

Wisconsin, for legislation regulating interstate commerce—to the Committee on Commerce.

By Mr. LAPHAM: Resolution of the Chamber of Commerce of New York, favoring the passage of the Lowell bankrupt bill—to the Committee on the Judiciary.

By Mr. LINDSAY: The petition of Martin W. Frederic, against the passage of Senate bill No. 496—to the Committee on Invalid Pensions.

By Mr. McMAHON: The petition of John G. Doren, for reimbursement of money necessarily expended by him in the preparation of indexes to House printed matter from January 1, 1878, to January 1, 1881—to the Committee on Accounts.

By Mr. OVERTON: The petition of Ezra Bailey and 29 other soldiers, of Bradford County, Pennsylvania, against the passage of Senate bill No. 496—to the Committee on Invalid Pensions.

By Mr. PHISTER: The petition of George R. Sample, for the repeal of the revenue law which requires the stamping of proprietary medicines—to the Committee on Ways and Means.

By Mr. POUND: The petitions of Randolph Voight and 27 others, and of James R. Lace, Henry Curran, and 59 others, ex-soldiers, of Wisconsin, against the passage of Senate bill No. 496, known as the sixty-surgeons bill—to the Committee on Invalid Pensions.

By Mr. PRICE: The petition of 44 citizens of Iowa, of similar import—to the same committee.

By Mr. SCOVILLE: The petition of Edward Gilbert and others, of Tonawanda, New York, of similar import—to the same committee.

By Mr. SHALLENBERGER: The petition of Major J. M. Gaston and 11 other ex-soldiers, of Finleyville, Pennsylvania, of similar import—to the same committee.

By Mr. SHERWIN: The petition of W. H. Cowlin and 51 other soldiers, of similar import—to the same committee.

By Mr. WILLIAM G. THOMPSON: The petition of David Byers, and 40 other soldiers, of Iowa, of similar import—to the same committee.

By Mr. TYLER: The petition of W. C. Clark and other soldiers, of Vermont, of similar import—to the same committee.

Also, the petition of the Reform Association of Brooklyn, New York, for reform in the civil service—to the Committee on Reform in the Civil Service.

By Mr. J. T. UPDEGRAFF: The petition of J. K. Murphy and 203 others, citizens of Belmont County, Ohio, that the Bureau of Agriculture be made a department—to the Committee on Agriculture.

By Mr. WASHBURN: The petition of A. W. Goodspeed and 29 others, citizens of Stearns County, Minnesota, for the passage of an income-tax law—to the Committee on Ways and Means.

Also, the petition of the same parties, for legislation to protect innocent purchasers from the impositions of fraudulent venders of patents and patent-rights—to the Committee on Patents.

By Mr. WISE: The petition of W. A. Nichols and 54 others, of similar import—to the same committee.

Also, the petition of Simon Fisher and 54 others, that the Bureau of Agriculture be made a department—to the Committee on Agriculture.

Also, the petition of Joseph Jemison and 53 others, for the passage of an income-tax law—to the Committee on Ways and Means.

Also, the petition of H. L. Spires and other soldiers, against the passage of Senate bill No. 496—to the Committee on Invalid Pensions.

tee on Appropriations." I think, as that information is desired by every Senator, those letters should be printed; and I make that motion.

The motion was agreed to.

#### PETITIONS AND MEMORIALS.

Mr. DAVIS, of Illinois, presented the petition of the National Temperance Society, Hon. William E. Dodge president, J. N. Stearns corresponding secretary, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain.

The VICE-PRESIDENT. The Chair understands that similar petitions have hitherto gone to the Committee on Finance, and this petition will be so referred.

Mr. DAVIS, of Illinois, presented resolutions of the Board of Trade of Chicago, Illinois, favoring an appropriation for a harbor of refuge in Milwaukee Bay; which were referred to the Committee on Commerce.

He also presented the petition of the Board of Trade of Chicago, Illinois, praying for the passage of a law to prevent the adulteration of food and drugs; which was referred to the Committee on Agriculture.

Mr. WILLIAMS presented the memorial of the Home Bitters Company, of Saint Louis, Missouri, remonstrating against abolishing the stamp tax on proprietary medicines; which was referred to the Committee on Finance.

Mr. EATON. I am requested to present the petition of the Good Templars of Connecticut, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of alcoholic beverages throughout our national domain. I am led to say, in offering this petition, that I hope and trust there will be a constitutional amendment adopted previous to this one so that the count of the electoral votes once in four years may be had without terror going all over this land. It will be time enough then, in my judgment, to consider a constitutional amendment of this character. I move that the petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. RANDOLPH presented the petition of the Good Templars of New Jersey, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. JOHNSTON. I present a similar petition of the Good Templars of Virginia, which I move be referred to the Committee on Finance.

The motion was agreed to.

Mr. HILL, of Georgia. I present the petition of the Grand Division of the Sons of Temperance of the State of Georgia, officially signed, asking for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain. As the petition asks for an amendment to the Constitution, I think it ought to go to the Committee on the Judiciary, though the petitioners have coupled it with a special request that it go to a special committee on alcoholic liquors. I move its reference to the Committee on the Judiciary, as it proposes a constitutional amendment.

Mr. THURMAN. I hope my friend will not insist on that motion. That very proposition was made several years ago, and after a very full discussion, by an almost unanimous vote of the Senate, it was decided that this matter touched the revenue so closely that the Committee on Finance was the proper committee to consider it.

The VICE-PRESIDENT. Such petitions have hitherto gone to the Committee on Finance.

Mr. THURMAN. They have all been so referred, and I hope this petition will take the same course.

Mr. HILL, of Georgia. I do not understand what the Committee on Finance has to do with amending the Constitution; but as I am ready to do almost anything to gratify my friend from Ohio, I will agree to a reference to that committee.

The VICE-PRESIDENT. The petition will be referred to the Committee on Finance.

Mr. HARRIS. I present the memorial of the ex-trustees of the public schools of the District of Columbia, remonstrating against a proposed amendment to the bill (H. R. No. 5541) to establish a municipal code for the District of Columbia. Notwithstanding the bill has been reported to the Senate, I move the reference of the memorial to the Committee on the District of Columbia.

The motion was agreed to.

Mr. COKE presented the petition of the Galveston Temple of Honor, of the State of Texas, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. KERNAN presented the petition of the Grand Temple of Honor and Temperance of New York, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. RANSOM presented the petition of the Grand Lodge of Good Templars of North Carolina, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

#### IN SENATE.

MONDAY, February 14, 1881.

The Senate met at eleven o'clock a. m. Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of the proceedings of Saturday last was read and approved.

#### CREDENTIALS.

The VICE-PRESIDENT presented the credentials of FRANCIS M. COCKRELL, chosen by the Legislature of Missouri a Senator from that State for the term beginning March 4, 1881; which were read and ordered to be filed.

Mr. HOAR presented the credentials of HENRY L. DAWES, chosen by the Legislature of Massachusetts a Senator from that State for the term beginning March 4, 1881; which were ordered to be filed.

#### EXECUTIVE COMMUNICATION.

The VICE-PRESIDENT laid before the Senate a message from the President of the United States, transmitting the final report of the commissioners having charge of the repavement of Pennsylvania avenue between the Treasury Department and the Capitol grounds; which was referred to the Committee on the District of Columbia, and ordered to be printed.

#### PRINTING OF EXECUTIVE COMMUNICATION.

Mr. COCKRELL. I notice that on Saturday the Chair "laid before the Senate a communication from the Secretary of the Interior, transmitting copies of letters from the Commissioner of Pensions relative to the condition of the working force of his office and his appropriation for 'contingent expenses,' which was referred to the Committee

Mr. BECK. Within the last few minutes I have found upon my table this note:

WASHINGTON, February 14, 1881.

DEAR SIR: Will you have the kindness to present to the Senate the inclosed petition and request its reference to a select committee on the alcoholic liquor traffic.

Very truly yours,

A. M. POWELL.

Hon. J. B. BECK.

The petition for the proposed constitutional amendment reads:

The undersigned, citizens of Ohio, request a constitutional amendment to be adopted.

It seems to be officially signed; but as I do not believe in meddling with what people eat or drink and do not think Congress has anything to do with it, and as I do not propose to meddle with what the people of Ohio want, I take the liberty of turning the petition over to the senior Senator from Ohio, [Mr. THURMAN.]

Mr. THURMAN. I will present the petition. I present the petition of citizens of my State, in decent and respectful language, and I present also another petition of the same kind, praying for the adoption of a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout the national domain, and I move that they be referred to the Committee on Finance, as I cannot move for a select committee, as the petition specifies.

Mr. HOAR. I desire to inquire of the Chair whether there is a select committee on alcoholic beverages?

The VICE-PRESIDENT. The Chair knows of no such select committee. These petitions have hitherto gone to the Committee on Finance, and the petition presented by the Senator from Ohio will be so referred.

Mr. SAUNDERS presented the petition of the Woman's Christian Temperance Union of Nebraska, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

He also presented the memorial of E. Whitcomb and 59 others, citizens of Friend, Nebraska, surviving soldiers of the war for the Union, remonstrating against the passage of the bill (S. No. 496) providing for the examination and adjudication of pension claims; which was ordered to lie on the table.

Mr. KIRKWOOD presented the petition of the Woman's Christian Temperance Union of Iowa, officially signed, praying for the prohibition of the manufacture and sale of all alcoholic beverages in the District of Columbia; which was referred to the Committee on Finance.

Mr. ANTHONY presented the petition of the State Temperance Union of Rhode Island, signed by Edwin Metcalf, president; H. W. Conant, corresponding secretary; Charles E. Carpenter, treasurer, and J. Hobart Cross and H. H. Richardson, vice-presidents, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. MORRILL presented the petition of the Woman's Christian Temperance Union and the petition of the Temple of Honor and Temperance, of Vermont, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which were referred to the Committee on Finance.

Mr. HOAR presented a resolution of the Legislature of Massachusetts, favoring the enactment of such laws as will promote the revival of the commercial marine of the nation; which was read, and referred to the Committee on Commerce, as follows:

COMMONWEALTH OF MASSACHUSETTS,  
In the year 1881.

Resolution regarding the revival of American commerce.

Resolved, That our Senators and Representatives in Congress be requested to use their earnest and continued efforts toward securing the passage of such measures by the Congress of the United States as will in their judgment best promote an early and permanent revival of the commercial marine of the nation.

Resolved, That his excellency the governor is hereby requested to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Passed. Sent down for concurrence.

SEXATE, February 4, 1881.

S. N. GIFFORD, Clerk.

Passed in concurrence.

HOUSE OF REPRESENTATIVES, February 9, 1881.

GEO. A. MARDEN, Clerk.

Mr. FERRY presented the petition of D. N. Runnels, of Port Huron, Michigan, praying that the Canadian barge W. J. Spicer, rebuilt in the United States, be granted the privileges and protection of an American-built vessel; which was referred to the Committee on Commerce.

Mr. PLATT. I present the petition of the Good Templars of Connecticut, officially signed, representing 4,000 members, praying for the adoption of a constitutional amendment to prohibit the manufacture and sale of alcoholic beverages throughout our national domain. This petition is accompanied by a request that it should be referred to a select committee on the alcoholic liquor traffic. I understand that these petitions have gone hitherto to the Committee on Finance, but I understand also that petitions of this character referred to the

Committee on Finance have received no action. I should be very glad if there were a select committee to which they could be referred, because I think the subject is a grave one, and it ought to be considered by a committee that has time to devote to the subject; but as there is no such committee, and as it is too late in the session to ask for the raising of such a committee, I suppose it will take the usual course and go to the Committee on Finance.

The VICE-PRESIDENT. The petition will be referred to the Committee on Finance.

Mr. BURNSIDE. I present the petition of the Woman's Christian Temperance Union of Rhode Island, signed by Mrs. J. K. Barney, president; Mrs. George F. Martin, vice-president; Mrs. C. H. Higgins, treasurer; and Mrs. E. S. Burlingame, corresponding secretary, all most estimable ladies of Rhode Island, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain. I move, according to the custom of the Senate, that this petition be referred to the Committee on Finance.

The motion was agreed to.

Mr. BURNSIDE presented the memorial of Elijah F. Locke and others, citizens of Apponaug, Rhode Island, surviving soldiers of the war of the rebellion, remonstrating against the passage of the bill (S. No. 496) providing for the examination and adjudication of pension claims; which was ordered to lie on the table.

Mr. PADDOCK presented the petition of J. Mason Smith and others, of North Bend, Nebraska, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

He also presented the petition of Frederick Mende and others, of Camp Sheridan, Nebraska, and the petition of D. C. Simmons and others, of Salem, Nebraska, Union soldiers, praying for the passage of the amendment reported by the Committee on Pensions to the bill (S. No. 496) providing for the examination and adjudication of pension claims; which were ordered to lie on the table.

Mr. CAMERON, of Wisconsin, presented a memorial of the Legislature of Wisconsin, favoring an appropriation for the construction of a harbor of refuge in Milwaukee Bay; which was referred to the Committee on Commerce.

He also presented a memorial of the Legislature of Wisconsin, favoring an appropriation for the completion of the harbor of Ahnapee, Wisconsin; which was referred to the Committee on Commerce.

Mr. THURMAN presented the petition of L. W. Richardson and others, of Defiance, Ohio, soldiers of the late war, praying for the passage of the amendment reported by the Committee on Pensions of the United States Senate to the bill (S. No. 496) providing for the examination and adjudication of pension claims; which was ordered to lie on the table.

Mr. BUTLER presented the petition of the grand division of the Sons of Temperance of South Carolina, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. BAYARD presented the petition of the Woman's Christian Temperance Union of Delaware, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. WITHERS presented the petition of the Grand Lodge of Good Templars of Virginia, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. PLUMB presented the memorial of Levi Morris and others, citizens of Dunlap, Kansas, and the memorial of A. Cragg and others, citizens of Howard City, Kansas, soldiers in the late war, remonstrating against the passage of the bill (S. No. 496) providing for the examination and adjudication of pension claims; which were ordered to lie on the table.

Mr. PLUMB. I present the petition of the Grand Lodge of Good Templars of the State of Kansas, officially signed, praying for the adoption of a constitutional amendment to prevent the manufacture and sale of alcoholic beverages throughout our national domain. This question is one which has received a great deal of attention in my State where public opinion has been crystallized in the shape of a constitutional amendment, which was adopted at the recent election, by a majority of the electors of that State, prohibiting the manufacture or sale within the limits of that State of alcoholic beverages except for medicinal, mechanical, or scientific purposes. It is a matter which I hope will receive the careful consideration of the Committee on Finance, to whom I move the reference of the petition.

The motion was agreed to.

Mr. ALLISON presented the memorial of J. H. Langdon and others, citizens of Fredericksburg, Iowa, surviving soldiers of the war for the Union, remonstrating against the passage of the bill (S. No. 496) providing for the examination and adjudication of pension claims; which was ordered to lie on the table.

Mr. BOOTH presented the petition of the Grand Lodge of Good Templars of California, having 13,000 members, officially signed, praying for a constitutional amendment to prohibit the manufacture and

sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. WALLACE presented the petition of the Woman's Christian Temperance Union of Pennsylvania, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. COCKRELL. There has been handed to me to present to the Senate a petition addressed to the Senate and House of Representatives, signed by W. D. Crandall, grand secretary of the grand lodge of Missouri, Independent Order of Good Templars, which represents over 25,000 members in the State of Missouri, praying Congress, by appropriate legislation, to adopt and propose to the several States an amendment to the Constitution of the United States which when ratified will prevent the manufacture, importation, and sale of all alcoholic beverages throughout our national domain. I move that it be referred to the Committee on Finance.

The motion was agreed to.

Mr. WHYTE. I present a similar petition from the State Temperance Alliance of Maryland, and I move its reference to the Committee on Finance.

The motion was agreed to.

Mr. VANCE presented the petition of A. Jiles and others, citizens of North Carolina, praying for the passage of the House bill making the Cape Fear River in that State a free river; which was referred to the Committee on Commerce.

Mr. PENDLETON presented the petition of St. Paul's Methodist Episcopal church, of Delaware, Ohio, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. HAMLIN presented the petition of the Bangor Division Sons of Temperance of Maine, officially signed, praying for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. HAMPTON presented the petition of the Good Templars of South Carolina, signed by its officers and members, asking for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

Mr. KELLOGG presented a memorial of the Chamber of Commerce of New Orleans, Louisiana, in favor of the enactment of a permanent bankrupt law; which was referred to the Committee on the Judiciary.

He also presented a resolution of the Shreveport Medical Society, of Shreveport, Louisiana, in favor of clothing the National Board of Health with all powers necessary for the execution and enforcement of its rules and regulations relating to sanitation, inspection, scientific investigation, and the collection of vital statistics in so far as they do not conflict with the rules of State and local boards of health; which was referred to the Committee on Commerce.

Mr. DAVIS, of West Virginia, presented a resolution of the Legislature of the State of West Virginia, in favor of ceding to that State the vacant lands and water-power at Harper's Ferry, in the county of Jefferson; which was referred to the Committee on Education and Labor.

Mr. VOORHEES presented a resolution of the Legislature of Indiana, on the subject of contagious diseases among cattle; which was read and ordered to lie on the table, as follows:

Enrolled joint resolution No. 9, (senate.)

Whereas the live-stock interests of the country are greatly endangered by the existence in several of the Eastern States on the Atlantic seaboard of contagious pleuro-pneumonia of cattle; and

Whereas the States, under the decision of the Federal courts, are powerless to protect themselves from infection from a neighboring State or to stamp out contagious diseases existing on its borders in an adjoining State; and

Whereas this state of things has resulted in the adoption of regulations by the British Government which seriously interfere with our export trade in cattle with that country, thereby entailing great damage to all cattle raisers and feeders in the United States; and

Whereas there is now pending before the national House of Representatives at Washington a bill introduced by General KEIFER, of Ohio, embracing measures to prevent the spread of contagious pleuro-pneumonia, and other contagious diseases of domestic animals, and to extirpate such diseases in localities where they exist: Therefore,

*Resolved by the General Assembly of the State of Indiana,* That our Senators in Congress be instructed, and our Representatives requested, to use their influence to secure the passage of the bill known as the Keifer bill, or such other bill as may be introduced in Congress for the suppression of contagious diseases of domestic animals in the United States.

WILLIAM M. RIDPATH,  
Speaker of the house of representatives.

THOMAS HANNA,  
President of the senate.

Mr. BAILEY presented the petition of the Grand Division of Sons of Temperance of Tennessee, officially signed, asking for a constitutional amendment to prohibit the manufacture and sale of all alcoholic beverages throughout our national domain; which was referred to the Committee on Finance.

#### REPORTS OF COMMITTEES.

Mr. HARRIS, from the Committee on the District of Columbia, to

whom was referred the bill (S. No. 2139) to amend an act to provide for the settlement of all outstanding claims against the District of Columbia, and conferring jurisdiction on the Court of Claims to hear the same, and for other purposes, approved June 16, 1880, reported it with an amendment.

Mr. GARLAND, from the Committee on the Judiciary, to whom was referred the bill (H. R. No. 2128) to amend section 699 of the Revised Statutes, relating to writs of error and appeals, reported it without amendment.

Mr. DAVIS, of West Virginia, from the Committee on Appropriations, to whom was referred the bill (H. R. No. 5097) appropriating money toward the expense to be incurred in the centennial celebration of the battle on Groton Heights, and for other purposes, reported it with amendments.

Mr. SAUNDERS, from the Committee on Territories, to whom was referred the bill (S. No. 1516) establishing the Territory of Pembina and providing a temporary government therefor, reported it with an amendment, and submitted a report thereon, which was ordered to be printed.

Mr. BOOTH. The Committee on Appropriations, to whom was referred the bill (S. No. 73) authorizing a payment of prize money to officers of the Farragut fleet for the destruction of enemy's vessels in April, 1862, have instructed me to report it favorably with an amendment. I have prepared no written report; but the official correspondence discloses all the facts as well as they could be stated in a report, and I file that with the bill.

#### COURTS IN TEXAS.

Mr. GARLAND. I am instructed by the Committee on the Judiciary, to whom was referred the bill (H. R. No. 6942) to fix the times for holding the district and circuit courts of the United States for the western district of Texas, to report it without amendment, and I am directed to ask for the present consideration of the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment.

Mr. HOAR. Is that a bill establishing new terms of the courts?

Mr. GARLAND. It simply changes the time of holding the courts at three different places, for the convenience of all persons—lawyers, judges, and suitors.

Mr. HOAR. I see it is to take effect within a very few days from the present time.

Mr. GARLAND. That is the reason I asked for the consideration of the bill now.

Mr. HOAR. If the Senator will hear my question, I want to ask him what I suppose there is probably no doubt of, whether the question of preserving all rights under recognizances has been considered by the committee? Does the bill do that?

Mr. GARLAND. Yes, sir; everything—

Mr. HOAR. For instance, when a person has given bail to appear at one time, what is the effect of the bill on that obligation?

Mr. GARLAND. I am informed by the Representatives and Senators interested that there is no trouble in that respect at all. Everything has been cared for, and the only reason for fixing the 1st of March was for the very purpose of avoiding all trouble on the point suggested.

Mr. HOAR. My question was to the Senator reporting the bill, not to Representatives and Senators of Texas. As I understand, the bill changes the civil and criminal terms of the courts in the western district of Texas, changes the day of holding them; and it is to take effect within fifteen days from the present time. My question to the Senator is whether the bail given by criminals to appear at the old time at the old place is in any way saved in this bill? I did not hear any such provisions; and I ask whether there should not be some holding of the court at the old time, so that in all cases of recognizances and bail-bonds the rights of the Government may be preserved? Otherwise very serious questions may arise. That is the inquiry which I ask the honorable Senator.

Mr. GARLAND. I understand it now. The question has been considered by the committee not only in this case, but in the case in reference to Virginia which passed last week. The committee is of the opinion that the Government would not be injured in that respect, and it cannot run any hazard at all.

Mr. HOAR. Will the Senator inform me why not?

Mr. GARLAND. That would take some time. I should have to cite a great many cases, and it would take a long argument; but I have answered the question directly that the Senator has propounded. I feel sure that the general statutes on the subject of changing the terms of circuit and district courts are sufficient on this point. If the Senator desires a report upon that subject or a speech of some length, of course I can make it.

Mr. HOAR. I suppose that every Senator is responsible for the preservation of the interests of the United States, for the correctness of legislation. The Congress certainly can pass no law impairing the obligation of a contract; and a change of the time and place of holding a court, if it required the bail to see that the principal was present at the new time and place, would change the contract. Therefore the criminal would be discharged. It has been usual when a law goes into operation between two terms of a court to insert a saving clause that the appearance should be made at the old place and time,

and then the case continued to the new, so that there might be an opportunity for the bail to discharge themselves.

I interpose an objection to the consideration of the bill at this time.  
The VICE-PRESIDENT. The Chair does not understand the Senator.

Mr. HOAR. I understand that unanimous consent is asked for the consideration of the bill. I desire to object.

The VICE-PRESIDENT. Unanimous consent was asked, and there being no objection the bill has been considered. The question is whether the bill shall be ordered to a third reading.

Mr. HOAR. It seems to me that the Senate should put in the usual amendment to the bill before it passes.

Mr. MAXEY. The bill reported by the Senator from Arkansas, on behalf of the Judiciary Committee, is one of great importance and very urgent, because the Legislature of Texas is now in session, and it is desired to make the holdings of the State courts correspond to the holding of the United States circuit and district courts. I am receiving dispatches in regard to it, and I know it to be important.

The point raised by the Senator from Massachusetts was considered by the Judiciary Committee, as the Senator who reported the bill has informed us. I am not prepared to state what would be the ruling in the Federal courts in this regard. I do know, however, that in the State courts where I have knowledge of the practice it is regarded as not in any way whatever affecting the contracts so far as bail and other bonds are concerned. Being a public act of which all persons take notice those giving bail bonds are required to conform their appearance to the change in the holding of the court, it being a jurisdictional question and not a question relating to contracts.

Mr. HOAR. I will not insist further on the objection, but—

Mr. MAXEY. I hope the Senator will not, for I want the bill passed.

Mr. HOAR. I desire to say to the Senator from Texas, however, that that precise point was made on a bill which came from the Judiciary Committee at the close of the last session in regard to some other State, and the members of that committee themselves conceded the necessity of a provision reserving the rights of the Government, and an amendment was put in on the floor of the Senate. I am very much surprised, if I have correctly heard the reading of the bill, at the expression of opinion by that learned and able committee that you may pass a law simply changing the time and place of holding a court and compel all persons who, as sureties for criminals, have undertaken to see that they are present at one place and at one time to have their principal present at another place and at another time. It is certainly a novel doctrine; but if the Judiciary Committee, as the Senator says, have carefully considered this, perhaps they have ascertained that there are no criminals in Texas.

Mr. MAXEY. This is precisely like a bill that has already passed at the present session in regard to the courts in the western district of Virginia, and no objection was raised; and I can see no reason why objection should be raised now.

The bill was ordered to a third reading, read the third time, and passed.

#### COMMITTEE ON THE JUDICIARY.

Mr. THURMAN. I am instructed by the Committee on the Judiciary to say to the Senate that in order to discharge its duties it is very important that that committee should have leave during the remainder of this session to sit during the sittings of the Senate, whenever it may find it necessary to do so; and I ask leave of the Senate that it may so sit.

