AMERICAN CITIZENS IMPRISONED ABROAD.

The SPEAKER also laid before the House the following message from the President of the United States:

To the House of Representatives:

I transmit herewith, in reply to the resolution of the House of Representatives of the 31st of January last, a report from the Secretary of State, with accompanying papers.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April* 5, 1882.

The SPEAKER. The Chair will state that this communication is in reply to a resolution of the House making inquiry in reference to American citizens imprisoned abroad. The communication is very long; but unless there be some indication to the contrary on the part of the House, the Chair will make the usual announcement that the message and accompanying documents will be printed.

Mr. KASSON. And referred to the Committee on Foreign Affairs.

Mr. RANDALL. Let it be printed in the RECORD.

The SPEAKER. It is very voluminous and would probably fill four or five ordinary RECORDS.

The message, with the accompanying documents, was referred to the Committee on Foreign Affairs, and ordered to be printed.

LEAVE OF ABSENCE.

Mr. ATHERTON, by unanimous consent, obtained indefinite leave of absence on account of sickness.

The question being taken on the motion of Mr. BRAGG, that the House adjourn, it was agreed to; and accordingly (at five o'clock and twenty minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following memorials, petitions, and other papers were laid on the Clerk's desk, under the rule, and referred, as follows:

By Mr. BERRY: The petition of citizens of California, in favor of the Nicaragua interoceanic canal—to the Select Committee on the Interoceanic Canal.

By Mr. BLANCHARD: Papers relating to the claim of John N. Smith—to the Committee on War Claims.

By Mr. BLISS: The petition of Henry C. Murphy and others, for the passage of the bill relative to the harbor and port of New York—to the Committee on Commerce.

By Mr. BRUMM: The petition of honorably-discharged soldiers of the late war, for the passage of the bill to establish a soldiers' home at Erie, Pennsylvania—to the Committee on Military Affairs.

By Mr. CANDLER: The petition of Nathaniel Goddard and others, for the passage of the French spoliation claims bill—to the Committee on Foreign Affairs.

By Mr. CHALMERS: Memorial of the Legislature of Mississippi, relative to the waiver of forfeiture of the grant in aid of the Gulf and Ship Island Railroad—to the Committee on Railways and Canals.

By Mr. S. S. COX: Paper relating to the claim of Augustus P. Green—to the Committee on War Claims.

By Mr. DARRELL: The petition of Frank Morey, for relief—to the Committee on Elections.

By Mr. DEUSTER: The petition of J. R. Rice and others, citizens of Hartford, Wisconsin, praying for the passage of the bill for the relief of Mary Wiley—to the Committee on Invalid Pensions.

By Mr. S. S. FARWELL: Papers relating to the claim of Albert Wood—to the Committee on Claims.

By Mr. C. B. FARWELL: The petition of J. J. Green, for compensation for building sold Quartermaster's Department at Camp Fry, near Chicago, Illinois—to the Committee on War Claims.

By Mr. FLOWER: Memorial of the Maritime Association of the City of New York, for a convention of nations having diplomatic relations with the United States, for the adoption of a common meridian—to the Committee on Commerce.

By Mr. HALL: The petition of James E. Lathrop and others, citizens of Dover, New Hampshire, for the passage of the Lowell bill to establish a uniform system of bankruptcy throughout the United States—to the Committee on the Judiciary.

By Mr. HARMER: The resolutions of the Commercial Exchange, of the board of managers of the Maritime Exchange of the city of Philadelphia, protesting against the extension of patents on the steam grain-shovel—severally to the Committee on Patents.

Also, the resolution of the Philadelphia Medical Society, for the passage of the bill to prevent the adulteration of food and drugs—to the Select Committee on the Public Health.

Also, the resolutions of the board of managers of the Philadelphia Maritime Exchange, in favor of a bill for the permanent organization of the Signal-Service as a separate and independent department—to the Committee on Military Affairs.

By Mr. MCKENZIE: Paper relating to the claim of James C. Rudd, of Owensborough, Kentucky—to the Committee on Claims.

By Mr. MILES: The petition of citizens of Fairfield County and of citizens of New London County, Connecticut, for the amendment of the militia laws—severally to the Committee on the Militia.

By Mr. MOORE: Papers relating to the claim of Ellen P. Malloy—to the Committee on War Claims.

By Mr. MORSE: The petition of Francis W. Howland and others, for the passage of the French spoliation claims bill—to the Committee on Foreign Affairs.

By Mr. PETTIBONE: The petition of Samuel Lee, to be reimbursed for expenses incurred in contested case of Lee *vs.* Rainey—to the Committee on Elections.

Also, papers in the case of Pleasant W. Fortner—to the Committee on Military Affairs.

By Mr. PHISTER: The petition of Sulser, Petsy & Co. and others, of Maysville, Kentucky, for the passage of the Brewer bill to regulate the commerce between the States pertaining to commercial travelers—to the Committee on the Judiciary.

By Mr. POST: Papers relating to the Indian-depredation claim of M. A. Hance—to the Committee on Indian Affairs.

By Mr. ROSS: The petition of John S. Applegate and others, for the passage of the Bliss bill granting pensions to all soldiers and sailors of the late war who were confined in confederate prisons—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

Also, the resolution of the Legislature of New Jersey relative to the exemption of steamers landing upon the Jersey side of the port of New York from the operations of an act of Congress approved June 15, 1878—to the Committee on Commerce.

By Mr. SCOVILLE: The petition of citizens of Buffalo, New York, protesting against the extension of the steam grain-shovel patent—to the Committee on Patents.

By Mr. THOMAS UPDEGRAFF: The petition of C. S. Bentley and others, officers of the Iowa militia, for an amendment of the militia laws—to the Committee on the Militia.

By Mr. C. G. WILLIAMS: Memorial of G. W. Lawrence and 36 others, citizens of Janesville, Wisconsin, for the appointment of a commission to investigate the alcoholic liquor traffic—to the Select Committee on the Alcoholic Liquor Traffic.

By Mr. G. D. WISE: The petition of the widow and heirs of John C. Jones, deceased, for relief—to the Committee on War Claims.

SENATE.

THURSDAY, *April* 6, 1882.

Prayer by the Chaplain, Rev. J. J. BULLOCK, D. D.

The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Attorney-General, transmitting, in answer to a resolution of March 30, 1882, a report as to the owners of the land on the Virginia and Maryland shores above the Great Falls of the Potomac River, &c.; which was referred to the Committee on the District of Columbia, and ordered to be printed.

ADJOURNMENT TO MONDAY.

Mr. FERRY. In deference to the views and wishes of many, I move that when the Senate adjourn to-day it be to meet on Monday next.

The motion was agreed to.

PETITIONS AND MEMORIALS.

Mr. CAMERON, of Wisconsin. I have received a remonstrance against the passage of a bill introduced by the Senator from Illinois [Mr. LOGAN] signed by the two chief officers of the Grand Lodge of Good Templars of Wisconsin. Inasmuch as the memorial is short and a little out of the ordinary style of remonstrances, I will detain the Senate long enough to read it. It is addressed to the Congress of the United States, and is as follows:

We, the undersigned, in behalf of twenty thousand of the citizens of Wisconsin, whom we represent, do hereby present our remonstrance against the passage of the bill now pending before the United States Senate, introduced by Senator LOGAN, of Illinois, providing that the revenue received by the Government from the liquor traffic be apportioned to the different States of the nation, *pro rata*, as an educational fund.

We believe that if this bill becomes a law it will only serve as an additional anchor to fasten upon our people a devastating and devilish traffic, which, in our view, has not the shadow of an excuse for an existence, except as founded in avarice, unholy appetite, and the determination of the devil to make criminals and paupers of the race, for the sake of increasing the population of hell.

Respectfully submitted.

THEO. D. KANOUSE, *G. W. C. T.*
B. F. PARKER, *G. W. S.*

I retained this memorial in my desk several days hoping that the Senator who introduced the bill would be present so that he might hear what the opinion of the Good Templars of Wisconsin is in regard to the bill he had the honor to introduce. I move that the memorial be referred to the Committee on Education and Labor.

The motion was agreed to.

Mr. COKE presented a petition of citizens of Texas, praying for the repeal of the taxes now levied by the General Government upon national and other banking institutions; which was referred to the Committee on Finance.

Mr. MILLER, of New York, presented a petition of the president and eleven members of the faculty of the College of the City of New York, praying for a reform in the method of appointment to the civil

service; which was referred to the Committee on Civil Service and Retrenchment.

He also presented a petition of the Grand Lodge of Good Templars of Western New York, praying for an amendment of the Constitution of the United States to prohibit the manufacture and sale of all alcoholic beverages throughout the national domain; which was ordered to lie on the table.

Mr. DAWES. I present the petition of F. M. Holmes and a great number of business men of Boston, largely engaged in business all over the United States and interested very much in the character of any permanent system of bankruptcy that may be adopted by Congress, praying for the enactment of what is called the Lowell bill. I move that the petition lie on the table.

The motion was agreed to.

Mr. FRYE presented the petition of Charles H. Campbell and Augustin A. Arango, of New York City, praying to be indemnified for losses sustained by them of cargo on board the Mary Lowell; which was referred to the Committee on Foreign Relations.

He also presented the petition of Mrs. Augustus E. Phillips, of New York City, widow of Dr. Augustus E. Phillips, late acting United States consul at Santiago de Cuba, praying indemnity for the injuries and losses sustained by her husband in the discharge of his duties as such acting consul; which was referred to the Committee on Foreign Relations.

Mr. PLATT presented the petition of William L. Ellsworth, praying for the repeal of the act of Congress under which letters-patent for fire-extinguishers were granted to the heirs of William A. Graham, deceased; which was referred to the Committee on Patents.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed a bill (H. R. No. 5559) making appropriations for the support of the Army for the fiscal year ending June 30, 1883, and for other purposes; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (H. R. No. 1776) for the relief of Medical Director John Thornley, United States Navy; and

A bill (H. R. No. 5588) to admit free of duty articles intended for exhibition at the national mining and industrial exposition to be held in the city of Denver in the year 1882.

HOUSE BILL REFERRED.

The bill (H. R. No. 5559) making appropriations for the support of the Army for the fiscal year ending June 30, 1883, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

REPORTS OF COMMITTEES.

Mr. PLATT, from the Committee on Patents, to whom was referred the bill (S. No. 642) for the relief of Edward L. Walker, reported it with an amendment, and submitted a report thereon, which was ordered to be printed.

Mr. McMILLAN, from the Committee on Commerce, to whom was referred the bill (S. No. 1614) making an appropriation for the erection of a light-house at or near Sakonnet Point, Rhode Island, reported it without amendment.

He also, from the same committee, to whom was referred the bill (S. No. 498) to amend section 4458 of the Revised Statutes, in relation to steamboat inspection, reported adversely thereon; and the bill was postponed indefinitely.

Mr. VEST. I am instructed by the Committee on Commerce to report adversely on the bill (S. No. 1203) to exempt vessels of less than twenty-five tons on the inland waters of the United States, and not engaged in the transportation of passengers, from inspection and license under the laws of the United States, and to recommend its indefinite postponement. I call the attention of the Senator from Florida [Mr. CALL] to the bill.

The PRESIDENT *pro tempore.* Does the Senator from Florida desire to have the bill placed on the Calendar?

Mr. CALL. Yes, sir.

The PRESIDENT *pro tempore.* The bill will be placed on the Calendar with the adverse report of the committee.

Mr. MILLER, of New York. I am directed by the Committee on Post-Offices and Post-Roads, to whom was referred the bill (S. No. 1416) to provide for ocean mail service between the United States and foreign ports, to report it with an amendment.

Mr. MAXEY. I desire to state that that is not a unanimous report of the committee.

APPRAISERS AT NEW ORLEANS.

Mr. KELLOGG. I am directed by the Committee on Commerce, to whom was referred the bill (S. No. 1558) to amend section 2569 of the Revised Statutes, to report it without amendment. I ask unanimous consent that the bill be put on its passage. It is very short, and I am sure there will be no objection to it.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It amends section 2569, paragraph 1, of the Revised Statutes, by striking out the words "two appraisers and one assistant appraiser," and inserting in lieu thereof "one appraiser and two assistant appraisers."

Mr. KELLOGG. I will state that there is a letter from the Secretary of the Treasury recommending the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to amend section 2569 of the Revised Statutes, in relation to appraisers at the port of New Orleans, Louisiana."

COPYRIGHT MARK.

Mr. HOAR. I am directed by the Committee on Patents to report and recommend the passage of the bill (S. No. 1582) to amend the statutes in relation to copyright. I am compelled to go out of town for perhaps a week or ten days, and I am desirous to have this bill put on its passage at once. I ask unanimous consent to put it on its passage now. Let it be read for information first; it is a very plain bill.

The Acting Secretary read the bill.

By unanimous consent, the bill (S. No. 1582) to amend the statutes in relation to copyright, was considered as in Committee of the Whole. It provides that manufacturers of designs for molded decorative articles, tiles, plaques, or articles of pottery or metal subject to copyright may put the copyright mark prescribed by section 4962 of the Revised Statutes, and acts additional thereto, upon the back or bottom of such articles, or in such other place upon them as it has heretofore been usual for manufacturers of such articles to employ for the placing of manufacturers', merchants', and trade marks thereon.

Mr. HOAR. The Revised Statutes require the copyright of all copyrighted articles of this kind to be inscribed on the face of the article. A large and increasing and very interesting industry has grown up in Cincinnati, Ohio; Lakeville, Ohio; Chelsea, Massachusetts, and in Pennsylvania and New Jersey, in pottery, vases, encaustic tiles, and ornamental works of art, like busts and medallions. All these articles are glazed, and the glazing on the face burns up the copyright mark. There is no reason why the mark should not be put on the back; it will be seen just as well when the articles are sold in the shops. That is the way it is done in Europe, and has been from time immemorial.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SURVEYOR AT NEW ORLEANS.

Mr. KELLOGG. The Committee on Commerce have instructed me to make a favorable report on the bill (S. No. 1592) fixing the salary of the surveyor of the port of New Orleans. It is a bill of only two or three lines, and I ask unanimous consent that it be passed now.

Mr. SHERMAN. I do not think that bill ought to be considered except in connection with other salaries.

Mr. KELLOGG. If the Senator will give me his attention one moment I think he will not object. Two years ago the salary was reduced from $4,500 to $3,000. It is now $500 less than at San Francisco and other ports. I hold in my hand a letter from Secretary Folger recommending that the bill be passed. It was sent here with the bill. I will have it read if the Senator from Ohio desires. I apprehend there can be no possible objection to the bill. It is a matter of simple justice. The bill is unanimously reported from the Committee on Commerce.

Mr. SHERMAN. I do not think it ought to be considered except in connection with other salaries.

Mr. KELLOGG. If the Senator will read this letter he will see the justice of it.

Mr. DAVIS, of West Virginia. It appears to me that this measure would affect other ports; that it would disturb the relations of all. I think the bill ought to go on the Calendar and be properly considered.

Mr. KELLOGG. I hope the Senator will not object. I am sure if the Senator understands it he will not object.

Mr. DAVIS, of West Virginia. I withdraw any objection to the bill.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It fixes the salary of the surveyor of the port of New Orleans at $4,500 per annum.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDIANS AT CHEYENNE AND ARAPAHOE AGENCY.

Mr. DAWES. I desire to ask the attention of the Senate a moment to a bill which I ask leave to introduce and put upon its passage. I will give the reasons for it as soon as it is read.

By unanimous consent, leave was granted to introduce a bill (S. No. 1654) to provide for a deficiency in subsistence for the Indians, which was read the first time at length, as follows:

Be it enacted, &c., That the sum of $50,000, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of the Interior in subsistence and care for the Indians in charge of the Cheyenne and Arapahoe agency in the Indian Territory.

The bill was read the second time, and considered as in Committee of the Whole.

Mr. DAWES. I ask that the letter from General Pope which I send to the desk be read.

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

The Acting Secretary read as follows:

STARTLING STATEMENTS—STARVING INDIANS GROWING DESPERATE—THE PRESIDENT'S ACTION.

Major William McKee Dunn, captain Second Artillery, the senior aid-de-camp on the staff of General Pope, received a letter here from his chief yesterday, from which the following excerpt is taken:

"FORT LEAVENWORTH, *Kansas, April* 3, 1882.

