force I think some eighty in number, is a Department which I submit to the House you cannot strike at to that extent without striking directly at the proper administration of the postal system and the proper work of that Department.

Then take the State Department, with which also, having been formerly charged in the Committee on Appropriations with some portions of its business, I have become familiar. You destroy in this bill the entire system of organization effected by the present Secretary and approved by a former Congress.

When he came to that Office, Mr. Chairman, there was much confusion among all its papers and many defects in its system, partly owing to want of time in former administrations to systematize and arrange them, partly owing to the fact that the former Secretary, Mr. Seward, who was as we all know a very able man, had no time to attend to such details in his Department. The present Secretary, I submit to this House, has manifested a power of organization and of labor almost without precedent in this Department. It happens to be within my personal knowledge that there is no plowman, no artisan, between the Atlantic and Pacific who has worked as many hours per day for several years as has that Secretary. He has among other labors, by the aid of his assistants, (particularly of a former one,) entirely re-organized that Department with a view to its greater efficiency and to utilize the many historical papers on deposit there. An immense quantity of papers of the great statesmen of the country have been collected and arranged. Manuscripts reaching to hundreds of volumes have been put in order, indexed, and prepared for reference by future Secretaries through all time.

Now, Mr. Chairman, in that organization a former Congress has allowed him three Assistant Secretaries. This bill strikes off one of them, and in doing that it destroys the distribution of labor and organization of the work under which every branch of service of that Department is now going on. I am assured and believe that in doing this you perpetrate a serious injury upon the national interest, because in this organization he has classified duties and labor according to the assimilated questions arising in our foreign relations. He has consequently perfected and educated the officers and clerks in charge of these several branches, and if you take those away you leave no persons trained to the proper discharge of their duties in their places.

I wish to say also that in that Department there are six Bureaus and a chief for each. This bill reduces them to three, and when you come to examine the functions pertaining to each Bureau, you find that you cannot combine more than two with propriety without destroying the utility of the organization. I have reason to believe two as now existing can be merged into one, reducing the number to five; but beyond that this House cannot safely go.

I withhold what I have to say on the details applicable to that Department until we come to the five-minute debate. I wish only to call the attention of the House now to the fact that it is not simply retrenchment accomplished by the bill, but disorganization. It is disorganization, and as such should receive the careful consideration of this House before it shall be adopted.

I believe, Mr. Chairman, that the majority of this House, if left to their own judgment, will be willing to consider the amending propositions on their merits, and weigh them for the good of the country at large. I regret that all these questions should come under political bias before the House. It is strange, passing strange, that we cannot consider questions of carrying on our common Government without perpetually making some political point between the opposite sides of this House. I appeal to gentlemen when they come to the practical administration of the Government of the country to give that Government adequate means to perform its functions properly, safely, and promptly.

You say retrenchment must be made, but that declaration is a word from the mouth, empty air, unless you make it upon a principle consistent with the public good. I remarked the other day, and repeat it now, if you merely retrench, and call that reform, without a sound principle upon which your retrenchment rests, you have made an extremely imperfect bill; for you can retrench by 50 per cent., by 75 per cent.; you can retrench and leave nobody to perform the functions of Government for pay. I wish no reserve or concealment about it. Wherever you find a useless employe you may properly discharge him, and ought to do it. What I object to is, that we are attempting to do what in no other country in the world ever before has been attempted to be done. We are attempting, we who are ignorant as I am touching many of the Departments, to strike down their force without the approval of the Department, without the advice of the Department,

against their representations, and in some instances, as a member of the committee stated on this floor, without consulting the responsible officers of the Department.

The CHAIRMAN. The time allotted for general debate has now expired, and the Clerk will proceed to read the bill by clauses for amendment.

Mr. PHILIPS, of Missouri. I desire to submit some remarks on this bill, but as the time has expired without affording me an opportunity to do so, I wish unanimous consent to print some remarks in the RECORD as a part of the debates.

There was no objection, and it was ordered accordingly. [See Appendix.]

Mr. WHITE. I also desired to submit some remarks, but as the time has expired, I also ask leave to print them in the RECORD as part of the debates.

There was no objection, and it was ordered accordingly. [See Appendix.]

The Clerk proceeded with the reading of the bill.

Mr. KASSON. Is the reading now for information or for amendment?

Mr. RANDALL. The first reading of the bill was dispensed with, and now it is being read for amendment.

Mr. KASSON. I want the House to understand that before we go any further.

Mr. HALE. Whatever may be the actual record, it is evident gentlemen did not understand the bill was being read for amendment.

Mr. RANDALL. I am willing to go back and commence at the beginning and read for amendment.

Mr. WADDELL. I rise to a point of order. When is an amendment in order?

The CHAIRMAN. Amendment is in order at the conclusion of the reading of each clause of the bill.

Mr. WADDELL. What do you call a clause.

The CHAIRMAN. Each paragraph; not a section.

Mr. WADDELL. Where a period occurs?

The CHAIRMAN. Amendments are in order at the end of the reading of each paragraph or section.

Mr. WADDELL. The question is, what constitutes a paragraph?

The CHAIRMAN. The Chair understands the uniform usage of the committee to be to read the whole paragraph through; and the gentleman knows what a paragraph is.

The Clerk informs the Chair that there has been no order waiving the first reading of the bill in committee. Is there objection now to dispensing with the first reading of the bill at length?

Mr. HALE. Let it be on the condition that we go back to the beginning of the bill.

Mr. RANDALL. I agree to that.

Mr. CONGER. I object to waiving the first reading of the bill.

The CHAIRMAN. Does the gentleman from Michigan insist on the reading of the whole bill?

Mr. CONGER. Yes, sir.

Mr. GARFIELD. I hope the gentleman will not insist on that. If he does, we will lose more than an hour.

The CHAIRMAN. If the gentleman insists, there is no alternative but for the Clerk to go on with the reading of the bill.

Mr. CONGER. I withdraw my objection.

There was no further objection, and the first reading of the bill was dispensed with.

The Clerk proceeded to read the bill by paragraphs for amendment, and the following paragraph was read:

Senate:

For compensation of Senators, \$333,000; and from and after the 30th of June next the compensation of said Senators shall be \$4,500 per annum.

Mr. BAKER, of Indiana. I offer the following amendment:

Strike out these words, "\$4,500 per annum," and insert "\$3,000 per annum; and no mileage or other allowance for stationery or otherwise shall be allowed them."

The question being taken on the amendment, it was not agreed to.

Mr. FOSTER. I offer the following amendment:

Strike out "\$4,500" and insert "\$2,700."

I offer this amendment because the principle upon which the committee has acted has been a reduction of 10 per cent. upon salaries that were fixed in 1855, 1856, and 1857, and previous to 1865. The salary of a member of Congress at that time was \$3,000. I desire to preserve the consistency of this democratic and reform House, and I think that if these salaries are to be reduced as proposed by the committee, it is nothing more than fair, it is entirely consistent and in entire harmony with the principles upon which the bill has been framed, to reduce our own salaries to \$2,700.

Mr. RANDALL. Will you allow me to ask you a question? Why did you not propose that amendment in committee, instead of assisting in the reduction that they made of 10 per cent. on the salaries?

Mr. FOSTER. I beg to say that I shall not be catechised here on this floor by the chairman of the committee.

Mr. RANDALL. I have the floor, and I want to show to the House and to the country the inconsistency and the duplicity of the gentleman from Ohio in coming in here and offering an amendment to make our salaries \$2,700, when he assisted the committee in the reduction—

Mr. KASSON. I raise the point of order that proceedings in com-

mittee must not be disclosed here. Fortunately nothing requires to be said in support of it, because of the familiarity of the gentleman from Pennsylvania with the rules. Nothing is better understood than that.

Mr. RANDALL. I am only stating what has been stated over and over again, and I have been attacked here in my absence.

Mr. FOSTER. I have a very good answer to the attack of the gentleman from Pennsylvania.

Mr. RANDALL. I have made no attack. I have stated facts.

Mr. FOSTER. You charged me with duplicity and inconsistency.

The CHAIRMAN. The Chair must call on members to observe the rules of debate. The rule is express that five minutes are allowed to the gentleman who proposes an amendment for speaking in support, and five minutes in opposition to it. The gentleman from Ohio offering the amendment has exhausted his five minutes, and for opposing the amendment five minutes are allowed, which the gentleman from Pennsylvania has now.

Mr. RANDALL. I of course oppose the proposition of the gentleman from Ohio. I thought that in taking 10 per cent. off the salaries throughout we should take 10 per cent. also off our own salaries. I saw and now see no other ground upon which we can stand. I therefore, of course, object to that amendment fixing the amount at \$2,700, for the reason that there is no sincerity in it, in my judgment, and that the gentleman does not want it and does not expect it to be adopted. The bill fixes the salary at a point where I think it can safely rest with the approval of the country, and at a point which will enable us, in view of the rates of all commodities, to cover our expenses with our pay.

Mr. O'BRIEN. I desire to offer an amendment.

Mr. FOSTER. I wish to say a word. The gentleman from Pennsylvania has seen fit to charge me with duplicity in moving this amendment. Mr. Chairman, I recognize the right of the majority of this House to control this bill. I made this motion in honest good faith, as I do everything. There is no demagoguery about it, and the gentleman from Pennsylvania well knows it.

When this question was first considered in committee the proposition was made that a 10 per cent. reduction should be made all through. To that motion I agreed. But afterward, when we got into the bill, more than 10 per cent. reduction has been made. We have gone back on almost all the salaries of the employees of the Government to the time when our salaries were \$3,000, and have deducted 10 per cent. And I propose to hold the majority of this House and the chairman of this committee, who is so free in this early part of the debate to charge duplicity on me and others, to a strict account. I tell you, gentlemen, there is no consistency in your bill unless you consent to a reduction of your own salaries to \$2,700.

Now, Mr. Chairman, I regret exceedingly that the chairman of the committee should have made this assault thus early in the debate. His own consistency can be called to account more than that of any other member of this House. Up to one year ago—the 3d of March, 1875—he was the advocate of high salaries, and this marvelous conversion of his has occurred since that day; perhaps since he has become the chairman of this committee, and since we have had a democratic House. I do not know for what reason. I charge him with no duplicity. I give him credit for an honest conversion. But I do not want him or any other gentleman to try to deter me from the discharge of my honest duty here by the charge of duplicity.

I now withdraw the motion to strike out the last word.

Mr. BAKER, of Indiana. Mr. Chairman, when I came here fresh from the people into the Hall of this House, and having been selected by them not as a politician, but from the fact that I had never been mixed up in politics, I came here with the pledge that I made to them and that I intend in all honesty and good faith, so far as I am able to do it, to redeem, to use my voice and my votes in the direction of economy, retrenchment, and reform; and when I say here that I am honestly in favor of it, I defy any man anywhere to say that in attempting to strike down the salaries provided in this bill for Senators and Members and Delegates of the House I am actuated by anything but a patriotic desire to lift from the shoulders of the toiling millions of this country, as far as I am able, the burden that is now bearing them down and crushing and paralyzing the productive industries of the country. In evidence of my good faith in this direction at a very early day during the present session of Congress I introduced a bill, not knowing what would be done in the way of striking at poor clerks and tide-waiters, about the public Departments of the Government. I introduced a bill fixing the compensation of Senators and Members and Delegates of the House at \$3,600 a year, cutting off all mileage and other perquisites, because I believed the time had come when the interests of the country demand it, that men on the floor of this House should rise above mere groveling petty pecuniary and party considerations and put their shoulders, as far as they are able, under the burdens the people are laboring under, and help to bring about purity and reform. I say here now that if the members, not simply from the "rural districts" that we have heard so much about, but the members who come here from their palatial residences in cities cannot serve the Government for \$3,000 a year, the question should be relegated to their constituents and the opportunity afforded of sending men here actuated by patriotic influences who would be willing to serve for \$3,000 a year.

I say that for one, I am willing to serve here as long as I have any

desire to do so, and my constituents desire that I should serve, for \$3,000 a year.

I think, Mr. Chairman, that judgment should commence in the house of the Lord, and that economy should be practiced right here. It is too easy, Mr. Chairman, for us to offer up vicarious sacrifices. It was Artemus Ward, I believe, who was willing to sacrifice upon the altar of his bleeding country every one of his wife's relations. I want to see ourselves subjected to this test, to see whether or not there is patriotism enough here to bring our own salaries down to the sum of \$3,000 a year.

[Here the hammer fell.]