The VICE-PRESIDENT. The Senator from Ohio, from the Committee on the Judiciary and in behalf of that committee, asks that that committee may have leave to sit during the sessions of the Senate for the remainder of the present session of Congress. The Chair hears no objection, and the leave is granted.

#### BILL INTRODUCED.

Mr. FERRY asked and, by unanimous consent, obtained leave to introduce a joint resolution (S. R. No. 159) in relation to the barge W. L. Spicer; which was read twice by its title, and referred to the Committee on Commerce.

#### ARMY APPROPRIATION BILL.

The VICE-PRESIDENT appointed Mr. WITHERS, Mr. EATON, and Mr. BLAINE the conferees on the part of the Senate on the disagreeing votes of the two Houses upon the bill (H. R. No. 6719) making appropriations for the support of the Army for the fiscal year ending June 30, 1882, and for other purposes.

#### AMENDMENTS TO BILLS.

Mr. HARRIS, from the Committee on the District of Columbia, reported an amendment intended to be proposed to the bill (H. R. No. 7035) making appropriations for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. JOHNSTON, from the Committee on Agriculture, reported an amendment intended to be proposed to the bill (H. R. No. 7099) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1882, and for other purposes; which was referred to the Committee on Appropriations, and ordered to be printed.

Mr. WITHERS, Mr. BECK, and Mr. McMILLAN submitted amendments intended to be proposed by them, respectively, to the bill (H. R. No. 7036) to establish post-routes; which were referred to the Committee on Post-Offices and Post-Roads, and ordered to be printed.

#### POTOMAC LONG BRIDGE.

Mr. INGALLS submitted the following resolution:

*Resolved*, That the commissioners of the District of Columbia be directed to report to the Senate what damage has been done to the Long Bridge by the recent flood in the Potomac, and whether in repairing the same some method cannot be adopted that will diminish the probability of inundations of the city hereafter.

The Senate, by unanimous consent, proceeded to consider the resolution.

Mr. INGALLS. My object in introducing the resolution is to call attention to the fact that a very large proportion of the disaster that befell this city on Saturday last is undoubtedly due to the faulty construction of the Long Bridge. Two or three spans of that structure were removed and now stand upon the ice perhaps a thousand feet below the piers from which they were swept. It is the judgment of those best qualified to pass opinion upon the subject, I believe, that if a clear water-way had been left under that bridge the city would have been protected from that calamity. I hope that some action will be taken by the commissioners and by Congress in the repair of that bridge to remove those causeways and prevent a repetition of the disaster that has befallen the city.

The resolution was agreed to.

#### NEW YORK CUSTOMS SERVICE.

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

*Resolved*, That the Secretary of the Treasury be directed to report to the Senate the rules of admission to the customs service at New York approved by the President March 6, 1879, and January 30, 1880, and such statement of the proceedings under the same as may show the practical effect of the operation of said rules upon the public service.

#### MAIL CONTRACTS.

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

*Resolved*, That the Committee on Post-Offices and Post-Roads be instructed to inquire whether the practice of the Post-Office Department in letting contracts for the transportation of the mails to persons who, though the lowest bidders therefor, do not intend personally to perform such contracts, but make them solely for the purpose of speculation, is in accordance with public policy, and if not, what means can be devised to prevent the same, and report by bill or otherwise.

#### ADJUSTMENT OF PENSION APPLICATIONS.

Mr. DAVIS, of West Virginia. I offer a substitute for the resolution offered by the Senator from Kansas [Mr. INGALLS] a few days ago, providing for the appointment of three Senators to sit during the recess of the Senate for the purpose of inquiring into the state of the law relative to the adjustment of pensions. I ask that it be printed, so that when the resolution is called up I may move it.

The substitute is as follows:

That a committee of three Senators be appointed by the Chair to sit during the recess of the Senate, with power to employ a stenographer, who shall also act as clerk, to send for persons and papers, administer oaths and examine witnesses, for the purpose of informing the Senate as to the defects of the present pension system, and the remedy therefor, with authority to report at the next session of the Senate, by bill or otherwise, what measures are necessary to prevent frauds and secure the early adjudication of all applications for pension.

The VICE-PRESIDENT. The proposed substitute will be printed and laid on the table, subject to the call of the Senator from West Virginia.

#### MORNING HOUR.

Mr. CAMERON, of Wisconsin. I ask unanimous consent that Senate bill No. 155 may be taken up and considered at this time.

The VICE-PRESIDENT. The Chair will first ask the Senate to indicate the order of proceeding under the order by which the Senate now meets at eleven o'clock. At the last session the Journal records as follows:

The hour of half past twelve o'clock having arrived, the President *pro tempore* asked the Senate to place its construction upon the order of February 5, 1880, known as the "Anthony Rule," and submitted the following proposition: "Does the consideration of the Calendar continue until half past one o'clock, notwithstanding the change of the hour of meeting of the Senate?"

It was unanimously determined in the affirmative.

Shall that be the rule of the Senate for this session? As many as are in favor will say "ay;" opposed "no;" [putting the question.] The ayes evidently have it; the ayes have it.

#### MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. GEORGE M. ADAMS, its Clerk, announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

A bill (H. R. No. 1830) granting a pension to Peter Grattan;

A bill (H. R. No. 1996) for the relief of W. A. Reid;

A bill (H. R. No. 4206) confirming and vesting the title to a certain tract of land in Burlington, Iowa, "in the independent school district" of said city;

A bill (H. R. No. 5832) for the relief of David W. Bell;

A bill (H. R. No. 5939) regulating the importation of raw materials to be manufactured in the United States and used in the construction and repair of vessels employed in the foreign trade, including

the trade between the Atlantic and Pacific ports of the United States, or built for foreign account; and

A bill (H. R. No. 7030) regulating the pension of William Blaisdell.

The message also announced that the House had passed the following bill and joint resolution:

A bill (S. No. 711) amending the charter of the Freedman's Savings and Trust Company, and for other purposes; and

A joint resolution (S. R. No. 152) granting the use of artillery, tents, &c., to be used at the soldiers' reunion to be held at Lincoln, Nebraska, in the month of September of 1881.

ENROLLED BILL SIGNED.

The message further announced that the Speaker of the House had signed the enrolled bill (S. No. 752) granting an increase of pension to Crafts J. Wright; and it was thereupon signed by the Vice-President.

DISTRICT MUNICIPAL CODE.

Mr. HARRIS. Mr. President—

The VICE-PRESIDENT. The Chair had recognized the Senator from Wisconsin, [Mr. CAMERON,] whose rights will be reserved.

Mr. HARRIS. The further consideration of the resolution which I had the honor to report from the Committee on the District of Columbia, providing for the holding of night sessions for the consideration of the District code bill was postponed several days ago until to-day. I desire very much that the Senate should vote upon that resolution this morning; and all I desire to say is that unless night sessions are granted I am sure that in the present condition of the Senate the bill cannot be considered, and unless they are granted at once it will be wholly unnecessary to consider it, because if the bill shall be passed at a later day it will be impossible to enroll it. I hope the Senate will consent to vote upon the resolution this morning, and if the Senate votes it down I promise not to harass the ear of the Senate again by asking consideration of the same. I simply desire to test the sense of the Senate upon the question.

The VICE-PRESIDENT. The resolution will be read.

The CHIEF CLERK. As proposed to be amended by the Senator from Maryland, [Mr. WHYTE,] the resolution reads:

*Resolved*, That on and after Monday the 14th of February, 1881, the Senate will take a recess at — o'clock p. m. and meet at seven and a half o'clock p. m. for the purpose of considering House bill No. 5541, entitled "An act to establish a municipal code for the District of Columbia," and will continue so to meet each day until the same shall have been finally acted upon by the Senate.

The VICE-PRESIDENT. The resolution calls for the enactment of a special order, and will require a vote of two-thirds.

Mr. THURMAN. I only wish to occupy one minute's time to say that I do sincerely hope the Senate will not agree to the resolution. I do not believe that we ought to hold night sessions where we can avoid it.

Mr. KERNAN. Particularly when we meet at eleven.

Mr. THURMAN. When we meet at eleven o'clock particularly; nor do I believe it is possible to take up that voluminous bill and give it that careful consideration which it ought to receive, dealing as it does with a multitude of offenses and with various subjects of great importance to the people of this District at this session of Congress, when we have but a little more than two weeks to work. The bill ought to go over and be introduced and taken up at the next session of Congress, when there would be more time to consider it.

Mr. JOHNSTON. I understand that the bill covers over three hundred pages.

Mr. HARRIS. Three hundred and thirty-five.

Mr. JOHNSTON. Amendments have been proposed to it, and some of the amendments relate to important subjects—compulsory education, the collection of the revenue, and licenses—that will lead to a very prolonged debate. I hope the Senate will be allowed to proceed to other and important urgent business.

Mr. HARRIS. If the Senator from Virginia will allow me, there are but three questions that will consume any time, but they may consume some time; it depends upon the temper of the Senate. All I ask is a vote of the Senate, and I shall cheerfully acquiesce in its judgment.

Mr. KERNAN. I think the chairman of the Committee on the District of Columbia has done his duty fully, but that we ought to take the responsibility of defeating the resolution; and to test that, I move to lay the resolution on the table.

Mr. KIRKWOOD and Mr. WHYTE addressed the Chair.

The VICE-PRESIDENT. The question is on the motion of the Senator from New York, to lay the resolution on the table, which is not debatable.

Mr. WHYTE. I ask the Senator from New York to withdraw his motion for a moment, and I shall renew it.

Mr. KERNAN. Certainly.

Mr. WHYTE. I should like to state to the Senate the condition of this bill.

Mr. KIRKWOOD. Will the Senator allow me to indicate an amendment I should like to move before he goes on?

Mr. WHYTE. Certainly.

Mr. KIRKWOOD. It is to strike out all after the word "considering" in the clause "for the purpose of considering House bill No. 5541," &c., and to insert "the Calendar." That would give us night sessions, and give us the Calendar to work upon during those night sessions. I propose to move that amendment.

Mr. WHYTE. I cannot yield to the Senator from Iowa, because the Senator from New York has been kind enough to withdraw his motion to lay on the table to enable me to say a few words in regard to this resolution, when I will renew his motion.

Mr. President, I was about to say that this bill is not an ordinary bill introduced into Congress and passed by one House and then about to be acted upon by another branch of the legislative department, but the bill is a codification of laws now existing and being in operation in the District of Columbia, combined of general statutes of the United States, old local laws of Maryland which have been in operation for many years in the District, and special statute laws operating upon the District itself.

This codification is the result of the work of a commission appointed under an act of Congress, which was passed in 1878, creating the present form of government for the District of Columbia. It is therefore a digest or a code of many laws now in existence in this District, but scattered, some of them almost traditional in their character, being old laws of Maryland that are brought into operation here on spasmodic occasions. This code was submitted by the commission so appointed as its work. It was examined in the House by a sub-committee appointed specially for that purpose, was reported away back a year ago in the House of Representatives, considered at night sessions in the House, deliberately considered, and it passed the House and came here in March, 1880. It was referred to the Committee on the District of Columbia of the Senate. That committee before the adjournment of Congress at its last session obtained authority from the Senate to sit during the recess, and it appointed a sub-committee, the honorable chairman of that committee being one and another Senator and myself acting as the sub-committee, and during the summer and fall we examined with great care this report of the code. We have made certain amendments to it, but there are very few of them. They can be explained to the Senate in a very short time. The great body of the work will give rise to no discussion at all. Much of it is mere detail work and can be passed through the Senate without objection from any quarter.

There are only two or three propositions, which can be discussed under a five-minute rule or certainly a ten-minute rule and disposed of. It is all-important that the great body of this bill should be disposed of immediately, and the few members who are interested in it I am sure would attend a night session and allow the bill to be passed so far as there is no objection, reserving for those Senators who desire to discuss other branches of the bill those portions of the bill for their discussion. But if the bill does not pass at this session the work has to be begun all over again next December; it has to be begun again in the House and run the ordeal of nearly three hundred members, and then to come back here and go through the same process of labor and toil for other Senators, when the work has been done by members of this body, perhaps not as intelligently as might have been done by others, but certainly as conscientiously as that duty could have been discharged by anybody. Our work will be vain; the work of the recess, the work of last fall, the work of this session, will all be lost unless the Senate is willing to give us one or two nights to dispose of the bill.

I renew the motion of the Senator from New York to lay the resolution on the table.

The motion was agreed to; there being on a division—ayes 35, noes 14.

EVENING SESSIONS FOR THE CALENDAR.

Mr. TELLER submitted the following resolution; which was ordered to lie on the table and be printed:

*Resolved*, That on and after Tuesday, the 15th instant, the Senate will take a recess at — and meet again at half past seven p. m. of the same day, to consider the cases on the Calendar, and bills that are not objected to shall be taken up in their order, and each Senator shall be entitled to speak once and for five minutes only upon any question, and the objection may be interposed at any stage of the proceedings.

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred as indicated below:

A bill (H. R. No. 5989) regulating the importation of raw materials to be manufactured in the United States and used in the construction and repair of vessels employed in the foreign trade, including the trade between the Atlantic and Pacific ports of the United States, or built for foreign account—to the Committee on Finance.

A bill (H. R. No. 1830) granting a pension to Peter Grattan—to the Committee on Pensions.

A bill (H. R. No. 1996) for the relief of W. A. Reid—to the Committee on Claims.

A bill (H. R. No. 4206) confirming and vesting the title to a certain tract of land in Burlington, Iowa, "in the independent school district" of said city—to the Committee on Public Lands.

A bill (H. R. No. 5832) for the relief of David W. Bell—to the Committee on Post-Offices and Post-Roads.

A bill (H. R. No. 7030) regulating the pension of William Blaisdell—to the Committee on Pensions.

ORDER OF BUSINESS.

Mr. CAMERON, of Wisconsin. Mr. President—

Mr. COCKRELL. I ask for the regular order.

The VICE-PRESIDENT. The regular order is the consideration of the Calendar of General Orders under the standing order of the day.

Mr. WALLACE. I gave notice on Saturday at the adjournment that I should ask the Senate immediately on the conclusion of the morning business to-day to take up the Post-Office appropriation bill, and I now ask the Senate to proceed to its consideration.

The VICE-PRESIDENT. The Senator from Pennsylvania moves that the pending order, being the consideration of the Calendar of General Orders under the standing order of the day, be postponed. The question is on the motion to postpone.

The motion was agreed to.

The VICE-PRESIDENT. The Senator from Pennsylvania now moves that the Senate proceed to the consideration of the Post-Office appropriation bill.

Mr. KIRKWOOD. Before that motion is put, I should like—

Mr. WALLACE. Let the bill be taken up and I will yield the floor to the Senator temporarily.

Mr. KIRKWOOD. The condition of things is this: I am exceedingly anxious to have the cattle-diseases bill get the right of way in the morning hour. It seems to me the proper mode would be, if it can be done, to take up the cattle-diseases bill in the morning hour, and then lay it aside informally, giving the appropriation bill the day.

Mr. JOHNSTON. I propose to move to take up the cattle-diseases bill as soon as I can get the floor.

Mr. WALLACE. I ask that the question be put on taking up the Post-Office appropriation bill. I am willing after that to yield the floor to the Senator from Iowa temporarily.

Mr. KIRKWOOD. But that does not give the cattle-diseases bill the right of way in the morning hour hereafter. That is what I want. I am perfectly willing that the Post-Office appropriation bill should take this day.

Mr. WALLACE. I cannot do that. The Senator must make his bargain with the Senate. I will yield the floor to him to make that motion after the Post-Office appropriation bill is up.

Mr. KIRKWOOD. I hope, then, that the Senate will not take up that bill now, but will vote the motion down, and let us take the cattle-diseases bill up, and when that shall be taken up the gentlemen who are promoting that bill will consent that it be laid aside informally to go on with the appropriation bill, thus giving to that bill the whole day.

Mr. WALLACE. I cannot consent to any motion to postpone the consideration of this important appropriation bill. We have spent four days upon it now, and we are likely to run into the night with its consideration to-day, and therefore I trust the Senate will proceed with it.

Mr. KIRKWOOD. I ask for the yeas and nays on the motion of the Senator from Pennsylvania.

The VICE-PRESIDENT. On the motion to proceed to the consideration of the Post-Office appropriation bill at this time the Senator from Iowa demands the yeas and nays.

The yeas and nays were ordered.

Mr. JOHNSTON. I hope the matter may be arranged in this way: I regard the cattle-diseases bill as so urgently important that I think it should be considered to the exclusion of all other matters, except appropriation bills. I propose to make a motion to lay aside or postpone the pending and all prior orders, with a view to proceed to the consideration of the cattle-diseases bill. If that motion should prevail, then I would yield to allow the Post-Office appropriation bill to go on to a conclusion, and at the conclusion of that the cattle-diseases bill would be the regular order. To carry out that programme, I move that the pending and all prior orders be postponed, intending to follow it up, if that should be agreed to, by allowing the Post-Office appropriation bill to go on, so that the cattle-diseases bill will be the regular order. I make that motion.

The VICE-PRESIDENT. That motion is not now in order. There is a motion already pending, which is that of the Senator from Pennsylvania, which must be disposed of first.

Mr. INGALLS. The Senator from Iowa and the Senator from Virginia are laboring under a misapprehension as to the effect of the rule. They get no right of way during the morning hour. Suppose the cattle-diseases bill should be taken up now, it would fall with the morning hour, and have no right of way for to-morrow. There is no unfinished business during the morning hour. Therefore it appears to me that the motion of the Senator from Pennsylvania ought to prevail. We should get rid of the appropriation bill, and then we can take up the funding bill or the cattle-diseases bill.

The VICE-PRESIDENT. The Chair will state to the Senator from Virginia that, the motion of the Senator from Pennsylvania failing, his motion will then be in order, and the Chair will recognize him for that purpose. But the pending question is on the motion of the Senator from Pennsylvania, that the Senate now proceed to the consideration of the Post-Office appropriation bill, upon which the yeas and nays have been ordered.

Mr. EDMUNDS. As the yeas and nays are to be taken I wish to say that I shall vote in the affirmative, because we have always found ourselves obliged and benefited in respect of standing to the understanding that the appropriation bills whenever they were ready should be first considered and all the time until they were disposed of. I know that it is now a little in advance of the time at which regularly under the rules the Post-Office appropriation bill would come up; but I think it would be a great advantage to the disposi-

tion of the business of the Senate if we did not have this space between the order for the introduction of resolutions and the unfinished business, for half of it is spent in doing exactly what I am doing now—in a discussion as to what shall be taken up. I think the Senator from Pennsylvania well conserves the time of the Senate by making his motion immediately after the introduction of bills, &c., is gone through with. Let us dispose of the Post-Office appropriation bill; then let us decide as rapidly as we can what we will take up next, and let us dispose of that before we do anything else, and if we stick to it we shall get more business done during this session than in any other way.

Mr. KIRKWOOD. I have but a word to say. I have felt it to be my duty to make this antagonism, if it shall be so called, in favor of the cattle-diseases bill. I shall feel that I have been utterly derelict to the people of the country in which I live if that bill shall fail for want of attention, and I shall feel that the public not only of that section but of the whole country have suffered injury that it will be very difficult to repair. I therefore seek to test the sense of the Senate upon the question whether or not it shall have preference.

Mr. BAYARD. I merely desire to remind the Senate that at the expiration of the morning hour, according to the notice given by me last Friday, I should ask for the consideration of the funding bill; but as this appropriation bill now stands I shall vote for the motion of the honorable Senator from Pennsylvania to take it up, and shall then vote to continue it until it shall be finally disposed of; but immediately upon that disposition I shall ask the Senate to proceed to the consideration of the funding bill, and to continue its consideration until it shall be concluded.

Mr. SAUNDERS. When the resolution was up providing for the meeting of the Senate at the hour of eleven o'clock instead of twelve, I voted for it and others did with the understanding that we were to have a longer time for the morning hour; and I understood that it had been decided that morning that we should have until half past one. I supposed then we were to have that time for the regular business of the Calendar. I am in favor, of course, of taking up the bill proposed by the Senator from Pennsylvania, but I want to put it off until we can get through the business of the morning hour and have the Calendar regularly taken up till half-past one o'clock, and then give the appropriation bill the rest of the day, and then take up the other bills indicated. I think we ought to settle it now, and settle it in favor of giving the hour after the morning business is done until half-past one o'clock to the Calendar. If we do not I do not see how we are to get through with it at all. I shall vote against the motion of the Senator from Pennsylvania for the reason that I want to take the Calendar up until half past one o'clock.

The VICE-PRESIDENT. The question is on the motion of the Senator from Pennsylvania, to proceed to the consideration of the Post-Office appropriation bill.

The question being taken by yeas and nays, resulted—yeas 44, nays 12; as follows:

YEAS—44.			
Allison,	Coke,	Hill of Georgia,	Rollins,
Bailey,	Davis of W. Va.,	Ingalls,	Slater,
Baldwin,	Dawes,	Jonas,	Thurman,
Bayard,	Edmunds,	Kernan,	Vance,
Beck,	Farley,	Maxey,	Vest,
Blair,	Ferry,	Morgan,	Voorhees,
Booth,	Garland,	Morrill,	Walker,
Butler,	Groome,	Pendleton,	Wallace,
Call,	Hampton,	Plumb,	Whyte,
Cameron of Wis.,	Harris,	Pugh,	Windom,
Cockrell,	Hereford,	Ransom,	Withers.

  

NAYS—12.			
Anthony,	Hill of Colorado,	Paddock,	Saunders,
Burnside,	Johnston,	Platt,	Teller,
Davis of Illinois,	Kirkwood,	Randolph,	Williams.

  

ABSENT—20.			
Blaine,	Conkling,	Jones of Florida,	McDonald,
Brown,	Eaton,	Jones of Nevada,	McMillan,
Bruce,	Grover,	Kellogg,	McPherson,
Cameron of Pa.,	Hamlin,	Lamar,	Saulsbury,
Carpenter,	Hoar,	Logan,	Sharon.

So the motion was agreed to.

Mr. JOHNSTON. I give notice now that to-morrow, in the morning hour, when the regular morning business shall be through, I shall ask the Senate to take up and consider the bill I tried to get up this morning; and failing in that, I shall endeavor to take it up at the conclusion of the Post-Office appropriation bill. I consider it so urgent in importance that I shall push it with all the means in my power.

Mr. KIRKWOOD. I suggest to the Senator from Virginia would it not be well to give notice of his intention to call up the cattle-diseases bill immediately on the conclusion of this appropriation bill?

Mr. JOHNSTON. I have given that notice, and lest it should take all day I have mentioned the morning hour to-morrow.

Mr. KIRKWOOD. It may be through this afternoon in time to make some progress to-day with the cattle-diseases bill.

#### POST-OFFICE APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. No. 6972) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1882, and for other purposes.

The VICE-PRESIDENT. The question is on the motion of the Senator from Vermont [Mr. MORRILL] to lay the pending amendment on the table.

Mr. MORRILL. When I made the motion to lay this amendment on the table, I had supposed the motion would only apply to the amendment offered by the Senator from Alabama, [Mr. MORGAN.] The Chair has, however, held that it would not only carry that amendment but the original amendment of the Committee on Post-Offices and Post-Roads. I was anxious that the debate upon this bill should be concluded at an early day. If now I have the power to withdraw the motion to lay on the table I will do so, in order that we may get a direct vote upon the question of order.

Mr. INGALLS. Have the yeas and nays been ordered?

The PRESIDING OFFICER, (Mr. GARLAND in the chair.) The yeas and nays have been ordered.

Mr. INGALLS. I object to the withdrawal.

The PRESIDING OFFICER. Then the motion cannot be withdrawn after the ordering of the yeas and nays.

Mr. EDMUND. It can be withdrawn by the leave of the Senate. A majority can allow it to be withdrawn.

The PRESIDING OFFICER. That is true. The Senator from Vermont [Mr. MORRILL] asks leave of the Senate to withdraw his motion. The question is on granting leave.

Leave was granted.

The PRESIDING OFFICER. The motion is withdrawn. The question now is, Is the amendment offered by the Senator from Alabama [Mr. MORGAN] in order?

Mr. MORGAN. On Saturday when I offered this amendment it was objected to by the Senator from Pennsylvania [Mr. WALLACE] as not in order. The Chair submitted the question to the Senate. Then a motion was made to lay my amendment on the table. A vote was taken on that motion, when no quorum voted, and the yeas and nays were ordered. The point I make is that the Senate has taken jurisdiction of this amendment; it has been so far received as that a division was taken upon it, and then a call for the yeas and nays made upon it, and the call was sustained, and the Senate this morning released the amendment from the grasp of that call by consenting that the honorable Senator from Vermont might withdraw his motion to lay on the table. After by the consent of the Senate the case has reached that stage, I make the point that the question of order has been overruled by the Senate, and that it is not now in order to raise that question again. The Senate has acquiesced in dispensing with the consideration of the question of order made by the Senator from Pennsylvania in this manner, and I now maintain that the question of order is not open to be raised by any Senator.

The PRESIDING OFFICER. The Chair holds that upon the withdrawal of the motion of the Senator from Vermont [Mr. MORRILL] to table the amendment the question stands exactly as it did before he made the motion, and the question is now, if that view be correct, whether the amendment offered by the Senator from Alabama [Mr. MORGAN] is in order or not. Is the amendment offered by the Senator from Alabama to the amendment proposed to the bill by the Committee on Post-Offices and Post-Roads in order?