"I leave to-morrow for Reno. The situation is plain. The Indians cannot live on reduced beef rations. There are 100,000 cattle grazing not far from there. Rather than starve they will do as we would do—take by force what cattle are needed to keep them and their families from starving. This will provoke Indian hostilities, which will lead God knows where. The only legal act that the military can do is to make them starve peaceably—a most inhuman service. Some department of the Government should assume the responsibilities of spending a few thousand dollars for beef rather than have an Indian outbreak on a large scale. There is no game to subsist Indians in this Indian Territory. Is it really the intention of the Government for such a paltry sum to plunge the frontier in the war with Indians or to assemble a strong military force to force these unhappy creatures to starve in peace? There will be a fearful responsibility somewhere if this matter is not settled now. It can be done in one hour. Should I find nothing done when I reach Reno I shall probably assume the responsibility myself. I had rather suffer anything myself than to see an Indian outbreak so inexcusable, unjust, and fraught with such dreadful consequences. There is no reason in it. You show this to the Secretary of War.

* * * * * * *

"JOHN POPE,
"*Brevet Major-General Commanding.*

"Major WILLIAM MCKEE DUNN,
"*Washington, D. C.*"

General John Pope left Fort Leavenworth Tuesday afternoon for the Indian Territory to take prompt measures for preventing the anticipated outbreak at the Cheyenne and Arapahoe agency. Before leaving he telegraphed the alarming condition of affairs to the Secretary of War, and stated that, unless he was directed otherwise by telegraph, he would on arrival at the scene of trouble proceed to seize such numbers of cattle from the numerous herds in the neighborhood as will enable him to fully ration the Indians. President Arthur yesterday afternoon directed Secretary Lincoln to telegraph General Pope instructions authorizing him officially to take possession by seizure of all cattle that can be found within reach to supply the Indians. General Pope, in going from Fort Leavenworth to Reno, took one troop of the Ninth Cavalry with him from Fort Riley and three more troops of the same regiment and a company of infantry from Fort Harker. Other forces in the Department of the Missouri have also been ordered to Fort Reno to prevent the outbreak which is so much feared.

Mr. DAWES. I wish to say a word in addition to that statement. This condition of things was presented to the Committee on Appropriations pending the Indian appropriation bill. Previous to that the Department had asked for $100,000 to meet the deficiency at this agency. In the urgent deficiency bill $50,000 was granted, but when the Indian appropriation bill was before the Committee on Appropriations the Department was very anxious that $80,000 more should be put in that bill. Our Committee on Appropriations authorized the insertion of $50,000 to be made immediately available. That has gone through the Senate, and is, or soon will be, pending in conference. It will be very likely a week or ten days before that bill can become a law. If the $50,000 which was added to that bill may be put in a separate bill in this shape, probably it may go through the other branch without much delay, and so far as is possible the contingency and the necessity will be met.

It is true that there is a large deficiency at that Indian agency, and possibly if the authorities there had in the beginning of the year attempted to extend over the whole year the economical measures with which the appropriation act set out in the beginning, they might have found themselves in less trouble at this moment. I do not know how those facts may be. I only know that the Indians are actually in want there, having exhausted entirely the appropriation granted them in the regular appropriation act and the $50,000 in the urgent deficiency act, and those Indians, who are not of the most peaceable character, are without the rations which the policy of the Government has been to furnish them from day to day as if they were an army of the United States entitled to support by rations from the Government. That is the actual condition of things.

Mr. MORGAN. I wish to ask the chairman of the Committee on Indian Affairs if he has any reliable information as to the cause of this sudden deficiency? I wish to call his attention to the fact that Little Chief's band of these Indians, probably some three or four hundred, were allowed to withdraw from the Cheyenne and Apache territory some time during the early part of the past winter; and I cannot understand why, after the withdrawal of three or four hundred who have hitherto been supported there, there is such a deficiency as is made out here now.

Mr. DAWES. It is true that two or three hundred of the band of Little Chief were taken from that agency late in the season, as I understand, but it was necessary to provide them with subsistence to some extent, as they went away from the agency. How much that drew upon the subsistence for the year I am not able to answer the Senator from Alabama; but the deficiency arises, I am informed, largely from the fact of the increase in the price of beef. Beef is largely, almost entirely, the element of subsistence of those Indians, and the price of beef is somewhere in the neighborhood of a third higher than it was when the estimate was made and when the regular appropriation act of last year was passed.

Mr. PLUMB. Mr. President, I am not going to oppose the appropriation of the money named in the bill of the Senator from Massachusetts; but I desire to call attention to something which, I think, if not peculiar, is at any rate somewhat extraordinary in regard to this appropriation.

The appropriation for the subsistence of these Indians last year was $350,000. At the time the awards were made for food and for all supplies, nearly a year ago, the Indian Bureau knew absolutely how much of a ration that money would enable them to give to the Indians. They had before them the limitation which had been put by a solemn act of legislation upon their action. Congress had distinctly stated that $350,000 should suffice for the discharge of all the Government's obligations to those Indians. It must be borne in mind, too, that this is not a treaty obligation; that this is apart from and in addition to treaty obligation; it is a gift. Congress said last year "We will give $350,000 for the support of these Indians, and we will not give any more." It was the business of the executive department of the Government to bring its operations within that appropriation, and if there was to be a diminution of the ration to make it from the beginning of the year.

Instead of that, these Indians were given full rations from the beginning, as though Congress had provided for full rations, notwithstanding the bureau knew absolutely from the moment the awards were made that full rations could not be given throughout the entire year. Thus it is that we are confronted by a total deficiency for nearly a quarter of the year; while, if the ration had been apportioned during the entire year according to the appropriations, there would have been only a small daily diminution; not enough to have made any serious difference.

It therefore appears that the limitation fixed by legislation was of no avail. Congress appropriates, but the Departments expend, and they expend in defiance of the appropriation. It is equally true that every other thing which the Department thought the Indians should have was bought in full supply, notwithstanding the knowledge that there would be a deficiency in the food supply. Every bit of calico, every trinket, every bit of clothing, and everything of that kind was bought up to the maximum, notwithstanding it diminished the food just that much It is time, I think, that Congress should have some control of this Indian question and that the executive department of the Government should have such control, and such only, as Congress may confer.

There is another very significant thing. I have in my hand Executive Document No. 100, in which it is shown that for the fiscal years 1877, 1878, 1879, 1880, and 1881 the Department did not expend all the funds which the treaty obligations of this Government required to be expended for the benefit of these Indians by $28,205.39. We give to one tribe of these Indians $20,000 a year to be expended for beneficial objects; we give to another tribe $30,000 a year to be expended for the same purpose; and both of these sums to be expended in the discretion of the President for the benefit of the Indians. Out of that appropriation he can purchase food, clothing, blankets, or anything else he may choose, and yet, while the Department has been creating a deficiency every year for food, they have been accumulating a surplus out of the funds of the Indians until there is now in the Treasury $28,205.39 of their own money left, and we are called on now to make an appropriation of $130,000 to make up a deficiency in last year's supply alone. That is "eating the cake and keeping it," if I know anything about what that phrase means.

Besides that, we have employed these Indians to carry the freight of the Government. They have been employed by private parties for the same purpose; they have been employed by the Army for the same purpose; and yet notwithstanding the fact that by the means the Government has put in their hands they have been able to earn something, they have earned that and kept it, and have called upon the Government for the full pound of flesh which they had in the beginning. I said a pound, but I meant two pounds. A soldier who served the Government for $13 or $16 a month got a pound and a quarter of beef "'round," as the saying is, including bone, hide, and horns. These Indians get two pounds a day of beef, and the hides are given to them in addition; and yet, because they are threatened with a reduction of a portion of that supply, they say, "We will go upon the war path." It is a little thing, of course, to save a row and a war by the appropriation of $100,000, but if we do it this year we shall have to do it next year. If we knuckle to these people now and establish the principle that the executive department may pledge the Government beyond the appropriation, and then let these Indians say, "We will have just as much as we want or we will go on the war path, and compel you to come down," where is to be the end of it?

During all the years this appropriation has been going on the Department has done little if anything to make these Indians self-supporting. They lean upon the Government stronger and harder every year for support. They are not only idle, but they are insolent in their idleness, and the conduct of the Department tends to encourage that insolence and make it more effective. We are acting now under the compulsion of a dispatch from the commander of the department in which these Indians are located, saying in substance they must have $80,000, in addition to a fifty-thousand-dollar deficiency already voted, or else there will be an outbreak. This amount of money can be spared and the Treasury not be paralyzed; but it is the principle of the thing, in the first place, as applied to the action of the executive department, and, in the next place, as applied to our dealings with these Indians. The Indians will never do a thing for their

self-support so long as we concede to them every single thing which their distended stomachs demand, and the demand increases with every new concession. They are getting more from the Government to-day than they got five years ago, and the question of their independence of Government support recedes every year.

The estimate of the Department for the coming year for the support of these Indians is $400,000, and yet for the last year we gave them $350,000, and we put $50,000 in the urgent deficiency act, making $400,000. We have put $50,000 more into the Indian appropriation bill, making $450,000; and yet the Department says we must put in $30,000 more or there will still be a war.

I think the executive department ought to commence with the beginning of the year and say, "Congress says a certain amount of money shall be applied to your support during this year, and we apportion the ration during the whole 365 days; we will not give you what you want for the first 300 or the first 250 days, and then confront the Government with the consequences of your starvation during the remaining portion of the year." In the next place, if we do not quit this indiscriminate feeding we have got to keep it up just so long as the Indians live, and they will live to an uncomfortable old age if we keep them in idleness.

As I said, this is apart wholly from the question of whether we shall give this money, but it is a good time to call attention to the inherent vice of all our dealings with the Indians. We simply give the money according to the demand of the Department, and we ask for nothing in return, only that there shall not be a war. We are perpetuating this condition of things; we are not discharging our obligations to the Indians as we ought, and we are not discharging our obligations to the Government in not calling a halt in this unwise, expensive, and vicious policy.

Mr. DAWES. It is probable that if this bill shall pass the amendment to the regular Indian appropriation bill increasing the amount $50,000 will be non-concurred in. Of course I cannot speak with authority; but it is very probable that that will be the result.

Mr. INGALLS. Mr. President, the gravity of the delinquency of which the Secretary of the Interior has been guilty in this transaction is made more apparent when it is known that a diminution of the beef rations of one-sixteenth part at the beginning of the year would have made the appropriation extend liberally over the entire fiscal twelve months; that is, had the already extravagant beef ration of the Indians been diminished by four ounces per day the appropriation would have carried the Department entirely through till the 1st of July next.

Mr. COCKRELL. What excuse does the Department give for not having made the ration extend with the appropriation during the entire year?

Mr. INGALLS. I am not here as the apologist or champion or defender of the Indian policy of the Interior Department. I merely wanted to accentuate and emphasize what my colleague had said by calling attention to the fact that in direct violation of the instructions of Congress, when the amount of money had been appropriated and was definite, with information as to the number of rations to be issued, rather than diminish the ration one-sixteenth per Indian they preferred to issue a full ration of two pounds per Indian per day, and let us meet a deficiency before the year was three-fourths expired. I say that in private transactions that would be a breach of trust, and if this Government were properly administered cases of that kind would constitute impeachable offenses.

I have nothing to say about the propriety of voting this appropriation. We are confronted by a bloody exigency. It is a question now whether we shall appropriate this $50,000 or meet with the possibility of blood, reprisals, and massacres. Of course there can be no question which is best to be done, but I say that if there is a drop of blood shed, if there is a cabin burned or a dollar's worth of property destroyed, the fault is with the Secretary of the Interior, and that Department is directly responsible for it.

Mr. DAWES. I think it is due to the Interior Department to say in its behalf that the amount of beef per day which has been meted out during the last year is according to the rule that has prevailed ever since the Government undertook to support the Indians down at that agency. The Department could not tell how much a pound of beef would cost until after they had advertised for the lowest bid, and that was after the appropriation bill had become a law. The amount fixed in the statute could not control the contract, because the contract must be given to the lowest bidder, and must be given after the bill passed; so that the Interior Department of the present day is not answerable for the amount of beef, nor is the Interior Department answerable for the cost of the beef. They could not measure the amount of beef by the amount of the appropriation; the two had to go on independent positions. They could not control the price of the beef any more than they could control the amount of the appropriation. This much ought to be said in behalf of the Interior Department.

After the contract was made and after the appropriation was made, it is possible that the Interior Department might have involved us in this difficulty earlier than now by cutting down the rations. Some other policy than that forced upon the Interior Department by the laws of Congress, of which we are a part, is necessary before we meet the difficulties which the Senators from Kansas have very properly called the attention of the Senate to, rather I think than lay it at the door of the Interior Department.

Mr. MORGAN. Perhaps it is not my duty to defend the Secretary of the Interior in reference to this matter now called to the attention of the Senate by the Senators from Kansas, but the Senate should remember that there was a select committee to investigate the condition of the Cheyenne and Arapahoe Indians.

Mr. DAWES. I cannot hear the Senator from Alabama.

The PRESIDENT *pro tempore*. The Senator from Alabama either does not talk loud enough or there is too much talk in the Senate Chamber.

Mr. HARRIS. If the Senator from Alabama will allow me, I should like to ask what question is before the Senate?

The PRESIDENT *pro tempore*. The question is whether the Senate will pass an appropriation bill of $50,000 to keep these Indians from starving.

Mr. HARRIS. Has the Senate consented to consider the bill during the morning hour?

The PRESIDENT *pro tempore*. Long ago.

Mr. HARRIS. The unanimous consent of the Senate has been obtained?

The PRESIDENT *pro tempore*. It has.

Mr. HARRIS. I made the inquiry because I was inclined to object to its consideration to-day.

The PRESIDENT *pro tempore*. There are only five minutes more remaining until one o'clock.

Mr. MORGAN. I do not feel that I am called upon to do a day's work here as a man would with a maul and an ax in order to make myself heard in the Senate. I do not desire to put myself to that much physical labor in order to get what views I have on public questions expressed in this body, but I am not responsible if I cannot speak loud enough.

The present Secretary of the Interior was the chairman of a select committee of the Senate to investigate the condition of the Cheyenne and Arapahoe Indians. He took with him a committee who were very diligent and made a very thorough investigation, and he reported the facts to the Senate and recommended the adoption of certain resolutions, which, if they had been adopted at the time, would, I think, have materially contributed to placing the Cheyennes and Arapahoes upon a self-sustaining footing.

It is the fault of Congress more than that of the Secretary of the Interior that this matter has not been attended to already. We have allowed these Indians to remain there in their virtual condition of prisoners of war, for that is their actual condition, supported by the Government of the United States, without affording them any real facilities for self-sustentation, and they will get in no better condition as long as we observe the policy toward them that we have heretofore done.

I merely desired to make these observations in justification of the action of the Secretary of the Interior as far as they go. There is certainly an excuse in the present condition of these Indians, who are kept there without employment and without the means of making a living. They have not the facilities for making a living upon that soil. Irrigation is an indispensable necessity to their support, or else they must be furnished with herds of cattle to graze over those wide plains from which they can get a subsistence. One of those two conditions is an absolute necessity, and Congress has neglected to provide either of them. The result, therefore, is that when the price of beef goes up in the market the appropriation falls short of purchasing a sufficient supply, and the Indians are left to starve or to feed themselves by depredations. That is the exact situation, and I desired only to say that much in justification or rather in vindication of the Secretary of the Interior.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Mr. FARLEY asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1655) to execute certain treaty stipulations relating to Chinese; which was read twice by its title, and referred to the Committee on Foreign Relations.

Mr. ROLLINS asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1656) to enable corporations to become sureties on official bonds; which was read twice by its title, and referred to the Committee on the Judiciary.

Mr. COCKRELL. At the request of a reputable attorney of the District of Columbia, I ask leave to introduce a bill of the merits of which I know nothing.

By unanimous consent, leave was granted to introduce a bill (S. No. 1657) for payment to Daniel Donovan for additional labor and services rendered the District of Columbia; which was read twice by its title, and referred to the Committee on the District of Columbia.

Mr. HARRIS asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1658) to increase the salary of the surveyor of the port of Memphis; which was read twice by its title, and referred to the Committee on Commerce.

Mr. McPHERSON asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1659) granting a pension to Mrs.

Ellen M. Boggs; which was read twice by its title, and referred to the Committee on Pensions.

Mr. HAWLEY (by request) asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1660) authorizing the appointment of a commission of colored men to inquire into and report upon the industrial, intellectual, and material progress of thecolored people of the United States since the war, and making appropriations for the same; which was read twice by its title, and referred to the Committee on Education and Labor.

Mr. PLUMB asked and, by unanimous consent, obtained leave to introduce a bill (S. No. 1661) granting a pension to Mary E. McConnell; which was read twice by its title, and referred to the Committee on Pensions.

FOX AND WISCONSIN RIVERS IMPROVEMENT.

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

Resolved, That the Attorney-General be, and he is hereby, instructed to report to the Senate the amount of judgments or awards, and in whose favor rendered against the Government, by the courts or by duly appointed commissioners, and from which no appeal has been taken, for damages occasioned by the erection of dams on the Fox and Wisconsin Rivers improvement in the State of Wisconsin.

POWERS & NEWMAN.