Mr. WHITE. I move to strike out the last word. Mr. Chairman, I also am in favor of retrenchment and reform; but it is not for gentlemen on the other side of the House to preach reform to us on this side of the House. I have never said anything in regard to that Belknap affair, but it has always occurred to me since that matter came before the House that it was very appropriate that the Chief Clerk of this House, Hon. Green Adams, against whom the suspicion of having pocketed some of the people's money exists, should carry the articles of impeachment over to the other wing of this Capitol against a man charged with stealing nothing from the United States Government, but from private individuals.

Now, sir, in regard to this bill it was stated the other day by the chairman of the Committee on Appropriations that he did not allow any "miserable man" to talk to him about his conscience. Whether he means to say that I was a miserable man, or that because he proposes to make this reduction I shall be a "miserable man," I do not know; but I will tell him that I am in favor of all reduction necessary for a proper and economical administration of the Government; I am in favor not only of striking \$500 off our salaries, but of striking off as much in proportion as we strike off from the clerks in the Departments.

I would like to refresh the gentleman's memory. When he a few years ago, speaking of this very salary-grab, said that he could not live here "with any sort of decency for less than \$7,500," does he propose to live in a sort of indecency now? [Laughter.]

A MEMBER. That costs more.

Mr. WHITE. It reminds me very much of a Jew merchant that I once heard of. He was trying to sell some of his goods to a country farmer. He told him he would sell him the article he was offering for \$20, and that that was 10 per cent. below cost. The farmer told him he did not wish to buy unless the merchant would take a fair remuneration, a fair profit. "O!" said he, "I will tell you how that is: These goods belong to a rich uncle of mine, and I'm trying to prafe him up!" When the republican party was in power you did not care how much we spent, for you were trying to break us up. Now you have the majority, and you are attempting to economize and reform. [Laughter, continuing for some time.]

The CHAIRMAN. The Chair must say to the galleries and to the members of the House that this applause must cease.

Mr. ATKINS. It was not applause, but laughter.

The CHAIRMAN. The gentleman from Kentucky [Mr. WHITE] has one minute and a quarter of his time remaining.

Mr. WHITE. I am of the opinion that not only Senators and Congressmen, but heads of Departments and their assistants and clerks, are overpaid; that nearly all the officials here in the city of Washington in the employ of the Government are overpaid. I mean by that, turn them out upon their resources and these same men cannot in any of the walks of private life obtain the salaries they are getting here; and as long as that is the fact there is room for reduction of salaries. I will join hands with the men on that side or on this side of the House to put these salaries down to prices in accordance with those paid for similar services in the private walks of life. [Here the hammer fell.] I withdraw my amendment to the amendment.

Mr. CHITTENDEN. I renew the amendment to the amendment. And I hope I shall have credit for speaking sincerely. I do not believe it is possible for any man living to determine to-day by what method this Government is to adjust its expenditures to its income for the next five years. I therefore stand here earnestly and conscientiously to approve of every possible measure of economy, because I believe the exigencies of the case require it. But I warn gentlemen that the people will judge our acts with discrimination.

This bill reduces the salaries of men and families in a great many cases below a point at which they can sustain themselves respectably. It does not reduce the salaries of members of this House and of the other House to the point of respectable living. I have been accustomed in better times to spend something more; but I can live here for the days that members of Congress on the average are required to serve for \$3,000 a year, and live respectably. I have been in Washington long enough to learn that. At any rate, I can live better than the clerk can live whose salary in 1856 was \$1,400 for the whole year, and which it is now proposed by this bill to reduce 10 per cent.

I suggest to the gentlemen of this committee that if they begin by indorsing these propositions in respect to their own pay, the country will sit in judgment on your inconsistency. You do not propose to treat your employes as you do yourselves, and the people of the country cannot be misled or deceived in regard to that matter. The case is plain on the face of it. You can see that the salary of the fourteen-hundred-dollar clerk was fixed when your salary was fixed at \$3,000

a year. And now look him in the face. That is what the country will do. You take 10 per cent. from his salary while you leave yours at \$4,500, 50 per cent. more than it was when his was fixed at \$1,400. Now, I do not see how you can go before the country and be sustained in that any more than the chairman of the Committee on Appropriations was sustained by his constituents when he claimed that \$7,500 a year was a fair compensation for a member of Congress. If we come here to make money, that amount is not more than a fair compensation; but if we come here to serve our country, then let us accept such sacrifices for ourselves as we require of Government employes. I desire to support this bill from beginning to end if I can consistently. I therefore support the amendment of the gentleman from Ohio. I withdraw the amendment to the amendment.

The committee arose informally to receive a

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of their clerks, informed the House that the Senate insists upon its amendments disagreed to by the House to the bill (H. R. No. 2589) to supply the deficiency in the appropriation for certain Indians, and requests a conference with the House upon the disagreeing votes thereon, and have appointed Mr. WITHERS, Mr. ALLISON, and Mr. OGLESBY, the conferees on the part of the Senate.

The message further announced that the Senate had passed with amendments, in which the concurrence of the House was requested, a bill of the following title:

A bill (H. R. No. 219) to permit the judge of the district court of the United States for the western district of Pennsylvania to retire.

The message further announced that the Senate had passed, and requested the concurrence of the House, in a bill of the following title:

A bill (S. No. 644) to authorize the printing and distribution of the eulogies delivered in Congress on the announcement of the death of the late Orris S. Ferry, a Senator from the State of Connecticut.

MESSAGE FROM THE PRESIDENT.

A message from the President of the United States, by U. S. GRANT, jr., one of his secretaries, announced that a bill of the following title, having been presented to the President on the 11th instant and not having been returned by him to the House within the ten days prescribed by the Constitution, had become a law without his signature:

An act (H. R. No. 29) for the relief of First Lieutenant Henry Jackson, Seventh Cavalry, United States Army.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Committee of the Whole resumed its session and the consideration of the legislative, executive, and judicial appropriation bill.

Mr. HOAR. I renew the amendment to the amendment. I trust this House does not propose to repeat the pitiful spectacle which has been exhibited by former Congresses of the statesmen of this Republic spending a large portion of legislative time in wrangling about their own salaries. If there is anything in the political history of this country that I would give a hand to blot out, it is the debates and action on this subject of the pay of members of Congress which the last Congress and the Congress before the last exhibited to mankind.

I for one propose to vote against any change whatever in the salary of members of Congress; first, because I think it is a thing that ought not to be perpetually stirred for political purposes; and because, on the whole, I think the present salary is as near right as we can get it. From necessity the people have trusted us—the only class of public servants who have been trusted in that way—with the right to fix our own compensation; and when it has once been fixed and acquiesced in by the public, it is in my judgment best that we should let it alone and not be constantly exposing ourselves as men to the imputation of low personal motives in dealing with this subject.

I do not think the amount paid to the clerks or other civil officers of the Government has any sort of relation to this question. When we employ a clerk or other civil officer, he is employed for pay; and the proper rule or principle for determining what he shall receive is to inquire what, considering the state of the market, is the proper compensation or pay for such services in the business concerns of the country. So of the laborer. But the member of Congress is to receive, not pay; he is to receive an honorable maintenance, decent and moderate, while he is engaged in an honorable trust. There are very few lawyers in this House, very few business men; very few men of any class who will stand up and say that their pay for rendering their best services to anybody, year by year, is properly covered by the sum of \$5,000. A large portion of them can earn twice or thrice the sum. Our fathers, when they fixed the salary of the President at \$25,000 a year, fixed their own at a small per diem of, I think, \$6. Do you suppose that Alexander Hamilton and James Madison were fixing their "pay" at \$6 a day? They were looking to see what was simply an honorable and just maintenance—

[Here the hammer fell.]

Mr. HOAR. I wish I could be obliged with about two or three minutes more.

Mr. RANDALL. I rise to oppose the amendment; and I yield my five minutes to the gentleman from Massachusetts, [Mr. HOAR.]

Mr. HOAR. They were looking to see what was an honorable and just maintenance for the most distinguished and able men who could

be found in the several districts of this country, agreeing in political opinion with the majority of the people in those districts, who could be induced to serve the country in the exalted function of legislation. Now, I implore this House not to lay down for themselves or for their successors that exalted position and their personal relations to it.

I do not ask to be paid at the rate which we should be obliged to pay to a distinguished architect, to a distinguished civil engineer, to a distinguished lawyer, who might be called into the service of the country professionally on some great occasion; and, on the other side, I do not consent to have the compensation of a clerk, respectable and honorable as his compensation may be, brought into this debate as a measure of my own.

The people were dissatisfied when in a time of great public pressure Congress raised the compensation of its members and with the circumstances which attended that transaction. I entirely respect and honor the position of the gentleman from Pennsylvania [Mr. RANDALL] in saying, as he did recently, that he yielded his individual judgment in a matter where he was personally concerned to the general sense of the people and was desirous of retracing the step that had been taken. I sympathized very much with him too when, in reply to an inquiry of some one what he did with the money, he said somewhat indignantly that it was none of the questioner's business—a very good and proper answer, in my judgment.

I hope we shall not in considering this subject look to see whether somebody can go upon some stump where the question is not understood and say "I voted to cut down my compensation \$500, and Mr. Brown, running against me, voted to put his compensation up." I hope we shall look simply at this one question, is it expedient to be constantly debating and stirring this subject? Is it not best for the country and the dignity of this House to let it sleep as the people have let it sleep ever since the bill increasing congressional salaries was repealed?

On the other hand, is not the sum of \$5,000, under all the circumstances, a moderate, reasonable, and proper compensation? Is it more than that? Nobody outside finds any fault with it. You have a thousand calls upon you. You have to maintain a family in one place when the head of the family is in another place. To render this public service in the prime and vigor of your faculties you have to break up for years the business to which your life has been devoted. Taking all these things into consideration the people are satisfied that the salary of \$5,000 a year shall continue, if you will only let the question alone and not repeat the disgraceful exhibition of legislators and statesmen of the American people taking up hours and days and weeks of the public time in wrangling over this pitiful question of their own pay.

[Here the hammer fell.]

Mr. RANDALL. Mr. Chairman, the difficulty we found ourselves in was this: that, if we reduced other salaries and did not reduce our own, we would be directly chargeable with inconsistency; and, while I have great respect for the views of the gentleman from Massachusetts, [Mr. HOAR,] yet his argument really would go to show that we ought not to reduce any salaries 10 per cent. It seemed to us there was but one safe, firm ground on which we could stand.

Mr. HOAR. Will the gentleman allow me to state my point again? When you hire a clerk, you look to see for how much you can hire in the market an honorable and faithful clerk, and you grade his pay in that way. When you fix the pay of Congressmen you inquire what is the measure of a decent and honorable maintenance for the families and for the statesmen who are called to pass laws for the American people. The two have no sort of connection.

Mr. RANDALL. Mr. Chairman, we could not rest without touching our own salaries. Such, at least, was the judgment of the committee.

A word or two now as to the clerks, about whom so much has been said. We do not touch the salary of any clerk at \$1,200 and under. We did reduce those above that figure the percentage which has been indicated. In so doing we took into consideration the large reduction of price in all the necessities of life. It cannot be denied there has been very material reduction in the price of cotton goods, potatoes, bread, and the like.

This House a day or two ago, as an offset to the reduction provided for in this bill, passed an act prohibiting hereafter enforced contributions from clerks in the various Departments for political purposes. The practical result of that will be a saving to that extent to all these employes of the Government, while at the same time, in my judgment, it will be the breaking up of a vicious system of getting from the Treasury of the United States, not directly it is true, but nevertheless getting from the Treasury of the United States money by enforced contributions from employes to carry on elections. It comes right down to this: That while we give these clerks the salary provided for in this bill at the same time it has been provided they shall not be compelled to contribute a certain percentage of their salary for political purposes.

Mr. HARRISON. Mr. Chairman, I oppose the amendment, but at the same time wish to say something as to the propriety of reducing our own salaries. It is not a question whether \$5,000 or \$4,500 is enough for us. We have gone before the country and demanded that retrenchment should be made. We cannot reach every man in the country to explain this or that particularly to him. We must go to them and show that we have laid down a rule, and have cut down

our own salaries in the same proportion that we have cut down the salaries of others. That certainly will be demanded of us.