Mr. EDMUND. Let the amendment in question be reported.

The Chief Clerk read the following amendment proposed by Mr. MORGAN to be added to the amendment of the Committee on Post-Offices and Post-Roads:

When vessels built in other countries are so accepted and employed, the same shall be entitled to all the rights and privileges secured by law to vessels built in the United States of America, except the privilege of engaging in the coastwise trade.

Mr. EDMUND. Now let the amendment to which this is proposed as an amendment be read.

The PRESIDING OFFICER. The Secretary will now read the amendment proposed by the Senator from Alabama, [Mr. PUGH,] which has been decided to be in order.

The CHIEF CLERK. At the end of section 1, the amendment is to insert:

For additional postal service to foreign countries, \$1,000,000, to be expended, under the direction of the Postmaster-General, in the establishment of mail-steamship lines, equitably distributed among the Atlantic, Mexican-Gulf, and Pacific ports: *Provided*, That the vessels employed for such service shall be owned and manned by American citizens, and that said vessels thus employed shall be iron steamships, accepted by the Secretary of the Navy, after due inspection, as in all respects seaforthy and properly fitted to such service.

Mr. EDMUND. The pending question, if I understand it, is the question whether the amendment of the Senator from Alabama is in order under the rule about appropriation bills.

The PRESIDING OFFICER. Under Rule 29.

Mr. EDMUND. And am I right in supposing that the Senate has decided that the amendment of the Post-Office Committee is in order?

The PRESIDING OFFICER. That was the decision of last Friday.

Mr. EDMUND. Then, Mr. President, I shall feel compelled to vote that the amendment of the Senator from Alabama is in order also, following the last judgment of the Senate, which I should vote to reconsider because until the vote was passed I thought it to be wrong. I think so still, as far as I am entitled to think so with respect to the deliberate judgment of the Senate on a question of order. But the Senate having decided, and not proposing to reconsider that decision, that it is in order to put on this bill a provision of an appropriation bill regulating the establishment of steamship lines by law

and a suitable distribution of those lines between Atlantic, Gulf, and Pacific ports, and providing a specific law as to the character, the ownership, the structure of those vessels, and so on, making a new law which regulates not merely the appropriation of this one million of money, but regulating the fact regarding these vessels, their structure, how they shall be employed, and so forth, it is impossible for me to say that an additional provision on the same subject and in the same line, prescribing other qualifications for vessels to be so employed, is not in order. To my mind it clearly is if the first one was, and the Senate has decided that it was.

Mr. HAMLIN. Will the Senator from Vermont allow me to say a word?

Mr. EDMUND. With pleasure.

Mr. HAMLIN. I think in the Senator's absence from the Senate he has not called to mind that he is not referring to the last decision of the Senate. The Senate did rule by its vote that the amendment presented originally by the Senator from Texas [Mr. MAXEY] was in order. I submitted an amendment to it simply to define more specifically what was included in the amendment of the Senator from Texas, and the Senate ruled that out of order. Now I insist that the Senator from Vermont is not quoting from the last decision of the Senate; there was one subsequent to the one he has referred to.

Mr. EDMUND. I have been ill for two or three days and have not been in the Senate except for a very short time in the morning, and ought not to be here now, and so I was not advised in respect of the suggestion that the Senator from Maine makes. Inasmuch as I do not know what the precise character of the amendment of the Senator from Maine was, and do not know what the vote of the Senate was upon it, except as stated by my friend from Maine, no doubt correctly, I am unable to judge whether his amendment would fall within the suggestions I am endeavoring to make; and so I must leave that, as I am ignorant of it, to take care of itself. But certainly we have now before us two amendments, one which the Senate has declared to be in order, which, as I said before, makes a permanent, specific, legislative provision not controlling merely the disposition of the one million of dollars provided for, which might bring it nearer to the rule, but providing for a general establishment, with all the qualities that, if it were an independent bill without any appropriation at all, it should possess; the Senator from Alabama proposes to modify that establishment in the way indicated by his amendment. Now standing upon the fact that the amendment of the Senator from Texas is regularly before the Senate, then it seems to me, as I should have thought in the case of the Senator from Maine, to be almost trifling with a subject of this character to say that that amendment itself was not capable of being put into suitable shape. So, although I think the original amendment was clearly out of order, I shall vote to proceed to the consideration of the amendment of the Senator from Alabama, and I say that without any reference to the merits of the amendment, which I do not at present choose to say anything about.

Mr. BAYARD. I am one of those who believed that the original amendment to which this is offered was out of order; but the Senate decided otherwise. I am equally clear in my judgment that the amendment of the honorable Senator from Alabama is in conflict with the rules of the Senate, and that it does propose a change in the features of the existing law upon an appropriation bill by way of amendment. What is it?

When vessels built in other countries are so accepted and employed, the same shall be entitled to all the rights and privileges secured by law to vessels built in the United States of America.

Can the laws securing privileges peculiarly to American-built and American-owned vessels be extended to foreign-built and American-owned ships accepted for the purpose of mail carriage, without a change in existing law? It seems to me you have but to state the proposition to have it answer itself.

I suggested to my friend from Alabama, as I did in the original debate on the amendment of his colleague, or the amendment of the honorable Senator from Texas, what would be the effect of adding to the original amendment the words "according to the provisions of existing law." It would be undoubtedly to make that amendment clearly inoperative, and that struck me as being the crucial test whether or not existing laws were changed by proposing to confine the amendment and limit it to the provisions of existing law. If those additional words would render the amendment nugatory then it is clear that the amendment is out of order. If the words "according to the provisions of existing law" be added to the amendment which bears the name of the honorable Senator from Texas, [Mr. MAXEY,] though offered by the honorable Senator from Alabama, [Mr. PUGH,] in my judgment it could never be carried into effect because there are no existing laws warranting it.

This amendment is going still further in the same direction. You are legislating anew; you are creating provisions of general law which do not now exist; and that you do, in my judgment, in defiance of Rules 28 and 29 of the Senate's code, by attempting by an amendment to change existing law on an appropriation bill.

Mr. WILLIAMS. I rise only to make a suggestion. I understand that now we are proceeding under the Anthony rule, which limits debate to five minutes by each Senator. We have occupied four or five days in discussing mere questions of order on this bill. I hope, as we are proceeding under that rule, that it will be enforced as to discussion.

**THE PRESIDING OFFICER.** The question is whether the amendment offered by the Senator from Alabama [Mr. MORGAN] is in order?

**MR. COCKRELL.** I understand we are not proceeding under the Anthony rule limiting debate to five minutes. That has been set aside.

**THE PRESIDING OFFICER.** Those who are of opinion that the amendment offered by the Senator from Alabama is in order will make it known by saying "ay;" those of the contrary opinion, "no" [putting the question.]

**MR. EDMUNDSON.** I call for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

**MR. HAMPTON,** (when his name was called.) I am paired with the Senator from Nebraska, [Mr. SAUNDERS.]

The roll-call having been concluded, the result was announced—yeas 18, nays 32.

YEAS—18.

Brown,	Garland,	Kirkwood,	Vance,
Call,	Hill of Georgia,	Lamar,	Walker,
Coke,	Johnston,	Maxey,	Williams.
Edmunds,	Jonas,	Morgan,	
Farley,	Kellogg,	Pugh,	

NAYS—32.

Allison,	Davis of Illinois,	Ingalla,	Rollins,
Bailey,	Davis of W. Va.,	McMillan,	Slater,
Baldwin,	Dawes,	Paddock,	Teller,
Bayard,	Eaton,	Pendleton,	Vest,
Blair,	Ferry,	Platt,	Voorhees,
Booth,	Groome,	Plumb,	Wallace,
Butler,	Harris,	Randolph,	Whyte,
Cameron of Wis.,	Hereford,	Ransom,	Windom.

ABSENT—26.

Anthony,	Cockrell,	Jones of Florida,	Saulsbury,
Beck,	Conkling,	Jones of Nevada,	Saunders,
Blaine,	Grover,	Kernan,	Sharon,
Bruce,	Hamlin,	Logan,	Thurman,
Burnside,	Hampton,	McDonald,	Withers.
Cameron of Pa.,	Hill of Colorado,	McPherson,	
Carpenter,	Hoar,	Morrill,	

**THE PRESIDING OFFICER.** The Senate decides that the amendment of the Senator from Alabama is not in order. The question is on the amendment offered by the Committee on Post-Offices and Post-Roads.

**MR. MORGAN.** In line 7, before the word "iron," I propose to insert the words "steel or."

**MR. EDMUNDSON.** Is that in order? It changes the character of this amendment decidedly.

**THE PRESIDING OFFICER.** The Secretary will report the amendment again.

**THE CHIEF CLERK.** In line 7, before the word "iron," it is proposed to insert "steel or;" so as to read "and that said vessels thus employed shall be steel or iron steamships."

**MR. EDMUNDSON.** That is legislation.

**THE PRESIDING OFFICER.** The Chair will hold that it is in order; but will submit it to the judgment of the Senate, if it be desired.

**MR. EDMUNDSON.** I think it is in order, but I think it is contrary to the last vote of the Senate.

**THE PRESIDING OFFICER.** Does the Senator desire that the judgment of the Senate shall be expressed upon it?

**MR. EDMUNDSON.** No, I think the Chair has decided it right.

**THE PRESIDING OFFICER.** The question is on the amendment of the Senator from Alabama to the amendment.

**MR. FERRY.** I object to it if the word "steel" is out of order. I would prefer to say "steel and iron" rather than "steel or iron."

The amendment to the amendment was agreed to.

**MR. MORGAN.** I now move to strike out the word "owned" in line 6 and insert "officered" in lieu thereof; so as to read:

*Provided*, That the vessels employed for such service shall be officered and manned by American citizens.

**MR. WALLACE.** I rise to inquire whether the effect of this amendment is not precisely to put into the original proposition that which the Senate has just now by a yea-and-nay vote declared to be out of order?

**MR. EDMUNDSON.** Does the Senator from Pennsylvania make the point of order?

**MR. WALLACE.** I do. It is the same amendment just ruled out of order by a yea-and-nay vote.

**MR. MORGAN.** I take the liberty of saying that the point of order is a very singular one to come in at this stage of the proceeding.

**THE PRESIDING OFFICER.** The Chair submits the question of order to the Senate.

**MR. MORGAN.** By the last vote we have made an amendment by which we enlarge the amendment of the Committee on Post-Offices and Post-Roads so as to include steel as well as iron steamships. The amendment proposed by the Committee on Post-Offices and Post-Roads does change the existing state of the law, I think not inappropriately, not improperly, not in violation of the rules of the Senate. The Senator from Vermont differs from me in that respect; but surely it is within the power of the Senate to modify this amendment, at least to make it more clearly in conformity with existing statutes. The laws at present authorize the Postmaster-General to

make contracts for carrying the mails abroad either with American-built ships or foreign-built ships, American-owned ships or foreign-owned ships, American-officered ships or foreign-officered ships, and the amendment which I now propose brings the amendment of the Committee on Post-Offices and Post-Roads more nearly to that standard of the law which exists on the statute-book at this moment. This amendment of the committee changes that by saying that the ships shall be owned only by Americans. My amendment strikes out "owned" and substitutes "officered," so as to require not that they shall be owned here, but that they shall be officered and manned by American citizens, so that we are approaching more nearly, if we adopt my amendment, the existing state of the law.

Now, what objection can there be to amending an appropriation of the kind proposed by the Committee on Appropriations in the following words: "For transporting the foreign mails, \$225,000," by saying that these foreign mails shall be carried under existing law, or by saying nothing about it and allowing them to be carried under existing law? The Postmaster-General can use that \$225,000 that we are now appropriating under existing statutes by employing ships owned entirely abroad, manned by foreigners, officered by foreigners, for the transportation of our mails. The committee's amendment proposes that they shall not be owned abroad in reference to this addition to the service, but that they shall be owned at home. I move to strike out that provision in order that the Postmaster-General may be left as free in the application of this million dollars as the statutes leave him at this time in the employment of the regular appropriation in the bill upon foreign-owned ships, foreign-built ships, and foreign-officered ships. I should like to hear some Senator, particularly of that class who are exceedingly scrupulous about the amendment being within the rules of order of the Senate, explain why it is not. I should like to hear the honorable Senator from Pennsylvania explain why it is that the striking out of the word "owned" in the amendment which has been accepted by the Senate as being in order should put the amendment out of order when the amendment that I propose to the amendment of the committee only places the power of the Postmaster-General to employ these ships exactly where it stands by the existing law.

I desire that in the expenditure of this million dollars the Postmaster-General shall have the same liberty that he has under the existing statutes and no more. I am willing to have more to the extent that the steamships employed under this additional appropriation shall be officered and manned by American citizens. I would be glad that we could have ships built abroad, owned by American citizens and entitled to the privileges of American registry; but as we cannot get them now in that position, I want at least, if the ships are owned in part by Americans and in part by foreigners, that the Postmaster-General shall have the privilege, as he has now, of having the mails under contract with the Post-Office Department carried in vessels built and owned abroad, but officered by American citizens.

**MR. MAXEY.** The object which I had in view was to encourage American ownership of steamships adapted to carrying the mails. The striking out of the word "owned," as proposed by the Senator from Alabama, and the insertion of the word "officered," revolutionizes the entire theory of the amendment proposed by the Committee on Post-Offices and Post-Roads.

So much for that. One other point I desire to make as to my own action. So far as I am concerned, I reported the amendment in good faith, believing it a wise measure in the interest of American shipping to encourage the purchase of vessels, built anywhere, by American citizens, to be manned by Americans and registered as American vessels. The voting down by the Senate of the amendment of the Senator from Alabama [Mr. MORGAN] is very clear notice to me at least that after the passage of the amendment offered by the Post-Office Committee such vessels shall not be registered for any purpose here, and hence the usefulness of it is destroyed. I have received that notice and shall act on it.

**MR. WALLACE.** It is evident from what the Senator from Texas and the Senator from Alabama have said that the amendment of the Senator from Texas is committed to me, which, I would say, sends it to a nurse that loves it not; and in view of the fact that we can better settle this question and get the sense of the Senate as to whether they are disposed to continue the word "owned" by a direct vote upon the proposition than in any other way, I withdraw the point of order and will ask for the yeas and nays on the amendment.

**MR. EDMUNDSON.** I renew the point of order, Mr. President. I should like to have the Senate decide whether that amendment is in order or not.

**THE PRESIDING OFFICER.** The question is, Is the amendment proposed now by the Senator from Alabama [Mr. MORGAN] in order?

**MR. EDMUNDSON.** I ask for the yeas and nays.

The yeas and nays were ordered.

**MR. PENDLETON.** I ask that the amendment be reported.

**THE PRESIDING OFFICER.** The amendment will be read.

**THE CHIEF CLERK.** In line 6 of the amendment of the Committee on Post-Offices and Post-Roads it is proposed to strike out the word "owned" and insert the word "officered."

**THE PRESIDING OFFICER.** The question is whether this amendment is in order, on which the yeas and nays have been ordered.

The Secretary proceeded to call the roll.

**MR. BECK,** (when his name was called.) I am paired on every

question of order as well as of merits with the Senator from Maine, [Mr. BLAINE,] who is unable to be in his seat. Therefore I cannot vote.

The roll-call having been concluded, the result was announced—yeas 14, nays 31; as follows:

YEAS—14.			
Booth,	Edmunds,	Johnston,	Vest,
Brown,	Garland,	Lamar,	Williams.
Call,	Hamlin,	Morgan,	
Coke,	Hill of Georgia,	Pugh,	
NAYS—31.			
Bailey,	Ferry,	Logan,	Rollins,
Baldwin,	Groome,	McMillan,	Slater,
Bayard,	Harris,	Maxey,	Teller,
Butler,	Hereford,	Morrill,	Vance,
Cameron of Wis.,	Hill of Colorado,	Pendleton,	Voorhees,
Davis of Illinois,	Ingalls,	Platt,	Wallace,
Dawes,	Jonas,	Plumb,	Whyte.
Eaton,	Kellogg,	Randolph,	
ABSENT—31.			
Allison,	Carpenter,	Jones of Florida,	Saulsbury,
Anthony,	Cockrell,	Jones of Nevada,	Saunders,
Beck,	Conkling,	Kernan,	Sharon,
Blaine,	Davis of W. Va.,	Kirkwood,	Thurman,
Blair,	Farley,	McDonald,	Walker,
Bruce,	Grover,	McPherson,	Windom,
Burnside,	Hampton,	Paddock,	Withers.
Cameron of Pa.,	Hoar,	Ransom,	

The PRESIDING OFFICER. The Senate decides that the amendment to the amendment is not in order. The question recurs on the amendment of the Committee on Post-Offices and Post-Roads.

Mr. BUTLER. I gave notice some days ago of an amendment to the amendment which I now offer. In line 5, after the word "ports," I move to insert "in proportion to the annual value of the exports from said ports to foreign countries."

Mr. WHYTE. I should like to ask the Senator from South Carolina to explain the effect of that amendment.

Mr. BUTLER. The effect of it will be to divide these lines between the Atlantic, Gulf, and Pacific ports in proportion to the value of exports from those ports.

Mr. WHYTE. What will be the effect?

Mr. BUTLER. The effect will be that the respective ports will get their share of this money, I suppose. I simply offer the amendment.

The PRESIDING OFFICER. The question is on the amendment of the Senator from South Carolina to the amendment.

Mr. EDMUNDSON. Is that in order?

The PRESIDING OFFICER. The Chair will submit the question if the point of order is made upon it.

Mr. EDMUNDSON. I make the point of order.

The PRESIDING OFFICER. The Senator from Vermont makes the point that the amendment of the Senator from South Carolina is not in order. The Chair submits that question to the Senate.

Mr. BUTLER. Will the Senator from Vermont be kind enough to explain in what respect it is not in order?

Mr. EDMUNDSON. It is legislation like the amendment of the Senator from Alabama.

Mr. BUTLER. There is no legislation about this; it is simply directing how this fund shall be distributed.

Mr. EDMUNDSON. It does not say how this million dollars shall be used; it says how the steamships shall be distributed, and there is some difference between three distinct lines of steamships and a million dollars, inasmuch as each steamship will cost nearly a million itself if you have only one to a port.

The PRESIDING OFFICER. The question is whether the amendment now submitted by the Senator from South Carolina is in order? As many as are of opinion that the amendment is in order will make it known by saying "ay;" those of a contrary opinion "no," [putting the question.] The noes seem to have it.

Mr. BUTLER. I ask for the yeas and nays on that question.

The yeas and nays were ordered and taken.

Mr. HAMPTON. I am paired on this question with the Senator from Nebraska, [Mr. SAUNDERS.]

The roll-call was concluded, with the following result:

YEAS—16.			
Brown,	Garland,	Maxey,	Vest,
Butler,	Hamlin,	Morgan,	Walker,
Call,	Hill of Georgia,	Pugh,	Wallace,
Edmunds,	Jonas,	Vance,	Williams.
NAYS—24.			
Bailey,	Davis of Illinois,	Ingalls,	Pendleton,
Baldwin,	Dawes,	Kellogg,	Platt,
Bayard,	Ferry,	Kernan,	Slater,
Blair,	Groome,	McMillan,	Teller,
Cameron of Wis.,	Hereford,	Morrill,	Voorhees,
Coke,	Hill of Colorado,	Paddock,	Whyte.
ABSENT—36.			
Allison,	Cockrell,	Johnston,	Randolph,
Anthony,	Conkling,	Jones of Florida,	Ransom,
Beck,	Davis of W. Va.,	Jones of Nevada,	Rollins,
Blaine,	Eaton,	Kirkwood,	Saulsbury,
Booth,	Farley,	Lamar,	Saunders,
Bruce,	Grover,	Logan,	Sharon,
Burnside,	Hampton,	McDonald,	Thurman,
Cameron of Pa.,	Harris,	McPherson,	Windom,
Carpenter,	Hoar,	Plumb,	Withers.

Mr. McMILLAN. I desire to ask consent to withdraw my vote. I am paired with the Senator from Mississippi [Mr. BRUCE] and voted inadvertently. If it makes no difference in the result, I ask leave to withdraw the vote.

The PRESIDING OFFICER. The vote cannot be withdrawn. The Senate decides that the amendment is out of order.

Mr. EDMUNDSON. Why may not the Senator from Minnesota withdraw his vote? The result has not been finally announced.

The PRESIDING OFFICER. The Senator from Minnesota asks consent to withdraw his vote.

Mr. McMILLAN. The Senator from Mississippi [Mr. BRUCE] has come in since I made the request. I withdraw my request if he wishes to vote.

Mr. BRUCE. I ask that my name be recorded.

The PRESIDING OFFICER. The Senator from Minnesota withdrawing his vote, the result is yeas 16, nays 23. The amendment is decided to be out of order. The question recurs on the amendment of the Committee on Post-Offices and Post-Roads.

Mr. BAYARD. Mr. President, I believed the amendment of the Senator from South Carolina [Mr. BUTLER] was not in order under the rules of the Senate. Otherwise I should have been disposed to vote for it, although had the original amendment prevailed I should not support the proposition as amended.

I do not propose at this stage of the session to consider at any length the present condition of the American carrying trade on the high seas, and what methods are legitimate and wise and sanctioned by the limitations of our Constitution of government for improving the facilities for the transportation of merchandise, of freight and passengers, and of general commercial intercourse between our own and foreign countries in American-built ships. I will say but this: it is a branch of industry scarcely second to any in national importance. The great element which covers the greater portion of the globe's surface is certainly well worthy consideration. It is a topic carefully to be considered in the light of history, and philosophy. It is world-wide and international in the simplest and strongest sense; and at this time there are few subjects that demand more study from those who are intrusted with the legislation of this Government.

This amendment does unquestionably touch that great question. It is the commencement of a proposed system of Government assistance to the transportation of merchandise between this and foreign countries. It is under cover of a postal system, that the real object of the measure is, I will not say concealed, but under which it lies thinly veiled from observation; and the amendment itself with much frankness discloses the real object by declaring that a million dollars is to be appropriated during the present year for "the establishment of steamship lines by the Postmaster-General to be equitably distributed between the Atlantic, Mexican-Gulf, and Pacific ports." Plainly this is a proposition that the Government of the United States shall become a trader, establish steamship lines for all the purposes for which ships are designed, Government lines for postal convenience, for the transportation of freight and passengers, and for all else that steamship lines are created. Into that business the Government of the United States is proposing to embark, and it is suggested that this is to be an assistance to the ship-builders of the country; artisans who have made the building of ships the study and occupation of their lives and are supposed, in some way not clear to my mind, to be benefited by this proposition.

Now, in two words, what does it mean? It means that the Government is to come in competition with the great body of ship-builders and ship-owners of the United States. It means that when I or any other man who has embarked his capital and skill in the construction and maintenance of steamships, has set his all upon the hazard of the die, he is to find himself in competition, with whom? With the Treasury of his own Government, that those who are the favorites of the postal Department, or of the Executive, or of Congress are to be protected and paid and fostered and capital furnished them free of cost to compete with all other citizens embarking in the same business. If this be not protection or subsidy in the worst sense it is well for us to understand it.

Mr. MORGAN. I wish to ask the Senator from Delaware if the statutes as they now exist do not furnish full and unqualified opportunity to select between foreign-owned and foreign-built ships and American-owned and American-built ships for the transportation of the mails, and whether the \$225,000 appropriated in this bill may not all of it be employed by the Postmaster-General at his own option in giving bounties, if he choose to give bounties, to British steamships or to steamships of any other country in the transportation of the mails?

Mr. BAYARD. My friend will pardon me if I do not stop just now to answer his question but continue the line of objection based on principle to legislation of this kind. There is a familiar doctrine found in the Constitution of the United States and in the constitution of every State, which is the necessary outgrowth of the institution of government itself. It is that the interest of the individual or of the few must give way to that of society at large. Therefore private property may be taken for public use upon just compensation being rendered. In that way a man may be deprived of property of any description however convenient or dear to him or hallowed by association, provided compensation adjudged by a public tribunal shall be paid him for the deprivation. But where is the proposition and where in any civilized government called free can you find the

doctrine recognized that public property may be taken for private use? And yet what does this measure before us amount to? What is your subsidy after all, stripped of all its disguises, but that you do take public property for private use when you dip your hand in the Treasury under authority of this amendment and take a million dollars out to be given to A, and A alone, to aid and encourage him in his private undertaking and not to the other citizens of this country who may be engaged as meritoriously and zealously in the same branch of industry and enterprise?

I have among my constituents individuals and associated bodies of men who have been industriously engaged for as long a time, as skillfully and as successfully in the construction of iron steamships and wooden vessels of a superior class as any in the United States. I have carefully studied their interests; I am keenly alive to whatever affects them. They can build and furnish to any purchaser to-day as well-constructed, staunch, swift, seaworthy, and valuable iron steamers and wooden vessels as can any builders in the world, and their work has proved it in the Gulf of Mexico and on the Pacific. Few and distant are seas which the keels of their vessels have not vexed, and their work has stood the test of time and trial, and to-day they are prepared to execute the largest order for the best class of iron steamships. Therefore it might be supposed that my desire to serve these men, of whose interests I have personal knowledge, with whose success I have the strongest personal and local sympathy, would control me in sustaining a proposition of this kind, for they might possibly be among those likely to be applicants for this Government bounty; but I can see perfectly well that the supposed advantage is illusory and the principle which attends it false; it is the doctrine of taking public property from the common Treasury for private use; and it cannot be sustained, and the more you examine it the more its dangers and injustice reveal themselves.