The PRESIDENT *pro tempore*. If there be no further "concurrent or other resolutions" the morning hour has expired, and the Senate proceeds to the consideration of the Calendar under the Anthony rule.

The first bill on the Calendar was the bill (S. No. 826) for the relief of Powers & Newman and D. and B. Powers.

The PRESIDENT *pro tempore*. The Chair calls the attention of the Senator from Kansas, [Mr. INGALLS.] Does the Senator desire the bill considered, the report not having been printed?

Mr. INGALLS. Then I prefer it to retain its place on the Calendar, to be considered when the report comes in.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

S. W. MARSTON.

The bill (S. No. 1035) to authorize the Secretary of the Interior to settle the claims of S. W. Marston, late United States Indian agent at Union agency, Indian Territory, for services and expenses, was considered as in Committee of the Whole. It proposes to authorize the Secretary of the Interior to cause to be examined and audited the claims of S. W. Marston, late United States Indian agent at Union agency, Indian Territory, for services rendered and expenses incurred by him in the months of July, August, September, and October, 1878, which claims were transmitted to the Office of Indian Affairs about November in that year, and to pay to him whatever sum of money may be found to be justly due to him for such services and expenses, not exceeding in amount $448.10.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

KINSEY B. CECIL.

The bill (S. No. 281) to confirm the title to certain lands in Platte County, Missouri, and authorize patents to be issued therefor to Kinsey B. Cecil, was considered as in Committee of the Whole.

The preamble recites that George Smith did, on the 9th of April, 1862, make entry at the United States land office at Boonville, Missouri, of the northeast fractional quarter and the southeast fractional quarter, (west of Bee Creek,) section 31, township 53, range 35, containing 19.52 acres, per cash certificate numbered 38378, dated April 9, 1862; and that Joseph Meyer did, on the 9th of April, 1862, make entry at the United States land office at Boonville, Missouri, of the northwest fractional quarter of the northeast fractional quarter, (west of Bee Creek,) section 31, township 53, range 35, containing 1.73 acres, per cash certificate numbered 38377, dated April 9, 1862; and that the purchase-money for these fractions of land is still retained by the Government of the United States, and the lands have long since passed into the hands of innocent purchasers, who have occupied the same, paid taxes, and made valuable improvements thereon, having had no notice that the entries had been canceled until recently. The bill therefore confirms the enties described, and authorizes patents to be issued for the lands described to Kinsey B. Cecil, the assignee of George Smith and Joseph Meyer.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

The PRESIDENT *pro tempore*. The question is on the preamble.

The preamble was agreed to.

CORNELIA A. SHULTZ.

The next bill on the Calendar was the bill (S. No. 1202) granting a pension to Cornelia A. Shultz.

The PRESIDENT *pro tempore*. The Senator from New Hampshire [Mr. BLAIR] introduced this bill, but it has not been referred to any committee.

Mr. BLAIR. That bill may be passed over for the present.

The PRESIDENT *pro tempore*. It will be passed over.

Mr. BLAIR. Without prejudice?

The PRESIDENT *pro tempore*. That will be the understanding.

DIPLOMATIC AND CONSULAR OFFICERS.

The next bill on the Calendar was the bill (S. No. 1190) for the relief of diplomatic and consular officers of the United States.

Mr. WINDOM. Let that bill be passed over for the present.

The PRESIDENT *pro tempore*. It will be passed over.

P. L. WARD.

The bill (S. No. 999) for the relief of P. L. Ward, widow and executrix of William Ward, deceased, was considered as in Committee of the Whole. It provides for the payment to P. L. Ward, executrix of William Ward, deceased, of Norfolk, Virginia, of $2,075.13, in full satisfaction of all claim for beef and vegetables furnished by William Ward to the United States Navy, and in full satisfaction for hay sold to the quartermaster of the United States Army.

The bill was reported from the Committee on Claims with an amendment, in line 7, after the word "beef," to insert "hay."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

PETER GALLAGHER.

The bill (H. R. No. 2223) for the relief of Peter Gallagher was considered as in Committee of the Whole. It provides for the payment of $89.57 to Peter Gallagher, of Washington, District of Columbia, due him in consequence of joint resolution approved February 28, 1867.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

B. F. ROCKEFELLOW.

The bill (S. No. 168) for the relief of B. F. Rockefellow was considered as in Committee of the Whole. It provides for the payment of $614.11 to B. F. Rockefellow on his account as postmaster at Cañon City, Colorado, or so much of that amount as shall appear to the proper accounting officer of the Government to have been paid by Rockefellow for necessary clerk hire in Cañon City post-office.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SONE AND FLEMING MANUFACTURING COMPANY.

The bill (S. No. 31) for the relief of the Sone and Fleming Manufacturing Company, limited, of the city of New York, was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, after the word "dollars," in line 6, to strike out "in gold coin of the United States;" and in line 7, after the word "cents," to strike out "in currency;" so as to make the bill read:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the Sone and Fleming Manufacturing Company, limited, of the city of New York, the sum of $5,265.73, being the amount of drawback of duties due to them on certain tin cans exported by them, but which were not entered for drawback within the time fixed by law, owing to the embezzlement of the drawback fees by their dishonest clerk; said payment to be made out of any money in the United States Treasury not otherwise appropriated.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

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

ALBERT GRANT.

The bill (S. No. 486) for the relief of Albert Grant was considered as in Committee of the Whole. It proposes to direct the Court of Claims to reopen and readjudicate the case of Albert Grant and Darius Jackson (doing business as A. Grant & Co.) upon the evidence heretofore submitted to the court in that cause, (5 Court of Claims Reports, 80,) and if the court in such readjudication shall find from such evidence that the court gave judgment for a different sum than the evidence sustains or the court intended, it shall correct such error and adjudge to Albert Grant such additional sum as the evidence shall justify, not to exceed $14,016.29; and the amount by readjudication in favor of Grant shall be a part of the original judgment in the cause recorded in 5 Court of Claims Reports, 80.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SALMON B. COLBY.

The next bill on the Calendar was the bill (S. No. 162) for the relief of Salmon B. Colby.

Mr. COCKRELL. There is an adverse report in that case.

The PRESIDENT *pro tempore*. The Senator who reported the bill [Mr. JACKSON] is not present, and it will be passed over.

Mr. COCKRELL. I object to its consideration, so that it shall not retain its place on the Calendar.

The PRESIDENT *pro tempore*. It goes to the foot of the Calendar.

NATIONAL SAFE-DEPOSIT COMPANY.

The next bill on the Calendar was the bill (S. No. 152) to amend an act entitled "An act to incorporate the National Safe-Deposit Company of Washington, in the District of Columbia," approved January 22, 1867.

Mr. TELLER. That is reported adversely.

The PRESIDENT *pro tempore*. Is there objection to its consideration?

Mr. CAMERON, of Wisconsin. I object to its consideration.

The PRESIDENT *pro tempore*. The bill will be passed over.

OFFICIAL LETTER-BOOKS OF NORTH CAROLINA.

The joint resolution (S. R. No. 18) directing copies of the official letter-books of the executive department of the State of North Carolina to be furnished to said State was considered as in Committee of the Whole. It proposes to direct the Secretary of War to cause to be made out duly-certified copies of the official letter-books of the executive department of the State of North Carolina, now in the War Department, and to be delivered to the governor of North Carolina, retaining the originals in the War Department.

The joint resolution was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

PUBLIC BUILDING AT KEY WEST.

The bill (S. No. 1230) to authorize the Secretary of the Treasury to erect a public building in the city of Key West, Florida, was considered as in Committee of the Whole.

The bill was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

PRIVATE LAND CLAIMS.

The next bill on the Calendar was the bill (S. No. 504) to provide for ascertaining and settling private land claims in certain States and Territories.

Mr. BAYARD. I think that bill had better be passed over without prejudice. I should like to say to the Senate that the bill is one of general importance for the settlement of all private land claims in the several States and Territories, and whenever we can have a discussion of it longer than the five-minute rule will allow, I will urge its consideration.

Mr. TELLER. Before the bill goes over I should like to call attention to the limitation in the bill that the Government will not recognize a grant exceeding eleven leagues.

Mr. BAYARD. There are many limitations.

Mr. TELLER. That limitation should be changed so as to apply only to grants issued after 1828. That was the time that act was passed. Previous to that there was no such limitation, and some old grants that were made many years ago included more land.

Mr. BAYARD. When the bill comes up, my friend and I can discuss that.

The PRESIDENT *pro tempore*. The bill has been passed over. The Chair calls attention to the fact that five or six other cases were reported adversely by the committee. They will be passed over, depending on the general bill.

Mr. BAYARD. I think they had better be passed over. Gentlemen may desire to discuss them.

The PRESIDENT *pro tempore*. All bills will be passed over down to order of business No. 254.

SARAH M'DONALD.

The bill (S. No. 589) for the relief of Sarah McDonald was announced as next in order on the Calendar.

The bill was read.

Mr. MORRILL. From what committee was this bill reported?

The PRESIDENT *pro tempore*. The Committee on Public Lands.

Mr. PLUMB. I will state in a moment, I think to the satisfaction of the Senator from Vermont, the facts in the case.

Mr. MORRILL. I merely rose for the purpose of saying that I do not think it necessary to make a report of the case in the preamble of a bill in the whereases inserted. All the whereases here ought to be stricken out.

Mr. PLUMB. I have not the slightest objection to that. I did not draw the bill myself, though I introduced it, and I am willing to submit to the verbal criticism of the Senator from Vermont on that point. I will state the facts in the case.

In 1866 Congress made a grant of land to the Leavenworth, Lawrence and Galveston Railroad Company and to what is now the Missouri, Kansas and Texas Railway Company. In due course of time patents were granted to those railroad companies for the alternate sections of land on their lines of road through what were known as the Osage lands, in the State of Kansas. Subsequently the Supreme Court held, by a decision rendered by the present occupant of the chair, [Mr. DAVIS, of Illinois,] that the patents issued were void, that the grant did not cover this land at all. Meanwhile the railroad companies had proceeded to sell this land to various persons, and among others to Alexander McDonald, and had conveyed to him by warranty deed. About that time the railroad companies went into bankruptcy and Mr. McDonald was remitted to his rights against them—which of course, amounted to nothing—and over to his rights against the Government.

Congress passed an act authorizing the sale of the Osage lands to actual settlers for the benefit of the Indians and reserved for persons who had purchased from the railroad companies only the right to buy one quarter-section at the appraised price. Mr. McDonald had bought five quarter-sections from the railroad companies, but could only buy one from the Government under the law by paying for it again at the rate of a dollar and a quarter an acre, leaving him four quarter-sections of land he had bought and paid for at the rate of $940 a quarter, which he had no recourse for at all. He died subsequently a bankrupt. His wife now asks simply that she may have the right to have an equal number of acres of the public land, which cannot in any case be worth one-quarter what the land was that he bought and paid for in lieu of this land conveyed to him thus under the sanction of a patent of the Government.

Mr. FERRY. I ask the Senator whether the lands are wholly within the State of Kansas?

Mr. PLUMB. Wholly within the State of Kansas.

Mr. SHERMAN. I think the recitals in this bill ought never to be entered in the statute. I object to it to-day, without prejudice however, so that the matter may be put in proper form. I know nothing about the facts.

The PRESIDENT *pro tempore*. The bill goes over.

Mr. PLUMB. Without losing its place on the Calendar?

Mr. SHERMAN. Certainly. I think we had better look into the phraseology of the bill.

Mr. PLUMB. The preamble may be left out.

Mr. SHERMAN. That will involve a change in the body of the bill.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

DIPLOMATIC AND CONSULAR OFFICERS.

The PRESIDENT *pro tempore*. The Chair passed over the bill (S. No. 1190) for the relief of diplomatic and consular officers of the United States, which the Senator from Minnesota [Mr. WINDOM] wishes to have considered now.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to authorize the President of the United States, in his discretion, to direct the payment, from the appropriation for contingent expenses of foreign intercourse, of the necessary expenses attending the last sickness and funeral of any diplomatic officer of the United States, consul-general, consul, or consular clerk, who may die in a foreign country, when it shall appear to him that the deceased was pecuniarily unable to pay the same.

The bill was reported to the Senate without amendment, and ordered to be engrossed for a third reading.

Mr. DAVIS, of West Virginia. I wish to ask the Senator from Minnesota whether this is a general bill respecting the diplomatic service generally?

Mr. WINDOM. It is a general bill to enable the President, in his discretion, to pay the expenses of the last sickness and burial of consular and diplomatic officers in foreign countries, when it is shown to him that they have not the ability to pay them, thereby saving the Government from the disgrace of having foreigners care for and bury our own officials or compelling them to incur debts which they cannot pay. We have had several cases of that kind, and the Committee on Foreign Relations thought it better to pass a general bill placing the whole matter in the discretion of the President, to pay where the officer is unable to pay.

Mr. DAVIS, of West Virginia. We have had several special cases of that kind, and I am glad to hear the Senator say this is a general bill, so as to prevent special legislation hereafter.

The bill was read the third time, and passed.

FEES OF REGISTERS AND RECEIVERS.

The bill (S. No. 171) in relation to certain fees allowed registers and receivers was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, after the word "officers," in line 7, to strike out:

And in all cases where such fees have been deposited in the Treasury of the United States since the 1st day of July, 1877, under instructions of the Commissioner of the General Land Office, the registers and the receivers on whose account such deposits have been made shall be reimbursed the same out of any money in the Treasury not otherwise appropriated.

So as to make the bill read:

That the fees allowed registers and receivers for testimony reduced by them to writing for claimants, in establishing pre-emption and homestead rights and mineral entries, and in contested cases, shall not be considered or taken into account in determining the maximum of compensation of said officers.

The amendment was agreed to.

Mr. PLUMB. I offer an amendment which is in terms, I think, the same as that proposed by the Senator from Minnesota, [Mr. WINDOM,] whom I did not observe in his seat when I rose, to add a second section, and I may state that this section was drawn at the office of the Commissioner of the General Land Office, and meets the concurrence of that officer and of the Department:

SEC. 2. That registers and receivers shall, upon application, furnish plats or diagrams of townships in their respective districts showing what lands are vacant and what lands are taken, and shall be allowed to receive compensation therefor from the party obtaining said plat or diagram; and said officers shall, upon application by the proper State or Territorial authorities, furnish, for the purpose of taxation, a list of all lands sold in their respective districts, together with the names of the purchasers, and shall be allowed to receive compensation for the same not to exceed ten cents per entry; and the sums thus received for plats and lists shall not be considered or taken into account in determining the maximum of compensation of said officers.

Mr. COCKRELL. That is the exact language of the amendment submitted by the Senator from Minnesota.

Mr. WINDOM. I think the Senator from Kansas, the chairman of

the committee, has offered the amendment. If not, it may be considered as offered by me.

Mr. COCKRELL. The amendment of the Senator from Kansas is *verbatim* the amendment of the Senator from Minnesota.

Mr. WINDOM. That was the reason I was yielding the honor to my friend from Kansas, as he is chairman of the Committee on Public Lands.

The PRESIDENT *pro tempore*. The question is on the amendment.

The amendment was agreed to.

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

Mr. COCKRELL. I suggest to the Senator from Kansas, ought there not to be some restriction on the charges that may be made by the land officers for these plats and diagrams?

Mr. PLUMB. That is to be fixed by the Land Office here. They will fix a schedule of fees which these parties are entitled to charge.

Mr. SHERMAN. There is no provision in regard to a limitation on the charge to be made to an individual for plats. I think that ought to be provided, because the officers might make an unusual charge, and they might make the delivery of such a plat a condition of an entry, or something of that kind.

Mr. PLUMB. This says it shall not exceed ten cents per entry.

Mr. SHERMAN. That only applies to that entered and sold.

Mr. PLUMB. Then I move to amend by saying that it shall not exceed fifteen cents per folio for the writing necessary to be done.

Mr. SHERMAN. Fifteen cents would be no compensation for a township plat.

Mr. PLUMB. It is ten cents an entry for a township plat.

Mr. TELLER. There is no trouble about a township plat, which is already printed and is only to be marked.

Mr. COCKRELL. I suggest to insert after the word "diagram," in line 5 of the amendment offered by the Senator from Kansas, which is the same as that offered by the Senator from Minnesota, and printed, "at such rates as may be prescribed by the Commissioner of the General Land Office."

Mr. SHERMAN. That will be better.

Mr. COCKRELL. It will then read:

That registers and receivers shall, upon application, furnish plats or diagrams of townships in their respective districts showing what lands are vacant and what lands are taken, and shall be allowed to receive compensation therefor from the party obtaining said plat or diagram at such rates as may be prescribed by the Commissioner of the General Land Office.