I am not speaking now for the sake of pleasing them, but the question will be asked, if members of Congress could change their own salaries, why did they cut down the salaries of all other employes of the Government from 10 to 20 per cent. and yet at the same time did not touch their own? We have said that the interest of the country demanded retrenchment, and we say so now, and the people will ask, such being the case, why did you not cut down your own salaries? No, sir, we cannot go before the people and satisfy them unless we show a disposition by our act here to reduce our own salaries 10 per cent. for the common good of the country. I hope, however, it will not be attempted to make the salaries so little that we cannot support ourselves. Nevertheless, let us give something of our own pay to go into the coffers of the nation, and that far help to release the people from the debt under which by heavy taxation they now labor.

Mr. CASWELL. I move to strike out the last word of the paragraph.

Mr. Chairman, I rise more particularly to say a word in reference to the charge of insincerity made by the gentleman from Pennsylvania [Mr. RANDALL] against the gentleman from Ohio in offering his amendment. That charge, no doubt, would be quite as applicable to a large portion of this side of the House, for we are all supporting it. In my judgment, this bill as it stands is a compilation of inconsistencies and of insincerities. We have just as good right to express that opinion as he has, that any of us are insincere in supporting the pending amendment. Now as to the proof. We are pretty well informed here that a short time ago the gentleman from Pennsylvania advocated on this floor, and I cannot think he would advocate a measure he did not then believe in, that a salary of \$7,500 was a sum not too large for a member of Congress. And, sir, I am inclined to believe, I am forced to the belief, that when he placed in this bill the sum of \$4,500 as a compensation for a member it must have been against his judgment; but he justifies himself on the ground that the people called him to an account and drove him from his position. Let me say, sir, that the people will see through this scheme, and will demand of the Committee on Appropriations, if we place our hands upon the salaries of the employes and clerks in the various Departments, and the heads of the Bureaus, that we also be consistent and sincere and place our salaries where they were in 1854, at the time these salaries were fixed, and then deduct therefrom the regular percentage. I say the people will see through this scheme, and will demand reduction of our own salaries as then fixed if we reduce the salaries of the employes in the various branches of the Government.

It is well known, Mr. Chairman, that the ability and the assistants which we desire to draw from the people and place at the head of Bureaus and in other positions under the Government cannot be obtained if we reduce these salaries. The compensation is already too small in many instances for that grade of talent we desire to secure. If we cut them down we must expect the character of service will retrograde and be inefficiently performed.

Mr. BLOUNT. I will be frank enough to say that in a great many features of this bill when they were under consideration in the committee, I did not concur at the time. They were adopted by the committee, and after the bill was completed, as I understand it, we agreed upon it, or a majority of the committee agreed upon it as the best thing that could be done. It was announced, and gentlemen seem to be continually recurring to that, by the chairman of the committee that the purpose of the committee was to reduce 10 per cent. in salaries and 20 per cent. in number. That was true as understood by the chairman at that time. We so understood it when we entered upon this bill. But when we began to take up the details, we began to find day after day that it was impossible to follow that rule; and therefore we went into each Department, considered it carefully, and arrived at the conclusions contained in this bill.

In the Post-Office Department our reductions have been very much less than they have been in any other direction. The gentleman from Iowa [Mr. KASSON] complains of what was done in the Sixth Auditor's Office. I may state to him that the Sixth Auditor himself is entirely content with what has been done in that Bureau. That we should commit errors is not unnatural; but I venture to say that any man will concede that a committee taking up all the details in this bill, examining it carefully, having all the several Departments before them, receiving their views and considering them, are much more likely to arrive at correct conclusions than this House.

Mr. KASSON. Will the gentleman allow me to say that I did not complain of the arrangements for the Sixth Auditor's Office? I only referred to that as one of the Offices whose business had been increased. I had not examined what the committee had done.

Mr. BLOUNT. I will say that although the business has increased there to a greater extent perhaps than in any other Bureau, we have made reductions there and they are entirely satisfactory to the Sixth Auditor.

Mr. FOSTER. The gentleman from Georgia does not want to mislead the House—

Mr. BLOUNT. Of course not.

Mr. FOSTER. Then I wish the House to understand that amendments have been made by the committee since this bill was reported, which are satisfactory to the Sixth Auditor.

Mr. BLOUNT. I do not so remember it. But let that be as it may,

it fully illustrates the fact that this committee, instead of doing what is charged upon them, of making an assault upon all the Departments of the Government for political effect, when proper and reasonable amendments have been proposed by the Departments have assented to them. And it comes with an ill grace from the gentleman of the committee who corrects me on that point to speak of the inconsistency of the democratic House.

Now, Mr. Chairman, in regard to the question before the House, the reduction of our salaries. I will not undertake to argue whether or not that reduction is right or wrong. But I do say, sir, that it is apparent to the country that there is a reduction of at least \$5,000,000, and if this House shall ever accomplish that reduction gentlemen will in vain stand there and turn to the chairman of the committee and quote his speeches. They will in vain stand there and talk about your rules. What the country cares about is what we accomplish, and the country will understand such proceedings on the part of those gentlemen as a piece of deception. I expected this attack upon this very clause, by some perhaps from honest, and by some from insincere motives.

I heard, sir, at the outset, almost as soon as this was agreed upon, floating through the Capitol that as soon as the bill reached the Senate the salary of a member of Congress would be reduced to \$7 or \$8 a day. I have heard all through the House predictions of the failure of this bill. Sir, if there be any failure I undertake to say the responsibility of it will not be over here, and that this side of the House will have no explanations to make to the country. I admit that there may be errors in the bill. It is natural there should be. But there is a great good to be accomplished by the bill and the country will see it.

Mr. KASSON. I move to strike out the last word of the pending amendment.

I did not understand the gentleman from Georgia [Mr. BLOUNT] to say that in addition to the fact that the arrangements in regard to the Sixth Auditor's Office have been made satisfactory upon consultation with that officer, the proposition for the Post-Office Department was satisfactory to the officers of that Department. I wish he would state whether that is satisfactory to that Department.

Mr. BLOUNT. Will the gentleman allow me to answer him?

Mr. KASSON. Certainly. I asked the question for information.

Mr. BLOUNT. I desire, then, to say to the gentleman—

Mr. KASSON. At the same time I beg the gentleman not to take up my time beyond answering the question I have addressed to him.

Mr. BLOUNT. I want to answer it in my own way.

Mr. KASSON. Then he must excuse me. I put the question with a *bona fide* desire for information.

Mr. BLOUNT. You will get it *bona fide* if you let me give it to you in my own way.

Mr. RANDALL. I will give the gentleman a direct answer if he will permit me. The Post-Office Department has assented to the amendments of the committee with very slight modifications, the amount of money involved in the difference being less than \$10,000.

Mr. KASSON. I observe from the printed statement which the committee has submitted that the estimate calls for three hundred and seventy-five in number and the bill allows two hundred and ninety-eight. And I understood the gentleman from Georgia to say, in view of what I had stated about that Department and its increasing business, that there was but a slight reduction made there—

Mr. BLOUNT. Not at all.

Mr. KASSON. And in pursuance of the plan which I presented to myself of getting at the honest needs of the Government and nothing else, I made the inquiry I did, and I regret that the gentleman from Georgia did not meet me in that spirit.

I consider this a clear reduction of the horizontal rate suggested by the committee. If I have misunderstood it I am anxious to be corrected, but that is what I find in the printed statement which I understand comes from the Committee on Appropriations. I do not now understand the chairman of the Committee on Appropriations to say that the Postmaster-General says he can discharge the duties of his Department with this large decrease of clerks. If he does say so I accept the statement with perfect sincerity, but I do not so understand.

Mr. RANDALL. As I understand, the Postmaster-General is satisfied with this bill if we will increase the number of clerks four and the number of laborers five.

Mr. KASSON. If the gentleman's information comes from the Postmaster-General, and if he says that, I am satisfied. My information, however, is different. But I accept whatever the gentleman states of his own knowledge.

Mr. RANDALL. That was my understanding with the Postmaster-General, but if the gentleman has had any subsequent conversation with the Postmaster-General I cannot contradict any statement he makes about it; but I desire to say that we fixed upon this number of employees after the fullest conference with the Postmaster-General, who was repeatedly before the committee.

Mr. KASSON. But not, I understand, with his concurrence.

While I am up, allow me to say that I trust that this discussion may go on in the spirit indicated by the gentleman from Massachusetts [Mr. HOAR] in his colloquy with the gentleman from Pennsylvania. I assure the gentlemen opposite that this side of the House does not want one clerk retained whose removal does not interfere

with the prompt transaction of the public business. But I do also know that in some of the Departments to-day, with all the force they have now, there is much delay in getting business through without taking it up out of its regular order. This is the case in the Pension Office, in the Post-Office Department, and in some other offices.

[Here the hammer fell.]

Mr. HILL. I wish to say, Mr. Chairman, that I desire at the proper time—and I say it now because it may affect the vote on the pending motion of the gentleman from Ohio, [Mr. FOSTER]—to move to strike out the words "30th day of June" and insert the words "3d day of March."

The reason for this is that I have always thought that there was great force in the remark made by Mr. Madison when this same question was before the convention that framed the Constitution, and that was that he regarded it as a very indecent thing for members of Congress to be voting their own compensation. That was when the question of framing the Constitution was before the convention and there were several propositions in relation to the pay of Senators and members of Congress before it. I have always believed that the proposition then before the convention that Senators and members of the House should be compensated by the several States was the proper method, for several reasons. It has since been judicially determined that Senators and members of Congress are not officers of the Federal Government, but officers of the States. I wish to remove as far as possible what Mr. Madison regarded as an indecent thing, and that is, members voting their own compensation; and I think now is a good time to set a precedent.

I concede that on several occasions members of Congress have voted their own compensation, but I have always thought it was a bad precedent. It was necessary, of course, in the First Congress, because there had been none preceding it, to fix the compensation; it has never been necessary since, and I think what was called popularly "the salary grab" in the last Congress would have lost much of its power if it had not applied to the Congress then in session; and it is according to the analogy of our laws that we should let our legislation have a prospective operation. Members are elected to a certain Congress with their pay fixed by law. I think it should not be increased or diminished so as to affect that Congress. I think this Congress ought to set that example, and whether they fix the compensation at \$2,700, or \$3,000, or \$5,000, or at \$8 a day, let it take effect with the next Congress. Let this Congress remove from itself the scandal, as Mr. Madison justly called it, of voting its own pay. On that question I concur in the remarks made by the gentleman from Massachusetts, [Mr. HOAR.] This arrangement may not be a perfect one, because one-third of the Senate retire on the 4th of March, but at least no member of this House, if this rule is adopted, will ever be voting on his own salary; and if the people choose to send him back here after the compensation is fixed for the next Congress, let them do so.

Mr. KASSON. Does the gentleman think it unsafe to allow Congress to reduce its pay? I know it is unsafe to allow them to increase it.

Mr. HILL. I wish to establish a rule now, so that the future Congresses may not reduce or increase their pay. Of course it is more proper to reduce it than to increase it.

Mr. KASSON. In some of the States the constitution admits of a decrease but forbids an increase.

Mr. RANDALL. In reply to the gentleman from Georgia, I wish to remind him of this fact: that we have already appropriated money at the last session of the last Congress for the fiscal year which ends June 30. This bill provides for the compensation of members of Congress and all other persons commencing from the 1st of July next, and therefore we must of necessity conform to that date.

Mr. HILL. Does this same bill reduce the pay of the President during his term?

Mr. RANDALL. No; the Constitution does not permit that.

Mr. HILL. After the 4th of March next?

Mr. RANDALL. We do not reduce the salary of the President of the United States who now occupies the place, because the Constitution of the United States would not permit that.

Mr. HILL. Why not do the same thing here, and not reduce the compensation of the present members of Congress until that time?

Mr. RANDALL. Because the money for the payment of the salary of the President of the United States from the 30th of June to the 4th of March next is already by law provided for.

Mr. HILL. Cannot you by changing the provisions of this bill make the same arrangement with regard to members of Congress?

Mr. FOSTER. I want to make a suggestion to the chairman of the Committee on Appropriations, [Mr. RANDALL.] If he will allow a vote to be taken on my amendment in the House by yeas and nays, I will not press it now.

Mr. RANDALL. At this early stage of the consideration of this bill I cannot agree to make any arrangement out of the order of the usual rule.

Mr. FOSTER. There is no rule on that subject.

Mr. RANDALL. Well, the usual practice, if you please.

Mr. DOUGLAS. If the pending amendment is divisible, I ask to have a vote taken separately upon striking out the sum named, so as to leave a blank to be afterward filled.

Mr. FOSTER. The chairman has a right to yield to me in the House to offer my amendment.