I tell you, Senators, that, stripped of its disguises, the doctrine of subsidy and the doctrine of taking public property for private use grow from the same soil, and in principle cannot be distinguished one from the other. I can imagine no more dangerous and fatal principle in a popular government than to open the public treasury to the assaults of organized parties, each seeing how much they can obtain for local, sectional, personal, or class interests. The political party with which I have acted ever since I had a right to take part in the politics of the country have been for that doctrine of "hands off" by the Government in matters of individual enterprise and industry. It was a rule of action, safe, simple, and just to all, and gave no advantages to favored individuals or classes, and under it our country grew strong and gradually outstripped competitors. But now it is proposed to be abandoned, and, instead of justice to all and favor to none, the party or the section that can control most votes in Congress can carry away the most money from the Treasury; it is to be the rule of the strongest and the richest, and when it has been admitted the sun of that day will set upon the bankruptcy of our country and it will set upon the farewell of the honesty of the American people. It is a system corrupt and corrupting, and therefore it is that in all stages and at all times I oppose the principle of taking public property for private use, under the forms of legislation and the specious garb of assistance to the commerce and industries of our country.

It is an unjust perversion of the taxes wrung from the toil of our people, whose best and surest relief will be found in allowing these taxes to remain in the pockets whence they were taken by unwise and unnecessary laws.

As I said, there is no time for me now, nor am I prepared at this moment to enter upon the broad question of relief to the great business of American ship-building, and the regaining of our position as carriers upon the high seas. I know that there exist to-day burdens in the shape of local taxation, port charges, head-money, all sorts of exactions, which ought to be taken off the shipping interests. I know there is a system of fees, exactions, and charges which oppress shipping at the hands of the United States Government, and I propose to set on foot ascertainment of those charges, to be laid before Congress that they may see where legitimate relief can be given. I know that ship-owners and ship-builders are burdened by another class of exactions in the shape of the required use of patented articles, which they are compelled to purchase and employ in the construction of their ships and to carry with them on their voyages, and for which they must pay such royalty as the patentee chooses to demand. I also know that there is a system of tariff taxation upon the materials of which ships are built in this country, an average of more than 40 per cent., which places them at a disadvantage upon the common highway of nations in competition with ship-owners and builders whose materials were burdened with no such taxes.

These are but some of the facts which, together with many others that I have not time now to mention to the Senate, call for examination that we may apply legitimate relief to this great industry, by taking from it burdens unwise imposed in time of war, and still more unwise continued when all pretext for their existence has long since passed away.

But as to this proposition of fostering certain steamship lines by special grants of money from the public Treasury, I consider it utterly unwarranted and unwholesome not only to the immediate recipients of the money, but utterly unjust to all those to whom such bounty is denied. I say it would be a hard thing for an American ship-builder, ship-master, or ship-owner, endeavoring by industry, skill, and persist-

ence to succeed in a given line of travel on the ocean, to find himself driven from the business by the Treasury of his own Government, under the control of some fortunate competitor and successful combiner of political influence.

Therefore it is, sir, that I trust this amendment will not prevail. I say nothing now of its being ingrafted upon an appropriation bill. Irregular as I thought that was, I bow of course to the decision of the Senate; but upon the principle which underlies this amendment, the doctrine of subsidy, the doctrine of taking the public money for a private use under cover, as these things always are under cover, of something that is meritorious and desirable in the abstract, I trust the proposition will not receive the assent of the Senate.

I listened the other day with great respect and interest to the elaborate presentation of this shipping question by my friend from Kentucky, [Mr. BECK.] Much that he said was true; many of his deductions I concurred in; in others I did not. Still his speech was a contribution of value to a great and important subject. My friend from New York, [Mr. KERNAN,] in my absence on Saturday, also considered this question ably and intelligently. I am sorry that I had not the pleasure of hearing what he had to say, but shall hereafter read it carefully. I hope to see, not this Congress, for I think we cannot move in this matter in so brief a space of time as is left, but the next Congress, soon adopt a well-considered system based upon all the facts of the case, and, what the Senate has not yet had, full knowledge of the facts of the case—a well-considered system whereby the trammels which unwise taxation has placed upon the ship-building interest of the United States, and the varied industries which are connected with it, will wisely be relieved.

I believe to-day in two words that this great business of ship-building is not profitable, or capital would more freely flow into it; and if it be not profitable it is because the taxation upon it makes profit so small that capital can be better employed elsewhere; and if I am right in this respect, that it is the superincumbent weight of excessive taxation that has paralyzed, and to-day does trammel, this great branch of national industry, both in the labor and materials needed, how is it to be relieved by expending money derived only from taxation that shall make that burden only greater than it was before? The more money you so appropriate the greater must be the tax. Every dollar that enters the Treasury is brought there by taxation, and you cannot pluck one industry of this country out and sever it from the rest and consider it alone. All must be subjected to the same broad scheme of adjustment and equitable distribution of the public burdens. Therefore, I say, it is no cure for overtaxation to increase the burdens of taxation, and this is what this measure proposes, to take from the many to give to one or a few. There is no justice in that. For my own part I believe that the great law of human interest and the great principle that enables men to be happier and more successful in government, is where there is less interference by government with the affairs and business and contracts of individuals. I believe greater relief will come by amending an unwise system of interference in the shape of existing tariffs and taxes and interferences with the contracts of individuals than there would be in taking unjustly a large sum of money from the public Treasury and giving it to one or a few upon a principle which in a popular government, to my mind, is dangerous in the last degree.

Mr. MORGAN. I do not like, after I have been engaged during all the time this debate has been pending in an effort to get rid of every feature of this amendment which might look like a subsidy, to have it supposed by the honorable Senator from Delaware that either myself or any other Senator desires to take money out of the Treasury of the United States to devote it to a private purpose, or that we are any more ready to violate the established rules of the democratic party than he is upon a proposition of this kind. The Senator philosophizes splendidly upon this subject as he does upon all subjects, but I submit to him that his philosophy is far above the facts in the case and has no real application to the condition of the country in reference to its legislation on the important subject of the transmission of the mail.

The Senator is opposed, he says, to taking a million dollars out of the Treasury and applying it to steamship lines for the purpose of paying for the transit of the mails across the ocean. We find, however, that there is a law upon the statute-book, and has been for a number of years, by which the Postmaster-General is authorized and required to employ steamships to transmit the mails; but there is a limitation upon these statutes to this effect: that he can only pay to those steamships a sum equivalent to the sea-postage as might be realized upon the particular line. If it has been unjust, undemocratic, and wrong for so many years to apply any money whatsoever out of the Treasury of the United States to steamship lines for carrying the mails, it astonishes me that the alert and active democrat who represents so capably the State of Delaware has not before discovered it. We have been taking out of the Treasury of the United States and paying for mails carried between New York and Liverpool and New York and Havre and various places annually a contribution of money, which has been paid sometimes to American lines and sometimes to foreign lines, for the purpose of transmitting the mails. We never have supposed that we got anything else than an equivalent for all the money we expended in the service rendered to commerce as well as the convenience of the people of the United States under this system.

Now, I will take the southwest, and I will take the border; and I will suppose that the Congress of the United States in order to prevent the taking of any money improperly out of the Treasury of the United States should say to those gentlemen who are mail contractors upon the great lines reaching out into the Territories, and to the frontiers of our country, "you must not expect anything out of the Treasury of the United States in the way of contribution to the mail lines you establish there except the postages that you realize upon those lines." Suppose that that had been the policy of this Government from its foundation to the present time, what would have happened? A mail line on such a basis as that would not have got as far west as Cincinnati in Ohio by this time. The mail contractors in the poor, thinly settled sections of the United States are encouraged to carry the mails so as to distribute them largely to the scattered population by what the honorable Senator from Delaware would call a subsidy, an amount of money paid out of the Treasury of the United States to pay for the value of the service, which value of service to him far exceeds the public return that he makes by transmitting the letters in a stage-coach on public road or on the back of a horse.

The honorable Senator seems to be incapable of comprehending the idea embodied in this proposition, if I understand him aright. The idea involved is not the building up of American commerce or an American merchant marine, but it is to extend the postal facilities of the United States across the ocean to other countries. We know perfectly well that we have had to resort, under our postal system, to the compulsory law that no American ship should have a clearance from one of our ports unless she agreed to carry the mails and deliver them within three hours after her landing at a foreign port, in order to have our mails carried. We take the ships built by private citizens, and owned by private citizens under the flag of the United States, and we deny to them a clearance from our harbors unless they will consent to take the mails of the United States for the postage money, and deliver them within three hours after their arrival at a foreign port. It seems to me that when we consider the view of the law that has just been presented, and which is exactly in conformity with the statute, we are violating the Constitution in the wrong direction, for we are taking private labor and private property owned by the owner of a ship, and we are confiscating or condemning it to public use without making a satisfactory compensation. Who does not know that \$225,000 is an inadequate sum to transport our mails legitimately across the ocean? We are spending now \$30,000,000 a year for the transportation of mails overland through this country, and yet it is supposed that \$225,000 is all the money that the Senate of the United States ought to vote to have the mails carried across the ocean.

Sir, if we are violating constitutional rights and democratic usages and doctrines, it is in the direction of compelling men to render service to this country without just compensation, rather than we shall be violating them by putting in an amendment to this bill which looks to the idea of giving them something like a just compensation.

I say—and no Senator on this floor I think will deny it—that \$225,000 is a totally inadequate sum to pay men a just compensation for carrying these mails. We propose to increase it to \$1,225,000, in the hope thereby of stimulating intercourse between our country and abroad. If commerce chooses to follow the track of the mails, let commerce thus follow. We have no mails established in this country from which that view of the subject is shut out. We have not a mail in the United States to-day that is not more or less directly connected with the idea that it is a pioneer or an assistant in carrying commerce into the frontiers and the unsettled portions of our country, or furnishing facilities for commerce between those portions which are more densely populated. You cannot disconnect the two ideas. Commerce and the mails go together as naturally as electricity and the copper wire go together to transmit messages across the continent. Commerce without mails would be of no value to this country, and mails without commerce would be almost useless. They are wedded together in the Constitution and in public experience and in private experience, so that you cannot separate one of them without doing injustice to both.

Then if we do expend a million dollars more than we are doing with a view of trying to compensate the men who are carrying the mails, and if they must carry them in steamships, the vehicles which also transport commerce and thereby create commerce as well as intercourse between this and foreign countries, where is the principle of the democratic party violated in that, and where is the clause of the Constitution of the United States that is violated? No, sir; it is easy enough to decry a measure by pointing to it the finger of scorn, and saying you are trying to create a subsidy; but it is much more difficult to prove by argument that there is any subsidy in this measure or connected with it. The only subsidy that is hinted at in this measure at all is in virtue of the fact that the amendment proposed by the honorable Senator from Texas requires that the ship employed for this purpose shall be owned, officered, and manned by citizens of the United States. It may be that in our poor condition in reference to steamships that would amount to a subsidy in favor of those twenty-five or twenty-six gentlemen or companies who happen to own steamships in the United States, for I believe there are only about twenty-five or twenty-six of them. That is the only view that looks in the direction of subsidy in this measure. I have been trying all I could to modify that view by providing that ships when bought

abroad should be entitled to an American registry. The Senate has voted contrary to its own decision every fifteen minutes; it has voted down that amendment, and yet it has voted in favor of others that are quite as violative of existing law or quite as suggestive of new legislation as that was. I make no complaint of that. I have no right here except to express my own opinion and give my own vote. That is as far as I go. If I do not succeed it is nobody's loss but mine. But it is time that the Senate of the United States had looked at this question in a broader light than that taken by the honorable Senator from Delaware; it is time that the Senate of the United States had taken into its consideration the question whether we are furnishing proper mail facilities between this and foreign countries. If you will encourage men by paying them a fair and just compensation for taking the mails to sail out of the port of Mobile, or the port of New Orleans, or the port of Charleston, or the port of Baltimore, or elsewhere along our great sea-coast, or from a port on the Pacific Ocean, you will do your country good; every man, woman, and child in this country will be benefited, because it will increase those resources of commerce, which, when increased and distributed, will distribute the burden of taxation, will give relief to every man, woman, and child in the country.

I do not know any measure more broad and catholic in its effect than this. I cannot conceive of one which is more just in its operation. It seems to me that the arguments which have been made here are not only contrary to the true policy of this Government, but they are put upon grounds that are too narrow for us to stand on.

I call the attention of the Senate to this statute, and I called the attention of the honorable Senator from Delaware to it while he was on the floor, but he did not choose to reply to my remark:

SEC. 4008. The mail between the United States and any foreign port, or between ports of the United States touching at a foreign port, shall be transported in steamships; but the Postmaster-General may have such transportation performed by sailing-vessels when the service can be facilitated thereby.

The mails "shall be transported in steamships;" and under this statute the Postmaster-General has the option to say whether they shall be foreign-owned and foreign-built ships or native-owned and native-built ships. Then the law is broad enough in that direction, and I am entirely willing, so far as I am concerned, to let it stand right there; but the amount of supplies we furnish to the Postmaster-General to enable him to carry on postal service with foreign countries is not sufficient. Some honorable Senator said on Saturday when this question was up—I believe it was the Senator who has charge of the bill—that the Postmaster-General had not made a request for more than \$225,000 for this service. That is very true, because the existing law confined him to the amount of money that might be earned in sea postages as the rate of compensation that shall be supplied to ships to carry our letters abroad and bring them home again, and the Postmaster-General is confined by law in making his estimates to existing statutes. Hence he could not estimate for more than \$225,000. But who is authorized on this floor to say that the Postmaster-General, if he had the right to speak for the United States and define the policy of this country, would ever undertake to assert that more than \$225,000 could not be reasonably employed in stimulating mail intercommunication with foreign countries? That part of the subject he has not touched, because the statute shuts him off from any right to touch it. But, sir, it is our duty to touch it, and to do it on an appropriation bill; that is the very place to do it.

I am willing to make the appropriation large enough to enable the Postmaster-General to increase our mail facilities with foreign countries, and leave him to expend the money precisely as he can under existing statutes. The amendment proposed by the honorable Senator from Texas is a restrictive amendment, not new, not general in its character. It restrains the expenditure of the money to steamships—iron steamships, or steel or iron—now since the adoption of the amendment I offered. It restrains the expenditure of the money to such ships as these, instead of allowing it to be employed in wooden steamships and steamships owned and manned by foreigners. I would prefer myself to strike out the proviso in the amendment; but it was supposed that perhaps there were Senators on this floor who would very much prefer that that proviso to the amendment should stay there; who would very much prefer that in giving support to our foreign mail service those who had ships built in the United States, and officered and manned by citizens of the United States, might have a preference over those who had ships built and officered and manned abroad.

Now, Mr. President, I call the attention of the Senate, and from this body the attention of the country, again to this amendment. Senators claim here against subsidy, and yet on Saturday I pointed out how in the proviso, to the very section to which this proposition of the Senator from Texas is an amendment, there is a positive and explicit subsidy, a subsidy of \$45,000 given in the bill, and given, too, in aid of the colonial legislation of two foreign colonies. Senators make no complaint of that. That suits them well enough. There is no invasion of democratic platforms in that. Here is a committee, the majority of whom are democrats, that bring in without question a subsidy passed by the House of Representatives, and no clearer subsidy was ever put into a bill in the world. I shall vote for the bill with that in it, because I do not believe that the efforts we are making to compensate these transporters of the mails in that particular case is going to do any harm to this country. I do not believe it

establishes any general and pernicious doctrine in the laws of this country. It is a specific measure intended to apply to a specific subject, and to remedy an existing grievance. That is all, and so I shall vote for the bill with that subsidy in it, with the indorsement of a democratic House, a democratic Senate, and a democratic committee. And while I do that I do not like Senators to get up here and charge me with a disposition to subsidize men because they own American-built ships. Let Senators come to the true test of the question and vote against that measure, and strike it out if it be not in accordance with democratic doctrine; but if they do not do that, let them cease to talk about the matter when they prove by their own votes that they cannot be very earnest, active, or energetic in the enforcement of their views in the Senate.

Mr. WHYTE. Mr. President, I voted this morning and I urged the Senate with all the earnestness of which I was capable to hold night sessions to discharge our duty as I supposed in the passage of needful legislation. I indicated, therefore, my willingness, at much inconvenience, probably at more inconvenience to myself than to most Senators, to remain here during the evening and expedite as far as possible the business which presses us at the close of this session of Congress. Therefore I have no apologies to make if I shall detain the Senate a little while in entering again, as I have done on former occasions, my earnest and zealous protest against legislation such as is contained in this amendment offered by the Committee on Post-Offices and Post-Roads.

The Senator from Alabama who has longest held a seat on this floor of the two Senators from that State [Mr. MORGAN] has sought by a specious argument, if he will allow me to say so without offense, to change the character of this amendment from what it really is to what he would have it seem to be. The object of the amendment, as declared by the junior Senator from Alabama, [Mr. PUGH,] who offered it as the organ of the Committee on Post-Offices and Post-Roads, was to build up again our foreign commerce; and before he came to this as a remedy, in the clearest, in the most concise, and in the strongest manner he portrayed the decadence of American commerce on the high seas; he gave us facts that were irresistible; he gave us deductions of logic that I admired and concurred in; he painted us a picture of our fall in the rank of nations as a commercial power. I agreed with all this; I concurred with him in most of his conclusions; but I must confess I was startled when I found him maintaining that this amendment was a remedy for the evils which he had portrayed.

Mr. PUGH. Will my friend allow me a word?

Mr. WHYTE. Certainly.

Mr. PUGH. I think my friend, the Senator from Maryland, may have misunderstood me. I stated that I had no hope whatever of beneficial results from such legislation as he condemns, but that I favored an appropriation for carrying the mail in ships owned exclusively by American citizens and purchased in the cheapest markets; and I put my support of the appropriation upon precisely the same grounds so fully indicated in the argument just made by my colleague, that it was nothing but just compensation for the use of private property employed in the public service. That is precisely the ground I occupied, and I had no idea of relying upon this as a remedy for the restoration of our lost trade on the sea.

Mr. WHYTE. The Senator from Alabama misunderstands me; I have not misunderstood him; on the contrary, I listened with the greatest pleasure to his argument as he delivered it here the other day, and I was so enamored of it that I have read it over twice since, and my admiration is lost in wonder that it did conclude in so specious a fallacy. That is the difficulty of it. I looked upon it as a splendid argument. It was brilliant in its character; but it was like so many of those minerals which are discovered by geologists which present the most brilliant crystal on top and at the bottom you see some bug, which in the management of nature has been left within it. So in this case, take away this last conclusion, take away this substitute for a real remedy from his speech, and it shines like a diamond; and I would follow him in any measure which would enact into law the conclusions which he drew until he came to this last one as the best under the circumstances he could obtain. I think, Mr. President, it is the very worst.

Mr. MORGAN. May I ask the Senator a question?

Mr. WHYTE. Certainly.

Mr. MORGAN. What was the last conclusion?

Mr. WHYTE. That, as he could not get what would be a remedy for these evils, he would take the amendment of the Post-Office Committee.

Mr. MORGAN. My colleague said the other day, as I understood him, that he was not in favor of this amendment unless it authorized the use of vessels owned by American citizens though they might be built abroad.

Mr. WHYTE. There is a fallacy. Can any American buy a ship abroad now and run it under this measure? Will the honorable Senator from Alabama answer me that question?

Mr. PUGH. I think he can under this measure.

Mr. WHYTE. In spite of the navigation laws of this country?

Mr. PUGH. Yes, sir.

Mr. WHYTE. No, Mr. President, "that won't do," as the honorable Senator from Ohio would say. These arguments are fallacious. They are not practical. They may deceive some, but they do not deceive me.

Mr. PUGH. Will my friend yield?

Mr. WHYTE. Certainly, I will yield.

Mr. PUGH. I desire, so that there shall be no mistake as to what I said, to read exactly what I did say:

But I am willing to favor liberal compensation for ocean mail service, and place it on terms of equality with our overland mail service by railroads. I doubt very much whether compensation for mail service, however liberal, will produce any largely beneficial results. I have no idea such inconsiderable aid would enable merchants and capitalists who wish to engage in our ocean carrying trade with other countries to compete with the cheaper built and comparatively untaxed and unencumbered ships of England. As John Roach says, we must go to the root of the evil, and in my poor judgment the only way to do so is to legislate as I have proposed.

In that proposed legislation I understand the Senator and myself fully agree.

Mr. WHYTE. Mr. President, I do agree that we should go to the root of the evil, and that is why I say that the honorable Senator from Alabama's argument is fallacious when he supposes that this will correct in any way the evil, or that it is not open to great objection. That is precisely what I say.

Mr. PUGH. If my friend will allow me, I will say that there is a very narrow margin between him and myself on this subject. I might say that I fully concur with him that this is an attempt to sail a kite in a storm.

Mr. WHYTE. Mr. President, I was complimenting the honorable Senator from Alabama for the manner in which he had presented the fact to the Senate and to the country of the great decay in American commerce. I say that he made it so that it was too plain to be disputed. Indeed it seems to be a concession on all hands that it had gone to the bottom, as low as the nation ought to permit the decay of commerce to go so far as it is within its power to remedy it, and that therefore it is our duty to consider the question. The honorable Senator from Alabama presented it in one way; the honorable Senator from New York [Mr. KERNAN] presented it in another way, in his own way as clearly as possible, and the honorable Senator from Kentucky [Mr. BECK] also presented the same question. We all agree that our commerce on the high seas has gone down to the very lowest point that as a nation we should permit it to go. How to cure the evil, how to remedy this great trouble, is a problem of statesmanship that requires care and thought and the most serious consideration of those who are willing to give days of deliberation and nights of toil in discovering a proper remedy for it. It is no child's play, Mr. President. We know that the commerce of our country has been growing "fine by degrees and beautifully less" ever since 1855. We know that, and then as a remedy for it the Post-Office Committee undertakes to devise some scheme which will restore to us our commerce.

Why, Mr. President, that is not the committee to whom appropriately belongs the subject. That is not the doctor to give an opinion or to prescribe remedies for any such disease. Their prescription is a mere quack medicine and will do no more good than if they recommended a box of Brandreth's pills or a case of Plantation Bitters. The Committee on Finance, the Committee on Ways and Means, is the proper committee to wrestle with this subject. That is the committee to whom should be confided the great work of lifting from the bottom of the ocean our American commerce to its surface and bid it float once more again and carry our flag as in former times it did into every port on the habitable globe.

Ah, but says the honorable Senator from Alabama, "this is to increase our postal service; this is not subsidy." Call it by any other name it would smell more sweetly than it is called by that name; and the honorable Senator from Alabama calls it "postal facilities." Who is complaining of postal facilities? Where are your memorials which American citizens when they are interested in any subject send to our table here by the car-load? The right of petition is not only known to belong to an American, but he exercises it early and often. And where are these clamoring multitudes who have no postal facilities, who cannot communicate with their foreign correspondence; who cannot communicate perchance with "the girl they left behind them" in the old country and elsewhere? Are they here complaining of a lack of postal facilities? Where is the country whither our mails do not go and to which our people clamor that they ought to go? I have heard no such voice. Where is the chief executive officer of the postal department of this Government? Has he come to our door, or sent his message, or his letter, or memorial asking us to give further authority to increase the postal facilities of the country? No, Mr. President; that plea for this subsidy will not do; it deceives nobody. If I may be permitted in this august presence to relate an anecdote: I remember the story of the boy who was sent to a doctor's office to bring the doctor to a sick family, and the doctor being engaged he was shown into the back room, and, with the inquisitiveness of boys, opened the closet-door, and there found the doctor's skeleton. He at once rushed from the office across the street; the doctor followed him shortly and begged the boy to come back, calling him from the opposite side and telling him to come in, it was all right. "Oh no," said the boy, "you can't fool me; it's the same old skeleton, only it has got its clothes on." So it is now; it is "subsidy" dressed in the guise of "postal facilities."

Ah, Mr. President, we were asked two years ago to increase the postal facilities with Brazil. A similar amendment was proposed to the Post-Office bill then, limiting it, however, to the South American

ports, and we were asked to vote it then as granting additional postal facilities with the South American country. That bill, as we all know, failed between the two Houses; the Post-Office bill did not become a law at the close of the last session of the Forty-fifth Congress, and the result in part of that was an extra session of Congress for the purpose of providing the means of carrying on the mails. After that bill failed—

Mr. MAXEY. The Senator from Maryland will allow me to suggest that the Post-Office bill passed at the regular session of the Forty-fifth Congress.

Mr. WHYTE. What became of the amendment put on the Post-Office bill, on which there was a committee of conference?

Mr. MAXEY. It failed between the two Houses, but the bill itself passed.

Mr. WHYTE. Was it withdrawn?

Mr. MAXEY. It failed in conference between the two Houses. It failed, but the bill passed.

Mr. WHYTE. That was not my recollection of it. We had a committee appointed in regard to the question of privilege between the two Houses, and my impression is that the bill failed. However, I stand corrected.

Mr. MAXEY. I was on the conference and recollect all about it.

Mr. WHYTE. I was on the committee to consider the differences between the two Houses on that Post-Office bill, and my recollection was that it failed. I stand corrected, though, if the Senator from Texas corrects me. I may be mistaken; I am speaking entirely from memory, and I do not stand upon it. The question was discussed over and over again, the conference failed to agree once or twice, and at last they agreed, it escaped my recollection.