Mr. PLUMB. I think if the Senator will read a little further he will find it is sufficiently covered by the language now embraced in the amendment. This last provision in regard to compensation applies to both classes, applies to the application of an individual and the application of the corporate authorities. It only provides for one class of service rendered, the furnishing of a statement showing what lands are vacant and what lands are taken; and it says that compensation for that service shall not exceed ten cents per entry.

Mr. COCKRELL. These words do not apply to the other case. You cannot make them apply to the first part.

Mr. PLUMB. I think they do, but I shall make no objection to the amendment.

The amendment was agreed to.

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

CALIFORNIA'S FIVE PER CENT. ON LAND SALES.

The next bill on the Calendar was the bill (S. No. 311) granting to California 5 per cent. of the net proceeds of the sale of public lands in that State.

Mr. FARLEY. Mr. President——

The PRESIDENT *pro tempore*. The Chair would suggest that it is impossible to pass this bill under the five-minute rule.

Mr. FARLEY. I do not know that it will lead to much debate, as it is favorably reported by the Committee on Public Lands.

The PRESIDENT *pro tempore*. The Chair had reference to a general 5 per cent. bill. He sees that this applies to California alone.

Mr. FARLEY. That is another bill entirely.

The PRESIDENT *pro tempore*. The Senator from California has a right to have the bill considered unless objection be made. The bill will be read.

The Acting Secretary read the preamble of the bill.

Mr. SHERMAN. The recital in the preamble is not true, because the States named there are now seeking to get the very 5 per cent.

Mr. PLUMB. The Senator from Ohio is mistaken. It is not that 5 per cent. which is here referred to. It is that heretofore accorded without controversy which is covered by this bill.

Mr. SHERMAN. I am sure those States have applied here to get the 5 per cent. allowed.

Mr. PLUMB. I should be glad to have the bill read and have the matter fairly stated, so that it may be understood now before objection is made.

The reading of the bill was resumed and concluded.

Mr. SHERMAN. I object to the bill now. I think it ought to be considered in connection with the other. I have no objection to California having everything which has been granted to other land States.

Mr. PLUMB. If the Senator will withdraw the objection for a moment, I wish to state in regard to this bill that all the States named in the preamble have had 5 per cent. upon the sales of the public lands within their limits as that word "sales" has been construed by the accounting officers of the Government.

Mr. SHERMAN. Sales for money.

Mr. PLUMB. Yes, as the term "sales" has been construed by the accounting officers of the Government. Now, there is another sum in dispute which is the subject of another bill, and that is in relation to the entries by military land warrants, the States claiming that the lands taken by the military land warrants were lands sold within the meaning of the act of admission. But this bill does not assume to enter into that question at all. It simply puts California on the footing never denied to Kansas and Nebraska and the other States named, gives her 5 per cent. on the sales the same as has been given to the other States. By some oversight, as I am bound to suppose it was, the act of admission of California did not provide for this, and yet there are a great many reasons in equity why California should have this privilege extended to her that did not apply to the other States. And I assure the Senator from Ohio that this does not open any controversy at all; it does not touch the question in controversy in Senate bill No. 67, which has been reported and will be brought before the Senate in a few days. It simply puts California on the same footing on which these other States undeniably stand without any question or controversy as to what she should receive, and gives her only 5 per cent. on the cash sales of public land within her limits.

Mr. SHERMAN. There is no report with this bill; there is no way in which we can ascertain the exact facts. Five per cent. of all the land granted for various purposes by land grants might be a very large sum. I object for the present.

Mr. PLUMB. I ask that the bill retain its place on the Calendar.

The PRESIDENT *pro tempore*. It will be passed over without prejudice.

Mr. SHERMAN. I have no objection to that.

Mr. FARLEY. And retain its place on the Calendar where it now is.

The PRESIDENT *pro tempore*. If it is passed over without prejudice that is the effect.

Mr. SHERMAN. I will say further that I think in cases like this the committee ought always to make a report. I believe every case formerly was objected to where there was not a report accompanying the bill.

Mr. DAVIS, of West Virginia. I should like to ask the amount of money involved.

The PRESIDENT *pro tempore*. The case has been passed over.

Mr. DAVIS, of West Virginia. I know, but I should like information on that point.

Mr. PLUMB. I cannot tell precisely.

PERIQUE TOBACCO.

The bill (S. No. 390) to amend section 3362 of the Revised Statutes was considered as in Committee of the Whole. It proposes to amend section 3362, as amended by the act of March 1, 1879, by inserting, after the words "or for export," and before the words "under such restrictions," in the second provision of the section, the following words:

And perique tobacco may be sold by the manufacturer or producer thereof, in the form of *carottes*, directly to a legally-qualified manufacturer, to be cut or granulated and used as material in the manufacture of cigarettes or smoking-tobacco, without the payment of tax.

Mr. BAYARD. This bill was reported from the Committee on Finance after due examination, and has the approval of the Commissioner of Internal Revenue. If any Senator desires an explanation I can make it, but if not I hope the bill will be passed without delay. It has passed the Senate once before.

The bill was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. DAWES. I ask the Senate to have the title amended, so as to indicate what subject is affected by it. I move to add to the title, "relating to perique tobacco."

Mr. BAYARD. There is no objection to that.

The title was amended so as to read: "A bill to amend section 3362 of the Revised Statutes, relating to perique tobacco."

BRIDGE NEAR NAVAL ACADEMY.

The bill (S. No. 726) granting the right of way to the county of Anne Arundel, in the State of Maryland, through the United States Government grounds near the City of Annapolis, Maryland, was considered as in Committee of the Whole.

The bill recites that by an act of the General Assembly of Maryland passed at the January session, 1880, chapter 165, the county commissioners of Anne Arundel County are authorized and required to build a bridge over the Severn River from the present public or county wharf in Annapolis, situated at the foot of the street commonly called and known as Wagner street, to Ferry Bar, on the opposite side of the river, or at such point on the river as in the opinion of the commissioners shall be most practical and convenient; that it is proposed, in accordance with the wishes of the authorities of the Naval Academy at Annapolis, and to facilitate the movements of their vessels, fleets, &c., to locate and build the bridge at a point higher up the river, and from what is known as Meadow Bar, within the limits of the United States Government grounds at Annapolis, to Brice's Point, on the opposite side of the river; and that the pro-

posed change in the location and site of the bridge necessitates the granting of a right of way by Congress through the Government grounds at Annapolis in order to the free and unobstructed use of the bridge, and to furnish to the public free ingress and egress to and from the city.

The bill therefore grants the right of way to the county of Anne Arundel, Maryland, for a public road through the United States Government grounds near the city of Annapolis, from a point on the Severn River known as Meadow Bar (the same being within the limits of the property known as the Government Farm and belonging to the United States) to the road adjoining the naval cemetery lot; thence along with and following the line of that road to the bridge spanning the creek commonly known as College Creek; thence over and across that bridge to and following the road leading therefrom to the corporate limits of the city of Annapolis.

The bill was reported from the Committee on Naval Affairs with an amendment, to add the following proviso:

Provided further, That the said county of Anne Arundel shall keep the said road and the present bridge over College Creek in good repair, to the satisfaction of the Superintendent of the Naval Academy.

The amendment was agreed to.

Mr. GROOME. I offer the following additional amendment:

And provided further, That the Government of the United States shall, before turning said bridge over to the said county of Anne Arundel, put the same in thorough repair.

I will say in explanation of the amendment that by an agreement made between the county authorities of Anne Arundel and the authorities of the Naval Academy, at Annapolis, the county authorities are hereafter to keep in repair a bridge now built and owned by the Government of the United States. That agreement, however, also requires that that bridge shall first be put in good repair by the Government of the United States. The amendment that I offer is recommended by the Secretary of the Navy, whose letter I hold in my hand, which can be sent to the Clerk's desk if any Senator desires it read.

Mr. SHERMAN. I suggest that the word "thorough" is very indefinite; let it be changed to "good." "Good repair" is better than "thorough repair."

Mr. GROOME. I have no objection to that modification of the amendment.

The PRESIDENT *pro tempore*. The amendment will be so modified.

The amendment as modified was agreed to.

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

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

JOHN FRASER.

The next bill on the Calendar was the bill (S. No. 862) for the relief of John Fraser.

Mr. ROLLINS. I should like to have that bill passed over without losing its place on the Calendar.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

SOUTH CAROLINA'S ARMS ACCOUNT.

The next bill on the Calendar was the bill (S. No. 1082) authorizing the Secretary of War to adjust and settle the account for arms between the State of South Carolina and the Government of the United States.

Mr. CAMERON, of Wisconsin. Let the report be read.

The Principal Legislative Clerk proceeded to read the report submitted by Mr. HAMPTON, from the Committee on Military Affairs, February 21, 1882, but before concluding,

Mr. TELLER. I ask the Senator from South Carolina if he will object to that bill going over without prejudice until Monday. I should like to add the State of Colorado to the bill.

Mr. HAMPTON. I will consent to its going over.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

ALEXANDER FRANCESCO.

The bill (S. No. 1278) for the correction of the military record of Alexander Francesco, deceased, was considered as in Committee of the Whole. It proposes to direct the Secretary of War to enter upon the rolls of Company D, Forty-fifth Regiment of Kentucky Volunteer Infantry, the name of Alexander Francesco as a private, duly mustered as of date October 24, 1863.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

JAPANESE INDEMNITY FUND.

The next bill on the Calendar was the bill (H. R. No. 1052) in relation to the Japanese indemnity fund.

Mr. INGALLS. I object to the consideration of that bill this morning.

Mr. MORGAN. That bill has been called up on several occasions, and this is the first time it has been reached on the Calendar. I do not intend to intrude the bill upon the Senate at any inopportune time; at the same time there have been various occasions when I thought the Senate might have considered it without any trouble. I desire that the Senate will allow this bill to pass over without prejudice, because it may after all be necessary to consider it in the morning hour.

Mr. INGALLS. I have no objection to that course being taken.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice.

JOSEPH C. IRWIN.

The bill (S. No. 954) for the relief of Joseph C. Irwin was considered as in Committee of the Whole. It provides for the payment to Joseph C. Irwin, of Kansas City, Missouri, of $8,378.46, in payment and full satisfaction of all claims under contract, and for eighty cavalry horses delivered by Irwin to Major J. M. Moore, quartermaster at Fort Leavenworth, Kansas, February 2, 1872, upon the contract of Andrew J. Williams, and for which payment, in whole or in part, has never been made.

Mr. SHERMAN. I think some brief explanation ought to be given of such a bill.

Mr. ANTHONY. Is there a report?

Mr. TELLER. Mr. Irwin was the bondsman of Mr. Williams. Mr. Williams attempted to fill the contract and was likely to fail, and Mr. Irwin took it off his hands. Mr. Irwin furnished eighty horses that the Government accepted. He was to furnish four hundred and some odd. In the mean time the Government advertised for horses. He was to receive $107 a horse. The Government advertised for horses and took them at the rate of $135 before the time for completing the contract; and of course he could not complete his contract. The Government took the eighty horses and has never paid for them. That is the whole case. Now we propose to pay him for the eighty horses at the contract price.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM L. ADAMS.

The bill (S. No. 692) for the relief of William L. Adams, was considered as in Committee of the Whole. It proposes to direct the accounting officers in the settlement of the accounts of William L. Adams, formerly collector of customs for the district of Oregon, to credit him with $13,257.30.

Mr. SHERMAN. Let the report be read.

Mr. TELLER. There will not be time to read this report, but I can state in a few moments what the case is. It has been before the Committee on Claims five times and reported five times favorably, and passed the Senate once or twice. Mr. Adams was collector of customs in Oregon, at Astoria. He was directed by the Treasury Department, December 8, 1864, to take in person money to San Francisco that he had collected—not to send it by express, but to take it in person. He did so, and while *en route* he was robbed of the amount of money here proposed to be returned to him. There is no question about the robbery. The Government recovered a large amount of the money.

Mr. HOAR. Was the robber tried and convicted?

Mr. TELLER. The robber was in jail, he broke jail and ran away; but the Government recovered a large amount of the money, and there is no question about the facts. It has been a great many years ago, and the Government has never pursued the bondsmen. Mr. Adams is now an old man and much depressed by this liability hanging over him. The committee have on five occasions, after a careful examination, I believe unanimously, recommended the passage of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

THOMAS J. LEAGUE.

The bill (S. No. 675) for the relief of Thomas J. League was considered as in Committee of the Whole. It provides for the payment of $10,750 to Thomas J. League, or his legal representative, for rent of coal wharf and yard at Galveston, Texas, used for discharging, shipping, and storing of Government coal and other freight, from December 1, 1865, to March 31, 1866, under contract at the monthly rental of $2,500 per month, and also for rent of coal-yard at Galveston, Texas, used for storing Government coal, from April 1, 1866, to June 30, 1866, under contract at the monthly rental of $250 per month.

Mr. SHERMAN. I think we ought to have an explanation of that.

Mr. CAMERON, of Wisconsin. There is hardly time for an explanation; but the Government rented from Thomas J. League certain lands at Galveston, Texas. The agreement was made in 1865, after the actual termination of hostilities, but before the legal close of the war. A contract was made by which the proper quartermaster agreed on the part of the Government to pay a certain rent to Mr. League, the owner of the premises, for the use of the premises. The Department could not pay, for the reason that the statute of 1867 prohibited the Department from considering or paying any claim for rent that arose in the insurrectionary States before the legal termination of the war, so that of course he and all similar claimants are forced to come to Congress for relief. There is no question that the contract was entered into, that the amount of rent was agreed upon, and that the Government used and occupied the premises for the length of time stated in the bill.

The bill was reported to the Senate, ordered to be engrossed for a third reading, read the third time, and passed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. MCPHERSON, its Clerk, announced that the House had concurred in some and non-concurred in other amendments of the Senate to the bill (H. R. 4185) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1883, and for other purposes.

The message also announced that the House had passed a bill (H. R. No. 5573) making appropriations to supply a deficiency for dies, paper, and stamps for the fiscal year 1882, and to continue work on the Washington Monument for the fiscal year 1883, and for other purposes; in which it requested the concurrence of the Senate.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. No. 1361) to provide additional accommodations for the Department of the Interior.

INDIAN APPROPRIATION BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives on the amendments of the Senate to the bill (H. R. No. 4185) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1883, and for other purposes.

On motion of Mr. DAWES, it was

Resolved, That the Senate insist on its amendments to the said bill disagreed to by the House of Representatives, and ask a conference with the House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

Ordered, That the conferees on the part of the Senate be appointed by the President *pro tempore*.

INTERIOR DEPARTMENT OFFICE ACCOMMODATIONS.

Mr. ROLLINS submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. No. 1361) to provide additional accommodations for the Department of the Interior, having met, after full and free conference have agreed to recommend, and do recommend, to their respective Houses, as follows:

That the House recede from its amendment to the said bill.

That the bill be amended by inserting in the fifth line, after the word "the," the words "Pension Office and Land Office."

And the Senate agree to the same.

E. H. ROLLINS,
JUSTIN S. MORRILL,
G. G. VEST,
Managers on the part of the Senate.
W. S. SHALLENBERGER,
MARK L. DE MOTTE,
JAMES W. SINGLETON,
Managers on the part of the House.

The report was concurred in.

HOUSE BILL REFERRED.

The bill (H. R. No. 5573) making appropriations to supply a deficiency for dies, paper, and stamps for the fiscal year 1882, and to continue work on the Washington Monument for the fiscal year 1883, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

PRESIDENTIAL ELECTIONS.

The PRESIDENT *pro tempore*. The hour of two o'clock having arrived, the Chair lays before the Senate the unfinished business, which is the bill (S. No. 613) to fix the day for the meeting of the electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President, and the decision of questions arising thereon. By agreement, however——

Mr. HOAR. The Chair will excuse me. I wish to proceed with the bill now, for the Senator from Alabama [Mr. PUGH] proposes to address the Senate, and I am obliged to be absent the whole of next week. I therefore desire to go on with this bill.

Mr. CAMERON, of Pennsylvania. May I ask that the pending order be laid aside for a few moments?

The PRESIDENT *pro tempore*. The Senator from Massachusetts desires to proceed with the unfinished business, which is Senate bill No. 613.

Mr. CAMERON, of Pennsylvania. Will the Senator give me a moment?

Mr. MAXEY. I beg the attention of the Senator from Massachusetts for a moment. As a matter of course, on the statement made by the Senator from Massachusetts that he desires to proceed with the bill he has charge of before he leaves, I yield, that he may do so, as his bill is now the unfinished business; but the bill which is in my charge has been considered for two days and is not quite finished yet. All that I wish to have understood is, that when the bill of the Senator from Massachusetts is finished, as I presume it will be this evening, my bill shall be taken up immediately following that. I want that understood now to avoid any conflict.

Mr. HOAR. I will support the Senator in that.