Mr. RANDALL. I am not so instructed by the committee. I will vote for it.

Mr. TOWNSEND, of New York. I move to strike out the last ten words of this paragraph. I have no hesitation in declaring myself opposed to the amendment of the gentleman from Ohio, [Mr. FOSTER,] and I have no hesitation in declaring myself opposed to the proposition of the Committee on Appropriations. I came to this House under a substantial contract between me and the people of the United States that, if I would leave my business, in which I labored diligently for a long life, and come to Washington and act in the position of a Representative in this House, I should be paid \$5,000 a year. And I am unwilling to allow any set of persons, I do not care if they be my associates here, to practice a repudiation of that contract upon me. [Laughter.] I am talking personally about the matter. My constituents believed that my services in this House of Representatives would be worth the sum provided by law to be paid to me, and it was for that reason that they elected me. I am boasting not one word over any other gentleman in this House when I say that, for I believe it was the opinion of the people of every other district in the United States that the men they elected as Representatives were worth, or are probably worth, to the people of this country the sum that was proposed to be paid to them.

Now, we have one of two things to do in this matter; we must say that nobody but rich men shall represent the people of the United States in Congress or men who are willing to steal, or we must furnish a reasonable provision for the support of men who leave their farms, their merchandise, their professional business, to come here for the time being to look after the interests of the country. Now I do not believe that the people of this country desire to give over their destinies to the professional politicians or to the rich men of the country. I have no quarrel with the rich men; I wish I were rich too. But it is not the wish of the people of this country that none but rich men shall come here. If my people do not want to pay me a reasonable provision for the support of myself and my family, they certainly will not send me here.

I have nothing to say about the remainder of this bill. I rose to a question of personal privilege, [laughter;] I rose to speak in regard to what every gentleman of this House knows to be strictly true, that the salary now paid him is not too much; that that amount of salary is necessary to every man who does not live out of his private fortune or some plunder of the Treasury, or post-tradership, or some railroad company; and there is not enough of those to go round. [Great laughter.] If we are to live at all respectably, to settle with our boarding-house-keepers and our washer-women, we will never reduce our salaries. I withdraw my amendment.

The question was then taken upon the amendment by Mr. FOSTER to fix the salary of Senators at \$2,700 a year, and it was not agreed to upon a division—ayes 24, noes not counted.

Mr. HOSKINS. I move to amend by striking out the fourteenth line in relation to mileage of Senators and to insert what I now send to the Clerk's desk.

Mr. HILL. I have indicated an amendment to the paragraph now under consideration. I move to amend by striking out the words "30th of June" and inserting in lieu thereof the words "3d of March." It will then read, "From and after the 3d of March next the compensation," &c. I desire to say in support of my amendment that I do not think the criticism of the gentleman from Pennsylvania [Mr. RANDALL] touches the question at all. If you can say, as this bill now does, that this reduction of our salaries shall take effect from and after the 30th of June, you can fix any date you please. If the total appropriation named in this paragraph is too much or too little, by reason of my amendment, you can change it.

Mr. ATKINS. The language which the gentleman proposes to strike out belongs to the whole bill, not simply to that paragraph.

Mr. HILL. I do not so understand it.

Mr. ATKINS. Read it.

Mr. HILL. The provision is:

From and after the 30th of June next the compensation of said Senators shall be \$4,500 per annum.

Mr. ATKINS. That is the only place in the bill where the date is fixed.

Mr. HOLMAN. The gentleman from Georgia [Mr. HILL] is right.

Mr. HILL. I know I am right.

Mr. ATKINS. I believe I was mistaken.

Mr. HILL. I think we ought to set this precedent.

Mr. HOAR. I rise to a parliamentary inquiry. I desire to have the Chair state what is the pending proposition.

The CHAIRMAN. The pending proposition is the amendment proposed by the gentleman from Georgia, [Mr. HILL,] which will be read by the Clerk.

The Clerk read as follows:

In lines 11 and 12 of the printed bill strike out the words "30th of June" and insert, in lieu thereof, "3d of March;" so that it will read: "From and after the 3d of March next the compensation of said Senators shall be \$4,500 per annum."

Mr. HILL. Mr. Chairman, I think it very important for this House to establish the precedent which I insist is involved in this amendment. It is more important than the question of reduction or increase of any salary. Let this House for the first time set the precedent and thereby if possible establish it is a principle, that members shall not

on any occasion vote on their own salaries. Let them vote if they choose upon the salaries of future Congresses, but not upon their own. It is an "indecent thing," and I think the practice ought always to have been what I am now advocating. I regret that it has not been the practice heretofore. If it had been the practice we should have been saved a great deal of unnecessary scandal a few years ago. I therefore insist upon the amendment.

Mr. O'BRIEN. Mr. Chairman, one of the principal objections to the amendment urged by the gentleman from Georgia [Mr. HILL]—and I think it is entitled to great weight in determining the votes of members—is that it will be time enough at the next session of Congress to decide what shall be the pay of the Forty-fifth Congress, whether it be increased or diminished. It is not worth while now, in the first session of the Forty-fourth Congress, for us to interfere, in the way of decrease or increase, with the pay of the next Congress. It may very well be, as my friends around here tell me, that at the next session members will have been elected to the Forty-fifth Congress, but the new term will not commence before the 3d of March, 1877, and before that time there will have been an intervening session of Congress.

But, Mr. Chairman, that does not concern particularly the primary motive which induced me to rise here. I do not care specially whether this amendment fails or prevails. My principal motive is, before I conclude, to submit another amendment (if it be in order) which has already been spoken to but which has not yet been offered; it is that the compensation of members of this Congress, and so far as we can arrange it of all future Congresses, shall be the sum now fixed by law—\$5,000. I do not consider that either consistency, propriety, duty, or public sentiment demands that we shall make any change whatever in regard to our present compensation. I trust the CONGRESSIONAL RECORD will never again be discredited or disgraced by any such unseemly debate as that which characterized the Forty-second Congress, and which was renewed, as an inglorious legacy, in the Forty-third Congress. In this respect I concur in the expression which fell from the gentleman from Massachusetts, [Mr. HOAR.]

I think, sir, that the salary of \$5,000 a year, which was substituted for the salary of \$7,500 fixed in the Forty-second Congress, was determined in obedience to public sentiment. A salary of \$5,000 is in accordance with the will of the people; and I challenge my friend from Pennsylvania, [Mr. RANDALL,] I challenge my friend from Indiana, [Mr. HOLMAN,] I challenge any member of the Committee on Appropriations to refer me to the action of any convention, any Legislature, any public body or popular assembly, asking that that salary be repealed or interfered with. If we are here to legislate in obedience to the will of the people, I ask where will you find the record or expression of any public sentiment which justifies us in interfering with a salary which was fixed for this Congress by a Congress which preceded it. If the argument of the gentleman from Georgia [Mr. HILL] is right, then as the Forty-third Congress has fixed our salary, it is unseemly and indecent for this Congress to interfere with that salary either by increase or decrease.

Mr. Chairman, if I had the time I think I could demonstrate to this House that there is no public sentiment anywhere throughout the country, expressed within the last nine months, which demands of us the wholesale reduction and retrenchment embraced in this bill. I approve of these reductions in part; there may be here and there a salary that ought to be diminished or an office that should be altogether abolished. But I say there is nothing emanating from the public press or included in those party shibboleths "retrenchment, economy, and reform" which will justify the attempt made, I fear, in this bill to cripple the Government itself. I do not pretend to say that the democratic majority in this House or the democratic members on the Committee on Appropriations mean anything of that character. I do not profess to believe that they would for a moment be willing to make it even possible that such a thing should occur. But if I am to believe the language conveyed to me in writing by officers of this Government as high as the Secretary of the Treasury himself, speaking with reference to the details of his own office, its needs and requirements, then I am here to say that it is alleged this bill will interfere with the ordinary routine of the Government, and will to a certain extent embarrass the general business of the Department.

[Here the hammer fell.]

Mr. KELLEY. Mr. Chairman, is an amendment in order?

The CHAIRMAN. An amendment to the amendment of the gentleman from Georgia [Mr. HILL] would be in order.

Mr. KELLEY. I move to amend by striking out—

Mr. O'BRIEN. Will not the gentleman yield for a moment until I have stated the proposition I intended to move by way of amendment?

Mr. KELLEY. I presume I am going to make about the same motion that the gentleman would make.

Mr. O'BRIEN. I wish to move an amendment restoring the pay to \$5,000.

Mr. KELLEY. I was about to move to strike out in the twelfth and thirteenth lines the words "\$4,500" and insert "\$5,000."

Mr. HOAR. I propose when these various amendments of detail have been voted upon, to move to strike out the paragraph.

Mr. KELLEY. I am glad to know that my friend from Maryland anticipated me in what I think so proper an amendment as that the salary should remain at the sum now fixed by law. I have not par-

ticipated in the general debate on this bill. There is much in it that I approve and much more that I disapprove. I am in favor of reducing the clerical and all other force in the several Departments of the Government as much as can be done consistently with the maintenance of their efficiency. And wherever it can be shown there is a clerk or other employé who is supernumerary, whose place is a sinecure, or whose duties might be performed by another without being burdensome, I say I shall gladly vote for such a reduction.

I do not believe, sir, the sentiment of the country demands the reduction of officials suggested by this bill. I do believe it proposes a reduction of force which would be disastrous to the service. I need go no further than to the Clerk's office for an illustration of that fact. Politically the question belongs to the other side. The Clerk is a democrat, chosen by the majority of this House; his appointees are all of the same party, and I do not complain of it. Had my party elected the Clerk all of them would have been republicans.

A MEMBER. Not so.

Mr. KELLEY. I think so; at least they would have professed to be republicans while holding an office. [Laughter.] Therefore I had no quarrel with the political character of the incumbents. It is not my question politically, but I do not believe that the number of employes left would effectively perform the duties of the office. I do believe the pay assigned to them is utterly inadequate and will only be accepted for the present in view of the present terrible depression private business is now suffering and the difficulty of finding employment. Were business in its normal condition, men fit to fill those places could not be found at these salaries, perhaps, unless it was with the assurance there were perquisites.

Now, I want to pay the employes of the Government fair and honest salaries and hold them to strict accountability. No man can bring his family here, to turn to the case of Senators and Representatives, no man can bring his family here and maintain them as they should be maintained on \$5,000 a year. No man who is deserving of the name of lawyer—there may be some members of the bar who are not much of lawyers who could not probably earn \$5,000 a year—no lawyer in full practice, who does not lay down \$5,000 a year for the honor of holding this office, the office of Senator or member. I do not believe the American people desire such pay to be put where poor men cannot fill the place, let their fitness be what it may, or that men shall come here to live in garrets, or to absent themselves from their families to poach on the domains of others.

The American people love money. They love the excitement of gaining, but they spend and part with it by gift more lavishly than any other people. Look at our private benevolences, our schools, our churches, &c. They attest the little regard our people attach to the mere possession of money. There is something they pride themselves much more in than the retention of dollars and cents. It is the honor of their country. It is that they may stand well in the eyes of each other and of the world; and I should regard this bill as a reproach upon the people in that behalf—

[Here the hammer fell.]

The CHAIRMAN. The Chair will say to the gentleman from Pennsylvania that, properly speaking, his amendment is not an amendment to the amendment of the gentleman from Georgia, as one has reference to time and the other to the sum.

Mr. KELLEY. Very well; I will get five minutes more on it when I submit it in order.

Mr. RANDALL. I hope not.

Mr. SINGLETON. As a matter of course it could not be expected—

Mr. KELLEY. I wish to say that I have accepted the amendment as proposed by my friend from Maryland, and am willing it should be pending in that way, and we will discuss it when the time comes.

Mr. SINGLETON. Mr. Chairman, as a matter of course it could not be expected that any gentleman upon this floor in a five minutes' speech could say much that would throw light upon so grave a question as we have under consideration. As a member of the Committee on Appropriations I deem it my duty to say when we came to the consideration of this bill there was no question of politics introduced. The question whether a man belonged to one party or another when we came to deal with his salary was never mentioned. Therefore to give this measure a political aspect is doing us injustice.

The purpose of the committee was in the first place to inquire whether the necessities of the country demanded there should be retrenchment of expenses in the various Departments. That was the first inquiry. I need not argue that proposition, for every member on this floor knows there is a pressing demand, one we cannot avoid, for the curtailment of expenditures in every quarter where it can be done.