However, Mr. President, soon after that desire for postal facilities with Brazil, I remember to have seen a letter from the consul of the United States at Para, one of the principal towns, in honor of which Mr. Roach has called one of his steamships. I was struck with that, and I would like the Senate to see what the character of the facilities which American citizens have in these foreign countries for which we are to do so much by building up lines of steamships—what facilities our people have in their post-offices. I will read a letter from the consul of the United States at Para, Brazil, dated January 7, 1879:

Your communication of date November 4 last was received some time since, but has remained unanswered for the reason that I have been exceedingly busy in the mean time. The Brazilian post-office system might possibly by some be considered a peculiar one. All mail matter for delivery is divided into two classes, one for Brazilians, the other for foreigners. The first is handed out as required for, and the latter is thrown into a heap—letters and papers, &c.—on a public table, where any and every person who chooses may at any time handle them over and appropriate whichever and whatever they like. Of course there is much complaint among Americans here of failure to receive their letters, but with such a system this is little surprising.

I think if the Post-Office Department were to direct its attention to the facilities on land in Brazil it would be of far more importance to American citizens than to devise means to carry their letters across the water, for after they have been carried to Para they run the risk of being picked up and taken off by somebody other than the gentleman to whom they are addressed. But, Mr. President, there is no difficulty about our mail system with Brazil, or with Europe, or with any foreign countries; there is no complaint of it; and this, I speak it respectfully, is a delusion, and if it were not sustained and commended by honorable Senators for whose character for integrity and high-mindedness I have the greatest respect, I would say it was a snare; but, respectfully and in parliamentary language, I have a right to say it is a delusion.

Mr. President, it is the sheerest folly for the Senate of the United States to-day to suppose that by any amendment of this character they are to restore our foreign commerce in the smallest degree. The Senator from Alabama who last addressed us [Mr. MORGAN] spoke of this as a new and untried scheme to build up the commerce of our country; he spoke of it as if we were not liberal-minded and free-minded enough to give this experiment a trial, when we know that the greatest element of statesmanship is to learn by experience, and not be guilty of the same folly which our country has been guilty of in the past to its great injury. These are no new measures. Forty years ago, during the extra session of the Twenty-seventh Congress, Butler King, of Georgia, conceiving this same idea, that this was a grand scheme to build up American commerce, to build up a great squadron of magnificent vessels which could be used in the carrying trade and in carrying the postal mails during peace and converted with guns upon their decks into frigates of war in time of difficulty with foreign nations, proposed then as the Post-Office Committee propose now to give a million dollars in aiding individuals to establish and maintain steamship lines. He brought in a famous recommendation in a report reciting that England had done, reviewing England's course with its various steamship companies, with its contracts, with its establishments of lines to various parts of the world where it had colonies, and asked us to imitate her example and try to emulate her in building up as she had done her foreign commerce in that way. That report carried with it a recommendation by way of resolution directing the Secretary of the Navy to investigate the subject and to report. What did that live man, Thomas H. Benton, ten years afterward, say about that report? I have that report here. I have renewed my recollection of it this morning.

What did he say in regard to that proceeding? In the second volume of his *Thirty Years*, after describing the amount for the home squadron and citing the part of the report relating to the building up of foreign commerce by the subsidizing (he did not use the word then) of this line of steamers, Mr. Benton said:

This resolution was adopted, and laid the foundation for those annual enormous appropriations for private lines of ocean steamers which have subjected many members of Congress to such odious imputations, and which has taken and is taking so many millions of the public money to enable individuals to break down competition and enrich themselves at the public expense. It was a measure worthy to go with the home squadron, and the worst of the two, each a useless waste of money and each illustrating the difficulty and almost total impossibility of getting rid of bad measures when once passed, and an interest created for them.

Ah, Mr. President, in brief, what a commentary upon the folly of that day. When we began, as I presume the supporters of this amendment will now begin, if they succeed, a system which it will be hard for us to throw off, a system which will take out of the public Treasury many millions of dollars, and at a time, too, when the people are crying out for a reduction of the taxes upon their industries, and appealing to Congress to relieve them from their stamps on bank-checks, from taxes on bank deposits, and from taxes on various other articles which enter into the use of men day after day—at a time when we have not yet relieved the country of the war taxes, we are asked to open the Treasury door for this new expenditure of money, which will be as surely wasted in the future as public money in similar enterprises was wasted in the past. Let us see what was done. One of my honorable friends spoke about subsidies to the railroads, and told us the fact that in order to build the roads across the continent we had appropriated vast quantities of the public domain, in all as by calculation 200,000,000 acres, worth at least \$50,000,000, and we had appropriated these lands for various enterprises of every sort and description.

If there was any case in which there was reason that there should be an exception to a general rule it was in regard to the great railroad to San Francisco, because the war showed that with no commerce our possessions upon the Pacific slope were valueless to us, and unapproachable, and it was all-important, with the decay of American commerce on the high seas, to open a way from our sea-ports on the Atlantic to those magnificent harbors on the Pacific coast. But what was the voice of the people in regard to those subsidies? In 1870 Mr. Holman, of Indiana, introduced in the House of Representatives a resolution declaring that those subsidies must stop; that it was squandering the public domain in the interests of corporations and depriving the people of the United States of much of that area of land upon which they were hereafter to settle, either they themselves or their children and their children's children. Mr. Holman offered that resolution in March, 1870, and there was not a single member of the House of Representatives, democrat or republican, who dared to raise his voice to say "nay." It passed unanimously. Then in the Forty-fourth Congress the same character of resolution was adopted and carried overwhelmingly by the democracy then assembled in the lower House of Congress.

Our honorable friends liken our country to England, and cite to us the course of England in regard to its foreign commerce and its postal facilities as an example for us to emulate and the road in which we should walk. How differently are the two nations situated. England had dependencies in almost every quarter of the globe. Her dependents amounted in all to more than two hundred million people and were scattered everywhere. Was she to leave them? Was she to turn her back upon them? Was she not in the march of political conquest anxious to enlarge rather than abridge her area of possession? Was she to deny communication to those sent abroad with her army, or to those who had been sent abroad to establish corresponding houses of merchandise, of commerce, of finance in her various dependencies? Was she to let them go? Was she to let father thus be separated from son, wife from husband, business man from business man, without any effort? No, Mr. President. On the contrary, it was her business not only to take care of them, but to build up every one of the ports whither her people had gone where her dependents lived, and it was her duty to provide as quick communication with them as possible; to establish them in their financial business and in their manufacturing business, so that not only were her vessels to carry the mails to them, but to carry the manufactures of her country to them, manufactured by their orders to suit the tastes of the various people among whom her agents lived, and thus to build up a specific trade in which England would be mistress and nobody could compete with her.

That was what England had in view, and thus it was that England determined to open up lines of communication between her people and herself. Away back, before our Declaration of Independence, such was her policy, and for thirty years after we separated ourselves from her she kept up by public competition among her citizens contracts as I say for carrying the mails and carrying merchandise to the various ports which she wished to reach. After a while that did not do, and then England, conscious of her duty to her people, desiring still to reach them, established her own packet system. She herself established packets belonging to the British Government. Shall we follow that example? Will Senators recommend us to adopt the example of establishing packet lines owned by the United States, manned by naval officers, managed by the United States, and paid for out of the funds of the United States? I apprehend not. Then

she put them under the admiralty, and there the expense was lost sight of. Why? Because the expense of the transportation of the mails and the work done by these steamships was hidden in the budget under the naval estimates. It came in from the lords of the admiralty, covered up out of sight, and the English people for years never saw what was being spent upon these packet ships run under the admiralty until finally she again broke up that system and opened to public competition the carrying of the mails in steamship lines, and paid them what they demanded under public competition, changing the old rule that had prevailed in England, as it sometimes, though not often, prevails here, of the admiralty giving to their political favorites and partisans this public service to perform. The public got tired of that and demanded a change, and the demand, as almost always is the case in England, was answered by a surrender to the popular voice.

Our case was entirely different. There was no call for us to follow in England's course. It was no example. Her practices in our country are—

More honor'd in the breach than the observance.

But we started to subsidize lines in 1845, soon after the session of Congress. Let me show the Senate in brief what a hostile writer, a man who is opposed to the views which I am expressing upon this floor, says of this service. On page 55 of a little pamphlet that I hold in my hand, written by a Mr. Henry Hall, I find what I shall read, and I ask the attention of Senators to it. I doubt not that many of them are familiar with it; but it is one of those experiences which it does no harm to have held up before us, that we may not forget what the past has taught and may not repeat it in the future. At all events, if it is repeated, let Senators repeat it with their eyes open:

The plan proposed by Mr. King in 1841 was to appropriate \$1,000,000 annually for the transportation of the foreign mails. For this sum of money it was believed that there could be secured a line of four steamers from Boston to Havre to accommodate the growing commerce and immigration over that route; a line of four steamers from New York to Liverpool to contest the ground with the Cunard steamers; a line of three vessels from Norfolk to the West Indies; and another of three from New Orleans to the same islands.

Here it is all over again, the same old story, "to be equitably distributed." That is the sugar-coated pill that we are all to swallow. It is not to be exclusive in its character, not from New York, nor Philadelphia, nor Baltimore, but to be divided equitably, so that all shall have a chance. So it was in 1841.

In 1845 the Postmaster-General was authorized to go ahead and contract for ocean service in steamers wherever public interests required it, leaving it to him to decide upon the routes and ports of the several lines.

Here it is again, identically the same proposition:

Under this law he contracted with Edward Mills for four ships and twenty trips a year from New York to Bremen and Havre, for \$400,000; and with E. K. Collins & Co. for four ships and twenty trips from New York to Liverpool for \$385,000. Contracts were also made for service from New York to New Orleans and the Isthmus of Panama, and from Panama to California and Oregon, for \$480,000.

I ask the attention of the Senate to this. In all \$1,274,600 was expended in the year 1845 for this identical purpose that it is now proposed we shall spend a million dollars for.

Congress approved these contracts, and advanced part of the money upon them to assist in building the ships.

This proposition does not advance to anybody; it inures to nobody's benefit but that invisible contractor who has got iron steamships of the class described in his possession to-day.

It was stipulated that their hulls should be strong enough for war purposes. Service began on the Bremen line with one ship in July, 1847; on the line to California in 1848; and on the line to Liverpool in 1850 with two ships, two more being added within a year. By 1851 we had three steamships trading to Bremen and Havre, and four to Liverpool, under the pay of the Government, and—

Says this writer, who is hostile to my view—  
our reply to England had been made.

It was a reply, indeed. The Treasury books can tell how we suffered by that reply, and I should like to find some of the vessels that we put upon the ocean to do that work, which was to flaunt the American flag in the face of the British lion.

In 1850 lines from the western coast to China, and from the eastern to Africa, were proposed, and a line was started to run from Charleston to Havana, under a pay of \$50,000 a year.

Let us see what became of our reply to England. The Collins line was first subsidized at an expense of \$385,000 a year. It went on year by year. Like Oliver Twist, Collins and his people came to the doors of Congress asking for "more." The daughters of the horse-leech never can be satisfied. At last in 1852 we had increased the subsidy to the Collins line, which began at \$385,000, to \$858,000. They came here year by year asking for help. Why did they not succeed? I tell you what the advocates of this measure say out of the Senate. It is a matter of public history. I tell you why they say they did not succeed. Their argument is not true, but here is what they say was the cause. It ran along, I think, until 1855. Then Congress, aroused to the folly of attempting to keep up American commerce by any such means, determined that the appropriations should cease. But just before that, according to my recollection, an appropriation only for \$350,000 had passed Congress and was vetoed by Franklin Pierce on the ground that it was a waste of public money. Congress itself afterward set its face like flint against it until the war broke out. Says this writer:

The agricultural interests of the United States appeared in Congress in 1853 and demanded a cancellation of the contracts. Debate began in the session of

1853-'54, upon a proposition to reduce the compensation of Collins. It was continued through several succeeding years, the whole policy of protection—

They called it protection in those days—

the whole policy of protection to steam navigation undergoing a thorough and protracted discussion, and being, at times, the leading topic before Congress. The opposition to the subsidy system came chiefly from the South. The politicians of that section had become predominant in politics, and the interest they represented was dictating the whole policy of the Government on economical questions. An abolition of the protective tariff had been conceded to it years before, among other things. Jefferson Davis and Judah P. Benjamin were active advocates of an abandonment of the carrying-trade of the Atlantic to British hands, and hardly a voice was lifted in opposition to them from the agricultural States. Mr. Clingman, of North Carolina, proposed that an attempt should be made to induce England to abandon the subsidy system—a suggestion at the same time hopeless and absurd. The arguments of the Congressmen from the agricultural States were supplemented in 1853 by offers from the North German Lloyd Company, which had begun to run steamers from Hamburg, and by Mr. Vanderbilt, who had two or three steamers for which he wished to find employment, to carry the mails at reduced rates.

Then this writer, anxious to fire the northern heart in favor of his scheme, puts it upon the southern people that they had defeated subsidies to steam mail ships through political designs and political artifice. In behalf of the South I deny it. It was opposed in my State, a commercial State, a State not agricultural in any great degree, a State whose chief city pays the greatest portion of the expenses of the whole State government in the taxes levied upon its commerce and its manufactures. Our people opposed it upon the ground that it was folly; that it was unwise in the people of this country to subsidize any steam lines, and to give them great largesses to grow up rich either as individuals or powerful as corporations at the expense of the many who were paying the taxes that went into the public Treasury.

But the experiment failed; it went by the board, and we heard no more of subsidies until the close of the war, when Cornelius Garrison came here with his line of steamers for Brazil and the southern ports, and said to the people of this country that if they would subsidize his vessels and give a good fat bonus he would contest upon the ocean with England and other nations the supremacy of the carrying trade. Congress did it for ten years. It began with an annual subsidy of \$150,000 and it lasted until 1875, and now within five years of that disastrous failure we are asked to repeat the folly and begin again. What good did it do to American commerce? Look at the record. Facts speak like the spear of Ithuriel as it moves. You cannot get away; it is exact. So with the facts with regard to the commerce then. Let us see what Garrison did for us with Brazil:

Our imports from that country for the six years just preceding the establishment of the Garrison line averaged per annum \$14,528,533; while our exports for the same time averaged per annum \$5,713,511.

During all that period there was no subsidy; there was no five hundred thousand dollars for carrying the mails and thereby incidentally building up American commerce. During the ten years covered by the Garrison line—

The value of our average annual imports—

I ask the attention of honorable Senators to this; these are not arguments, they are facts; they cannot be disputed; they are facts taken from the public records—

The value of our average annual imports was \$29,463,405; while the average annual value of our exports was but \$6,364,600.

So that the Senate will see that we bought twice as much as when there was no subsidy and we increased our sales but one-eighth, although donating for the experiment \$1,500,000. We bought twice as much from Brazil as we bought before we gave any subsidy at all; we doubled our imports and increased our exports one-eighth. No wonder when 1875 came Mr. Garrison was told, "We have no more money for you." No wonder he was turned away from the Halls of Congress.

Do not let us forget the Pacific Mail Steamship Company. Gentlemen will not forget how we subsidized that line. While we may not forget it, can we not draw a veil over the eyes of the American people and save them from the specter of that scandal which smirched Congress and excluded one of the members from the House of Representatives? It was before that, twenty-five years before that, when Benton spoke of the horrors of such a system being ingrafted upon legislation. It has gone.

Mr. President, I have not a word to say of denunciation for anybody. I speak of the system as foolish. I have a right as a member of the American Senate to speak of legislation as folly, in my judgment. Other Senators may speak of my inveighing against it as folly in their judgment; I accept their criticisms upon my conduct; but here we are with the lamp of experience shedding its light upon the pathway over which we have trodden; here we are with the history of our own commerce; and now, to-day, we are confronted with the same proposition by honorable Senators, who are sincere in their belief that it will do good for our country; but with this light before my eyes, with this glare upon the subject, to which I cannot close them, I for one will not only vote against the proposition, but in spite of the impatience of my colleagues on this floor, in spite of their desire to dispose of this bill as hurriedly as possible, I have felt it was a duty to the people I have represented for the last six years upon this floor, before I left the Senate, to shoot one Parthian arrow at the system of subsidies, and to warn my brethren against allowing it again to become a barnacle upon our great ship of state.

Mr. Roach comes to Congress as he has a right to come; as an American citizen he has a right to appeal to Congress to adopt his view.

He has a right to denounce in proper language, as he does, the Chamber of Commerce of Boston, the Chamber of Commerce of New York, the Chamber of Commerce of Philadelphia, I think, and also to denounce me if he thinks I am a chamber of commerce also. I am willing to take it. I have read his testimony. Why does he not show us how his steamships for the last thirty months have been working? Why does he not put in his testimony whether he can live without his subsidy? Why does he not tell us whether he is now making money in the carrying trade between New York and South American ports? He is on that subject as silent as the grave. He puts in a long list of articles that his vessels have carried in the last thirty months. What are they? What do they amount to in dollars and cents? That important question is left out. Knick-knacks and notions, little traps of American manufacturers he enumerates; but on his list of exports are the same articles of flour and petroleum and so on, which we have carried in our poor little thirty-odd sailing ships from the port of Baltimore. Why does not the trade come here and tell us that Mr. Roach's line in thirty months has opened up splendid opportunities for American manufactures and American commercial men? Why does he not point out what this grand scheme has proved by an experience of thirty months? Why does he not tell us how much it costs to run his vessels; how much freight he gets, and then tell the American Congress, "I am building up a trade for your people; I am opening to them objects which heretofore have been sealed books, and I am giving them outlets for their surplus agricultural products and for their manufactures; I am giving them a chance to become rich; all I ask is for Congress to make up the difference between what it costs me to run my ships in a year and what I am really entitled to as a fair compensation for the interest upon my \$400,000 invested in each of the ships, and on the capital that I have invested in this enterprise?" Give us something tangible; give us something specific to act upon if he is not making money; but in the absence of that, in the absence of a demand for mail facilities, in the absence of a refusal to carry the mails, in my opinion there is no justification for the passage of this amendment, and I enter my protest against it as but the repetition of a folly of which the American nation has been guilty before.

Mr. MAXEY. If no other Senator desires to discuss the amendment reported from the Committee on Post-Offices and Post-Roads, I will close the discussion. I had intended to discuss somewhat at length the proposed amendment, but I know that the Senate is worried out—I am myself—and what I shall say will be as brief as circumstances will admit. The Committee on Post-Offices and Post-Roads have offered an amendment to the pending Post-Office appropriation bill, the object of which amendment is to appropriate \$1,000,000 for additional mail service between this and foreign countries in iron steamships. That amendment contains a proviso which reads as follows:

That the vessels employed for such service shall be owned and manned by American citizens, and that said vessels thus employed shall be iron steamships, accepted by the Secretary of the Navy, after due inspection, as in all respects seaworthy and properly fitted to such service.

I desire to say right here that I shall not indulge in an oracular or *ex cathedra* style. If I had any disposition anywhere on earth to indulge in such a style, which I have not, it would not be in the Senate of the United States. It has been argued that the effect of the amendment is to aid some invisible owner of vessels who alone could comply with the terms of the amendment. The amendment was framed in accordance with the act of 1792, which required the right to registration to rest alone upon the ownership of the vessel and the fact that it was commanded by a citizen of the United States. The ownership must be American, the command must be American, and under the act of 1792 it made no difference where the ship was built. This amendment was framed according to the principle of that act. The object of the proviso to the amendment was to avoid, in so far as the mail service was concerned, that requirement of the existing navigation laws contained in section 4132 of the Revised Statutes, which is as follows:

Vessels built within the United States, and belonging wholly to citizens thereof, and vessels which may be captured in war by citizens of the United States, and lawfully condemned as prize, or which may be adjudged to be forfeited for a breach of the laws of the United States, being wholly owned by citizens, and no others, may be registered as directed in this title.

When the amendment proposed by the Committee on Post-Offices and Post-Roads was agreed to in committee the right of every member, as has been stated by members of that committee who have spoken, was reserved to vote as he saw proper upon such amendments as might be presented to the committee's amendment, the committee agreeing upon the proposition as reported in order that the subject might be brought to the attention of the Senate that something be done toward restoring American commerce in so far as this might be legitimately done in the carrying of the mails across the ocean. The views of members differed as to whether this could be done by encouraging the purchase of ships on the markets of the world, or by the employment of American-built ships in carrying the mails, all agreeing that whatever could be efficiently, economically, and constitutionally done toward restoring the carrying trade ought to be done.

I for one believe in the right of an American to go anywhere, into any country in the world, and buy a ship where he can get that ship the cheapest; and being owned by Americans and manned by Amer-

icans, I believe that he should have the right to register it as an American ship and sail it under the American flag. The Constitution having granted to Congress the power to establish post-offices and post-roads, Congress has the right in its discretion to select such instrumentalities as it believes to be necessary and proper to aid it in the execution of that trust. If Congress believe that it could better execute this trust by authorizing its citizens to go into the open markets of the world and buy ships where they may be bought cheapest, it has a right so to do, and it is not a violation of the navigation laws. I believe that if we adopt a system of going into the markets of the world and buying ships, and let those ships be manned by American citizens and have them to carry the mails throughout the various countries of the world, it would be the beginning of a system which would ultimate in the restoration of the American carrying trade, which has fallen so fearfully within the last twenty-five years. I believe that there would be not only a cessation of the decadence, but ultimately a restoration, of the American carrying trade. I believe it would be the beginning of what would terminate in the restoration of that grand trade, and so believing I favored bringing the subject to the attention of the Senate.

Mr. BAYARD. May I ask the Senator from Texas a question? It will not interfere with the Senator?

Mr. MAXEY. Not at all; but I do not intend to occupy much time.

Mr. BAYARD. I merely wish to ask the Senator whether, while proclaiming his willingness that ships entirely constructed abroad should be brought into this country free, he is willing at the same time that ship-builders in America should be allowed to have free the material wherewith to construct ships?

Mr. MAXEY. Unquestionably. I believe in free ships, and I would be perfectly willing to see everything that goes into a vessel, now made in an American ship-yard, come in free from duty—except its just revenue proportion—and thereby aid in the restoration of the carrying trade of our country. I am in the most unqualified way a free-trade man—that is to say, for a tariff for revenue only—believing that a man has the right to go anywhere in the wide world and buy a ship where he can get it cheapest; and in the encouragement of our ship-yards, I would be willing to see materials which go into those ships brought in and put into the ships as free as we could do it, paying only a fair and reasonable proportion toward the support of the Government, requiring, of course, the same of ships bought abroad. I believe in that.

Mr. BAYARD. Paying a reasonable proportion in what shape?

Mr. MAXEY. In the shape of a reasonable tariff. I am opposed to protective tariff of every kind. I am a revenue-tariff man, being a democrat.

Mr. President, that is the view I took of this matter. The Senator from Alabama [Mr. MORGAN] says that he believes the provision as drawn by the Committee on Post-Offices and Post-Roads would entitle these ships to registration. Had it not been for the discussion and the vote after that discussion I should have come to the same conclusion; but the Senator from Alabama saw proper to offer this as an amendment:

When vessels built in other countries are so accepted and employed, the same shall be entitled to all the rights and privileges secured by law to vessels built in the United States of America, except the privilege of engaging in the coastwise trade.

I voted for this amendment because, if there were any doubt of the right of registration of ships "owned and manned by American citizens," although not built here, so long as employed in carrying the mail, it was but fair dealing to remove the doubt. It was right that the point should be made perfectly clear.

That amendment was deliberately voted down, showing that the sense of the Senate is that, although vessels built in foreign countries might be bought and owned by our citizens for the purpose of carrying the mails and be manned by American citizens, yet they should not be entitled to registration. To my mind this keeps the word of promise to our ear and breaks it to our hope. In other words, the effect of voting down the proposition of the Senator from Alabama is to limit a contract under the amendment proposed by the Post-Office Committee to American-built ships and no others. I do not believe in that principle. I voted for the amendment of the Senator from Alabama, because it removed any possible doubt as to the true construction of the committee's amendment, and beyond doubt or cavil entitled to registration ships owned and manned by American citizens wherever built, as they would have been under the act of 1792. When the Senate voted that down, it practically declared that no ships except American-built ships should be employed in carrying the mails or be entitled to registration.

The Senator from Alabama, [Mr. PUGH,] my colleague on the Post-Office Committee, gave so clearly and fully the reasons influencing him, which have induced me from the beginning to support some measure of this kind, that it is wholly unnecessary for me to repeat the argument. I find that in 1830 we had a population something over twelve millions. We have now 50,000,000. I find that we had only twenty-three miles of railroad in operation then. We have over eighty thousand miles in operation now. I find that fifty years ago we raised 976,000 bales of cotton. Last year, in 1880, we raised 5,500,000 bales. I find that in 1830 we had no telegraph. Now we have over one hundred thousand miles of telegraph. I find that fifty years ago we had in round numbers but 8,000 post-offices; we now

have 40,000. I find that fifty years ago our imports were \$70,000,000 and our exports \$14,000,000. In 1879 our imports were \$466,000,000 and our exports \$715,000,000. I find that in 1840 we raised 84,000,000 bushels of wheat, and in 1880 we raised 460,000,000 bushels. I find that in 1840 we raised 35,000,000 pounds of wool, and last year we raised 225,000,000 pounds. We had spindles in cotton factories, forty years ago, 2,000,000; in 1880, 10,000,000; and so it goes all the way around. All the great industries of this country have increased amazingly, save and except the carrying trade, which has gone down and has almost entirely disappeared.