Mr. MAXEY. I want it understood by the Senate that when this is disposed of we shall then go on with the bill we have been considering.

The PRESIDENT *pro tempore*. There can be no understanding about it; but if there is no objection now, the Chair presumes it can be done without difficulty.

Mr. MAXEY. I do not think anybody will object to it. I have no doubt it is the general understanding.

Mr. CAMERON, of Pennsylvania. I ask the Senate to take up the bill (S. No. 369) for the relief of the officers and crew of the United States steamer Monitor who participated in the action with the rebel iron-clad Merrimac on the 9th day of March, 1862.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania asks to lay aside informally the pending business with a view to take up the bill indicated by him.

Mr. HOAR. The Senator from Alabama [Mr. PUGH] is about to address the Senate on the Presidential count bill. If he makes no objection, and the bill of the Senator from Pennsylvania will not take time, I shall not object.

Mr. SAULSBURY. The bill referred to by the Senator from Pennsylvania was reported only yesterday, and the report of the committee has not been printed.

Mr. CAMERON, of Pennsylvania. Here it is.

Mr. SAULSBURY. It has not been laid before us so as to be ready for our examination. I must object to calling up a bill at this time that we have not had an opportunity to consider.

The PRESIDENT *pro tempore*. Senate bill No. 613 is before the Senate as in Committee of the Whole.

Mr. PUGH. Mr. President, the title of the bill reported by the Committee on Privileges and Elections is suggestive to the uninformed of a dry, dull subject, but it requires only a partial examination to enable them to discover its importance and troublesome complications. No political or governmental power or duty has been more fully and ably discussed in both Houses of Congress than the power and duty of counting the votes of the electors appointed by each State to choose a President and Vice-President of the United States. This power must be exercised every four years, and the discharge of no public duty is more important and far-reaching in its consequences, and exposed to more temptation, and liable to greater abuse, and watched more closely and with greater suspicion.

The cause of the watchfulness and suspicion attending the exercise of this great power is the distrust existing in each of our national parties of the political honesty of their rival in the race for power and patronage.

It has always been agreed by all parties, without question, that there is no ambiguity in the words of the Constitution of the United States; that "each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress." There is but one express limitation in the Constitution of the United States upon the power of each State to appoint electors, and it is that "no Senator or Representative or person holding an office of trust or profit under the United States shall be appointed an elector."

There are also six express limitations and regulations in the Constitution of the power of the electors appointed by each State to choose a President and Vice-President.

First. "The electors shall meet in their respective States."

Second. They "shall vote by ballot for President and Vice-President," and the persons voted for must not be citizens of the same State, and "the ballots must name only the person voted for as President, and in distinct ballots the person voted for as Vice-President."

Third. They "shall make distinct lists of all persons voted for as President" and "Vice-President, and of the number of votes for each, which list they shall sign and certify and transmit sealed to the seat of Government of the United States, directed to the President of the Senate."

Fourth. The electors must vote on the same day throughout the United States.

Fifth. They shall vote only for "natural-born citizens of the United States."

Sixth. They shall vote only for persons who "have attained to the age of thirty-five years, and been fourteen years a resident within the United States."

The foregoing are all the constitutional limitations of the power of the States and of the power of the electors over the subject-matter of the election of a President and Vice-President of the United States. In addition to these constitutional limitations Congress has exercised its law-making power over the election of President and Vice-President. The act of March 1, 1792, requires that "the electors of President and Vice-President shall be appointed in each State on the Tuesday next after the first Monday in November in every fourth year succeeding the election of President and Vice-President;" also, that "each State may, by law, provide for the filling of any vacancies which may occur in its college of electors when such college meets to give its electoral vote."

Also, that "it shall be the duty of the executive of each State to cause three lists of the names of the electors of such State to be made and certified, and to be delivered to the electors on or before the day on which they are required to meet."

Also, that "the electors shall vote for President and Vice-President, respectively, in the manner directed by the Constitution."

Also, that "the electors shall make and sign three certificates of

all the votes given by them, each of which certificates shall contain two distinct lists, one of the votes for President, and the other of the votes for Vice-President, and shall annex to each of the certificates one of the lists of the electors which shall have been furnished to them by direction of the executive of the State."

Also, that "the electors shall seal up the certificates so made by them, and certify upon each that the lists of all the votes of such State given for President and Vice-President are contained therein."

There are also specific directions as to the disposition the electors must make of their several certificates.

By the act of January 23, 1845, it is provided "that whenever any State has held an election for the purpose of choosing electors, and has failed to make a choice on the day prescribed by law, the electors may be appointed on a subsequent day in such a manner as the Legislature of such State may direct."

Also, that "the electors of each State shall meet and give their votes upon the first Wednesday in December in the year in which they are appointed, at such place in each State as the Legislature of such State shall direct."

The foregoing is all the legislation by Congress for the regulation and execution of the power of the States, and of the electors appointed by them to elect a President and Vice-President of the United States. Mr. President, we approach now the source of all our troubles growing out of Presidential elections, troubles that have after the most exhaustive discussion by our ablest and most experienced law-makers, defied solution and settlement, and left the perilous questions that may arise in Presidential succession to the enlightened capacity and patriotism of the people to meet great emergencies, and rescue our country and Government from revolution and anarchy.

Where does the power to count the votes of the electors appointed by the several States and settle disputes in relation thereto reside, and how shall it be regulated and executed?

There are but seven words in the Constitution of the United States to answer this question, and these are, "and the votes shall then be counted."

We have seen that the certified lists of the votes shall be directed to the President of the Senate, who shall, in the presence of the Senate and House of Representatives, open all the certificates. The act of Congress March 1, 1792, requires that "Congress shall be in session on the second Monday in February succeeding every meeting of the electors, and the certificates, or so many of them as have been received, shall then be opened, the votes counted, and the persons to fill the offices of President and Vice-President ascertained and declared, agreeable to the Constitution."

In what officer or department of the Government is the power lodged of counting the votes of the electors, and of ascertaining and declaring what persons have been elected President and Vice-President, agreeable to the Constitution? It cannot be reasonably denied that where such power and duty reside must be ascertained by construction, and is therefore implied from the words of the Constitution imposing the power and duty, and from the nature and magnitude of the trust. It must also be admitted that the power and duty, wherever they exist, carry with them another necessary and indispensable power and duty, to be exercised as part of the counting power before making the count and declaring the result, and that is the power and duty of ascertaining the following ten material facts, where an issue is made up denying their existence:

First. That the States have appointed no one an elector who is a Senator or Representative or person holding an office of trust or profit under the United States.

Second. That the electors met in their respective States at the place named by the Legislature thereof. That they voted by ballot for President and in distinct ballots for Vice-President.

Third. That the persons voted for are not citizens of the same State.

Fourth. That distinct lists were made, signed, and certified by them, showing all persons voted for as President and Vice-President, and the number of votes for each.

Fifth. That the lists were transmitted, sealed, to Washington, District of Columbia, and directed to the President of the Senate.

Sixth. That they voted on the same day throughout the United States.

Seventh. That they voted for natural-born citizens of the United States.

Eighth. That the persons voted for had attained to the age of thirty-five years, and been fourteen years residents within the United States.

Ninth. That they voted on the Tuesday next after the first Monday in November in every fourth year succeeding the election of President and Vice-President of the United States.

Tenth. That the executive of each State caused three lists to be made and certified and delivered to the electors before their meeting, showing the names of the electors of such State.

The officer or department of the Government having all the foregoing implied and necessarily incidental powers and duties has also the inseparable power and duty of deciding the legal effect of finding that one or more of the facts above numbered do not exist.

The prolonged, elaborate, masterly, and exhaustive argument in both Houses of Congress has left the question of power and duty to count and declare the result of the votes of electors of President and Vice-President comparatively free from doubt. A few (not more, I am informed, than two of this august body) entertain the opinion that the President of the Senate has been appointed by the Constitution custodian of the power and duty of counting and declaring the result of the electoral vote and of ascertaining all the necessary facts and settling all disputes preliminary to counting the votes and declaring the result. A few believe that as the Constitution is silent as to where the power to count is located it is *casus omissus*, and the only remedy is an amendment of the Constitution.

But the overwhelming weight of argument, authority, and public opinion has located the power and duty of ascertaining all the facts necessary to the legal validity of the votes, and of settling all disputes in relation thereto, and of counting the legal votes and declaring the final result of each Presidential election, under rules of evidence of their own creation, in the Senate and House of Representatives, constituting the Congress required by law, "to be in session on the second Monday in February succeeding every meeting of the electors." There has been some controversy as to whether the powers and duties mentioned must be exercised by the two Houses jointly or separately. But this question has lost its importance in the general conviction that the two Houses as organized for law-making are required to meet together to witness the opening of the certificates in their presence by the President of the Senate, and when any question is presented on objection to the counting of any vote on grounds stated, each House must consider and decide for itself separately whether such objection is well-founded, and report its decision in joint convention.

While this most important power and duty of counting the electoral votes and declaring the result of each Presidential election has been established in the two Houses of Congress by the force of argument and authority, the most troublesome question remains unsettled, to cause uneasiness and alarming apprehension in the public mind that it may be productive of discord, usurpation, and revolution.

No higher duty rests upon this Congress than that of providing by law in advance of probable danger, as far as it can be done by legislation, for the settlement of questions and disputes that may arise, as they have done in the past, to distract the country and to shake the faith of the people in the stability of popular, representative government.

Let us establish a permanent basis upon which the people can repose in confidence that the constitutional theory that the several States of our Union are intrusted solely with the power of electing the President and Vice-President, subject only to the restraints, limitations, and requirements of the Constitution and laws of the United States and of their own Legislature, shall be faithfully enforced.

The distrust and bad passions generated by our late civil war intensified the bitterness and recklessness of party contests for supremacy in civil government and greatly diminished the respect of party managers and leaders for the obligations imposed by constitutions and laws; but, happily for the country, a better state of feeling now prevails, confidence and friendship are taking the place of distrust and hate, and the people of all the States are coming closer together and begin to realize that they are one people, equally interested in the destiny of a common country involved in the success of our experiment of representative government. There have been no times, conditions, or circumstances since our unfortunate alienation more favorable than the present for a non-partisan consideration and a fair adjudication and settlement of all questions that are likely to arise in Presidential elections.

The bill now before the Senate is known as the Edmunds bill, and is the work of that able and experienced law-maker and law-expounder, the Senator from Vermont, [Mr. EDMUNDS.] It was reported by him from a select committee in 1878, and passed the Senate after full argument. The same bill was introduced at the present session by the Senator from Massachusetts [Mr. HOAR] and referred to the Committee on Privileges and Elections. That committee, of which I am a member, has given the subject the most patient and thorough examination, and I am free to say that, in my humble judgment, the bill is the nearest appproach to and most complete and perfect recognition and execution of our constitutional theory, and of all constitutional rights and powers and duties in relation to the election of President and Vice-President, that ever was or can be presented to Congress. No doubt it has imperfections. It would not be the work of finite minds if it were perfect. The devilish and mischievous ingenuity of men and parties may produce trouble not now seen or anticipated, that this bill has no provision to meet, but as far as human foresight can reach it is as full and complete in its methods of settlement of all questions as it is in the power of Congress to provide by legislation. The bill is based on and intended to enforce two fundamental propositions:

First. That the electing power resides solely in the States.

Second. That the counting power resides solely in the two Houses of Congress. The power of the States to elect a President and the power of the two Houses to count the votes are limited and regulated by law, as before mentioned. It must be admitted that it is the right and duty of each State to regulate the exercise of its power to elect, except as to time, which is given to Congress to secure uniformity. The difficulties in the past have mainly grown out of the fact that

all disputes in relation to the electoral vote of any State have been submitted to Congress without any rules of evidence to govern it in the exercise of the counting power. No bill ever presented to Congress, excepting the one now under consideration, had any provision as to the evidence Congress was to accept as conclusive or otherwise, in counting or rejecting any disputed electoral vote. The sole excellence of the bill now before the Senate over all others is found in those provisions for making and furnishing evidence and the effect of such evidence in the exercise of the power to count or reject the electoral vote of any State. It has been heretofore urged by one or more Senators that the power to count existed, if at all, in the two Houses that met every four years for that purpose, and that no legislation of one Congress could bind a subsequent Congress in the exercise of any power it had over the electoral vote. If any question can ever be settled by authority, argument, and precedent, this one has been so settled.

Does the power to count the electoral vote and declare the result exist at all in the Government of the United States or in any department or officer thereof? If so, then the Constitution says "the Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof. If this language was of doubtful meaning we are greatly aided in its construction by very high authority. Fourteen years after the Constitution was established many of its framers, then in Congress, exercised the power without question of binding subsequent Congresses in the count of the electoral vote. And a bill for that purpose was reported from the Committee on the Judiciary in the House by John Marshall, as chairman, and on its passage received 73 yeas against 15 nays. This bill failed in the Senate by 5 majority, but not for the want of constitutional power to pass it. A bill of like character was reported in 1824 by Martin Van Buren, chairman of the Judiciary Committee in the Senate, and passed without a division. This bill was reported from the House Committee on the Judiciary by Daniel Webster, its chairman, without amendment, and never considered by the House. The bill before the Senate is an enlargement of the power heretofore exercised by Congress in such legislation, in that it compels future Congresses to accept as conclusive certain evidence furnished under State laws.

The second section of the bill recognizes the undeniable right of each State to pass laws of its own to "try and determine, before the time fixed for the meeting of the electors, any controversy concerning their appointment, or the appointment of any of them." And makes "every such determination pursuant to such law existing on such day, and made prior to the said time of meeting of the electors, conclusive evidence of the lawful title of the electors who shall have been so determined to have been appointed, and that such evidence shall govern in the counting of the electoral votes, as provided in the Constitution, and as hereinafter regulated."

Section 3 of the bill makes it "the duty of the executive of each State to cause three lists of the names of the electors of such State, duly ascertained according to the law of the State to have been chosen, to be made and certified, and to be delivered, as soon as may be after such final determination shall be had, to the electors, and before the day on which they are required by law to meet."

Section 4 of the bill requires the two Houses to ascertain and count the votes "in the manner and according to the rules in this act provided." Section 4 also requires that every objection to the counting of an electoral vote "shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all objections so made" are "received and read," the two Houses must separate and pass on the objections, and "no electoral vote or votes from any State from which but one return has been received shall be rejected, except by the affirmative votes of both Houses. If more than one return, or paper purporting to be a return, from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the evidence mentioned in section 2 of this act to have been appointed if the determination in said section provided for shall have been made; but in case there shall arise the question which of two or more of such State tribunals determining what electors have been appointed, as mentioned in section 2 of this act, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, from such State shall be counted whose title as electors, the two Houses, acting separately, shall concurrently decide is supported by the decision of the tribunal of such State so authorized by its laws. And in such case of more than one return, or paper purporting to be a return, from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses, acting separately, shall concurrently decide to be the lawful votes of the legally appointed electors of such State."

Has this Congress the right to bind all future Congresses by law to accept and to be governed by any evidence as conclusive of the existence of any fact necessary to be ascertained in making a legal count of the electoral votes of any State?

The power to decide is certainly vested in each Congress upon which the duty is imposed of making the count. But it is equally certain that this power and duty to decide on objections to the legality of electoral votes can be regulated by uniform and permanent law. Preliminary to counting the votes the two Houses must ascertain whether or not certain facts necessary to the qualifications of electors and the legality of their votes exist or do not exist, and in making this investigation it is certainly competent for one Congress to bind another to be governed by a certain rule of evidence that makes certain proof of jurisdictional facts conclusive. When these necessary facts are found to exist or not to exist the predicate is made for the decision of the two Houses, as to whether or not legal or illegal votes have been given by qualified or unqualified electors, and whether such votes shall be counted or rejected. Each supreme court of the United States has exclusive jurisdiction to decide for itself every case in which the Constitution has conferred such power. And this power and duty to decide is just as exclusive in each supreme court as is the power of the two Houses to count the electoral votes. And yet it has never been questioned that Congress can regulate and govern this jurisdiction of the supreme court by permanent and uniform rules of evidence. The court can be compelled to accept and to govern its decision of each and every case by certain evidence of the existence of facts essential to its adjudication.

In section 151 of the Revised Statutes of the United States it will be found that as early as 1792, after the formation of the Constitution, its framers in Congress exercised this same power of establishing a conclusive rule of evidence by enacting that "the only evidence of the refusal to accept or of the resignation of the office of President or Vice-President shall be an instrument in writing declaring the same, and subscribed by the person refusing to accept or resigning, as the case may be, and delivered into the office of the Secretary of State."