The next question was, can we make this reduction without injury to the public service? We believed that that could be done. We differed somewhat as to the details, as to the manner in which it should be done, as to where we should apply the knife and where we should not. But it was agreed upon all hands that we could make this reduction without impairing the public service. The question arose how was this to be done, and after some discussion we adopted what was called the 10 per cent. rule; not as the gentleman from Ohio asserts to be departed from in no instance, to be adhered to in every case, but as a general rule, from which we might depart whenever we found it necessary. Well, sir, in the course of our investigations we found some of the salaries of these officers raised to such an

extent that, in order to bring them down to accord with others who were rendering like services, it was necessary we should reduce them more than 10 per cent. Hence it is you find that the 10 per cent. rule is not adhered to in every case. It was not adopted as an invariable rule, it was not intended to be such, and we have not in all cases followed it for the reasons I have explained.

Gentlemen dwell with peculiar emphasis upon the salaries of members of Congress. As long as the amendments offered looked to a reduction of these salaries below the pay proposed by the bill of the committee, I did not think it proper to say one word, but now, when it is proposed to raise the amounts above what was provided for in the bill, I feel it my duty to stand by the report of the committee. I contend that \$4,500 is ample pay and ought to be satisfactory to every member of the House, and that the amendment of the gentleman from Maryland raising it to \$5,000 ought not to be adopted. I cannot sympathize with the gentlemen on the other side of the House, who seem to think that because they cannot get \$5,000 they must reduce the amount to \$2,700. If, as they contend, their services are worth \$5,000, and they cannot get that amount because of a difference of opinion among us, then let them take the next best thing attainable and be content with the \$4,500. In doing so we subject ourselves to the 10 per cent. rule, and will not be criticised as we would be if we applied that rule to others and yet dodged it ourselves. If we had reported a bill reducing the salaries of all the clerks and employes and not our own, what would have been said on the other side of the House? I know very well what would then have been the line of argument. It would have been said you have reduced the salaries of others but have left your own intact. The republicans have made resistance to every bill which the committee have reported. We have not been able to please them in any of the appropriation bills upon which we have been called to act. They have met them with proposed amendments which they believed would so clog and embarrass the bills as to have the effect to ultimately destroy them. I hope this side of the House will take cognizance of these facts and not be led off by these amendments.

I do not pretend to say that the Committee on Appropriations has all the wisdom of this House. We do not know anything of these matters more than others except so far as they have been brought specially to our attention. We have communicated with the Departments; have had the heads of Bureaus before us with books, maps, and estimates; have collected and collated all the facts in our reach, and have endeavored honestly to discharge our duty with a view to the public interests of the country and justice to individuals. We therefore claim that this House should stand by the committee, that you should accept the report which it has made and adopt it with perhaps some slight amendments; but to undertake at the outset of this discussion to deal with this bill, as some gentlemen on the other side of the House propose to do, is to effectually destroy it.

The CHAIRMAN. The question is on the amendment of the gentleman from Georgia, [Mr. HILL,] to which the gentleman from Pennsylvania [Mr. KELLEY] proposed an amendment not properly germane. The Chair will withhold putting the question on the last amendment until the first, that of the gentleman from Georgia, is disposed of.

Mr. JENKS. I rise really to oppose the amendment of the gentleman from Pennsylvania, and in order to do so I move an amendment to that amendment by striking out the last word in it.

The CHAIRMAN. The Chair desires to state to the gentleman that that amendment is not pending.

Mr. JENKS. Very well; I move to strike out the last word in the amendment of the gentleman from Georgia.

The ground upon which I am in favor of this reduction of salaries and opposed to the amendment of the gentleman from Pennsylvania [Mr. KELLEY] is somewhat different from any I have heard stated. It is not for any partisan purpose that we ought to reduce or to increase these salaries one cent. We ought to do it on some other ground than that. And it is not a strictly proper question whether the people have demanded it at our hands or whether they have not, because we ourselves are a part of the people, and it as much our duty to speak as it is theirs; and it is in order that we may speak to the people with propriety that I would insist on this reduction of salaries.

After the failure of the great banking house of Jay Cooke & Co., in the fall of 1873, business depression spread all over the land, and from that time till this moment we feel that depression growing heavier and heavier. By that we were first brought fully into view of this fact, that the people, individually and collectively, were living too extravagantly; that we were spending more than we ought to do. It has happened to us in appearing before the people to speak to them time and again on this subject, and we have said to them, "It is your duty to reduce your expenses; it is your duty to forego every extravagance, and to cease to indulge in many luxuries in which you have hitherto indulged." But in order that we may speak to them with force, it is necessary that we should here speak to them, and say that we ourselves propose to forego something in the way of luxuries. If we merely stand here and say we expect you to give up some of your luxuries, while we leave our salaries untouched, they would not believe that we were speaking in honest good faith. But if we say to them we ask you to forego luxuries, let us make some reduction ourselves, and indicate that we desire all to forego luxuries, collectively and individually, so that this depression which has been spread over the nation by extravagance shall cease to exist.

Sir, it is in this view that I trust there will be a reduction in our own salaries to establish the principle and to show our *bona fide* teaching to the people that they must cease to be extravagant if they ever expect to recover from financial distress. We can extricate ourselves from it only by recognizing the fact that we have been spending too much. Whenever a manufacturer ceases to be able to pay what he has heretofore paid, he either reduces the salaries of his employes or reduces the number of his employes. Now, when this Government is placed in the same position, it is our duty to recognize the commonplace business principles of reducing our expenditures.

Sir, I do not regard this question from any political aspect, but we cannot speak to the American people with more good sense and more effectually than by saying, stop your luxuries and extravagance; and we cannot do that better than by first reducing our own salaries.

[Here the hammer fell.]

The question was on Mr. HILL's amendment.

Mr. RANDALL. I want to say a word.

The CHAIRMAN. Debate has been exhausted on the amendment.

Mr. RANDALL. That amendment would change the date of the entire bill.

The question was taken on the amendment; and on a division there were—ayes 84, noes 99.

Mr. KELLEY called for tellers.

Tellers were ordered; and Mr. HILL and Mr. RANDALL were appointed.

The House divided; and the tellers reported—ayes 75, noes 81.

So the amendment was not agreed to.

The question recurred on the amendment offered by Mr. O'BRIEN and accepted by Mr. KELLEY, in lines 12 and 13 to strike out the words "\$4,500" and insert in lieu thereof "\$5,000."

Mr. HOLMAN. The amendment is not subject to the point of order, I admit, for it does not change the existing law. In the interest of economy I wish to say a word against this amendment.

Mr. Chairman, I trust the committee will not adopt this amendment. If it is adopted, of course gentlemen understand that it is the abandonment of every retrenchment aimed at in this bill. The gentleman from Pennsylvania [Mr. KELLEY] must know that in proposing to restore the salary by the provision of this bill to what it is now, he renders a reduction of salaries absolutely impossible, and neither he nor any other gentleman on either side of the House can consistently with his own sense of honor favor a reduction of any other salary unless the salaries of members of the House shall be reduced. I believe, sir, that it would be my duty, as a member of the Committee on Appropriations, to stand by this bill in this respect if the House, with the bill framed as it is, should conclude to accept that provision; but I learn from the arguments of gentlemen that inasmuch as the salaries of Senators and members of the House are reduced 10 per cent. and the salaries of other employes of the Government are reduced from 10 to 20 per cent., they will therefore use the failure in reducing the salaries of members to a corresponding extent as an excuse for opposition to the bill.

I have this appeal to make to the House, (I do not desire to make it to one side or the other, but to the House:) if it is intended that there shall be retrenchment in the expenditures of the Government, that they will not leave ground on which any gentleman can stand, a bulwark behind which they can intrench themselves in opposing every reduction of salaries proposed by this bill, I say to the gentleman from Pennsylvania, and I do it in no spirit of appeal to any prejudice here or elsewhere, that in my judgment the salary of a member of Congress as now fixed by law is disproportionately high as compared with the salaries of employes of the Government in general, and especially as compared to the compensation paid for public services in the various States of this Union. And further, in a Government like ours, where frugality and simplicity of manners are the custom and can alone be in harmony with the idea of free institutions, I insist that high salaries tend to destroy that simplicity which comports well with a government like ours.

These gentlemen say that we cannot live respectably in this capital for a less salary than \$5,000 a year. I am certain that the salary is too high. I desire to say only in the presence of this House, and nowhere else, that this salary is too high. We lived through the war on a salary of \$3,000, and animated as men were then by a spirit of patriotism, I never heard a gentleman on this floor complain of the salary when the expenses of living were almost twice what they are now. I heard no complaints then of the salary being insufficient; and if gentlemen could live in this capital with a family and live respectably, so that he would be glad to see any portion of his constituents when they came to this capital, at an expenditure of \$200 or \$250 a month, why a gentleman can certainly live very comfortably now with an ordinary family for from \$100 to \$150 per month, even during the session of Congress, without reference to that considerable period of his congressional term during which members are subject to their own control, to avoid expenditures and attend to their own affairs. I insist that the proposition that we should fix the salary at \$3,600 a year would far better comport with the general salaries paid by the Government, and especially with the salaries paid by the States to their officers, than a salary of \$5,000 a year; and I would be glad to see the House adopt that amendment.

Mr. BAKER, of Indiana. Will my colleague allow me to ask him a question?

Mr. HOLMAN. My friend must see that I have got but a moment left. With the salary of members of Congress reduced, what gentleman, even though pressed by his clerical friends in the Departments—and I know that our friends on the other side of the House are so embarrassed—would feel any embarrassment at all in voting for the reduction of salaries.

But as it is now, unless we reduce our own salaries to compare somewhat with the reductions made in other salaries, gentlemen may well intrench themselves behind that fact and resist all reduction of salaries. No, no, Mr. Chairman, if this House, in view of the pressure upon us for economy, greater than at the period when our salaries were \$3,000 a year, and the expense of living in this capital nearly twice what it is now—if this House will rise to the demands of the occasion, when public burdens are felt oppressively by all the industries of the country, when multitudes of the people are unemployed, when reduction of the expenditures of the Government is a thing imperative, if we reduce our own salaries now to the respectable sum of \$3,600—ay, a respectable salary, I say, for any gentleman in public or private employment—that would give an assurance to the country that there will be a permanent reduction in the expenditures of the Government.

[Here the hammer fell.]

Mr. BAKER, of Indiana. Will the gentleman answer a question?

Mr. HOLMAN. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HOLMAN. I hope I will be allowed to answer the question of my colleague, [Mr. BAKER.]

Mr. O'BRIEN. I ask unanimous consent of the committee that the time of the gentleman from Indiana [Mr. HOLMAN] be extended for five minutes.

The CHAIRMAN. The Chair must enforce the rule. The question is on the amendment of the gentleman from Maryland, [Mr. O'BRIEN.]

Mr. O'BRIEN. I desire to modify my amendment. Instead of striking out \$4,500 and inserting \$5,000, I will move to strike out all of the paragraph except the words "for compensation of Senators, \$333,000." That will answer my purpose more effectually, and I will now yield my five minutes to the gentleman from Indiana, [Mr. HOLMAN.]

The CHAIRMAN. It requires unanimous consent to modify the amendment.

Mr. GARFIELD. O, no.

The CHAIRMAN. The question is upon the amendment of the gentleman from Maryland, [Mr. O'BRIEN,] which has been debated on both sides.

Mr. DOUGLAS. I desire to move an amendment to the amendment. If I could have obtained the recognition of the Chair, I would have moved, in anticipation of what has fallen from the gentleman from Indiana, [Mr. HOLMAN,] an amendment reducing the compensation of members of Congress to \$3,600 a year, the sum indicated by him.

I do not intend to raise the question here or to discuss it when raised by the gentleman from New York [Mr. TOWNSEND] and others as to rich men or poor men. I have heard that *ad nauseam*. I say to the gentleman from New York that, so far as this side of the House is concerned, especially the southern element of it, "Ye have the poor with you always."

I believe that I can live here very respectably on the sum I have named. I am certain that no member upon this floor on either side of the main aisle can need a higher compensation than that; and, if the present majority on this side of the House means anything at all, it means that it is an expression of the demand of the people of this country for retrenchment and reform.

I shall not go into the question as to how the extravagant expenditures that have prevailed here for years past, especially since the close of the war, have been kept up. But I know one thing, that in that section of the country which I in part represent, standing in the presence of a diminishing revenue and the paralyzed industries all over the country, with a constant decline in the expense of living, the people did demand, in a voice that must be heard here and elsewhere, that there should be retrenchment in the expenditures of this Government. My equanimity will not be at all disturbed by any taunts about my sincerity. I will let that question be tested by my acts. I will respond to the demand of my constituents and of the people of this country for retrenchment in this Government, in every branch of it, the legislative as well as the others.