Many causes have been assigned for the decadence of our carrying trade. In 1868 gentlemen who spoke in the oracular style declared that it was due to the fluctuating currency of this country, but the record shows that the fall in our carrying trade was greater after the restoration of specie payments two years ago than it was in 1868. Others again say that it was due to the war, that great scape-goat which has to bear so many sins. Remove the cause and the effect would necessarily be removed. The cause has long since been removed and all other industries have revived, but the carrying trade has not revived. That reason will not do. I find other gentlemen say that there have been so many avenues leading to profitable investments that there has been no room for the investment of money in the carrying trade. I find that for years past money has been growing year by year cheaper and cheaper until it has got down to 4 per cent. and even as to United States bonds to 3½ per cent., so that that reason will not do. Money is cheap enough and yet the carrying trade does not revive. What then is the reason? My deliberate judgment is that it is owing to the navigation laws of this country. Every other cause which has been assigned can be explained away. That has not been explained away, and the man does not live on this earth who can explain it away, in my judgment.

I represent in part on this floor an agricultural State; a State which last year raised between a million and twelve hundred thousand bales of cotton; which stands third among the States in the amount of wool sent to the markets of the world; a State which is first in the great production of cattle; a State which is deeply interested in cheap freights; a State which wants to see the great carrying trade restored upon the high seas under our own flag, regardless of where the ships are built. I want the carrying trade restored, not that my State is interested in the ship-building business; not that I care anything for the quarrel which is going on between my honorable friend from Maryland [Mr. WHYTE] and his pet familiar John Roach, one blazing at the other from the Senate Chamber, and the other returning the fire from somewhere else. I care nothing about that. The question is one of the utmost importance; one affecting the toilers of the country, the men who work the plow, the loom, and the anvil, who raise or manufacture products to be sent to the markets of the world to be exchanged for coin and such commodities as we need. Those producers and consumers of foreign commodities want competition in the carrying trade, and thus cheap freights; they want the \$120,000,000 paid to foreign ship-owners annually, and which ultimately comes out of the pockets of the people, kept at home to do its good work in enriching our own and not the people of foreign countries.

What will restore this great carrying trade? Every one of us is in favor of doing that. We have from the Post-Office Committee presented a measure in which is contained, as I believe, properly construed, the right to go into the markets of the world and buy ships and have those ships registered; but when the direct question was brought up on the amendment of the Senator from Alabama and presented squarely to the Senate the Senate decided that that was not the case, because the amendment was ruled to be original legislation. If, then, it is original legislation it was because the amendment proposed by the committee does not contain the right to go into the markets of the world and buy these ships and have them registered. With that construction of the committee's amendment, upon which the Postmaster-General would doubtless act, the great purpose I had in view is gone. With that construction I cannot vote for the amendment of the committee, although had the Morgan amendment been adopted I would gladly have done so.

I have no doubt that my views will be criticised by the foreign ship-owners who get eight-tenths of the ocean mail carrying of the United States, who sail their ships under the British flag, the flag of France, and the flag of Germany, from the port of New York across the high seas, for whoever attempts to build up the American carrying trade necessarily brings down upon his head the anathemas of that class. I have no doubt my views will be criticised by the American ship-builders, because I want to bring competing ships in against their ships for the benefit of those who have the freight to pay, the producer and consumer. These are the men who have at last to pay for the carrying trade. The products of American industry are carried across the water in foreign vessels and exchanged for foreign commodities such as we need, and are brought back and consumed here, and the great bulk of freights are paid by our people to foreign ship-owners.

They are the men in whom I am interested. I am interested in the people who raise this vast surplus production which seeks a market across the water, although I would do all I could reasonably aid the American ship-builder. With the producer and consumer cheap freights is the great point. I want also to save the \$120,000,000 of gold which we pay to foreigners for bringing their vessels to our ports and carrying our products across the water and exchang-

ing them for foreign commodities; to be brought back to our shores in foreign ships.

We have built 80,000 miles of railway in this country. We spend millions of dollars annually for the improvement of our rivers and harbors. What for? It is to land our products in the harbors of the United States. We get them there, and when they get there what is then done? The foreign bottom takes up the American products, carries them across the waters, and lands them in a foreign port, and exchanging them for foreign goods brings them back to our own ports. Those goods are brought back in foreign bottoms to an American custom-house, and thence distributed out among the American people, and we pay \$120,000,000 annually for it. That may be wise, and those who want to bring that thing to an end may be called extravagant. I do not think so. I believe that the amendment should have been amended by the proposition of the Senator from Alabama, making plain what ought to be plain, that the Postmaster-General could employ vessels for carrying the mails wherever he could find them, and wherever they could be built, and at the cheapest rates; then have them registered so long as they remain in that service, so that they shall be entitled to all the benefits of American registered ships. I do believe that the outcome of that would have been a grand stride toward rebuilding our shipping trade.

Had the line been established from New York and New Orleans, the two lines touching at the ports of Norfolk and of Galveston, as named in the bill of two years ago, and thence down to South America, to St. Thomas, Para, and Pernambuco, it would have been the capturing of the grandest prize that this country could possibly hope to secure; a trade which amounts annually to over five hundred million dollars, because the trade of France, Germany, and England to Mexico, Central America, and South America amounts annually to over five hundred million dollars. These places are at our very doors; and yet the hue and cry of subsidy was raised by some who did not see proper to look through the great question. The result of it was the bill passed the Senate by a very decided majority, but by some means or other the bill was lost in the House; and the Southern States lost by that more than they have lost by the failure of any other commercial bill that has been before Congress for many years. I voted for that bill, and would cheerfully vote for it again. It would have shown to Americans exactly where they would start, where to land, what part of the people, what States, would have been benefited by it; and, although I would have preferred in that bill that the right to sail any ships whatever, wherever built, might be given to the Postmaster-General, yet, it being a mere question of policy, the great purpose we had in view—the securing the trade of the countries south of us—overrode what in that case was a minor point. The present amendment, however, was for broader ends; and the question of free ships is with many of us a vital point.

The construction which has been placed upon this amendment deprives it, in my judgment, of its greatest merit—the privilege of going into the markets of the world and securing and employing ships to carry the mail where they could be got cheapest. I hand in, as part of my remarks, a table, showing the amounts paid to American and foreign vessels for ocean mail transportation performed during the fiscal year ended June 30, 1880:

*Amounts paid to American and foreign vessels for ocean mail transportation performed during the fiscal year ended June 30, 1880.*

Service.	American.	Foreign.	Total.
1. Transatlantic.....	\$1,964 28	\$151,943 61	\$153,907 89
2. Transpacific .....	10,717 20	1,909 89	12,627 09
3. Miscellaneous .....	25,340 21	4,808 89	30,149 10
Total.....	38,021 69	158,662 39	196,684 08

\* American line from Philadelphia to Liverpool.

*Items of Nos. 2 and 3 of the above statement.*

Service.	American.	Foreign.	Total.
2. Transpacific:			
To Japan and Hong-Kong and the East Indies.....	\$1,206 85	\$1,515 49	\$2,722 34
To Shanghai .....	303 38	394 40	697 78
To Australia, New Zealand, Fiji Islands, &c. ....	9,206 97		9,206 97
Total.....	10,717 20	1,909 89	12,627 09
3. Miscellaneous:			
To and from the Isthmus of Panama, Central America, and South Pacific.....	12,983 33	1,281 03	14,264 36
To Mexico, Cuba, and Porto Rico .....	7,833 14	340 35	8,175 49
To and from the West India Islands.....	837 97	2,516 28	3,354 25
To Brazil .....	2,875 40		2,875 40
To Venezuela .....		455 75	455 75
To Canada .....	655 65	133 86	789 51
To Newfoundland .....	81 90		81 90
From Uruguay.....	70 82	81 62	152 44
Total.....	25,340 21	4,808 89	30,149 10

Thus it will be seen that we pay \$158,000 to the owners of foreign

vessels for carrying American mails while we pay the owners of American ships but \$38,000 for their service. It is humiliating that this great country, now the head of all the nations of the earth, should have to employ the ships of any other nation on the earth to carry its mails anywhere for the still more humiliating reason that we have not enough ships suited to this work.

I also present a table showing the exact ships which are employed in the carrying of the mails, those registered as American vessels and foreign vessels, showing the ratio, and it will be most valuable, I think, to the American people to see such a table as that. It shows the humiliating attitude in which we are placed by not adopting some measure to rebuild the carrying trade of our country:

*Schedule of steamers appointed to convey the United States mails to foreign countries during the month of February, 1881.*

TRANSATLANTIC MAILS.

*From New York.*

Date of sailing.	Sailing days.	Name of steamer.	Name of line.	Port of destination and intermediate ports of call.	Hour of closing mail at post-office at port of departure.	Mails to be conveyed.	
						A. M.	P. M.
Feb. 1	Tuesday	Wisconsin*	Williams & Guion	Queenstown †	4.30		Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails.
Feb. 2	Wednesday	Atlas*	Cunard	Queenstown †	5.00		Mails for Great Britain and Ireland; also German, Austrian, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for France.
Feb. 2	Wednesday	Labrador*	General Transatlantic	Havre	6.00		Mails for France direct.
Feb. 2	Wednesday	P. Caland*	Netherlands Steam Navigation Company	Rotterdam	11.30		Mails for the Netherlands direct.
Feb. 3	Thursday	City of Montreal*	Inman	Queenstown †	6.30		Mails for Ireland direct; also specially addressed correspondence for Great Britain and the Continent.
Feb. 3	Thursday	Herder*	Hamburg American Packet	Plymouth, Cherbourg, and Hamburg	9.30		Mails for Great Britain and Ireland; also German, Austrian, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails via Plymouth; mails for France direct; mails for Germany direct; also Austrian, Danish, Swedish, and Norwegian closed mails via Hamburg.
Feb. 5	Saturday	Britannic*	White Star	Queenstown †	7.00		Mails for Great Britain and Ireland; also French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for Germany and Scotland.
Feb. 5	Saturday	Ethiopia*	Anchor	Glasgow	7.00		Mails for Scotland direct.
Feb. 5	Saturday	Waesland*	Red Star	Antwerp	17.00		Mails for Belgium direct.
Feb. 5	Saturday	Donau*	North German Lloyd	Southampton and Bremen	1.00		Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, Spanish, and Swedish closed mails via Southampton; mails for Germany direct; also Austrian, Danish, and Norwegian closed mails via Bremen.
Feb. 8	Tuesday	Nevada*	Williams & Guion	Queenstown †	10.30		Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails.
Feb. 9	Wednesday	Parthia*	Cunard	Queenstown †	11.00		Mails for Great Britain and Ireland; also German, Austrian, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for France.
Feb. 9	Wednesday	Ferdinand de Lesseps*	General Transatlantic	Havre			Mails for France direct.
Feb. 9	Wednesday	Rotterdam*	Netherlands Steam Navigation Company	Rotterdam	11.30		Mails for the Netherlands direct.
Feb. 10	Thursday	Lessing*	Hamburg American Packet	Plymouth, Cherbourg, and Hamburg	11.30		Mails for Germany and Austria via Plymouth; mails for France direct; mails for Germany direct; also Austrian, Danish, Swedish, and Norwegian closed mails via Hamburg; also specially addressed correspondence for Great Britain and the Continent.
Feb. 10	Thursday	Baltic*	White Star	Queenstown †	11.30		Mails for Great Britain and Ireland; also Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for Germany and France.
Feb. 12	Saturday	Rhein*	North German Lloyd	Southampton and Bremen	11.00		Mails for Germany, Austria, and Sweden via Southampton; mails for Germany direct; also Austrian, Danish, and Norwegian closed mails via Bremen; also specially addressed correspondence for Great Britain and the Continent.
Feb. 12	Saturday	City of Berlin*	Inman	Queenstown †	12.00 m.		Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails.
Feb. 12	Saturday	Furnessia*	Anchor	Glasgow	12.00 m.		Mails for Scotland direct.
Feb. 12	Saturday	Zeeland*	Red Star	Antwerp	3.00		Mails for Belgium direct.
Feb. 15	Tuesday	Abyssinia*	Williams & Guion	Queenstown †	3.30		Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails.
Feb. 16	Wednesday	Bothnia*	Cunard	Queenstown †	4.00		Mails for Great Britain and Ireland; also German, Austrian, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for France.
Feb. 16	Wednesday	France*	General Transatlantic	Havre	4.00		Mails for France direct.

\* Foreign vessel and line.

† This vessel also sails to Liverpool.

*Schedule of steamers appointed to convey the United States mails to foreign countries during the month of February, 1881—Continued.*

TRANSATLANTIC MAIIS.

*From New York.*

Date of sailing.	Sailing days.	Name of steamer.	Name of line.	Port of destination and intermediate ports of call.	Hour of closing mail at post-office at port of departure.		Mails to be conveyed.
					A. M.	P. M.	
Feb. 16	Wednesday	Maas*	Netherlands Steam Navigation Company.	Rotterdam	11.30	.....	Mails for the Netherlands direct.
Feb. 17	Thursday	City of Brussels*	Inman	Queenstown†	4.30	.....	Mails for Great Britain and Ireland; also Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for Germany and France.
Feb. 17	Thursday	Suevia*	Hamburg-American packet	Plymouth, Cherbourg, and Hamburg	11.30	.....	Mails for Great Britain and Ireland; also German, Austrian, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails, via Plymouth; mails for France direct; mails for Germany direct; also Austrian, Danish, Swedish, and Norwegian closed mails via Hamburg.
Feb. 19	Saturday	Germanic*	White Star	Queenstown†	5.30	.....	Mails for Great Britain and Ireland; also French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for Germany and Scotland.
Feb. 19	Saturday	Circassia*	Anchor	Glasgow	7.00	.....	Mails for Scotland direct.
Feb. 19	Saturday	Neckar*	North German Lloyd	Southampton and Bremen	11.00	.....	Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, Spanish, and Swedish closed mails via Southampton; mails for Germany direct; also Austrian, Danish, and Norwegian closed mails via Bremen.
Feb. 22	Tuesday	Wyoming*	Williams & Guion	Queenstown†	9.00	.....	Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails.
Feb. 23	Wednesday	Batavia*	Cunard	Queenstown†	9.30	.....	Mails for Great Britain and Ireland; also German, Austrian, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for France.
Feb. 23	Wednesday	Ville de Marseilles*	General Transatlantic	Havre	.....	.....	Mails for France direct.
Feb. 24	Thursday	Celtic*	White Star	Queenstown†	11.00	.....	Mails for Great Britain and Ireland; also Belgian, Netherlands, Swiss, Italian, and Spanish closed mails; also specially addressed correspondence for Germany and France.
Feb. 24	Thursday	Frisia*	Hamburg-American packet	Plymouth, Cherbourg, and Hamburg	11.00	.....	Mails for Germany and Austria via Plymouth; mails for France direct; mails for Germany direct; also Austrian, Danish, Swedish, and Norwegian closed mails via Hamburg; also specially addressed correspondence for Great Britain and the Continent.
Feb. 26	Saturday	Oder*	North German Lloyd	Southampton and Bremen	11.00	.....	Mails for Germany, Austria, and Sweden, via Southampton; mails for Germany direct; also Austrian, Danish, and Norwegian closed mails via Bremen; also specially addressed correspondence for Great Britain and the Continent.
Feb. 26	Saturday	City of Richmond*	Inman	Queenstown†	12.00 m.	.....	Mails for Great Britain and Ireland; also German, Austrian, French, Belgian, Netherlands, Swiss, Italian, and Spanish closed mails.
Feb. 26	Saturday	Devonia*	Anchor	Glasgow	12.00 m.	.....	Mails for Scotland direct.
Feb. 26	Saturday	Rhynland*	Red Star	Antwerp	3.00	.....	Mails for Belgium direct.

*From Boston.*

Feb. 5	Saturday	Marathon*	Cunard	Queenstown and Liverpool	12.00 m.	.....	Mails for Great Britain and Ireland; also closed mails for Belgium and France.
Feb. 12	Saturday	Samaria*	Cunard	Queenstown and Liverpool	6.00	.....	Mails for Great Britain and Ireland; also closed mails for Belgium and France.
Feb. 19	Saturday	Hecla*	Cunard	Queenstown and Liverpool	10.30	.....	Mails for Great Britain and Ireland; also closed mails for Belgium and France.
Feb. 26	Saturday	Atlas*	Cunard	Queenstown and Liverpool	5.00	.....	Mails for Great Britain and Ireland; also closed mails for Belgium and France.

*From Philadelphia.*

Feb. 2	Wednesday	Lord Clive†	American Steamship Company.	Queenstown and Liverpool	10.30	.....	Mails for Great Britain and Ireland.
Feb. 9	Wednesday	Ohio†	American Steamship Company.	Queenstown and Liverpool	6.30	.....	Mails for Great Britain and Ireland.
Feb. 16	Wednesday	Pennsylvania†	American Steamship Company.	Queenstown and Liverpool	8.30	.....	Mails for Great Britain and Ireland.
Feb. 19	Saturday	Belgenland*	Red Star	Antwerp	11.30	.....	Mails for Belgium direct.
Feb. 23	Wednesday	Indiana†	American Steamship Company.	Queenstown and Liverpool	6.30	.....	Mails for Great Britain and Ireland.

*From Baltimore.*

Feb. 10	Thursday	Hermann*	North German Lloyd	Bremen	12.00 m.	.....	Mails for Germany,
Feb. 24	Thursday	Köln*	North German Lloyd	Bremen	12.00 m.	.....	Mails for Germany.

\* Foreign vessel and line.

† This vessel also sails to Liverpool.

‡ American vessel and line.

*Schedule of steamers appointed to convey the United States mails to foreign countries during the month of February, 1881—Continued.*

MAILS FOR CANADA.

*From San Francisco.*

Date of sailing.	Sailing days.	Name of steamer.	Name of line.	Port of destination and intermediate ports of call.	Hour of closing mail at post office at port of departure.		Mails to be conveyed.
					A. M.	P. M.	
Feb. 1	Tuesday ;			Victoria .....			Mails for British Columbia.
Feb. 10	Thursday ;			Victoria .....			Mails for British Columbia.
Feb. 20	Sunday ;			Victoria .....			Mails for British Columbia.

MAILS FOR THE WEST INDIES, MEXICO, CENTRAL AND SOUTH AMERICA.

*From New York.*

Feb. 1	Tuesday	Santiago ;	New York and Cuba Mail.	Santiago .....	2.00		Mails for Santiago and Cienfuegos, Cuba.
Feb. 3	Thursday	Ailsa*	Atlas .....	Port au Prince .....	9.00		Mails for Hayti.
Feb. 3	Thursday	Saratoga ;	New York and Cuba Mail.	Havana .....	1.30		Mails for Cuba, and Porto Rico via Havana.
Feb. 3	Thursday	British Empire ;	New York, Havana, and Mexican Mail	Havana .....	1.30		Mails for Cuba, and Porto Rico via Havana.
Feb. 4	Friday	Andes*	Atlas .....	Kingston and Savanna .....	9.00		Mails for Jamaica, Maracaibo, Greytown, (Nic.) and the United States of Colombia, except Aspinwall and Panama.
Feb. 5	Saturday	City of Para ;	United States and Brazil Mail	St. Thomas, Para, Pernambuco, Bahia, and Rio de Janeiro .....	6.00		Mails for Saint Thomas, the West Indies, and Brazil, and for the Argentine Republic via Brazil.
Feb. 5	Saturday	Augustus*	Red D .....	Porto Cabello, Laguayra, Maracaibo, and Curaçoa .....	8.00		Mails for Venezuela, and Curoçoa.
Feb. 8	Tuesday	Atlas *	Atlas .....	Saint John's .....	9.00		Mails for Porto Rico.
Feb. 9	Wednesday	Muriel*	Quebec and Gulf Ports Steamship Company.	Martinique .....	1.00		Mails for the Windward Islands.
Feb. 9	Wednesday	City of Austin ;	Nassau Mail Steamship Company.	Nassau, N. P., and Matanzas, Cuba .....	2.00		Mails for the Bahama Islands and Matanzas, Cuba.
Feb. 10	Thursday	Crescent City ;	Pacific Mail .....	Aspinwall .....	10.00		Mails for the South Pacific and Central American ports, and for the west coast of Mexico via Aspinwall.
Feb. 10	Thursday	Niagara ;	New York and Cuba Mail.	Havana .....	1.30		Mails for Cuba, and for the West Indies via Havana.
Feb. 10	Thursday	City of Mexico ;	New York, Havana, and Mexican Mail.	Havana .....	1.30		Mails for Cuba, and for Mexico and the West Indies via Havana.
Feb. 10	Thursday	Flamborough *	Quebec and Gulf Ports Steamship Company.	Bermuda .....	2.00		Mails for Bermuda.
Feb. 15	Tuesday	Santo Domingo ;	Clyde .....	Samana .....	2.00		Mails for Cape Hayti, Santo Domingo, and Turk's Island.
Feb. 16	Wednesday	Santiago de Cuba ;	Clyde .....	Havana .....	1.30		Mails for Cuba.
Feb. 17	Thursday	Alene *	Atlas .....	Port au Prince .....	9.00		Mails for Hayti.
Feb. 17	Thursday	Newport ;	New York and Cuba Mail.	Havana .....	1.30		Mails for Cuba.
Feb. 17	Thursday	Nankin ;	New York, Havana, and Mexican Mail.	Havana .....	1.30		Mails for Cuba, and for Mexico via Havana.
Feb. 18	Friday	Athos*	Atlas .....	Kingston, Maracaibo, and Savanna .....	9.00		Mails for Jamaica, Maracaibo, and the United States of Colombia, except Aspinwall and Panama.
Feb. 19	Saturday	Felicia *	Red D .....	Puerto Cabello, Laguayra, Maracaibo, and Curaçoa .....	8.00		Mails for Venezuela and Curaçoa.
Feb. 19	Saturday	Bermuda *	Quebec and Gulf Ports Steamship Company.	Saint John's .....	9.00		Mails for Porto Rico.
Feb. 19	Saturday	Colon ;	Pacific Mail .....	Aspinwall .....	10.00		Mails for the South Pacific and Central American ports, and for the west coast of Mexico via Aspinwall.
Feb. 23	Wednesday	Carondelet ;	Nassau Mail Steamship Company.	Nassau, N. P., and Matanzas, Cuba .....	2.00		Mails for the Bahama Islands and Matanzas, Cuba.
Feb. 24	Thursday	City of Washington ;	New York, Havana, and Mexican Mail.	Havana .....	1.30		Mails for Cuba, and for Porto Rico and Mexico via Havana.
Feb. 24	Thursday	Saratoga ;	New York and Cuba Mail.	Havana .....	1.30		Mails for Cuba, and for Porto Rico via Havana.
Feb. 24	Thursday	Flamborough *	Quebec and Gulf Ports Steamship Company.	Bermuda .....	2.00		Mails for Bermuda.
Feb. 28	Monday	Acapulco ;	Pacific Mail .....	Aspinwall .....	10.00		Mails for the South Pacific and Central American ports, and for the west coast of Mexico via Aspinwall.

*From New Orleans.*

Feb. 1	Tuesday	Whitney ;	Morgan line .....	Vera Cruz .....	7.00		Mails for Mexico.§
Feb. 3	Thursday	Clinton ;	Morgan line .....	Havana, via Cedar Keys and Key West.	7.00		Mails for Cuba.
Feb. 8	Tuesday	E. B. Ward, jr ;	Oteri's Pioneer line .....	Truxillo, Ruatan, and Belize .....	8.00		Mails for Spanish and British Honduras.
Feb. 10	Thursday	Morgan ;	Morgan line .....	Havana, via Cedar Keys and Key West.	7.00		Mails for Cuba.
Feb. 16	Wednesday	Whitney ;	Morgan line .....	Vera Cruz .....	7.00		Mails for Mexico.§
Feb. 17	Thursday	City of Merida ;	New York, Havana, and Mexican Mail.	Vera Cruz, via Bagdad, Tampico, and Tuxpan .....	7.00		Mails for Mexico.
Feb. 17	Thursday	Clinton ;	Morgan line .....	Havana, via Cedar Keys and Key West.	7.00		Mails for Cuba.
Feb. 19	Saturday	Wanderer ;	British Honduras Mail Packet line.	Belize and Puerto Cortez .....	10.00		Mails for British and Spanish Honduras.
Feb. 24	Thursday	Morgan ;	Morgan line .....	Havana, via Cedar Keys and Key West.	7.00		Mails for Cuba.

*From Key West.*

Feb. 7	Monday	Clinton ;	Morgan line .....	Havana .....			Mails for Cuba.
Feb. 14	Monday	Morgan ;	Morgan line .....	Havana .....			Mails for Cuba.
Feb. 21	Monday	Clinton ;	Morgan line .....	Havana .....			Mails for Cuba.
Feb. 28	Monday	Morgan ;	Morgan line .....	Havana .....			Mails for Cuba.

\* Foreign vessel and line.

† This vessel also sails to Liverpool.

‡ American vessel and line.

§ This steamer sails from Morgan City, Louisiana.

*Schedule of steamers appointed to convey the United States mails to foreign countries during the month of February, 1881—Continued.*

MAILS FOR THE WEST INDIES, MEXICO, CENTRAL AND SOUTH AMERICA.