The bill before the Senate is a concession never before offered to the States in the matter of electing the Chief Executive of the United States. The regulation of the counting power of the two Houses of Congress by the rule of evidence proposed in the bill contracts its exercise in favor of the right of each State to elect the President and Vice-President, and to furnish proof of the result to the two Houses. Two concessions are made by the bill in favor of the States: first, that each State shall decide according to its own laws all contests growing out of the appointment of electors and of their votes for President and Vice-President and furnish the evidence of the result, which shall be conclusive upon the two Houses in counting the votes and ascertaining and declaring the persons elected; second, that the votes of no State shall be rejected except by the separate and concurrent vote of the two Houses of Congress. The sole question for the Senate to decide is whether it is better and safer to trust the States with the settlement of their own contests and disputes, according to their own laws to ascertain what was really done by the State itself and its own electors in the election of President and Vice-President, and for the two Houses to accept the proof of the result so furnished by the State as conclusive, or whether the whole field shall be left open as it is now, with the counting power left free, unrestrained, and unregulated by any law except the law that demands, with the death penalty of disobedience, submission to party necessities to insure success.

It may be said, as it has been said, that this bill leads the States into temptation, invites speculative contests by defeated partisans that never would be undertaken but for the laws of the State passed for the settlement of such contests. That partisan majorities in State Legislatures will pass laws to defeat honest elections by providing tribunals to decide contests in favor of the party they represent, and whether the settlement of the contest is foul or fair, if the proof of it is regular and in pursuance of the State laws the two Houses must accept it as conclusive. This is the substance and strength of the argument against the theory of the bill, and I am free to say it is not entirely without merit. But the question recurs, Shall Congress do nothing, and allow our Government and people to meet the possibilities of revolution growing out of contests that must be produced by the same partisan spirit that would make it hazardous to leave them to the States or any other tribunal for settlement? It is not a question whether we shall let well enough alone. Our recollection of the past is too fresh and lively for us to be misled to the conclusion that the present remedies for such prospective and possible dangers are well enough. What are the remedies for such evils? We know that dangerous complications have confronted Congress and the country. Dual State governments have claimed recognition by the Federal Executive, and each has exercised its alleged rights to appoint electors, and each has returned the votes of such electors to be counted by the two Houses. One State voted when it was objected that it had not been admitted into the Union. Another State voted for a dead man for President. The same State voted in the last election under a law of its own, different from the law of Congress requiring all electors to vote on the same day. The electors of another State voted after the day appointed by Congress, having been prevented by the act of God from voting on the lawful day. The character of these occurrences should satisfy us that they are likely to happen in any Presidential election. Fortunately for the peace and safety of the country the votes of no State whose legality was disputed could have changed the result, however counted, except in the memorable contest growing out of the election of 1876.

Is it reasonable for us to hope that such contests and complications

generated by the spirited and determined antagonisms of rival parties struggling for office and honor can always be settled by the parties interested when they arise, so as to secure the acquiescence of the defeated people? To my mind it is manifest that it is the plain and important duty of Congress to pass laws to meet these troubles founded on the great principles underlying the Federal Constitution at the point where it needs support, and from the omissions or imperfections of which all such dangers have their origin. On principle and theory clearly expressed in the Constitution the States are the sole parties to the election of the President and Vice-President of the United States. The States are deeply interested in the lawful exercise and preservation of this invaluable right. The explanation of the remarkable silence of the Constitution as to the custody of the counting power and the extent and manner of its exercise may be found in the trust and confidence of its framers that the States would never abuse the elective power, but would always exercise it in such manner and furnish such proof of the result as to leave nothing to be done by the counting power but to add up the votes and declare the persons elected.

If there is danger of abuse (and we know there is) why not let the State authorities where it may be committed furnish the correction by its own laws passed in advance? How can such contests be invited and multiplied by the enactment of laws providing for their settlement? Why may such laws be framed to secure an unfair settlement of any contest for partisan purposes where such laws must be in existence at the time of the Presidential election, and where it must be uncertain which party is to have the unfair advantage, if any, of such legislation? All the States now have laws for contesting the election of their own executive officers. Are such laws framed to secure partisan decisions by partisan tribunals to defeat the choice of the people? If there is no law authorizing contests and their determination by State tribunals according to State laws in the appointment by each State of its Presidential electors, does that fact lessen the chances of foul play for partisan purposes? Has not foul play been practiced and troublesome complications followed in the absence of all law to remedy such evils?

Suppose Congress fails to legislate and there are dual State governments, each claiming to be the rightful State government and each appointing electors and certifying lists of them to the President of the Senate; or suppose there is only one State government, and the two national parties vote for their respective electors and the executive of the State furnishes certified lists to one set of electors, showing that they were legally appointed as the electors of that State and had voted for their candidate, and the other set of electors vote for their candidate and sign and certify their own lists showing they were the only legally-appointed electors, which return would be counted if the votes of the State decided the result and the two Houses were Republican or Democratic, or one Republican and the other Democratic? What would be the condition and fate of the country, with the popular estimate of the late electoral commission, and no law excepting existing law to govern the States in voting and deciding and certifying the result, and no law to govern the two Houses in counting the disputed votes and declaring the persons elected?

Under existing laws the entire business of appointing electors, and the voting of electors, and the counting of their votes and declaring who has been elected, or whether no one has been elected, and the elective power in such event is under the entire control in their turn of the States, the two Houses of Congress, and the House of Representatives. And I am satisfied no Congress will ever part with the power of ultimate decision involved in the exercise of the counting power to any other tribunal created by law. The two Houses claim and will exercise final jurisdiction over counting the votes of all the electors of each and every State, and declaring the result, and my word for it they will never surrender their power as such final arbiters. If there has been no election the House of Representatives must elect the President, and the Senate the Vice-President. But the framers of the Constitution never lost sight of the States as having the elective power—first, by electors appointed by them for the special purpose, and second, the electors failing to elect for the States in the electoral college, then the Representatives of each State in the House of Representatives, casting one vote for their State, must elect the President.

Mr. President, disguise it as we may, opposition to the bill now before the Senate in its substance and material operation and effect amounts to a condemnation of our constitutional mode of electing the Chief Executive of the United States. If it is safe and wise to allow the States to elect the President, it is certainly safe and wise to allow the States to settle in their own way all contests growing out of the election. If the States can be trusted with the major power of electing, they can be trusted with the kindred and minor power of settling their own disputes over their own action. The right to elect involves the right to decide all disputes about how and whether the right has been legally exercised. If the right exists to settle contests, the evidence furnished by the State itself of how its authorities have decided ought to be received by the two Houses and treated as conclusive. If the State cannot be trusted to settle contests growing out of the exercise of its constitutional rights for the reason that the State mode of settling its own disputes might enable the State in a close election to decide the result of a Presidential election, tell me how the leaving the settlement of such contests to Congress would not present to the two Houses in the use of the counting power the opportunity and temptation of usurping the power of electing the Chief Executive?

Is Congress any more out of the reach or less subject to the temptation and seductive or corrupt influences of party than the States? It is far better to risk the chances and accept the consequences of an election of President by an abuse of the right of the State to decide its own contests, growing out of the exercise of the clear constitutional right to elect, than to risk the chances and accept the consequences of an election of President by the two Houses by an abuse of the counting power amounting to usurpation. But there is one contingency which must be admitted to be very remote, and that is in the event of two returns and no determination under State laws as to which is the lawful return, the two Houses might disagree, and the State would be disfranchised in that election.

For such a result to happen there must be, first, two returns; second, the State must fail to determine, according to its own laws, which is the valid return; and, third, the two Houses must fail to agree. Such a controversy could involve important and dangerous consequences in the event only that the vote of such State would decide the result. If the two returns were equally meritorious and the two Houses were equally honest in their inability to agree, who is to blame? How can the State complain? It had the right to settle the contest and to make the return in a shape to insure its being counted by the two Houses, and failing to do so, how can the inability of the two Houses to agree produce serious disturbance? The disfranchisement of the State in such event could not be charged to the operation of the bill before the Senate, as the same thing and more would happen under the existing condition and without any legislation upon the subject. So that the whole matter narrows itself down to the single inquiry, Shall the bill be defeated because it makes no provision to prevent, with positive certainty, the disfranchisement of a State in the possible event that the State itself failed or is unable to determine its own votes so that they could be counted by the two Houses, and the President and Vice-President elected by the votes of such State?

Shall we take away from the House of Representatives, by the creation of a new tribunal, its constitutional power to elect in the event no choice is made by the electoral college on account of the failure of one or more States to vote and certify its return, so that it could be counted by the two Houses? How can Congress insure to each State in every possible contingency that its votes shall be counted? Can it be done by the creation of another tribunal to take the place of the disagreeing Houses, with the power of final decision of all objections to the legality of the electoral votes of the several States? Can Congress part with its constitutional power and duty of making final decision of the legality of electoral votes, and counting them and declaring the result? If we concede the power of Congress to create another tribunal, or to appoint an officer or department of the Government to settle all disputes and make a final count of the electoral votes, how does that insure the vote of every State in any possible contingency? Suppose such new tribunal, department, or officer should decide that the votes of any State were not cast for qualified electors, or that the qualified electors voted on the wrong day, or for a person not eligible to the office of President, would not such State be disfranchised? How can it be any more certain that a State will never be disfranchised in any election by the decision of a new tribunal than it will never be disfranchised by the disagreement of the two Houses under the provisions of the bill before the Senate?

The only reason for providing against the disagreement of the two Houses in the case of two contesting returns undetermined by the State laws, and decisive of the result one way or the other, is that the disagreement would be caused by the political differences in the majority power of the two Houses, and chargeable to partisan influence, considerations, and purposes. Where can Congress find material possessing the extraordinary quality of such superhuman purity as must exist in any tribunal free from all partisan feeling, influences, and considerations? We have made choice selections from the Senate and House of Representatives, and distrusting the purity of such selected Senators and Representatives provision was made to neutralize partisan considerations by the appointment of an equal number from each party to the contest; but to insure safety and establish right and justice in a way that would command universal confidence, and forever silence all suspicion of partisan unfairness, other selections were made from judges of the Supreme Court of the United States; and fearing that it was possible that the imperfections of poor human nature had been able to preserve a feeble existence in the pure atmosphere surrounding that august tribunal, the choice of judges was made with some reference to the fact that before their elevation to the bench they had been identified with the two national parties; but taking it for granted that these judges were freer from possible political bias than mortals in any other position, the casting vote was given in the odd number of judges. But the great truth has been thereby made historic that no tribunal, however organized, or however elevated, is out of the reach of partisan influence or partisan considerations, or free from the prejudices and weaknesses inseparable from human nature. This undeniable truth, of universal application, accounts for the fallability and uncertainty of all human judgment and human action, and the instability of all human institutions. But at last we are compelled to call a halt in the work

of government-making and law-making, and trust the balance to the honesty, intelligence, and morality of those interested alike in maintaining the best government for the general welfare.

Mr. GARLAND. Mr. President, against the theory upon which the bill is based, and also its framework, I have no complaint to make; and if it rested upon a power which it was conceded Congress possessed, I should, for the purpose of settling this very important question, vote for the bill readily. A little over three years ago a bill of this character received the sanction of the Senate, I think only a few Senators voting against it. I was one of the few who opposed the bill, not for the theory of the bill or for its details, but upon the simple and single ground that I did not believe any act of Congress would reach the difficulties that we were anxious to remedy. At the time I voted against that bill I gave briefly my reasons for that vote, and I shall now only restate them.

The whole country recognizes the fact that something should be done, and that something radical, so to speak, should be done, so as if possible to put all difficulties surrounding this vital question out of the way forever, for it is not to be disguised that it is the most important question that can be brought before the Congress or before the public. My judgment is that whenever the columns of this Government careen and fall it will be on account of some of the defects in regard to this subject-matter.

There are three reasons why I conceive Congress cannot pass a binding, operative law upon this subject. In the first place, the Constitution of the United States as originally made undertook to prescribe all the power that should exist in reference to this matter, and what should be done in regard to it except as to some minor matters of detail. That was supplanted and displaced by the twelfth article of amendments to the Constitution, which went still further into minutiæ in relation to the exercise of the power of electing a President and declaring him elected.

It is a familiar principle of jurisprudence in our country that whenever the Constitution undertakes to determine a power and to fix its limit and bounds, the Legislature cannot interfere with that. That is a proposition which cannot be controverted. That the Constitution did undertake to deal with this question and to prescribe how the thing should be done, except as to mere matters of detail, there can be no controversy. Indeed, the Senator from Alabama, [Mr. PUGH,] who has exhausted the power of logic and reason and argument to show that this can be done by Congress, admits that the twelfth article of amendment undertook to do this; but after those seven important words "and the votes shall then be counted," there seems to have been a hyphen or a hiatus of some kind, and the power was not designated to count the votes, but he insists that by implication it is derived from the Constitution.

If it is to be derived from the Constitution, and is to be held to mean "and the votes shall then be counted" by the two Houses, nothing but the Constitution can supply that hiatus or the *casus omissus*, as he calls it. There are distinctions, of course, as to what are self-executing provisions of the Constitution; there are distinctions as to what it is necessary for Congress to do to carry a constitutional provision into effect; but here, in both the original Constitution and in the twelfth article of amendment, the Constitution undertook to say just what this power should be, and how it should be enforced. If it has failed to do that, Congress cannot prescribe as a matter of force, a matter of operative law, how that shall be done. Of course it may do it, and it may be sanctioned and may be agreed to, but laws passed on such a subject designating what shall be done are simply mere matters of persuasion, and do not amount at last to any particular argument, because we have seen very often when we have come to investigate subjects, that long standing laws have been declared to be unconstitutional, and to be in the very face of the organic law. But here it is admitted that something should be done. Why? Because the Constitution stops short of doing what it should have done. If it stops short, nothing but an amendment of the Constitution can reach the case, because when the Constitution undertakes to deal with the question it exhausts the power so far as any legislative exercise of authority is concerned. That is as familiar a principle as there is in the books.

Next, it is claimed by four-fifths, I believe, (I think the Senator from Alabama said there were only two possibly of this body who contended for the contrary,) that the two Houses are to count the electoral votes. If that power is devolved by the Constitution, whether explicitly or by implication, upon the two Houses to count them, the two Houses, when they reach here, are sovereign as to this power, and no law can bind them if they do not desire to be bound by it, in directing them how they shall exercise the power, the power being sovereign in them by the Constitution, either explicitly or by implication. The law may be passed, but when the Senate and the House of the next Congress, during which a President is to be elected, and by whom the count is to be made, meet here to discharge that sovereign power under the Constitution, or rather that power as to which they are sovereign under the Constitution, they may say "we will comply with that law," or they may say "we will not comply with it."

It is precisely as that section of the Constitution which says that—

> Each House shall be the judge of the elections, returns, and qualifications of its own members.

While you pass laws regulating the subject, each House, according as it sees proper, dispenses with those laws and judges of the case according to its notions of equity and justice. That cannot be controverted. This would be a like exercise of power.

Here is under this bill a power given to the States to say who shall be their electors. That, I believe, is correct; but this is a constitutional power, in my judgment, very different from a statutory power or authority. Inasmuch as the Constitution first creates the Senate, and prescribes how many shall compose it, the qualifications of Senators, how many each State shall have, and then as to the other House, and then as to the electors, if it is a constitutional power by which these electors exist, that constitutional power must go further and say how they shall be elected and who shall determine that election, inasmuch as the Constitution has undertaken to deal with that subject already.

If this is to go out as a law it is incomplete, because there are other questions connected with this matter that should be dealt with. Here is one now that has been before this country repeatedly. In article 2, section 1, clause 3, the Constitution provides that—

> The Congress may determine the time of choosing the electors, and the day on which they shall give their votes; which day shall be the same throughout the United States.

We have had it to happen at least several times that the electors of certain States did not meet and cast their vote upon the day designated by the act of Congress. I regard that as one of the most important things connected with this whole subject-matter.

Mr. HOAR. I should like, at some time during the argument of the Senator from Arkansas, to which I have listened with great interest, to state to his consideration in a sentence or two the ground on which this bill seems to me to be properly supported in the particular to which he has just referred. I should like to do it while he is on that point, if it be convenient and agreeable to him.

Mr. GARLAND. Perfectly so. I yield to the Senator from Massachusetts.

Mr. HOAR. I fully concur, as I suppose every Senator does, with the honorable Senator from Arkansas that where a constitutional power is lodged that power cannot be limited or impaired or extended by legislation where the Constitution defines it, and where a constitutional discretion, like the discretion in each branch of Congress, to assent to proposed legislation is lodged, that body cannot be constrained by any statute in its action. To that I clearly agree. The Senator, on the other hand, agrees of course that there is a provision in the Constitution which authorizes the legislation which is necessary to carry into effect all the powers and authorities conferred by the Constitution itself.