I was of the opinion that the principle enunciated in the amendment of the gentleman from Georgia [Mr. HILL] was correct, and that it was an "indecent thing" for us to be sitting here deliberating upon the matter of our own compensation, whether to increase or to diminish it. But I bow to the decision of the majority of this House. They have determined to retain that feature in the pending bill which allows us to pass upon that question. If I cannot carry my measure, I am in favor of carrying that which will most nearly approximate to it. If I cannot carry anything that more nearly approaches the realization of my ideas, I will accept the proposition of the Committee on Appropriations.

I move to amend the amendment of the gentleman from Maryland [Mr. O'BRIEN] by striking out "\$5,000" and inserting in lieu "\$3,600."

Mr. O'BRIEN. The insincerity, to say the least of it, of the argument of my friend from Indiana [Mr. HOLMAN] must be plainly evident to this House when we take into consideration the propositions

which are now pending before the House in reference to appropriations from the public Treasury. Why, sir, the picayune sums that will be saved to the Treasury by a reduction which is not demanded by any public sentiment, in relation to propositions brought forward in this bill for the reduction of the salaries of members of Congress and the employees of the Government, become insignificant when compared with that mighty sum which will be taken from the Treasury by a scheme which I consider a gigantic fraud, and which my friend from Indiana [Mr. HOLMAN] is already pledged to support.

Mr. HOLMAN. What is that?

Mr. O'BRIEN. I find him here on this floor willing to cut down salaries which have stood the test of a generation, which run all the way back to 1845 and 1852, and to do it in the interest of what he falsely calls a public sentiment in behalf of economy and retrenchment. I find him further advancing the insincere argument that the purpose is to prevent a raid upon the public Treasury, to save the people's money from being sacrificed by being given to members and other public officers in a proportion to which they are not entitled.

Mr. HOLMAN. Will the gentleman allow me to inquire what is the "gigantic fraud" to which he has referred?

Mr. O'BRIEN. I will tell the gentleman before I get through.

Mr. HOLMAN. I hope my friend will not forget it.

Mr. O'BRIEN. I remember both historically and by experience since I have been a member of this House that the distinguished gentleman from Indiana (and I honor him to a certain extent in regard to his course) has for fourteen years or longer been struggling here against adverse majorities, whether upon his own side or upon the other side of the House, advocating what he calls the principles of economy but what practically means compelling men to live upon wages which will not allow them decent attire or a respectable livelihood, thus exposing them in public life to vast temptations. I find that at last he seems to have succeeded. I find him here nominally the vice-chairman but practically the leader of your Appropriation Committee. [Laughter.] I find that he is flying the kite, the balance of the committee being but the tail of the kite; and on that kite is emblazoned his fourteen years' party shibboleth, "Economy!" At the same time, Mr. Chairman, I know that he is pledged to vote for a bill which if it should become a law (and it did pass the House at the last Congress) will in the estimation of some of the officers of the Government take \$100,000,000 from the Treasury.

Mr. HOLMAN. What bill is it?

Mr. O'BRIEN. I allude to the bounty bill which the gentleman from Indiana is pledged to support.

Mr. HOLMAN. Does the gentleman mean the bill for the equalization of the bounties of the soldiers?

Mr. O'BRIEN. I do.

Mr. HOLMAN. Certainly I am for that.

Mr. O'BRIEN. The gentleman did not attempt in the last Congress to cut down these salaries; and I say that if, as he says, this is a time of general paralysis of industry and business, and therefore the salaries of public officers, and particularly members of Congress, should be cut down, then in the name of Heaven why take from the Treasury \$100,000,000, more or less, (I believe more,) at one swoop, under the form of bounties to soldiers.

[Here the hammer fell.]

Mr. HOLMAN rose.

Mr. FOSTER. I move that the committee rise.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana, [Mr. HOLMAN.]

Mr. FOSTER. On what question?

Mr. PAGE. I rise to a point of order. I submit that debate is exhausted.

The CHAIRMAN. *Non constat* that the gentleman from Indiana wishes to move that the committee rise.

Mr. PAGE. I object to debate on the amendment.

Mr. HOLMAN. Before making the motion which I design to make in a moment, that the committee rise, I must express my astonishment at the remarks—

Mr. HOAR. I rise to a point of order. The gentleman from Indiana has no right to debate—

Mr. O'BRIEN. I hope unanimous consent will be given for the gentleman from Indiana to proceed.

The CHAIRMAN. The Chair was about to rule that the gentleman from Indiana is not in order in debating—

Mr. HOAR. I do not object to the gentleman receiving leave of the committee to proceed—

The CHAIRMAN. The gentleman from Massachusetts [Mr. HOAR] is also out of order.

Mr. FOSTER. I ask unanimous consent for the gentleman from Indiana to proceed.

Mr. HOLMAN. I rise to a point of order. My point is that the proposition now pending is subject to amendment.

The CHAIRMAN. The gentleman has the floor to make any amendment which is in order.

Mr. HOLMAN. For the purpose of enabling me to submit a few remarks—I have but a word to say—I move to amend the amendment to the original text by striking out \$3,600 and inserting \$3,000.

The CHAIRMAN. There are already pending two amendments—one by the gentleman from Maryland [Mr. O'BRIEN] to insert \$5,000,

and the other by the gentleman from Virginia [Mr. DOUGLAS] to insert another sum.

Mr. ATKINS. By what right can the gentleman from Indiana make the motion that the committee rise? He has not charge of this bill.

Mr. FOSTER. I have already made that motion.

The CHAIRMAN. The Chair has not recognized the gentleman from Ohio for that purpose.

Mr. HOLMAN. I rise to a question of order. I understood the motion was to strike out the section. If that was not the motion, I am mistaken.

The CHAIRMAN. The Chair understood that the gentleman from Indiana rose to a point of order.

Mr. HOLMAN. My point is this: That according to my understanding the gentleman from Maryland moved to strike out the paragraph; the gentleman from Virginia then moved to strike out \$4,500 and insert \$3,600. I think that is a correct statement of the history of the pending propositions.

Several MEMBERS. O, no.

Mr. HOLMAN. The gentleman from Maryland can state whether that is right or not.

The CHAIRMAN. The Chair will state the position of the question.

Mr. FOSTER. If the gentleman from Indiana will renew my amendment at the close of his remarks, I will withdraw it.

Mr. PAGE and others objected to the withdrawal.

The CHAIRMAN. Objection is made.

Mr. HOLMAN. I rise to a question of order. I understand that the gentleman from Maryland moved to strike out the paragraph. Am I correct?

The CHAIRMAN. The gentleman from Maryland made no such motion. The Chair will state the proposition. The gentleman from Maryland moved to strike out a certain sum and insert another sum. The gentleman from Virginia moved to insert still another sum in lieu of the sum proposed by the gentleman from Maryland. That is all the amendment to the amendment which now can be considered.

Mr. HOLMAN. I believe it is in order to move to strike out the paragraph.

The CHAIRMAN. It would be in order.

Mr. HOLMAN. Then I make that motion. I am opposed to striking out the paragraph, Mr. Chairman, but I avail myself of the courtesy of the committee in making that motion to submit some remarks, the remarks which I desired to submit a while ago.

Mr. HOAR. I rise to a question of order. The gentleman should not address the House until the other questions are settled.

The CHAIRMAN. The gentleman cannot address us in opposition to his own amendment.

Mr. HALE. I rise to a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. HALE. I appeal to the gentleman from Indiana. He is unused to the ways of the House, and it is almost impossible for him to get the floor, but if he will wait until to-morrow we will help him to get the floor. [Laughter.]

The CHAIRMAN. The gentleman is not stating any point of order.

Mr. HOAR. I do not desire at all to object to the gentleman from Indiana speaking, but I do not see why he should address the committee by its indulgence and give notice he is going to move the committee rise when he gets through so that no one can ask for the same indulgence to answer him.

Mr. RANDALL. I do not believe the gentleman from Indiana will make any such motion after he has concluded his remarks. I will take care that nobody shall be refused the opportunity, if he wishes it, to be heard on this question.

Mr. HOLMAN. I am glad, Mr. Chairman, I am sheltered by the chairman of the committee in saying he will take care no injustice shall be done. The gentleman from Massachusetts, if he understood what is going on, understood that I was simply proposing to move that the committee rise in consequence of the general disposition manifested in that regard. Why should I desire the committee to rise after submitting my remarks?

Now, Mr. Chairman, I rise simply to say that I was greatly astonished at the remark which fell from the lips of the gentleman from Maryland [Mr. O'BRIEN] when he declared that the proposition to equalize the bounties of the men who fought our battles in the late war, upon whose perilous devotion and in consequence of whose great sacrifices the maintenance of this Union was solely dependent, to whom we owe the life of this Republic—when he characterized the effort on our part to equalize their bounties and to do them equal justice as a monstrous fraud. Mr. Chairman, those are words which ought not to have dropped from the gentleman. They are words which never should have fallen on the ears of this House.

Mr. O'BRIEN. Will the gentleman allow me to say one word?

Mr. HOLMAN. Yes, for one word.

Mr. O'BRIEN. I was limited to five minutes, and had to put my words very close together. When I charged that bill with being what I considered to be a gigantic fraud, I did not mean to say that anything the soldiers would draw from it would necessarily be a fraud, or at all a fraud, but that in the distribution of the fund appropriated by that bill it would be absolutely a fraud upon the Treasury and a fraud upon the soldiers.

Mr. HOLMAN. I am glad that my friend makes even a lame apology.

Mr. O'BRIEN. No, sir; no apology at all.

Mr. HOLMAN. An apology for so unfit a word! I am astonished as a citizen of this Republic that an effort to do justice to these men, to their widows and orphan children, should be so characterized. I regard that measure as appealing more strongly to the sense of justice of this Government, independent of the patriotic emotions of the country to which appeal is made, with more irresistible force than any other claim which can be made upon this Government from its foundation to the present hour, except that which we owe to the men whose heroism and sacrifice established our Government. One strong motive which actuates me now in any humble effort I may make to retrench the expenses of the Government is that the Treasury may be in condition to meet the demands of that bounty equalization bill. For I trust, sir, that it will pass this House with the unanimity it did at the last session of Congress. Instead of its calling for \$100,000,000, it is well known it will take from our Treasury at the outside during a period of some three years about \$29,000,000, and I indulge the hope, if this House can come up to the statesman-like proposition submitted by the gentleman from Virginia, to fix the pay of members of Congress at a fair and reasonable rate, and the other expenditures of the Government shall be brought down to a fair and reasonable basis—to a just and reasonable compensation for service rendered to this Government—that the sum required to meet this bounty will be more than saved during this present session of Congress. If the whole \$29,000,000 were to be withdrawn at once, still the expenditures would not be equal to the appropriations for the present fiscal year.

[Here the hammer fell.]

Mr. RANDALL. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. SPRINGER having taken the chair as Speaker *pro tempore*, Mr. COX reported that the Committee of the Whole on the state of the Union, pursuant to the order of the House, had had under consideration the special order, being a bill (H. R. No. 2571) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1877, and for other purposes, and had come to no resolution thereon.

JOINT RESOLUTION SIGNED.

Mr. HARRIS, of Georgia, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a joint resolution of the following title; when the Speaker signed the same:

A joint resolution (H. R. No. 64) granting the rights and benefits of the Soldiers' Home to John News.

CONFIRMATION OF TITLE.

Mr. HARRISON, by unanimous consent, introduced a bill (H. R. No. 2850) to confirm to the city of Chicago the title to certain public lands; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. AINSWORTH for four weeks on account of business.

By unanimous consent, leave of absence was granted to Mr. BASS for ten days on account of ill health.

By unanimous consent, leave of absence was granted to Mr. BURCHARD, of Wisconsin, for ten days from Monday next.

W. T. PATE.

On motion of Mr. HOLMAN, by unanimous consent, leave was given to withdraw from the files of the House papers, petition, and claim in the case of W. T. Pate.

ADJOURNMENT OVER.

Mr. RANDALL. I move that the House do now adjourn.

Mr. PAGE. I rise to a privileged motion. I move that when the House adjourns to-day it be to meet on Monday next.

The question being taken on Mr. PAGE's motion, there were—ayes 90, noes 31.