*From San Francisco.*

Date of sailing.	Sailing days.	Name of steamer.	Name of line.	Port of destination and intermediate ports of call.	Hour of closing mail at post-office at port of departure.		Mails to be conveyed.
					A. M.	P. M.	
Feb. 4	Friday.....	Colima <sup>†</sup> .....	Pacific Mail.....	Acapulco and Panama.....			Mails for Mexico and the South Pacific and Central American ports.
Feb. 19	Saturday ....	Geo. W. Elder <sup>†</sup> .....	Pacific Mail.....	Acapulco and Panama .....			Mails for Mexico and the South Pacific and Central American ports.

TRANSPACIFIC MAIIS.

*From San Francisco.*

Feb. 8	Tuesday.....	Oceanic <sup>*</sup> .....	Occidental and Oriental.....	Yokohama and Hong-Kong.....			Mails for Japan, Shanghai, Hong-Kong, and dependent Chinese ports, and the East Indies, except British India.
Feb. 12	Saturday ....	City of Sydney <sup>†</sup> .....	Pacific Mail.....	Honolulu, Sydney, and Auckland.			Mails for the Sandwich Islands, Fiji Islands, (via Sydney, New South Wales,) New Zealand, and Australia.
Feb. 26	Saturday ....	City of Tokio <sup>†</sup> .....	Pacific Mail.....	Yokohama and Hong-Kong.....			Mails for Japan, Shanghai, Hong-Kong, and dependent Chinese ports, and the East Indies, except British India.

<sup>\*</sup> Foreign vessel and line.

<sup>†</sup> American vessel and line.

POST-OFFICE DEPARTMENT, OFFICE OF FOREIGN MAIIS,  
Washington, D. C., January 15, 1881.

JAS. N. TYNER, Acting Postmaster-General.

Whatever might have been my intention originally to have made a connected speech on this subject I am so anxious to get this matter brought to a close that I have spoken hurriedly and somewhat disconnectedly.

If the presentation of the amendment offered by the Post-Office Committee shall have the effect of directing the public mind to practical measures for the restoration of the carrying trade I will be more than gratified.

Mr. BECK. Mr. President, I appreciate the importance of time and therefore state to the Senate in advance that I shall not detain it longer than ten or fifteen minutes.

I am delighted at least to hear that the distinguished Senator from Texas [Mr. MAXEY] in a very able speech has announced his thorough belief in the importance of liberalizing the carrying trade of the United States in every possible way. The Senator from Alabama, [Mr. PUGH,] who presented a very forcible argument in the speech he made the other day, also declared that that was his purpose, and the senior Senator from Alabama, [Mr. MORGAN,] in the struggles he has made to have his free-ship amendment inserted, showed his desire to do the same thing. While I differ with them as to the effect of the pending amendment I believe that it is the purpose of each of them as earnestly as it is my purpose to endeavor to have the carrying trade of this country, in part at least, restored to American citizens under the American flag. The difficulty I have about this amendment is that I fail to appreciate how it is likely to accomplish the result. I have not yet heard how it is proposed or supposed that the Postmaster-General will expend this \$1,000,000. Observe the amendment reads:

For additional postal service to foreign countries, \$1,000,000, to be expended, under the direction of the Postmaster-General, in the establishment of mail steamship lines, equitably distributed among the Atlantic, Mexican-Gulf, and Pacific ports: *Provided*, That the vessels employed for such service shall be owned and manned by American citizens, and that said vessels thus employed shall be iron steamships, accepted by the Secretary of the Navy, after due inspection, as in all respects seaworthy, and properly fitted to such service.

In the first place, the Postmaster-General is made the exclusive judge as to how he is to expend this money. In the next place, he is to distribute it equitably among the Atlantic, Gulf, and Pacific coasts on first-class iron vessels owned and manned by American citizens. We have now but few vessels of that sort. There is no complaint, as I understand it, that the mails which go from America are not now carried rapidly and efficiently to all parts of the world, or that the work is not done to-day at a reasonable cost to the people. I agree with the Senator from Alabama that if there was any portion of the people of the United States who do not receive sufficient mail facilities, I would pay whatever was necessary to furnish them those facilities. Men living in Arizona or Montana or anywhere else have a right to the mails as much as the men living in New York, Philadelphia, Baltimore, Louisville and Lexington, Kentucky, and whatever expenditure is necessary to give them that facility they ought to have. So with our ocean mails. If they are not properly carried now, they ought to be carried promptly and efficiently; but they are so carried, as I am advised, and carried at a cost not much exceeding one-quarter of what it is now proposed to give to some additional lines.

Mr. MORGAN. If the Senator from Kentucky will allow me, will

he name a port south of Boston, excluding New Orleans, that has a mail carried to a country abroad?

Mr. BECK. I am not familiar enough with the postal service on the ocean to name the ports and to state at how much the mail is carried from each; but I know this, that out of the great port of New York over three-fourths of the mails that go to Europe and to the other great civilized countries of the world are sent, and I know that foreign mails from Savannah, from New Orleans, and everywhere else, reach the port of New York by rail, if they do not by steamer, more promptly than they could reach their destination, than it is possible for them to do in any other way.

Mr. MORGAN. We, living in the South, feel that the Government has been extremely unjust to us in denying us mails to go abroad from our own ports, and we want more facilities for that purpose.

Mr. BECK. I assume that of this million dollars the equitable proportion that the city of Mobile would receive would not weigh a feather's weight in establishing a line of steamships to go to England, France, Germany, or any of the great ports of the Mediterranean or elsewhere.

Mr. MORGAN. If the Senator will allow me one second, I will say to him that the citizens of Mobile in concert with some persons in Liverpool have subscribed their money and have established a line of iron steamships between those two ports which is now carrying on a very valuable and important traffic, but we cannot carry a mail with them because we cannot get a mail to go from the port of Mobile. Our port is closed to the mails of the United States by the policy from which the Senator from Kentucky refuses to relieve us.

Mr. BECK. I said I would not take more than ten minutes but if I go into a wrangle over details it would take me a great deal longer, and I do not desire to occupy time. I have failed to understand if this amendment passes, giving \$1,000,000 to the Postmaster-General to expend, who is to be the beneficiary, what lines will receive it, or how it will be equitably distributed. What lines of American ships, owned and manned by American citizens, will receive it?

I have applied to some of the officials of the United States, indeed with all well-informed gentlemen with whom I could communicate, to give me the information. I will state the substance of the information I have received. If I am wrong I shall be corrected. I believe it will be distributed about in the way I shall state. I assume that no ships can be built during this fiscal year to carry these mails, so that the \$1,000,000 we are now asked to give could not be used for that purpose. Of that \$1,000,000 the Brazilian line will receive about one hundred and eighty thousand dollars per annum. At \$30 a mile, at the distance from New York to Rio, that would be the amount. The Pacific Mail will come in for \$192,000 on their China line; \$102,800 for the San Francisco and Panama line, via the Mexican ports; and \$54,000 for the New York and Aspinwall line, the distances being, respectively, 6,400 miles from San Francisco to Hong-Kong, 3,427 miles from San Francisco to Panama, and 1,800 miles from New York to Aspinwall. This will therefore give the Pacific mail \$348,800 per annum, and, if it runs for ten years, about \$3,480,800. Of course they would have to convince the Postmaster-General that they are the line equitably entitled to this as the proper distribution from the Pacific and other ports before that can be done; but that will be a very simple matter. There are now three lines between New

York and San Francisco, and if the Postmaster-General should observe, what they will doubtless impress upon him, these three lines will obtain \$662,400 per annum. That, added to the \$182,000 to be given to the Brazilian line, would only leave \$155,000 per annum for all the outside American steamships. Observe that on these lines to Brazil and on the Pacific Mail steamship lines all the steamers that will be required to run are running now, and are carrying the mails at a reasonable rate, mostly for the ocean postage. Not a single steamer would be added to the American commercial marine by reason of this distribution, or, at most, only two or three.

Again, we are now having our foreign mail service for this country carried at a cost for the year ending June 30, 1880, of \$196,684. This sum pays for five hundred and fifteen mails dispatched to Europe, \$103,708 being paid for that service; and for mails to Japan, China, Australia, India, Central and South America, the Pacific and the West Indies, the cost of the mails outside the European mails, is \$42,776. That is all we are paying now, and all that the Department requires is being done. It does not estimate for more, and it generally asks for all it needs.

Why should we give a million dollars without information of how it is to be distributed, when we know that all of it will go to the Pacific Mail line and the Brazilian Mail line, with the exception of only about 12 per cent., to be scrambled for by those who are left outside? Why should Congress authorize the Postmaster-General, without taking some control over it, thus to give it to whom he pleases and to determine what is equitable, and to limit it alone to American-built ships owned and manned by American citizens? as though that would in any form enable us to build up the commerce of this country. That is an enigma to me. As the Senator from Maryland very well said, giving a subsidy, (for that is what it is,) a bounty, will enable the people of those particular lines to drive off every other American citizen who is engaged in that business along with those lines.

There was great wisdom in the veto message of President Pierce when he vetoed a measure just like this, which veto message was referred to by the Senator from Maryland. So wise were these remarks that I cannot refrain from reading an extract or two; they are very short. Said President Pierce:

It will be regarded as a less serious objection than that already stated, but one which should not be overlooked, that the privileges bestowed upon the contractors are without corresponding advantages to the Government, which receives no sufficient pecuniary or other return for the immense outlay involved, which could obtain the same service of other parties at less cost, and which, if the bill becomes a law, will pay them a large amount of public money without adequate consideration, that is, will in effect confer a gratuity, while nominally making provision for the transportation of the mails of the United States.

To provide for making a donation of such magnitude and to give to the arrangement the character of permanence, which this bill proposes, would be to deprive commercial enterprise of the benefits of free competition, and to establish a monopoly in violation of the soundest principles of public policy, and of doubtful compatibility with the Constitution.

When the question came before the House of Representatives shall the bill pass, the veto of the President notwithstanding? I did not look over the entire list of names, but I see some who are authority with me as democrats, among them Thomas H. Benton, of Missouri, John C. Breckinridge, of Kentucky, and Thomas A. Hendricks, of Indiana; and there are ninety-seven others, as against seventy-odd who favored the passage of the bill over the veto.

Mr. MORGAN. Will the honorable Senator from Kentucky allow me to ask him, as a member of the Committee on Appropriations, for an explanation of a part of the bill which came from his committee which has not yet been explained?

Mr. BECK. Certainly.

Mr. MORGAN. The bill as reported from the Committee on Appropriations contains this provision:

*Provided*, That the Postmaster-General is authorized to pay to the colonies of New Zealand and New South Wales so much of the cost of the overland transportation of the British closed mails to and from Australia as he may deem just, not to exceed one-half of said cost; and the sum of \$40,000 is hereby appropriated for that purpose.

Is not that a subsidy?

Mr. BECK. We are having the mails carried over this continent by an arrangement with them, and handing the service over to our own ships. England is employing American ships to carry the mails to Australia, and in order to obtain rapid transit over the short route we are carrying them over the railroads and paying the postage from New York to San Francisco, and then carrying them on this American line to New Zealand and New South Wales. By an arrangement between our Postmaster-General and the people of New Zealand the mails are carried upon American ships and our American railroads, in order to get them there quickly, and we have made an equitable arrangement which is simply what the service is worth and no more, not \$30 a mile for carrying a single letter under the pretense of carrying the mails, as the amendment proposes. I may not have stated the facts exactly, but that is the way I understand it.

Mr. MORGAN. Is not that a subsidy? I ask the Senator.

Mr. BECK. It is not a subsidy in the sense in which this amendment proposes a subsidy; it does not approach it. As a good deal has been said about the British mail service, I inquired of our Post-Office officials and other gentlemen what they were doing, and I hold in my hand the latest report of the British post-office that I am able to get hold of, showing the amount that the British Government pays in every way, and it is all absolutely legitimate mail service. Of course England has to use more steamships than we do in the mail

service. Why? Her East India possessions are divided by great oceans from her; her Canadian dominions are separated by the Atlantic Ocean from her. She has to send her mail on the ocean to her people as we have to send the mail to our people by rail. The whole amount paid by England is not as great as we pay, and her post-office is a source of revenue to her instead of being a drain upon the Treasury. A portion of her mails, as I said, are carried in American ships. When Senators speak about England subsidizing vessels, as we have heard it from time to time here, it appears that they charge to England the packets from Holyhead to Dublin, bringing the Irish mail across the channel, when they fine these ships £1 14s. a minute if they are delayed, making them put on the fastest ships on the ocean. This is the statement:

The most highly paid packet service is the carriage of the Irish mails from Holyhead to Kingston, (Dublin,) £25,000, carried by the fastest sea-going steamers afloat, with a penalty for over time of £1 14s. per minute.

"The gross earnings," &c., are submitted. That service is charged as a subsidy to a steamship line. It is part of a proper system to give her people the fastest mail facilities. But I will submit the statement in full, as it was handed to me:

BRITISH OCEAN MAIL SERVICE.  
[From latest report of the British post-office.]

*Colonial mails.*

London to East Indies, China, and Japan, contract with Peninsular and Oriental Steamship Company for a weekly service, via Suez Canal, £417,325. Of this sum India contributes £104,400.

The British share of the postages amounts to, £60,000.

Leaving a loss to British post-office of £253,000.

London to West Indies, by Royal Mail Company, and Liverpool and West India Company, weekly service, including extra service to Belize, Saint Kitts, Nevis, Monserrat, and Turk's Island, £29,290.

Leaving a loss to the British post-office over and above the postal receipts of £50,000.

Halifax to Bermuda and Jamaica, contract price, £17,500. Loss, £16,500.

West coast of Africa, contract £7,863. Loss, £1,800.

Total amount of colonial contracts £531,978. Loss on same, £323,300.

The Australian colonies, New Zealand, the Dominion of Canada, and the Cape of Good Hope colonies pay for their own mail-service, and invite tenders from steamship companies of any nationality. A part of the Canadian service, also part of the New South Wales and New Zealand service, is carried on by American steamers, paid by the colonial governments.

Total contract cost of colonial, Indian, and foreign mails £599,425  
Actual cost over receipts 330,677

At \$5 to the pound sterling \$1,698,385  
To the debit of Indian and colonial contracts, £221,300 1,156,500

To debit of foreign mails 541,885

Mr. BLAINE's estimate of £780,000, or as he puts it, \$4,000,000, given by Great Britain as postal aid to steamship lines, includes payments for carrying the mails to Ireland, to the Isle of Man, to the Isle of Wight, the Scilly Islands, the Orkney and Shetland and Channel Islands, and from Dover, Folkestone, New Haven, and Southampton to Ostend, Calais, Boulogne, Dieppe, and Havre. All of which is as much a home postal service as our mails from Washington to New York and Boston.

Foreign contracts:  
To United States a tri-weekly service by Cunard, Inman, and White Star steamers, Liverpool, via Queenstown, to New York, contract £57,447

Postages received 33,000

Loss to Post-Office 24,447

East coast of Africa: Contract price, £10,000; loss, £9,600.

Total amount of foreign contracts £67,447

Total cost to Post-Office £34,047

Add one-third the loss on the Peninsular and Oriental contract for their extension of the service to China and Japan 84,330

Total of whole foreign mail service 118,377

The mails to Brazil, River Platte, and all Pacific ports of South America are carried for the postages.

Total postal revenue of British post-office for year 1877 £6,017,000

Total expenses of British post-office for year 1877 4,070,000

Surplus 1,947,000

Paid for mail transportation by mail packets and private ships 780,000

Paid for mail transportation by railway 684,000

Paid for mail transportation by coaches, &c. 171,000

The most highly paid packet service is the carriage of the Irish mails from Holyhead to Kingstown, (Dublin,) £25,000. Carried by fastest sea-going steamers afloat, with a penalty for over time of £1 14s. per minute.

Gross earnings of telegraphs £1,313,000

Gross expenses 1,277,000

Surplus 36,000

To attain this great speed between Holyhead and Kingstown the steamers burn ten tons of coal per hour.

The trouble is that when you subsidize these Pacific lines and this Brazilian line you take away all inducement for people either to work cheaper or to build ships cheaper. I have an article showing what a gentleman who built many of those ships for the Pacific Mail Steamship Company said they would cost. He declared (and he declares now in pamphlets laid before the Committee on Finance) that he can build them at 10 or not exceeding 15 per cent. more than the cost charged in England; that a ship can be built for \$500,000 here which would cost \$450,000 anywhere else in the world. Yet that same gentleman built the Pacific Mail steamships, and this is the amount given by the Pacific Mail Steamship Company as printed in their official report of April 30, 1876: that company paid to Mr. Roach for the

City of Pekin \$1,264,000; for the City of Tokio, \$1,275,000; for the City of San Francisco, \$744,000; for the City of New York, \$757,000; for the City of Sidney, \$744,000; making a total of \$4,786,338; leaving a profit beyond what had been said by that builder he could build these ships for about two million dollars as compared with what they would have cost in England or elsewhere.

There will be no effort to build ships cheaper if we give these subsidies. It is an admission that in all time to come we will have to pay whatever ship-builders see fit to ask for their ships out of the public Treasury, and let them charge what they please and they will never make any effort to do any better. There is where the great evil comes in. We had a discussion on this subject nearly three years ago, on the 4th of June, 1878, when the distinguished Senator from Maine, [Mr. BLAINE,] in answer to an argument of the Senator from Delaware, [Mr. BAYARD,] used this language:

And more than that, you can to-day, in the Senator's own town and on the river on which he lives, engage to have iron ships built just as good and just as cheap as you can have them built on the Clyde.

And yet to-day, over two years and eight months after that, the clamor comes that we cannot build them at all. They never will build them as long as they can come to Congress and get subsidies from us to pay them whatever they see fit to ask as the difference between the ships they build and those built abroad. It is only when you bring them into competition and refuse to give them anything outside the regular pay for the regular work done that you will ever have cheap ships in this country.

I agree with the distinguished Senator from Texas [Mr. MAXEY] and both the Senators from Alabama that everything that can be done to lighten the burdens on our carrying trade should be done. Every burden ought to be taken off. I have not been able to think out the matter fully yet; but I have an idea as to what ought to be done. I am not sure that I am right, we may not have the power to do it, but I would strain all the powers of the Constitution to do something like this: after allowing our people to buy ships wherever they like, after giving every ship-builder all the free material from a compound engine down to a rivet to build ships in this country, if I had the power—and I am not sure we do not have it—I would allow every ship engaged in the foreign trade to be registered at the port of Washington. Maine is charging  $2\frac{1}{2}$  per cent. taxation on her ships, New York 1.75 per cent., other States are charging from  $1\frac{1}{2}$  to 2 per cent. I would require them to carry apprentices for the American Navy, five, if you please, for every thousand tons; let every 3,000 ton ship carry fifteen and educate and train them for the American Navy. I would require them to enter into a contract that the ship should be taken whenever needed by the American people in the event of a foreign war to be used as part of the naval force of the United States. Whether we want them or not, we have a right to make that arrangement with them, and when we had thus far adopted them I would deny the right of any State or municipality to tax the foreign ocean-going ships of this country so registered, so employed, and with that covenant being a part of the Navy of the United States they should be as free from taxation as are the bonds of the United States, upon which no tax can be imposed either upon principal or interest, because they are part of the machinery of the United States to pay its debts. That sort of relief will help the foreign carrying trade of the country. I would also pay all the fees of consuls from the Treasury; I would furnish pilotage; I would, in other words, lighten every burden; but I would not give a monopoly in the way of a subsidy to any class of ships to exclude other American ships, or to try to build them up in ways that have proven over and over again to be failures.

There may be some constitutional objections—I have not yet been able to see them—to the suggestions I have just made. We have registered ships very often in New York and Philadelphia that for five years never entered those ports. You can register in Boston and trade from New York; you can register a ship anywhere. Why not make the registry at the capital of this country? Georgetown is a port of entry. Why not make the ships so registered train American sailors for us? It may be said that these vessels are not fit for the naval service. Cannot sailing-vessels haul coal for the Navy? Has not Congress the right to say we will adopt them? It is nobody's business whether they are the kind of ships we may need for war purposes; if they are adopted by Congress, that settles it. I would build up an American marine in that way without imposing taxes upon the people, simply by requiring the local authorities everywhere to regard that portion of the national machinery as being free from any local burdens they could put upon it. I repeat I would do so if there is no constitutional objection in the way, and I hope before we meet next December some committee, that presided over by the Senator from Delaware or some other, will look into that question and say how far it can be done. But in the mean time I would not burden the tax-payers of the country any more to furnish means to the few steamship lines we now have. I think that will do more harm than good.

I was about to read from a distinguished official of this Government a portion of a very able letter he wrote to me. I do not care to give his name, because his suggestions might bring displeasure upon his head, and he is too able a man, I think, to be subjected to displeasure. He says in that letter:

Subsidies are uncertain and insidious; they may for a while sustain, and then, by withholding, destroy; they nourish continued dependence, and are certain to

excite an appetite for more, more, and their beneficiaries would annually besiege Congress not only for continuance but also for larger allowances. Subsidies would insure more particularly to the benefit of regular lines, since incorporated interests would be more influential and payments could be more readily based upon a specified service. Individual vessels for general service would be placed at a disadvantage. There would also be constant appeals for differentiation of amounts on account of the varied nature and alleged cost of the services rendered, so that no regular system could be sustained.

He agrees with me that you have to lighten up the burdens now put upon shipping instead of giving subsidies to them.

But, Mr. President, I said I would not take time by arguing the question, and I leave it for the Senate to decide.

Mr. TELLER. Mr. President, I move to lay the amendment on the table.

Mr. WITHERS. Will the Senator from Colorado yield to me while I present a report from the Committee on Appropriations?

Mr. TELLER. The Senator can do that afterward. We have had so much discussion that I think I shall not yield. Let us take the vote.

The PRESIDING OFFICER, (Mr. CAMERON, of Wisconsin, in the chair.) The Senator from Colorado moves to lay the amendment on the table.

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

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. BECK, (when his name was called.) On this question and all other subjects connected with the amendment I am paired with the Senator from Maine, [Mr. BLAINE.] If I could vote, I would vote "yea" on this motion.

Mr. CALL, (when his name was called.) On this question I am paired with the Senator from Michigan, [Mr. BALDWIN.]

Mr. BUTLER, (when Mr. HAMPTON's name was called.) My colleague [Mr. HAMPTON] requested me to announce that he had to withdraw from the Chamber on account of illness. He is paired, however, with the Senator from Nebraska [Mr. SAUNDERS] on this question.

Mr. PLATT, (when his name was called.) I am paired with the Senator from Delaware, [Mr. SAULSBURY.] If he were present, I should vote "nay."

Mr. SAUNDERS, (when his name was called.) On this question I am paired with the Senator from South Carolina, [Mr. HAMPTON.] If he were here, I should vote "yea."

Mr. TELLER, (when his name was called.) On this question I am paired with the Senator from Louisiana, [Mr. KELLOG.] If he were present, I should vote "yea."

Mr. WALLACE, (when his name was called.) I am paired with my colleague, [Mr. CAMERON, of Pennsylvania.] If he were here, I should vote "yea."

The roll-call was concluded.

Mr. ANTHONY. On this question I am paired with the Senator from Vermont, [Mr. EDMUND,] who was called home by illness. If he were here, I should vote "nay."

Mr. COCKRELL. I was paired on last Saturday with the Senator from Kansas, [Mr. PLUMB.] I saw him in his seat to-day, and I presume the pair does not extend to to-day.

Mr. HAMILIN. I arranged the pair with the Senator from Missouri. It is certainly ended. The Senator is entitled to vote.

Mr. COCKRELL. I was waiting to see if the Senator from Maine was here. I did not observe the Senator from Maine with whom I made the arrangement. I vote yea.

The result was announced—yeas 35, nays 14; as follows:

YEAS—35.

Allison,	Davis of Illinois,	Kernan,	Ransom,
Bailey,	Eaton,	Kirkwood,	Slater,
Bayard,	Farley,	Logan,	Thurman,
Booth,	Groome,	McDonald,	Vance,
Brown,	Harris,	McMillan,	Vest,
Butler,	Hereford,	Maxey,	Voorhees,
Cameron of Wis.,	Hill of Georgia,	Morrill,	Whyte,
Cockrell,	Ingalls,	Pendleton,	Withers,
Coke,	Johnston,	Pugh,	

NAYS—14.

Blair,	Garland,	Morgan,	Williams,
Bruce,	Hamlin,	Paddock,	Windom.
Burnside,	Jonas,	Rollins,	
Ferry,	Lamar,	Walker,	

ABSENT—27.

Anthony,	Conkling,	Hoar,	Randolph,
Baldwin,	Davis of W. Va.,	Jones of Florida,	Salsbury,
Beck,	Dawes,	Jones of Nevada,	Saunders,
Blaine,	Edmunds,	Kellogg,	Sharon,
Call,	Grover,	McPherson,	Teller,
Cameron of Pa.,	Hampton,	Platt,	Wallace.
Carpenter,	Hill of Colorado,	Plumb,	

So the motion to lay on the table was agreed to.

The bill was reported to the Senate as amended, and the amendments made as in Committee of the Whole were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

DISTRICT APPROPRIATION BILL.

Mr. WITHERS, from the Committee on Appropriations, to whom was referred the bill (H. R. No. 7035) making appropriations to pro-

vide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1882, and for other purposes, reported it with amendments.

BILLS INTRODUCED.