The Constitution, according to the theory which he and I accept as a true one, as to the Presidential count, has lodged in a body made up of an even number the power of counting this vote, to wit, the Senate and House of Representatives. It has not been claimed by anybody here, though it has been claimed elsewhere, that the act of counting is an act to be performed in joint session by the two bodies sitting as one tribunal. But there are two persons present who may have different opinions—persons who are very likely to have very strong and powerful different biases in regard to the question with which they are to deal; and for settling the question when those two bodies disagree the Constitution has made no provision whatever.

This bill undertakes to do in case of an equal division of this tribunal, composed of two persons as bodies-politic, no more nor less than what is familiar to our State and national legislation in the case of a judicial tribunal composed of an even number of persons. There are many statutes which provide that when the supreme court of a State is evenly divided the judgment below shall be affirmed. That legislative power is absolutely essential to the working of a constitutional system which confers on a body of an even number of persons who may differ a constitutional power the exercise of which is requisite to the public good.

Now, if we may say that the Supreme Court of the United States shall hereafter consist of ten members, and that when those members are evenly divided the judgment of the court below shall be affirmed, instead of saying that in certain classes of cases, to wit, cases involving no constitutional question, no Federal question, but ordinary cases coming into the Supreme Court of the United States by reason of the residence of parties, the judgment shall not be affirmed, the case shall be sent back to be heard further, or any other provision of a thousad that we might make, may we not say that when these two bodies differ so that there can be no count at all of the Presidential vote, unless the legislator has provided some mechanism to solve the difficulty, that the action of a State shall prevail where they differ, in case there is no dispute about what is the true action of a State, and but one return, or but one paper purporting to be a return, and that in a case where there is a dispute about which is the State authority which has undertaken to act, and the two bodies differ, the State action shall not prevail, and the State shall not be counted?

That, if I have made myself clear, is the ground on which this legislation seems to properly rest, and I desire to ask the Senator from Arkansas how he distinguishes it from the ordinary case which provides that when a supreme court is evenly divided such and such things shall happen to the judgment?

Mr. GARLAND. There are two very satisfactory answers to the example which the Senator from Massachusetts indicates. There is no difficulty about that, and the very question only strengthens the

argument that I have attempted to make, if I have been understood, and I am very glad it has been suggested.

In the first place the Constitution says that—

The judicial power of the United States shall be vested in one Supreme Court.

There it stops. Of course when it said a supreme court should be created it left some person to create it. It said nothing about who should create it or what should be done in order to create it. Then, very clearly, the legislative power had to bring that conceived or ideal person into existence. But see how different this case is. Here the Constitution undertakes to say in so many words what shall be done by way of electing a President and how the votes for him shall be counted, and the first effort of the Constitution was considered so unsatisfactory that it was supplanted by the twelfth amendment, which went on in some detail, as we all know.

That is the first answer to the Senator's case. The second answer is that it would not do in law to say that a tribunal equally divided simply leaves the question where it was before. That is an old common-law idea. That is an idea that pertains to all the courts. In 7th Wallace's Reports, where that question was first examined by the Supreme Court of this country, they said simply that it was an affirmance of the decision of the court below because the decision had not been reversed. That is all there is of that; and it strengthens the proposition I have been contending for, because here is the Constitution which undertakes to deal *eo nomine*, in so many words, with this proposition, and the experience of the country has demonstrated that the Constitution did not deal with it properly. The Senator from Massachusetts confessedly knows that, and when he admits the principle I set forth that when the Constitution undertakes to deal with a subject, no mere legislation or no mere statutory enactment can complete it. That is the difficulty of the proposition, and that is the answer I make to him.

I was proceeding when I was interrupted by the Senator from Massachusetts to say something in regard to section 1, of article 2, clause 3, of the Constitution, in reference to the day being the same upon which the electors throughout the Union shall meet and deposit their votes. That is one of the half-dozen restrictions alluded to by the Senator from Alabama. This I regard, as I said before, as the most important matter possibly connected with this whole very important subject. We have had several times the fact presented to us that the electors of a sovereign State had met and cast her vote upon a day different from that fixed by the act of Congress. The question comes up every time, is this part of the Constitution mandatory or directory? And it is a very perplexing question. It has so happened each time this has been done, however, that there were votes enough to go around and no person be hurt by withholding or counting the vote of the State so situated; but as in the case of Georgia at the last election, where she cast her vote on a day different, suppose it would have been necessary to count that vote in order to elect a President, it would almost have provoked bloodshed again in this country to attempt to throw that vote out. It is easy enough to declare that the Constitution says thus and so, but when you come to disfranchising an entire State upon a mere accident or mishap of selecting the wrong day, there is another question.

I know some of the first legal authorities in the country hold that all constitutional provisions are mandatory, and some of equal grade and rank say not. Just here it occurs to my mind at this time that in an election for governor in Maine, some years ago, when a number of questions were certified to the judges of the supreme court of that State for interpretation and settlement, they held several provisions of the State constitution in reference to the election of governor to be merely directory. The question of all others should be settled whether this provision of the Constitution is simply minatory; that is, threatening, or mandatory, or directory.

All this shows the importance of a constitutional amendment to cover this entire subject. I am of the conviction, as much so as I am in reference to any proposition that can be submitted, that nothing short of a constitutional amendment can reach it. This bill, as far as it goes, if incorporated as a resolution to amend the Constitution, I would most heartily support, for I concur with the Senator from Alabama and all others, with the country at large, that this matter should be put beyond dispute as far at least as it is within the power of human language to do it. My impression is (and I did not intend to occupy so much of the time of the Senate) that this measure simply adds to the difficulties we are now under in properly construing and enforcing the provisions of the Constitution that we already have upon this subject. But if the bill passes and is acquiesced in and enforced and secures peace and quiet to the country, no one will be more rejoiced than I.

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

Mr. HOAR. I ask the indulgence of the Senate one moment. The Senate is aware that I am very desirous to have this bill which is now under consideration disposed of this afternoon for the very imperative personal reason which I have once stated. I do not desire, under the circumstances, to interpose an objection to the motion of my honorable friend from Kansas for a brief executive session, the reason of which will occur to every Senator without mentioning it; but I shall ask, and I understand the Senator from Kansas agrees so far as he is concerned, that the motion shall be made to return to legislative session and resume the consideration of the pending bill this afternoon. I believe the debate on the bill is substantially over. One Senator only, so far as I know, has expressed a desire to discuss it further.

Mr. PLUMB. It is not my purpose to continue the executive session for any length of time.

Mr. VEST. Will the Senator from Kansas permit me to make a report from a committee of conference?

Mr. PLUMB. Yes, sir.

MISSOURI RIVER BRIDGE.

Mr. VEST submitted the following report:

The undersigned conferees on the part of the Senate and House of Representatives, in regard to Senate bill No. 308, entitled "A bill to authorize the construction of a bridge across the Missouri River at the most accessible point within five miles above the city of Saint Charles, Missouri," beg leave to submit the following report:

That having met and duly considered the question involved in the action of the two Houses disagreeing as to the amendment made by the House of Representatives to section 2 of the bill, we recommend that said amendment be concurred in by the Senate, and to remove any possible doubt in regard to the meaning of said amendment that there be added at the end of section 4 of the bill the following:

"*Provided*, That the provisions of section two in regard to charges for passengers and freight across said bridge shall not govern the Secretary of War in determining any question arising as to the sum or sums to be paid to the owners of said bridge by said companies for the use of said bridge."

G. G. VEST,
RICHARD COKE,
WM. P. KELLOGG,
Senate Conferees.

W. D. WASHBURN,
R. M. McLANE,
R. G. HORR,
House Conferees.

The report was concurred in.

DISTRIBUTION OF SEEDS.

A message from the House of Representatives, by Mr. McPHERSON, its Clerk, announced that the House had passed a bill (H. R. No. 5665) appropriating $20,000 for the purchase and distribution of seeds; in which it requested the concurrence of the Senate.

Mr. GARLAND. I ask to be permitted to call up the bill which has just come from the House of Representatives. It is a very important bill and it will take but a few moments to dispose of it.

The bill was read twice by its title.

Mr. GARLAND. As we adjourn over until next Monday and the Commissioner of Agriculture wants to be procuring those seeds at once, and I believe no one objects to it, I ask for the present consideration of the bill.

The PRESIDING OFFICER, (Mr. HARRIS in the chair.) Is there objection to the present consideration of the bill?

Mr. MORGAN. I have an amendment to offer to the bill.

Mr. HOAR. I would rather wait until the Presidential-count bill is passed, if this bill is to be amended and discussed.

Mr. GARLAND. If the Senator from Alabama has an amendment he wishes to insist on, of course it is his right; but an amendment now would send the bill back to the House, and we should probably get no benefit from it at all, for it is planting-time down in the section of country to which the bill is to apply.

Mr. MORGAN. There are sections of the United States, in the South particularly, where destitution from the want of water last summer is just as great as the destitution can be now from the overflow of the Mississippi swamps. I desire merely to provide that those people who have been made destitute by the act of God in withholding the rains shall be put upon an equal footing with those who have had too much.

Mr. GARLAND. I will suggest to the Senator from Alabama that I have proposed an amendment to the agricultural appropriation bill, which the Senator from West Virginia [Mr. DAVIS] has in charge, covering the very subject that the Senator from Alabama speaks of, and this subject too; but inasmuch as this bill has come from the House I would much prefer to have it acted upon, and I will assist him in getting a proper amendment of the agricultural appropriation bill in order to reach the point he desires.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It appropriates $20,000 for the purchase and distribution of seeds, under the direction of the Commissioner of Agriculture, to the people in localities overflowed who are made destitute by the present overflow of the Mississippi River and its tributaries.

Mr. MORGAN. On the suggestion of the Senator from Arkansas, I will not insist on my amendment. If I can get it on the agricultural appropriation bill that will be all I desire.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

WITHDRAWAL OF PAPERS.

On motion of Mr. FERRY, it was

Ordered, That the papers in the case of Henry P. Seymour, William A. Frazier, Alvin M. Sabin, and the heirs of Percy S. Leggett be withdrawn from the files of the Senate.

On motion of Mr. GROOME, it was

Ordered, That permission be granted to Jacob and Elizabeth Sener to withdraw from the files of the Senate the papers relating to their claim.

EXECUTIVE SESSION.

Mr. PLUMB. I renew my motion.

The PRESIDING OFFICER. The question is on the motion of

the Senator from Kansas, [Mr. PLUMB,] that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened.

CHINESE IMMIGRATION—VETO MESSAGE.

Mr. COCKRELL. Mr. President, when the vote was taken upon the Chinese bill, as it is called, yesterday evening it had entirely escaped my recollection that I was paired on that question with the Senator from Georgia, [Mr. BROWN.] I voted on each of the yea-and-nay votes. If the Senator from Georgia had been here he would have voted the other way. I ask unanimous consent that my vote may be withdrawn. It does not affect the result.

Mr. ANTHONY. I should have no objection to that but for the fact that it cannot be done. The sixty-first rule provides that any rule may be suspended by unanimous consent except the one which relates to a vote by yeas and nays.

Mr. COCKRELL. It has been done on one or two occasions that I remember.

The PRESIDING OFFICER. The Chair is of the opinion on the point suggested that the Senator from Rhode Island [Mr. ANTHONY] is mistaken as to the withdrawal of a vote. No vote can be recorded by unanimous consent, but the Chair thinks if the Senator will look at the eighteenth rule he will find that a vote may be withdrawn by unanimous consent.

Mr. COCKRELL. A vote has been withdrawn where it did not affect the result.

Mr. ANTHONY. I am exceedingly desirous of obliging my friend from Missouri, and I made the suggestion only. I make no objection to his withdrawing his vote.

The PRESIDING OFFICER. Is there objection to the withdrawal of the vote of the Senator from Missouri upon the two occasions referred to by him?

Mr. HOAR. Does that not violate the constitutional provision that there shall be a record of the yeas and nays as cast? This is in fact to change the constitutional journal of the Senate.

Mr. COCKRELL. I would dislike to violate what my good friend from Massachusetts might consider a constitutional law or obligation. If he thinks it would be a violation of the Constitution to withdraw the vote in this case, out of deference to him I will withdraw my request. I have explained that I voted under a misapprehension, without any recollection of having been paired, and I would not have recalled the fact that I was paired had it not been that our Presiding Officer called my attention to it to-day. The Senator from Georgia had just left the Chamber and I had entirely forgotten the pair and did not notice his absence.

Mr. HOAR. The Senator's statement can be entered on the Journal, if he chooses.

PRESIDENTIAL ELECTIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. No. 613) to fix the day for the meeting of the electors of President and Vice-President, and to provide for and regulate the counting of the votes for President and Vice-President, and the decision of questions arising thereon.

Mr. MORGAN. Mr. President, when this bill was before the Forty-fifth Congress, I believe in the identical terms in which it is now reported, I voted for it. I did so with some hesitancy upon a single point, and that was the right of Congress to legislate upon the subject. At a later period, if not at that time, I expressed that doubt before the Senate, and in the Forty-sixth Congress I had the honor of reporting from a select committee of this body a concurrent resolution to regulate the count of the electoral vote. That concurrent resolution contained the provisions in substance which are couched in this bill. It did not go quite so far, because the Senate in adopting the resolution did not undertake to prescribe what rule of evidence should govern the two Houses when they were met to count the electoral vote. With that exception, however, I believe the concurrent resolution adopted by the Senate was precisely the same with this bill.

My colleague [Mr. PUGH] is a little in error, I think, as to the origin of the bill. I have understood that the former Senator from Indiana, Mr. Morton, was the Senator who first brought forward this proposition in the form of a bill in this body. And even prior to that Judge Trumbull, of Illinois, introduced the twenty-first joint rule, under which the votes at three elections for President were counted, the second election of Mr. Lincoln and the first and second elections of General Grant. We have passed through twenty-four elections, and with the exception of the three that I have mentioned, we have not had a law or a concurrent rule for the guidance of the two Houses adopted anterior to the time of their meeting to count the electoral vote. Still I am aware of the danger of undertaking to proceed further without some regulation, and I am content, if the Senate believe we have the constitutional power, that this bill should become a law. At the same time I cannot refrain from expressing the doubt, which has all the time rested on my mind, as to the authority of the Senate and the House in this legislative way to call in the Executive of the country to participate in the establishment of rules and regulations in which he may have a lively personal interest.

I do not wish to base my objection, however, on the impolicy of such an enactment, but really upon the want of authority on the part of the two Houses of Congress to associate the President with them in the adoption of any rule under which the electoral count can be had. I do not believe that it was in the contemplation of the framers of the Constitution or of those who adopted the amendment under which we are now proceeding to count the electoral vote, that the President of the United States should in any wise participate in any act which directly or indirectly would result in the count of a vote in a prescribed form. I also think I see great danger that might arise from the adoption of a law of that character.

I will suppose that you passed this bill through both Houses of Congress, and that the President of the United States, following the lead of Mr. Lincoln in respect to the joint resolution which was adopted to control the count of the vote in his second election, should veto the bill; then in what condition should we find ourselves? We should have expressed that it was our constitutional duty to enact a law for the control of these two Houses, and in the adoption of that view of the case we should have yielded the point that the two Houses had the right to count under a concurrent rule in the absence of a law. The President of the United States not concurring with us, and two-thirds of each House not voting to overrule his objection, the two Houses would be left entirely without any law or any rule on this subject, and would be entangled in the admission that it was necessary to have a law in order to execute this part of the Constitution.

I mention that category for the purpose of illustrating the fact that the President of the United States might be able to prevent a count of the vote at all under the concession made by Congress that it was necessary to have a statute under which the vote could be counted.

I will not concede that the duty which rests upon Congress to provide by law for the execution of all the powers conferred upon any department of this Government, or any officer thereof, includes the case of the count of the electoral votes. I regard the two Houses of Congress, when met together to count the electoral votes, as the highest tribunal of discretion and state erected in the Constitution, having peculiar powers, among which are the regulation of its own method of procedure and the arrival at the conclusion as to who is elected in such manner as the judgment of the two Houses may direct or may compel. I do not agree with the honorable Senator from Arkansas [Mr. GARLAND] that the Constitution is imperfect in this respect. I think it was the intention of the framers of this instrument to leave it to the discretion of the two Houses, who represent the States and the people, to count the vote at every election in such manner as they may think accords with justice on the particular occasion when they are assembled, and in order to reach a conclusion of that kind they must have the right to form such rules and regulations for their own guidance and government as they may see proper to form.

To illustrate that the provision of the Constitution relied on here as to the power of Congress to legislate as to powers vested in the Government or any of its departments or officers, does not apply necessarily to this great counting tribunal, I will call the attention of the Senate to the provisions of the Constitution on the subject of impeachments:

> The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on oath or affirmation. When the President of the United States is tried, the Chief-Justice shall preside: and no person shall be convicted without the concurrence of two-thirds of the members present.