Mr. HOLMAN. I call for the yeas and nays.

The question being taken on ordering the yeas and nays, there were—yeas 29, noes 89.

So (the affirmative being more than one-fifth of the whole vote) the yeas and nays were ordered.

Mr. PAGE. I move that the House do now adjourn. I do not desire to stay here until the roll is called.

Mr. SAYLER. If the gentleman from California withdraws the motion that the House adjourn over until Monday I renew it.

The SPEAKER *pro tempore*. That is the pending question.

Mr. HOLMAN. I rise to a question of order. Is not the motion that the House do now adjourn in order at this stage?

Mr. RUSK. I demand the regular order.

The SPEAKER *pro tempore*. The gentleman from Indiana has raised a question of order, which he has the right to do.

Mr. PAGE. I proposed to withdraw the motion that when the House adjourn to-day it be to meet on Monday next but the gentleman from Ohio [Mr. SAYLER] renewed it, and so it stands now. And

the House has ordered the roll to be called on the question of adjournment to Monday next.

The SPEAKER *pro tempore*. In reference to the point of order raised by the gentleman from Indiana [Mr. HOLMAN] the Chair decides that a motion to fix a day to which an adjournment shall take place has precedence over a motion to adjourn, and this question has been ordered to be taken by yeas and nays.

Mr. MORRISON. Was there a quorum present on the vote?

The SPEAKER *pro tempore*. A quorum did not vote.

Mr. MORRISON. As no quorum is present, I move that the House adjourn.

Mr. PAGE. Upon the motion to adjourn over until Monday I believe a quorum voted, but on the question of ordering the yeas and nays there was not a quorum.

The SPEAKER *pro tempore*. The rules provide that one-fifth of those present may determine the ordering of the yeas and nays, regardless of the fact as to whether or not a quorum is present. The Clerk will call the roll.

The question was taken; and there were—yeas 72, nays 61, not voting 156; as follows:

YEAS—Messrs. Bagby, Banning, Beebe, Blackburn, Boone, Bradford, Horatio C. Burchard, Cabell, Cason, Caswell, Cate, John B. Clarke of Kentucky, Crapo, Culberson, Eames, Ellis, Evans, Farwell, Faulkner, Farney, Franklin, Goode, Gunter, Hancock, Hardenbergh, Henderson, Henkle, Hooker, Hopkins, House, Hubbell, Thomas L. Jones, Knott, Leavenworth, Levy, Lynch, Maish, Money, Morgan, Mutchler, Nash, O'Brien, Odell, Oliver, Packer, Page, Parsons, William A. Phillips, Pratt, Reagan, James B. Reilly, Rice, Sobieski Ross, Rusk, Sampson, Saylor, Sheakley, Smalls, Stone, Terry, Martin I. Townsend, Tucker, Tufts, Van Vorhes, John L. Vance, Robert B. Vance, Waddell, Alexander S. Wallace, Walls, Alpheus S. Williams, Charles G. Williams, and Yeates—72.

NAYS—Messrs. Anderson, Atkins, John H. Bagley, Jr., John H. Baker, Bell, Blount, Bradley, Bright, John H. Caldwell, Caulfield, Chittenden, Cochran, Conger, Cox, Cutler, Dibrell, Dunnell, Durban, Eden, Fuller, Andrew H. Hamilton, Robert Hamilton, Harrison, Hartzell, Haymond, Goldsmith W. Hewitt, Hoar, Holman, Hunter, Burd, Jenks, Joyce, Kelley, Franklin Landers, Metcalfe, Morrison, Neal, New, Poppleton, Potter, Randall, Rea, John Reilly, Riddle, John Robbins, William M. Robbins, Robinson, A. Herr Smith, Springer, Stenger, Thompson, Throckmorton, Washington Townsend, Turney, White, Wike, Willard, Jeremiah N. Williams, William B. Williams, Willis, and James Wilson—61.

NOT VOTING—Messrs. Adams, Ainsworth, Ashe, George A. Bagley, William H. Baker, Ballou, Banks, Barnum, Bass, Blaine, Blair, Bland, Bliss, John Young Brown, William R. Brown, Buckner, Samuel D. Burchard, Burleigh, William P. Caldwell, Campbell, Candler, Cannon, Chapin, John B. Clark, Jr., of Missouri, Clymer, Collins, Cook, Cowan, Crouse, Danford, Darrall, Davis, Davy, De Bolt, Denison, Dobbins, Douglas, Durand, Egbert, Ely, Felton, Fort, Foster, Freeman, Frost, Frye, Garfield, Gause, Gibson, Glover, Goodin, Hale, Haralson, Benjamin W. Harris, Henry R. Harris, John T. Harris, Hartridge, Hatcher, Hathorn, Hays, Hendee, Hereford, Abram S. Hewitt, Hill, Hoge, Hoskins, Hutton, Hurlbut, Hyman, Frank Jones, Kasson, Kehr, Ketchum, Kimball, Kirg, Lamar, George M. Landers, Lane, Lapham, Lawrence, Lewis, L. d. Luttrell, Lynde, Edmund W. M. Mackey, L. A. Mackey, Magoon, MacDougall, McCrary, McDill, McFarland, McMahon, Meade, Miller, Milliken, Mills, Monroe, Morey, Norton, O'Neill, Payne, Phelps, John F. Phillips, Pierce, Piper, Plaisted, Platt, Powell, Purman, Rainey, Roberts, Miles Ross, Savage, Scales, Schleicher, Schumaker, Seelye, Singleton, Sinsickson, Slemmons, William E. Smith, Southard, Sparks, Strait, Stevenson, Stowell, Swann, Tarbox, Teese, Thomas, Thornburgh, Waldron, Charles C. B. Walker, Gilbert C. Walker, John W. Wallace, Walling, Walsh, Ward, Warren, Erastus Wells, G. Wiley Wells, Wheeler, Whitehouse, Whiting, Whitthorne, Wigginton, Andrew Williams, James Williams, James D. Williams, Wilshire, Benjamin Wilson, Alan Wood, Jr., Fernando Wood, Woodburn, Woodworth, and Young—156.

During the call of the roll the following announcements were made: Mr. WALLACE, of South Carolina. My colleague, Mr. MACKEY, is confined to his room by sickness.

Mr. VANCE, of North Carolina. My colleague, Mr. ASHE, is detained from the House by sickness.

The SPEAKER *pro tempore*. On the question that when the House adjourns to-day it be to meet on Monday next, the yeas are 72 and the nays are 61.

Mr. HOLMAN. I make the point of order that that is not a quorum. The motion has not been agreed to.

The SPEAKER *pro tempore*. The point of order is well taken. The motion is lost, no quorum having voted.

Mr. HOAR. I rise to a question of order. I desire to call the attention of the Chair to the fact that on the question of fixing the time to which the House shall adjourn no quorum is necessary.

The SPEAKER *pro tempore*. The Chair begs leave to differ from the gentleman from Massachusetts. The Chair calls the attention of the gentleman to the rule on page 5, which says:

But when less than a quorum is present no motion can be entertained except a motion to adjourn or for a call of the House.

The motion to fix a day to which the House shall adjourn has failed for want of a quorum voting.

Mr. HOAR. This is a very important question and quite worth considering. A motion to fix the time to which the House shall adjourn is pertinent to a motion to adjourn. Is it possible that if ten men got here at the beginning of Congress, they could not fix the time to which they should adjourn. The power to adjourn over is involved in the power of the House to adjourn, and it has been so ruled a hundred times.

The SPEAKER *pro tempore*. The Chair has decided that point.

Mr. HOLMAN. I move that the House do now adjourn.

The question was taken; and, on a division, there were—ayes 47, noes 59.

So the House refused to adjourn.

Mr. SAYLER. I move that when the House adjourns it adjourn to meet on Monday next.

The question was taken; and on a division, there were—ayes 74, noes 39.

The SPEAKER *pro tempore*. The ayes have it.

So the motion was agreed to.

Mr. RANDALL. I make the suggestion that to-morrow be set apart for debate upon any subject.

Mr. PAGE, and Mr. BAKER of Indiana, objected.

Mr. HOLMAN. I call for the yeas and nays on the motion to adjourn over.

Mr. BLACKBURN. I make the point of order, Mr. Speaker, that the Chair having decided that the motion was agreed to and the decision having been announced to the House, it is too late for the gentleman to call for the yeas and nays. I will state further on the point of order that the Chair had entertained another motion. After having decided that the motion to adjourn over was adopted, the Chair accepted at the hands of the gentleman from Pennsylvania another proposal and submitted it to the House. The gentleman from Pennsylvania asked that the House should meet to-morrow for debate only, which was subsequent to the decision of the Chair that the motion was agreed to.

Mr. ATKINS. I hope that no one will object to having a session to-morrow for debate. There are a great many gentlemen here who want to address the House, and I think it unkind for any gentleman to object.

Mr. RANDALL. My proposition is for general debate on any subject.

Mr. HOLMAN. I wish to make a statement. I rose at the same time the gentleman from Pennsylvania did for the purpose of calling for the yeas and nays. The gentleman from Pennsylvania began to submit his proposition to the House that to-morrow should be set apart for general debate only.

Mr. BAKER, of Indiana. To save trouble I will withdraw my objection to a session for debate to-morrow.

Mr. HOLMAN. I wish to state the facts. The gentleman from Pennsylvania began to make his proposition and I did not at once call for the yeas and nays. It was not until some gentleman objected to a session to-morrow that I made the call, so that the gentleman from Kentucky was correct in making his statement.

Mr. RANDALL. What I propose is that the session to-morrow shall be for debate on any subject, with the understanding that no business shall be done.

Mr. PAGE and Mr. HOAR objected.

The SPEAKER *pro tempore*. The Chair will decide the point of order raised by the gentleman from Kentucky, [Mr. BLACKBURN,] that it is in order and competent for the yeas and nays to be demanded upon the motion to adjourn over, no business having intervened. The Chair was interrupted by a point of order, and the Chair holds that the call for the yeas and nays was in time.

Mr. BLACKBURN. Will the Chair permit me on the point of order simply to say that the gentleman from Indiana has himself just stated that the point of order made by myself was well taken; that the Chair had announced that decision on the motion to adjourn over, and that subsequent business intervened, which was the request made by the gentleman from Pennsylvania [Mr. RANDALL] for unanimous consent; and that upon the Chair submitting that request to the House and objection being made upon the other side, then, and not until then, did the gentleman from Indiana call for the yeas and nays; so that the Chair had decided the question, if the gentleman from Indiana is correct, before his call for the yeas and nays and had entertained the request of the gentleman from Indiana.

The SPEAKER *pro tempore*. The Chair heard the call for the yeas and nays before the other request was made.

Mr. HOLMAN. The gentleman from Kentucky is only mistaken in one respect, and that is as to my conceding that his point of order was well taken. I stated that when I called for the yeas and nays I did not do it at once. The gentleman from Pennsylvania [Mr. RANDALL] rose at the same time, and I admit that I heard some gentleman object to his proposition before I called for the yeas and nays. If in this state of facts I was in time, then I insist on the call. I did not call at once. The gentleman from Pennsylvania made a proposition first, which was objected to.

The SPEAKER *pro tempore*. Is the call withdrawn or insisted on?

Mr. HOAR. Will the gentleman from Indiana allow me to say that if my objection to a session for debate to-morrow is the only thing that stands in the way of closing the matter, I will withdraw the objection.

Mr. PAGE. I will suggest that if any gentleman has any remarks prepared which he wishes to make he may print them in the RECORD, but I will not withdraw my objection to a session to-morrow.

Mr. BEEBE. I understand that the House has already ordered that when it adjourns to-day it be to meet on Monday next.

The SPEAKER *pro tempore*. That is the order of the House, the call for the yeas and nays not being insisted upon.

Mr. BEEBE. Then I move that the House do now adjourn.

The motion was agreed to; and accordingly (at five o'clock and fifty-five minutes p. m.) the House adjourned until Monday next.

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. ANDERSON: The petition of Captain David Stinger, for

pay for forage furnished the horses of his company in the Thirteenth Illinois Cavalry, to the Committee on War Claims.

By Mr. BANNING: The petition of George P. Borden and 27 other officers of the United States Army, for legislation declaring the rule of promotion in the line of the Army, to the Committee on Military Affairs.

By Mr. BASS: Resolutions of a joint meeting of the Board of Trade and citizens of Buffalo, remonstrating against the passage of the bill for bridging Detroit River, to the Committee on Commerce.