Mr. HOAR asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 2179) for the relief of Lucy D. Hooper; which was read twice by its title, and referred to the Committee on Pens.

Mr. JOHNSTON asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 2180) refunding to Robert F. Williams & Co. duties illegally collected of them on a cargo of salt; which was read twice by its title, and referred to the Committee on Finance.

WITHDRAWAL OF PAPERS.

On motion of Mr. BURNSIDE, it was

Ordered, That William M. Beebe, jr., have leave to withdraw his petition and papers from the files of the Senate.

AMENDMENTS TO BILLS.

Mr. BROWN and Mr. KELLOGG submitted amendments intended to be proposed by them, respectively, to the bill (H. R. No. 7099) making appropriations for the Agricultural Department of the Government for the fiscal year ending June 30, 1882, and for other purposes; which were referred to the Committee on Appropriations, and ordered to be printed.

FUNDING BILL.

Mr. JOHNSTON. I move to proceed to the consideration of the bill (S. No. 2097) for the establishment of a bureau of animal industry, and for the suppression and prevention of contagious diseases among domestic animals.

Mr. BAYARD. Will the Senator from Virginia withdraw that motion? I wish to move to take up the funding bill. After the bill is before the Senate I then will give way that the Senator may have the pleuro-pneumonia bill discussed for a short time, as I understand that is all that is proposed. I feel it my duty to bring the funding bill before the Senate at once, and after it is before the Senate, then at this hour of the evening I shall be willing to allow the Senator from Virginia to explain his bill. I understand that bill will not lead to a very long discussion.

Mr. JOHNSTON. I withdraw the motion.

Mr. BAYARD. The Senator having withdrawn his motion, I move to proceed to the consideration of the bill (H. R. No. 4592) to facilitate the refunding of the national debt.

Mr. THURMAN. The proper motion of my friend from Delaware to make is to postpone all previous orders. The special order having been disposed of, we fall back on the Calendar, and he must get the vote of the Senate to postpone all prior orders. That being done, then he can move to take up the bill.

Mr. BAYARD. I supposed the Senate would consider the motion included. The object was to bring the funding bill before the Senate now; and to meet the suggestion of the honorable Senator from Ohio I move that the present and all prior orders be postponed in order to take up House bill No. 4592.

Mr. JOHNSTON. With the understanding stated before.

Mr. BAYARD. With the understanding that I shall give way to the Senator from Virginia.

Mr. KIRKWOOD. I would like to know the extent of this understanding. What does it amount to? That we shall have this evening to talk upon the cattle-diseases bill, and to-morrow go on with the funding bill?

Mr. BAYARD. My intention was to make the funding bill the unfinished business for to-morrow, with the understanding that the pleuro-pneumonia bill is one that will not create a long discussion, and it can probably be finished to-night before we adjourn. I propose to take up the funding bill now, in order that it may be the unfinished business for to-morrow. It is, when taken up, to be laid aside informally for the purpose of allowing the bill suggested by the Senator from Virginia to come up.

Mr. WILLIAMS. The Senate thought the question suggested by the Senator from Virginia of sufficient importance to raise a special committee to which it was referred, and the Senator from Virginia, as the chairman of that committee, reported the bill several days ago, and I do hope the Senate will take it up and not any other bill this evening, and let it go over till to-morrow as the unfinished business. I know that if it be taken up according to the proposition of the Senator from Delaware, the bill will go by the board. I shall insist that the bill of the Senator from Virginia be taken up for the purpose of being proceeded with.

The PRESIDING OFFICER. The question is on the motion of the Senator from Delaware.

Mr. WILLIAMS. Therefore I am against that motion.

Mr. BAYARD. Then, Mr. President—

Mr. HOAR. May I ask a parliamentary question? Is it not true that the motion of the Senator from Delaware is the one which should be adopted by the Senate whichever bill is to be taken up? The Senator from Kentucky wants the bill named by him to be taken up. He has got to have the prior orders laid aside. We ought to be unanimous in supporting the Senator from Delaware in laying aside prior orders, and then if the Senator from Delaware moves to take up the funding bill the Senator from Kentucky can vote "no" and make his motion.

Mr. THURMAN. The Senator from Massachusetts is entirely correct. Whoever wishes to take up either one of these bills should vote for the motion of the Senator from Delaware to postpone prior orders. When that is carried then it will be a race between my agricultural friends, and I am with them, and my funding friends on the other side—and I do not say whether I am against them or not—which bill shall be taken up; but the first question is, shall the prior orders be postponed?

The PRESIDING OFFICER. The Senator from Delaware moves that the present and all prior orders be postponed, indicating his purpose—

Mr. THURMAN. One word. Is the cattle-diseases bill a prior order to the funding bill?

Mr. KIRKWOOD. That I do not know.

Mr. WILLIAMS. They are both on the Calendar. The cattle bill is first in order.

Mr. THURMAN. Then the motion of my friend from Delaware had better be voted down if the friends of the cattle-diseases bill know what they are about.

The PRESIDING OFFICER. The question is on the motion to postpone made by the Senator from Delaware.

The motion was agreed to.

Mr. BAYARD. I now move that the Senate proceed to the consideration of the bill (H. R. No. 4592) to facilitate the refunding of the national debt.

The PRESIDING OFFICER. The Senator from Delaware moves that the Senate now proceed to the consideration of House bill No. 4592.

Mr. JOHNSTON. Before that motion is put I desire to say a word. The Senator from Delaware was very kind to say that after the bill was taken up he would consent that it might be laid aside temporarily in order that the cattle bill might be taken up. Now, if the cattle bill is taken up I desire to have final action upon it. If the Senate will consent to take that bill up and let us have final action, I shall be glad; and if not, I shall have to antagonize the motion to take up the funding bill.

Mr. BAYARD. I feel it highly important that this funding bill should come before the Senate and be disposed of at the earliest possible moment; but I think it is of more importance that anything like an honorable understanding should be preserved between Senators.

The honorable Senator from Virginia is correct in saying that it was my proposition that he should withdraw his motion to postpone the present order and prior orders for the purpose of taking up the bill indicated by him, and he withdrew it at my request with the understanding that if I could get up the funding bill then it might be laid aside informally in order that his bill which it was supposed would take a short or no time for discussion should be passed upon by the Senate. I did not think nor did I say that if that bill led to a debate which would carry it over to to-morrow, the pleuro-pneumonia bill should be the regular order for to-morrow as unfinished business. I did not mean that. I supposed the measure had in view was one in regard to which there would be but little debate and very little discussion, and that it could be disposed of to-night. The funding bill cannot of course be considered in so short a time. I did not expect to give way indefinitely, but only with the idea that the bill the Senator from Virginia desired to take up could be disposed of without a great expenditure of time. With that understanding, I press the consideration of the measure I have moved to take up.

Mr. HOAR. I desire to make a suggestion to the honorable Senator from Virginia. I am very desirous that his cattle bill should be taken up and passed at an early day. Now I suggest to him to accept the proposition of the honorable Senator from Delaware. Then he is sure of all the time to-night. If it turns out that his bill is finished to-night, he accomplishes his purpose. If it turns out that his bill is so near finished that a short time in the morning will finish it, he can then with great propriety appeal to the Senate to let him finish it to-morrow. If it turns out that he cannot finish it in a short time to-morrow, he has got the same right to test the sense of the Senate to-morrow between the two bills that he has now and see which they prefer to take up. He loses nothing by accepting the proposition now.

Mr. BAYARD. There can be no difficulty about it.

Mr. JOHNSTON. Then I will accept the proposition of the Senator from Delaware to go on now and make as much progress as possible.

The PRESIDING OFFICER. The Senator from Delaware moves that the Senate proceed to the consideration of House bill No. 4592.

Mr. THURMAN. I think there is a much shorter solution of it, although what is said by the Senator from Massachusetts is correct. Let the cattle-diseases bill be taken up now, and let there be unanimous consent that it shall be the unfinished business for to-morrow—

Mr. BAYARD. Oh, no; that is not the understanding.

Mr. THURMAN. If any Senator objects, of course it cannot be understood.

The PRESIDING OFFICER. The motion is to take up the bill (H. R. No. 4592) to facilitate the refunding of the national debt.

The motion was agreed to.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole.

## CONTAGIOUS DISEASES OF ANIMALS.

Mr. JOHNSTON. I ask that that bill be informally laid aside and that the Senate proceed to the consideration of Senate bill No. 2097.

The PRESIDING OFFICER. The Senator from Virginia asks that this bill be laid aside temporarily by unanimous consent, and that the Senate proceed to the consideration of the bill to which he has referred. Is there objection? The Chair hears none. The funding bill is so laid aside, and the bill referred to by the Senator from Virginia will be laid before the Senate.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. No. 2097) for the establishment of a bureau of animal industry, and for the suppression and prevention of contagious diseases among domestic animals.

The bill was reported from the select committee appointed to consider the subject, with amendments, and the amendments were acted on as they were reached in the reading of the bill by sections.

The first amendment was, in line 7 of section 1, after the word "the," to insert "number;" in line 10, after the word "contagious," to insert "and communicable;" in the same line, after the word "and," to strike out the word "provide" and to insert "the means;" in line 15, after the word "investigating," to strike out the word "contagious" and to insert "said;" in line 16, after the word "cure," to strike out "of said diseases" and to insert "thereof;" in line 26, after the word "of," to strike out the word "contagious" and insert "said;" and in line 34, after the word "of," to insert "not more than ten;" so as to make the section read:

That the Commissioner of Agriculture shall organize in his department a bureau of animal industry, and shall appoint a chief who shall be a competent veterinary surgeon, approved by the National Board of Health, and whose duty it shall be to investigate and report upon the number, value, and condition of the domestic animals of the United States, their protection and use, and also inquire into and report the causes of contagious and communicable diseases among them, and the means for the prevention and cure of the same, and to collect such information on these subjects as shall be valuable to the agricultural and commercial interests of the country. The Commissioner of Agriculture is hereby authorized to call to his aid in investigating said diseases in animals, and in providing means for the prevention and cure thereof, the National Board of Health, whose duty it shall be to render such aid and to employ such means as they deem necessary to obtain all information in regard to said diseases, their prevention and control; he is also authorized to employ two commissioners, one of whom shall be a practical stock-raiser, and one an experienced business man, familiar with questions pertaining to commercial transactions in live stock, whose duty it shall be to advise with regard to the best methods of treating, transporting, and caring for animals, and of providing against the spread of said diseases; he is also authorized to employ an agent in each State and Territory, whose duty it shall be to collect all facts and statistics belonging to the animal industry and to the diseases of animals in such State or Territory, and report to the Commissioner of Agriculture. The compensation of said commissioners, agents, and of the members of the National Board of Health while employed in this service shall be at the rate of not more than \$10 per diem, with all necessary traveling expenses while engaged in the performance of their duty under this act. The salary of the chief of bureau shall be \$3,000 per annum; and the Commissioner of Agriculture shall appoint a clerk for said bureau, with a salary of \$2,000 per annum.

The amendment was agreed to.

The next amendment was, in section 2, line 1, after the word "of," to strike out "cattle" and insert "live stock;" in line 5, after the word "contagious" to insert "or communicable;" in line 8, after the word "which," to strike out "cattle" and insert "live stock;" in line 11, after the word "of," to strike out the word "cattle" and insert "live stock;" so as to make the section read:

Sec. 2. That in order to promote the exportation of live stock from the United States the Commissioner of Agriculture, through said chief of bureau, shall make special investigation as to the existence of pleuro-pneumonia, or any contagious or communicable disease, along the dividing line between the United States and the Dominion of Canada, and along the lines of transportation from all parts of the United States to ports from which live stock are exported, and make report of the results of such investigation to the Secretary of the Treasury, who shall establish such regulations concerning the exportation and transportation of live stock as the results of said investigation may require.

The amendment was agreed to.

The next amendment was, in section 3, line 2, after the word "bureau," to strike out the words "acting with the National Board of Health;" in line 6, after the word "of," to strike out the words "neat cattle" and insert "live stock;" in line 7, after the word "safe," to strike out the word "conveyance" and insert "transportation;" in line 8, after the word "such," to strike out the word "cattle" and to insert "stock;" in line 9, after the word "such," to strike out the word "cattle" and insert "stock;" in line 12, after the word "of," to strike out the words "the disease" and insert "said diseases;" in line 15, after the word "having," to strike out the words "the disease" and insert "said diseases;" in line 16, after the word "provide," to insert "by the appointment of inspectors, to be approved by the National Board of Health;" and at the end of the section to insert "but the provisions of this act shall not apply to cattle shipped from the Gulf States, or any of them, to the West India Islands," so as to make the section read:

Sec. 3. That the Commissioner of Agriculture, through said chief of bureau, and the commissioners provided for in section 1 of this act, when deemed necessary, shall co-operate with and aid State and municipal authorities, and corporations and persons engaged in the transportation of live stock, by land or water, in establishing regulations for the safe transportation of such stock from the interior to the seaboard, and the shipment thereof, so that such stock may not be exposed to said disease, and shall also co-operate with State and municipal authorities in the suppression of said diseases by aiding in carrying into effect their laws and regulations, by advising or assisting them in establishing regulations for the isolation of any cattle suspected of having said diseases and the slaughter of those ascertained to be so diseased, and shall provide, by the appointment of inspectors, to be approved by the National Board of Health, for the inspection of all cattle passing

from the United States or shipped for exportation to a foreign country, and for giving proper certificates of health. But the provisions of this act shall not apply to cattle shipped from the Gulf States, or any of them, to the West India Islands.

The amendment was agreed to.

The next amendment was in section 4, lines 1, 2, 3, and 4, to strike out the words "whenever the Commissioner of Agriculture, acting in the manner prescribed in section 3 of this act, shall find that there is a necessity for quarantine stations, he shall report the facts to;" in line 4, after the word "Treasury," to strike out the words "whose duty it;" in line 5, after the word "shall," to strike out the words "be to;" in line 6, after the word "any," to strike out the word "cattle" and insert "live stock;" and in line 10, after the word "of," to strike out the words "the disease" and insert "said diseases;" so as to make the section read:

Sec. 4. That the Secretary of the Treasury shall establish quarantine stations at such ports or other points as may be necessary for any live stock that may be imported from foreign countries, and may establish and carry into effect such regulations, consistent with State laws, as may be necessary to prevent the spread of said diseases by importations from abroad; and is authorized to employ officers of the customs and vessels of the revenue marine service in carrying out and enforcing such regulations.

The amendment was agreed to.

The next amendment was, in section 5, line 5, after the word "with," to strike out the words "an infectious or contagious disease" and insert "such diseases, or has been exposed presumably thereto;" so as to make the section read:

Sec. 5. That it shall be unlawful to import or introduce into the United States from foreign countries, or into one State, Territory, or District from another State, Territory, or District, or to sell or offer for sale any domestic animal affected with such diseases, or has been exposed presumably thereto, except in accordance with the provisions of this act and the rules and regulations adopted in pursuance thereof.

Mr. COCKRELL. Before that amendment is adopted I wish to suggest a word. It now reads "or to sell or offer for sale any domestic animal affected with such diseases, or has been exposed presumably thereto." It ought to read "or which has been." After the word "or" I suggest the insertion of "which."

The PRESIDING OFFICER. If there be no objection the amendment of the Senator from Missouri is agreed to.

Mr. HARRIS. I would suggest to the Senator from Virginia in charge of the bill that in section 5, line 3, where the words "or District" occur, they should be stricken out. I doubt the power of Congress to interfere with the transportation of animals from one district in the same State to another.

Mr. JOHNSTON. That means the District of Columbia.

Mr. HARRIS. Then put in "the District of Columbia" instead of "District," and that will obviate the objection.

Mr. JOHNSTON. Then I move to insert in lieu of "District" the words "District of Columbia."

Mr. HOAR. That does not mean judicial district.

The PRESIDING OFFICER. The amendment will be read as amended.

The SECRETARY. After the word "or" in line 3, section 5, it is proposed to insert "the," and after "District" in the same line, to insert "of Columbia."

The amendment was agreed to.

Mr. JOHNSTON. The words "of Columbia" should be inserted in the subsequent line after "District."

Mr. HARRIS. "Or said District."

The SECRETARY. After the last word "or," in line 3, it is proposed to insert "said."

Mr. HARRIS. That will do.

The PRESIDING OFFICER. This amendment will be considered as agreed to.

Mr. THURMAN. Mr. President, no one can overrule the importance of this subject, and no one Senator is more disposed to give it a careful consideration and to find out some mode by which the country can be protected from the calamity that has befallen other countries from contagious diseases in live stock than I am. I come from a State eminently agricultural, one that has in it as many fine cattle, perhaps, as any State in the Union, as many intelligent stock-raisers as any State in the Union; and they feel the keenest interest in this subject. But, with due respect to the committee that reported this bill which I have just read for the first time this afternoon—for it was reported not a great while ago—I regret that this bill does not seem to me, upon the first reading of it, to be what the occasion requires. There is an immense amount of machinery in this bill. We have this new institution of Government, the National Board of Health, brought in, that was established to protect human beings, and now its duties are to be extended to protect the brute creation as well as human beings; and we have a provision that I confess on the first reading of the bill I cannot understand at all, as to the officers created by this bill being aids assisting and encouraging the State authorities in their efforts to suppress contagious diseases. And we have some other provisions in the bill that strike me as a little curious and that might give rise to some little trouble.

The bill nowhere says that diseased cattle shall be slaughtered, and yet there seems to be an implication that they may be; but by whom does not very clearly appear; under what authority does not very clearly appear; but if I understand it aright they are to be slaughtered under State authority, and then, if slaughtered under

State authority, they are to be paid for by the United States. What is this provision?

*Provided, however.* That a sum not exceeding two-thirds the market value of a healthy animal shall be allowed for an infected or diseased one, and a sum not exceeding \$100 may be paid in special cases, but no animal shall be considered of special value unless he be purely bred, and the pedigree found duly recorded in a well-established herd-book.

Mr. President, I think that would trouble the farmers of Illinois, and the farmers of Indiana, and the farmers of Ohio. I think this pure-bred animal, with the pedigree in a well-established herd-book, will be a thing that the farmers will not very well understand out there, and they have to furnish that book before they can get \$100 for an animal that, if healthy, they could sell to the next butcher for that sum.

Mr. President, I want most earnestly some action on this subject. I entertain the highest possible respect for the committee that reported this bill, and I know it was an extremely difficult subject that they had to deal with. It has been found extremely difficult in England, with an omnipotent Parliament and a comparatively small territory; and it must be much more difficult under our system of government, with our State authorities and the doubtful power of Congress over the subject.

Mr. President, this is not a bill to be passed without consideration; it is a bill that every Senator ought to read and carefully consider, and I really feel that I owe an apology for even the few remarks I have made that might seem not to be in favor of the bill, from the fact that I have just picked it up and read it. But it is a matter of such vital importance to the cattle-raising portions of this country, of such vital importance to my own State, that I cannot consent to allow a bill to pass which may prove an utter failure, when full consideration might make of it a wise and beneficent measure. In order to give Senators time to read and consider this bill, I move that the Senate proceed to the consideration of executive business.

Mr. JOHNSTON. I hope that motion will not be adopted. Let the bill be read through, and let us go as far as we can.

Mr. THURMAN. It has been read through.

The PRESIDING OFFICER. The reading has not been completed.

Mr. THURMAN. As there is a message from the House, I withdraw my motion.

#### DEATH OF REPRESENTATIVE FERNANDO WOOD.

A message from the House of Representatives, by Mr. THEODORE F. KING, one of its clerks, communicated to the Senate intelligence of the death of Hon. FERNANDO WOOD, late a Representative from the State of New York, and transmitted the action of the House thereon.

Mr. BAYARD. I ask that the resolutions of the House be reported.

Mr. HARRIS. I suggest to the Senator from Delaware that the funding bill be laid before the Senate as the business under consideration when the resolutions are read.

Mr. BAYARD. The Senator misunderstands me. I have asked that the message of the House be read for the information of the Senate.

The PRESIDING OFFICER. The message will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES,  
February 14, 1881.

*Resolved.* That this House has heard with deep regret of the death of Hon. FERNANDO WOOD, late a Representative from the State of New York.

*Resolved.* That a committee of nine members be appointed by the Speaker to take order for superintending the funeral of Mr. Wood; and that, as a mark of the respect entertained by the House for his memory, his remains be removed from Hot Springs, Arkansas, to the city of New York in charge of the Sergeant-at-Arms, and attended by said committee, who shall have full power to carry this resolution into effect.

*Resolved.* That the Clerk communicate the foregoing resolutions to the Senate.

*Resolved.* That, as an additional mark of respect to the memory of the deceased, the House do now adjourn.

Mr. BAYARD. Mr. President, I offer the following resolutions and ask for their present consideration:

*Resolved.* That the Senate has received with sensibility the message of the House of Representatives announcing the death of Hon. FERNANDO WOOD, a Representative from the State of New York.

*Resolved.* That as a mark of respect for the memory of the deceased, the Senate do now adjourn.

The resolutions were unanimously agreed to; and (at four o'clock and fifty-five minutes p. m.) the Senate adjourned.

#### HOUSE OF REPRESENTATIVES.

MONDAY, February 14, 1881.

The House met at eleven o'clock a. m. Prayer by the Chaplain, Rev. W. P. HARRISON, D. D.

The Journal of Saturday last was read and approved.

#### ORDER OF BUSINESS.

Several members demanded the regular order.

The SPEAKER. The regular order being demanded, the Chair, as required by the rules, will now call the States and Territories in alphabetical order for the presentation of bills and joint resolutions for printing and reference. Under this call joint and concurrent resolu-

tions and memorials of State and territorial Legislatures can be presented and appropriately referred; and resolutions of inquiry directed to heads of the Executive Departments are in order for reference to the appropriate committees, which latter resolutions are to be reported to the House within one week.

#### HARBOR OF REFUGE, TRINIDAD, CALIFORNIA.

Mr. BERRY presented a concurrent resolution of the Legislature of the State of California, relative to a harbor of refuge at Trinidad, in that State; which was read, and referred to the Committee on Commerce.

#### JUTE MACHINERY.

Mr. PAGE introduced a bill (H. R. No. 7162) instructing the Secretary of the Treasury to admit free of duty certain jute machinery for the use of the California State prison, at San Quentin; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

#### NEW LONDON NAVY-YARD.

Mr. WAIT. I present a joint resolution of the Legislature of the State of Connecticut, concerning the New London navy-yard. I ask that this resolution be read and go into the RECORD.

The SPEAKER. It may be read; but the reading of a bill or resolution during this hour does not take it into the RECORD. The Chair cannot at this time ask unanimous consent for the printing of the paper in the RECORD. That can be asked after this hour is concluded.

Mr. WAIT. Let it be read.

The joint resolution was read, and referred to the Committee on Appropriations.

#### FRANCES THATCHER.

Mr. WAIT also introduced a bill (H. R. No. 7163) granting a pension to Miss Frances Thatcher, on the ground of military services rendered by her father and grandfather; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

#### JULIAETT PRESCOTT.

Mr. MILES introduced a bill (H. R. No. 7164) directing the issue of a duplicate check to Juliaett Prescott, a pensioner of the United States; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

#### LIGHT-HOUSE, DOG ISLAND, APALACHICOLA BAY.

Mr. DAVIDSON presented a joint resolution of the Legislature of Florida, asking for the erection of a light-house on Dog Island, at the east pass of Apalachicola Bay; which was referred to the Committee on Commerce.

#### DISCRIMINATION BY RAILROAD CORPORATIONS.

Mr. STEVENSON presented a joint resolution of the State of Illinois, urging the passage of such measure or measures as will relieve our commerce from unjust discrimination by railroad corporations and protect the interstate commerce of our common country by law; which was referred to the Committee on Commerce.

#### TIME FOR MEETING OF CONGRESS.

Mr. TOWNSHEND, of Illinois, introduced a bill (H. R. No. 7165) fixing the time for assembling of Congress; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

#### QUIETING TITLE TO LANDS.

Mr. HAYES (by request) introduced a bill (H. R. No. 7166) to quiet the title to certain lands in the city of Chicago, Illinois, in the heirs of Jean Baptiste Beaubien; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

#### CONTAGIOUS DISEASES OF DOMESTIC ANIMALS.

Mr. BICKNELL presented a joint resolution of the General Assembly of the State of Indiana, for the suppression of contagious diseases of domestic animals; which was referred to the Committee on Agriculture.

#### NAVIGATION OF THE KANKAKEE.

Mr. BAKER presented a concurrent resolution of the General Assembly of the State of Indiana, urging Congress to appropriate \$100,000 to improve the navigation of the Kankakee in the States of Indiana and Illinois; which was referred to the Committee on Commerce.

#### PLEURO-PNEUMONIA.

Mr. BAKER also presented a joint resolution of the General Assembly of the State of Indiana, asking the enactment of laws by Congress to prevent the spread of contagious pleuro-pneumonia among domestic animals; which was referred to the Committee on Agriculture.

#### RESOLUTIONS STATE OF INDIANA.

Mr. HOSTETLER presented a joint resolution of the General Assembly of the State of Indiana; which was referred to the Committee on Agriculture.

Mr. HOSTETLER also presented a concurrent resolution of the General Assembly of the State of Indiana; which was referred to the Committee on Commerce.

Mr. ORTH presented a concurrent resolution of the General Assembly of the State of Indiana, respecting the navigation of the Kankakee; which was referred to the Committee on Commerce.