Also, resolutions of a joint meeting of the Board of Trade and citizens of Buffalo, recommending certain steps with reference to the improvement of the navigable channel at the lime-kilns in Detroit River, to the same committee.

By Mr. BELL: Resolutions of the Board of Trade of Manchester, New Hampshire, relating to specie payments and the tariff, to the Committee on Banking and Currency.

By Mr. BROWN, of Kentucky: The petition and papers relating thereto of S. C. Vick and others, for compensation for services rendered and supplies furnished the Federal Government during the late war, to the Committee on War Claims.

By Mr. CASWELL: The petition of D. D. Davies, Frederick Gill, and other citizens of Spring Green, Wisconsin, for a commission of inquiry concerning the alcoholic liquor traffic, to the Committee of Ways and Means.

By Mr. DANFORD: The petition of A. S. Corbly, F. M. Edwards, and other citizens of Amelia, Ohio, of similar import, to the same committee.

By Mr. FARWELL: The petition of E. A. Clifford, postmaster at Evanston, Illinois, for relief, on account of the breaking into and robbing the post-office at said town of \$645.08, to the Committee on the Post-Office and Post-Roads.

By Mr. GOODIN: Papers relating to the claim of Benjamin P. McDonald, to the Committee on War Claims.

By Mr. HATHORN: The petition of W. W. Warner and other citizens of Fulton, New York, for a commission of inquiry concerning the alcoholic liquor traffic, to the Committee of Ways and Means.

By Mr. HOLMAN: Memorial and resolutions of the greenback club of Mattoon, Illinois, against the demonetization of silver and in favor of greenbacks, based upon the resources and revenues of the nation, and the issue of an interconvertible bond, to the Committee on Banking and Currency.

Also, the protest and remonstrance of citizens of the District of Columbia against certain contemplated legislation affecting the location of certain railroads in said District, to the Committee on Public Buildings and Grounds.

By Mr. KIDDER: The petition of the Good Templars of Yankton, Dakota Territory, officially signed, for a commission of inquiry concerning the alcoholic liquor traffic, to the Committee of Ways and Means.

By Mr. LEAVENWORTH: The petition of S. P. Pierce and others, importers of china, glassware, &c., to reduce the duty on the same to 30 per cent., to the Committee of Ways and Means.

By Mr. MEADE: Memorial of the New York Cheap Transportation Association, relative to the construction of a bridge across Detroit River, to the Committee on Commerce.

By Mr. NORTON: The petitions of citizens of Dunkirk, New York, for an appropriation to complete the channel and breakwater in Dunkirk Harbor, to the same committee.

By Mr. O'NEILL: Memorial of the Franklin Institute of Pennsylvania, for the repeal of the steamboat act of 1872, which permitted the increase of steam pressure, and for the re-enactment of the former law on that subject, to the same committee.

By Mr. PAGE: Memorial of R. S. Griffin and 177 other citizens of Utah, representing that the reports of the investigation by Congress regarding the Emma mine misled the public in respect to the mines of Utah and are most unjust to the Emma mine, showing the great value of that mine and its loss through mismanagement, to the Committee on Foreign Affairs.

Also, memorial of R. P. Souresbery and 73 other citizens of Utah, of similar import, to the same committee.

By Mr. PIERCE: Three petitions of the masters and owners of vessels engaged in the coasting trade, that compulsory pilotage be abolished so far as licensed and enrolled vessels are concerned, to the Committee on Commerce.

Also, the petition of merchants of Massachusetts, of similar import, to the same committee.

By Mr. RANDALL: The petition of the First Presbyterian church of Philadelphia, signed by the pastor and officers, for a commission of inquiry concerning the alcoholic liquor traffic, to the Committee of Ways and Means.

By Mr. ROBBINS, of Pennsylvania: The petition of William Baldwin and other manufacturers of the twenty-third ward, Philadelphia, that the present tariff laws remain undisturbed, to the same committee.

By Mr. TEESE: The petition of the South Park church of Newark, New Jersey, signed by the pastor and officers of the church, for a commission of inquiry concerning the alcoholic liquor traffic, to the same committee.

By Mr. TOWNSEND, of Pennsylvania: The petition of Robert O. Smedley, T. B. Evans, and other citizens of West Chester, Pennsylvania, of similar import, to the Committee on the Judiciary,

Also, the petition of Daniel S. Lukens, Howard Preston, and other citizens of Chester County, Pennsylvania, of similar import, to the same committee.

Also, the petition of Jesse Hicken, for a pension, to the Committee on Invalid Pensions.

By Mr. WHITING: The petition of 555 legal voters of Illinois and 444 women over the age of eighteen years, to prohibit the manufacture and sale of alcoholic liquors as a beverage in the District of Columbia and Territories of the United States, and to require total abstinence on the part of all officers and subordinates in the civil and military service of the United States; and to appoint a commission to investigate and report the effects of the liquor traffic on the health, intelligence, industry, property, crime, and pauperism; also upon taxation, revenue, and general welfare of the people of the United States, to the Committee of Ways and Means.

By Mr. WIGGINTON: The petition of citizens of Inyo County, California, for relief, to the Committee on Public Lands.

By Mr. WILLIAMS, of New York: Remonstrance of Lawrence Hargroves and others, against any change in the tariff laws, to the Committee of Ways and Means.

By Mr. WOOD, of Pennsylvania. The petition of J. B. Moorhead and 68 other citizens of Montgomery County, Pennsylvania, of similar import, to the same committee.

IN SENATE.

MONDAY, March 27, 1876.

Prayer by the Chaplain, Rev. BYRON SUNDERLAND, D. D.
The Journal of the proceedings of Friday last was read and approved.

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a letter from the Secretary of War, transmitting, for the information of the Committee on Military Affairs, a communication from George R. Cecil, second lieutenant Thirtieth Infantry, relative to the reduction of the pay of second lieutenants, giving his objections thereto, with an indorsement by his post commander; which was referred to the Committee on Military Affairs, and ordered to be printed.

He also laid before the Senate a letter from the Secretary of War, transmitting a communication from the Commissary-General of Subsistence, dated the 20th instant, asking for an early appropriation of \$300,000 on account of subsistence of the Army for the fiscal year commencing July 1, 1876, with authority to expend the amount appropriated during the current fiscal year, to enable the Subsistence Department to purchase supplies for the remote posts in Arizona, New Mexico, Texas, Montana, and Dakota, during the months of April and May, 1876, in order to reach those posts early in the next fiscal year; which was referred to the Committee on Appropriations, and ordered to be printed.

PETITIONS AND MEMORIALS.

Mr. CAMERON, of Pennsylvania, presented two petitions of citizens of Blair County, Pennsylvania; two petitions of citizens of Philadelphia, Pennsylvania; a petition of workingmen of Dauphin County, Pennsylvania; two petitions of workingmen of Montgomery County, Pennsylvania; three petitions of workingmen of Lawrence County, Pennsylvania; a petition of workingmen of Huntingdon County, Pennsylvania; a petition of workingmen of Berks County, Pennsylvania; a petition of workingmen of Lehigh County, Pennsylvania; and a petition of workingmen of Bedford County, Pennsylvania, praying that the tariff laws may remain undisturbed; which were referred to the Committee on Finance.

He also presented the memorial of Samuel Riddle, William Simpson, John Ledward, J. P. Crozier, and 620 other manufacturers, mechanics, and citizens of Delaware County, Pennsylvania, remonstrating against the passage of any act reducing the duties on imported articles that enter into competition with American manufactures; which was referred to the Committee on Finance.

Mr. FRELINGHUYSEN. I present the memorial of workingmen of Passaic, New Jersey, remonstrating against the proposed change in the tariff laws. I observe they say in their petition that while they are ready to bear with resolution their share of the depression which exists all over the world, that resolution will be changed to despair if the proposed tariff bill passes. I move the reference of the petition to the Committee on Finance.

The motion was agreed to.

Mr. FRELINGHUYSEN presented a petition of pensioners of the United States, residing in New Jersey, praying that Congress in deference to their interests will not pass a law changing the present mode of paying pensions; which was referred to the Select Committee to Examine the Several Branches of the Civil Service.

Mr. KERNAN presented a petition of the Lodge of Good Templars of Brooklyn, New York, praying for the prohibition of the manufacture and sale of alcoholic liquors in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented the petition of T. M. Eddy, William Ross, and

other citizens of New York, praying for the prohibition of the manufacture and sale of alcoholic liquors in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

He also presented the memorial of John G. Reither, Edward T. Jackson, and 11 other business men of Brooklyn, New York, remonstrating against the repeal of the bankrupt act; which was referred to the Committee on Finance.

He also presented the petition of William M. Whitney and George T. May, praying for a just and equitable disposition of the money awarded to the United States by the tribunal of arbitration at Geneva; which was referred to the Committee on the Judiciary.

Mr. BOUTWELL presented the petition of the First Methodist church of Chelsea, Massachusetts, signed by pastor and officers, praying for prohibitory legislation for the District of Columbia and the Territories, the prohibition of the foreign importation of alcoholic liquors, that total abstinence be made a condition of the civil, military, and naval service, and for a constitutional amendment to prohibit the traffic in alcoholic beverages throughout the national domain; which was referred to the Committee on the District of Columbia.

He also presented the petition of Rev. H. T. Cheever, H. R. Greene, and other citizens of Worcester, Massachusetts, praying for the prohibition of the manufacture and sale of alcoholic liquor in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

Mr. BOUTWELL. I present a joint resolution of the Legislature of Massachusetts in regard to the metric system of weights and measures, which I ask may be read and referred to the Committee on Finance.

The PRESIDENT *pro tempore*. The resolution will be reported and referred to the Committee on Finance, if there be no objection.

The Chief Clerk read as follows:

COMMONWEALTH OF MASSACHUSETTS.

In the year one thousand eight hundred and seventy-six.

Resolution in favor of the introduction of the metric system of weights and measures.

Resolved, That the Senators and Representatives in Congress from this Commonwealth are hereby requested to forward by all legitimate means the introduction of the metric system of weights and measures as the sole legalized standard throughout the United States.

Resolved, That the governor be, and he is hereby, requested to transmit to each of the Senators and Representatives in Congress a copy of the foregoing resolution.

HOUSE OF REPRESENTATIVES, March 3, 1876.

Passed: sent up for concurrence.

GEORGE A. MARDEN, Clerk.

Passed in concurrence.

SENATE, March 9, 1876.

S. N. GIFFORD, Clerk.

SECRETARY'S DEPARTMENT, BOSTON, March 24, 1876.

A true copy.

HENRY B. PEIRCE,
Secretary of the Commonwealth.

Mr. CHRISTIANCY presented a memorial of the bar of East Saginaw, Michigan, in reference to the Federal courts in that State; which was referred to the Committee on the Judiciary.

Mr. CAMERON, of Wisconsin, presented the petition of J. C. Penberthy and other citizens of Wisconsin, praying for a general law to prohibit the liquor traffic within the national jurisdiction; which was referred to the Committee on the District of Columbia.

He also presented the petition of M. F. Taylor and other citizens of Wisconsin, praying for the prohibition of the manufacture and sale of alcoholic liquors in the District of Columbia and the Territories; which was referred to the Committee on the District of Columbia.

Mr. WRIGHT presented the petition of Isaac Herring, of Polk County, Iowa, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. EDMUNDS. I present the petition and remonstrance of sundry citizens of Washington, against railroads on the public grounds, &c., which I ask may be referred to the Committee on Public Buildings and Grounds. I introduced last week a bill for the removal of the railroads on the public grounds, which, I understand, was referred contrary to my motion to the Committee on the District of Columbia. I understand that that matter properly belongs to the Committee on Public Buildings and Grounds, and I move a change of reference.

The PRESIDENT *pro tempore*. The Chair hears no objection and that change of reference will be made. This petition will be referred to the Committee on Public Buildings and Grounds.

Mr. CONKLING. I present a memorial signed by many business men, leading citizens of the county of Clinton, in the State of New York, saying that they observe with alarm the introduction of a scheme for tariff reduction and revision; which, in very earnest language, they protest against. I move the reference of this memorial to the Committee on Finance.

The motion was agreed to.

Mr. WITHERS presented the petition of Weisiger & Co., A. L. Allett & Co., and other merchants and business men of Richmond, Virginia, praying for a repeal of the bankrupt law; which was referred to the Committee on the Judiciary.

He also presented a communication from Governor Kemper, of Virginia, transmitting resolutions of the General Assembly, and the pe-