There is a tribunal erected in the Constitution with certain powers given to it in reference to its organization and to its qualifications, but not in reference to the manner of its action. One following provision, however, limits the effect of the judgment when rendered. Now, would it be held by Senators here that a law of Congress could compel this high tribunal of impeachment, the Senate of the United States, to receive certain evidence and no other, and to decide certain questions that might arise in a certain way? It seems to me impossible to arrive at a conclusion of that kind without taking from this great court of impeachment some of its necessary constitutional powers. This court of impeachment has a right to prescribe rules for its own government, and the President of the United States has no right to participate in any action, nor has Congress as a Congress, which would control the action of that body either in receiving evidence or in deciding a certain question presented in a certain way.

There, then, is at least one instance in the Constitution where we find a tribunal erected in the Constitution itself, one of the establishments of our Government, which is not within the influence of that other provision of the Constitution which requires that we shall enact laws to carry into effect the powers conferred by the Constitution upon the departments of the Government or upon the officers thereof. So I hold it to be in respect to the two Houses when met in joint convention to count the electoral votes. These two Houses have just as much power to regulate the method of their procedure and the rules of evidence which they will adopt for their government as the court of impeachment consisting of the Senate alone.

I am content that this bill shall pass; and why? Because it will be some agreement between the two Houses; and yet I am perfectly aware of the fact that if the votes at an election for President and Vice-President should be counted in contravention of the principles of this bill, in direct violation of its terms, the announcement by the two Houses of such an election would be conclusive upon the world, and that no court and no tribunal in this country could undertake

to reverse that announcement upon the ground that we had violated the law in reaching the conclusion.

I submit that view of it to the Senate. Who could undertake to say that an election announced by the joint action of the two Houses was null and void because the Houses in arriving at that conclusion and making that announcement had violated the statute we now propose to put upon the statute-book? The very subject itself is far above legislative control, and it is perhaps a dangerous thing for us to be experimenting beyond the boundaries of our authority. This may come back to us some of these times and vex us, and we may find an occasion when we should like to be rid of this law, and we shall be obstructed in it by some interested partisan President who will veto your bill when you have passed it, and, unless with his consent, you cannot count a vote except in the manner that he desires it to be counted.

I mention these things merely to warn the Senate of dangers that lie in front of us, and that we are not curing at all by the passage of this bill. I repeat that I am content that the Houses should agree, if they can agree, even in a law, but when we have agreed in this manner let it not be understood that all the Senate at least concur in the idea that by such an agreement in the form of legislation we take from these two Houses the ultimate power of deciding this question according, at last, to their own judgment, for when they have decided according to their own discretion they have decided irrevocably and beyond the power of question or review. I concur in the opinion that Mr. Lincoln so tersely expressed when he returned, not with his objections, for he signed the joint resolution, but when he returned, with a protestation against his power to participate in this act of legislation, the joint resolution under which he was counted in for a second term. He said, I do not conceive that the President of the United States has the authority to participate in this matter, but inasmuch as the two Houses of Congress have concurred in this joint resolution and sent it to the Executive, I do not propose to undertake to reverse their action. I therefore return it to the two Houses with a statement of my protestation against this exercise of power by the Executive.

I do not undertake to quote Mr. Lincoln's exact words, but I have given the substance of them, and those were words of wisdom and of warning to the people of the United States, and it is only with a view to recall the attention of the country to what was then said by that able and sagacious man that I have ventured on this occasion to express that opinion in respect of the bill which is now under consideration.

I will vote for this bill, although I am not satisfied that I am not stretching my power as a Senator in doing so. I vote for it for the sake of quietude and peace and reconciliation in this country, believing that perhaps when the bill has passed and been signed by the President, if it should be so signed, it will be a little harder to get rid of than even a concurrent resolution; that there will be men to be found in the two Houses when the count of Presidential elections shall take place in future who will be more reluctant to part with a rule which in itself I conceive to be entirely wise than they would be if it had only received the sanction of the two Houses.

Mr. BLAIR. Mr. President, I offer the following amendment. At the end of section 2 add:

Unless both Houses of Congress acting separately shall decide otherwise.

I am not ignorant of the anxiety of the friends, and it may be of the opponents, of this bill to reach a vote, and I therefore propose not to detain the Senate at all with anything pertaining to the nature of an argument; but I am one of those who believe, from the best examination I have been able to give to this section of the bill, that it practically surrenders the powers of the national Government to the control of the States. The sovereignty of the country is vested in its legislative, its executive, and its judicial powers. The transmission of those powers from one individual officer to another constitutes the perpetuity of the Government itself, and whatever power controls that transmission controls the Government.

Now, if the national Government has of itself a perpetual existence, if its Constitution is of itself a perpetuity, if it has the right to live, it has the right to perpetuate its own officers personifying for the time being any one of these powers; and the control of the executive power is as much the control of the Government itself as the control of all three, because any of these three concurrent co-ordinate powers is as essential to its existence as the others.

This section proposes to make the action of the State authorities conclusive evidence as to the election and the qualification and as to the existence of the elector himself. It gives to each State the control of the electoral college absolutely, unless where controversy arises subsequently; or, in fact, even worse than that: if there be an action by the State authority on any controversy that may arise in regard to any elector prior to the meeting of Congress to count the votes, then that action is final and conclusive upon the national power. If that is so this bill is simply a provision for the surrender of the national existence so far as the executive power is concerned. It is the transmission from one individual office-holder to another, from one President to another; it is an absolute surrender of that question to the control of the States. I look upon that as a fundamental departure from the essential principles of the Republican party and of our national Constitution. We have in our Presidential platforms from the beginning announced ourselves as believers in the doctrine of the supremacy of the nation. We have laid down as the substantial platform of our party the doctrine that we are a nation. Now, when we yield the point that the Executive of the nation may be controlled, as that power passes from one individual to another, by electors whose existence and whose qualifications are made conclusively to depend upon the decision of State authority, we abandon our principles entirely, we surrender the fundamental idea of the Constitution itself.

Mr. President, as I said in the beginning, I do not propose to enlarge upon this subject-matter at all. I do not wish to delay action upon the bill. I move this amendment because unless it is adopted, so far as I am individually concerned, it will be impossible for me to support the bill.

Mr. HOAR. I hope the amendment of my honorable friend from New Hampshire will not be pressed. This bill is the result of very careful and anxious study. A very able special committee of the Senate some years ago reported it *verbatim et literatim* as it now stands. That was at the session beginning December, 1877, and I am obliged to the President of the Senate for reminding me that he was also a member of that committee. I believe that the Senator from Delaware, [Mr. BAYARD,] the Senator from Vermont, [Mr. EDMUNDS,] and the Senator from Alabama, [Mr. MORGAN,] were also of the committee, and that those two gentlemen whom I named first gave a very peculiar and special amount of labor to the framing of the bill, representing somewhat, as they did, the different sides of the Senate. Now, to put hastily into this most important and delicate machine new language, the effect of which may not be seen without a careful study of the whole bill, is unwise. So that if I agreed with the honorable Senator from New Hampshire in his opinion, I should not desire to encumber the bill with this amendment.

But I am free to say that I do not concur with the Senator from New Hampshire. I believe that the one thing which the framers of the Constitution meant was to get the President of the United States, out of Congress, to remove to the States, without any possibility of being influenced or affected or controlled, still less of being dominated, by national authority, the choice of their Presidential electors. The naked count of the votes of the persons commissioned by their States to cast them and the announcement of the result was all that the Constitution reserved for the Federal authority.

It is singular, Mr. President, how the instincts of the people have acted upon that principle although the method of accomplishing it which our fathers designed has not been pursued. They expected that the electoral college would be composed of men who would exercise a discretion. They were to be chosen by the States, the choice ascertained and authenticated by the States, the commission given by the States, and they were to assemble on the same day, so that there might be a reflection of the local opinion of each State unaffected even by such consultation with the representatives of other States as we necessarily have in the enactment of laws and in the discharge of our duties here. They were to vote for two candidates for the Presidency, the highest of whom was to be declared President, and the next highest the Vice-President. It was expressly prohibited to every person holding any Federal office, however small, to have a seat in the electoral college.

Now, under our customs, the elector is but a scribe; he exercises no discretion; he casts a vote which is known perfectly in advance, which he would be dishonored beyond any dishonor which has been known for any political action in this country if he should refrain from casting his vote for the candidate of the party which prevailed in the election in his State by his choice. The true electoral colleges in this country to-day are the nominating conventions of the political parties, unknown to the law. All the safeguards, therefore, with which we surrounded the elector from Federal influence have in the main been destroyed by the practices of our elections, but the people have almost never since that change selected and elected to the Presidency any person who has been holding high national position at the time of his choice. Since John Quincy Adams, I think, the people have sought for some candidate away from the seat of Government, not connected with national affairs, entirely disassociated from the strifes and the competitions and the contests which are bound up in politics at the seat of Government—Jackson and Taylor and Lincoln and Grant—with the single exception of the last Presidential candidate; since John Quincy Adams the principle which led to the adoption of these safeguards of the Constitution has been acted upon instinctively by the people themselves. So I believe it will continue to be in the future.

I do not think, therefore, that we ought to introduce into this bill an especial affirmation of the principle that Congress is entitled to control the election of the President and Vice-President by asserting a right to go behind the deliberate judicial action of the authorities created by the Constitution for that purpose.

It is very bad in principle for another reason. The judicial authority of the State referred to in this bill is to act before the electors receive their commission, before the electors cast their votes, before the effect on the general result of the action of any particular electoral body can be known with any certainty; but this puts in the two Houses of Congress the temptation after the result is known, when the effect not merely upon the title to his seat of a particular elector, but the result of the title to the great Presidential office itself, is to be determined by the action of the two Houses, to go behind the State judicial tribunal and take into the hands of these two great

political bodies the determination of the Presidential election. I should regard such a result as menacing very seriously the perpetuity of constitutional government itself under our present existing form.

But I will not undertake to detain the Senate at this late hour with further discussion.

Mr. BLAIR. Mr. President, I am not ignorant of the fact that this bill has been very carefully considered; I am not ignorant of the fact that leading minds of the Senate concur in favoring its passage, and I do not wish to leave the Senate in ignorance of the further fact that it is a matter to which I have myself given careful and, I think, conscientious consideration as long as the committee itself, unless its observations and reflections upon this subject have extended to an earlier period than the great controversy of 1876. And I assure you, Mr. President and the Senate, that I move this amendment because I feel impelled to do it by a regard to what has for a long time been my conviction on this subject. I am not inclined to surrender what I believe to be the essential principle upon which this Government is founded because others may as conscientiously believe to the contrary of what I do myself.

I assure you, Mr. President and the honorable Senator from Massachusetts, that if it were possible for me to vote for this second section as it now is I would gladly do so; but it is not. I do not myself quite comprehend the course of argument, if it is argument, in his remarks. He says to us that we are no longer a Government acting through governmental forms, but that we are simply registering in these latter days the edicts of party conventions. There may be much truth in that. The real electoral colleges, as he tells us, are the nominating conventions of the two parties. I admit that ours is a Government primarily based on the action of parties; but are these State parties, or are they the parties of the nation at large? The point which I make is this, and it is a radical one unless I am under a mistake, that the surrender to the State tribunals, whether legislative or executive or judicial, it matters not which, of the power to say who is the elector, the man who, under the Constitution, creates the President, is an abandonment of the national power itself to that State jurisdiction. I doubt whether any one can meet that point; certainly the Senator did not in the few remarks which he did me the honor to make in reply to this amendment. That radical principle which involves the question of supremacy between the State and the nation I cannot yield.

The Senator from Massachusetts says practically that there is very little need of the passing of this bill; the people control these things; local sentiment governs, and so it will be as the Senator from Alabama has intimated. I think that whenever the question arises and Congress is called upon to assert its inherent power to count the vote, it will be so whether this bill is enacted into a law or not. Congress, representing the nation, will never abandon its inherent power to count the vote. That is a question which has been debated in Congress many times and very seriously, and I never yet have heard any leading Republican take the ground in the Senate or elsewhere in the country that the power to count the vote was not in the authorities of the United States, unless it has been enunciated on this occasion by the honorable Senator from Massachusetts; and when we yield that, as we do yield it in the second section of this bill, we not only violate the Constitution, in my belief, but we are untrue to our own party platforms and professions to the people at large. If we have any one thing intrusted to us as a party in this country, it is the protection of the principle of nationality; and that principle I consider can be only defended, so far as this bill is concerned, by the adoption of the amendment which I have moved.

Now, sir, I think that for a Republican, a man who believes in the nation as supreme over the States, it is yielding a great deal to say that this section may be adopted and we will vote for it even with the qualification which I move as an amendment. Why? Because it makes the State action *prima facie* a rule; it makes it a rule until that rule is reversed, not by the action of a single House of Congress, but by the concurring action of both Houses of Congress. I am willing to go to the extent of saying that Congress shall be overruled by the action of the State provided both Houses do not concur in their action. Doing that, I think it would be yielding altogether too much to go further and adopt the second section as it stands.

The Senator from Massachusetts says in reply to this amendment that he finds great danger lest Congress may act corruptly while the judicial power of the State may act honestly and in accordance with the dictates of duty. Why? The Senator tells me he said nothing of the kind. Then I misunderstood him. He certainly said that he would consider it a great objection, that the action of Congress should be preferred to that of the State because Congress acts after the electoral college has deposited its vote and the action of the college is then known, and Congress knowing the action of the college may, very likely from party reasons or from reasons which are not for the good of the State, reverse the action of the judicial power of the State; that the judicial tribunal of the State is more likely to be impartial and to decide justly for the reason that it acts prior to the casting of the vote by the electoral college and in ignorance of its action. But as a part of the same statement does not the Senator see that the elector who casts his vote differently from what it is understood he shall when he is chosen in November is an outcast in the country? Is it not a fact that the judicial tribunal of the State will know the action of the electors just as well before as after they have cast their votes? Where, then, is the pertinency of the Senator's claim that the judicial power of the State is likely to be more impartial than Congress in the exercise of its authority to count the vote?

Sir, I believe that the adoption of an amendment in substance such as I have moved here—the language may not be the most considerate, but I think it accomplishes the purpose, it indicates the idea at all events—is indispensable so far as I am concerned at least in the support of this bill.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from New Hampshire, [Mr. BLAIR.]

The amendment was rejected.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a letter from the Secretary of War, dated the 4th instant, inclosing plans and estimates for the completion of Fort McKinney, Wyoming Territory, and recommending an appropriation of $50,000 for the purpose in accordance with the estimates.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April* 6, 1882.

He also laid before the Senate the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated the 4th instant, inclosing estimates for deficiencies in the appropriation for the transportation of the Army and its supplies for the fiscal year ending June 30, 1882, and recommending an appropriation in accordance therewith.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April* 6, 1882.

SAINT LOUIS AND SAN FRANCISCO RAILWAY COMPANY.

Mr. MAXEY. I now move that the Senate proceed to the consideration of the bill (S. No. 60) ratifying the act of the general council of the Choctaw Nation of Indians granting to the Saint Louis and San Francisco Railway Company right of way for a railroad and telegraph line through that nation.

The motion was agreed to.

The PRESIDENT *pro tempore*. The bill is before the Senate as in Committee of the Whole.

Mr. KELLOGG. I desire now to give notice that when this pending bill is disposed of I shall ask the Senate to proceed to the consideration of the bill (S. No. 1572) for the improvement of the navigation of the Mississippi and Missouri Rivers.

Mr. CAMERON, of Wisconsin. I move that the Senate proceed to the consideration of executive business.

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

HOUSE OF REPRESENTATIVES.

THURSDAY, *April* 6, 1882.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday's proceedings was read and approved.

ORDER OF BUSINESS.

Mr. HUBBELL and others addressed the Chair.

Mr. WHITE. I call for the regular order.

Mr. HUBBELL. I hope the gentleman will wait a moment. I have a very important joint resolution which ought to be passed at once. I ask unanimous consent to introduce for immediate action the joint resolution which I send to the desk. I will explain it in a moment.

The SPEAKER. The gentleman from Michigan [Mr. HUBBELL] asks unanimous consent for the present consideration of a joint resolution, the title of which will be read.

The Clerk read as follows:

A joint resolution appropriating certain lands——

Mr. WHITE. I insist on the regular order.

Mr. VALENTINE. I ask the gentleman from Kentucky [Mr. WHITE] to allow me to introduce a bill for the relief of persons in the overflowed regions.

The SPEAKER. The regular order is insisted upon.

ENROLLED BILLS SIGNED.

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

An act (H. R. No. 1776) for the relief of Medical Director John Thornley, United States Navy; and

An act (H. R. No. 5588) to admit free of duty articles intended for exhibition at the national mining and industrial exposition to be held in the city of Denver in the year 1882.

PERSONAL EXPLANATION.

Mr. BLAND. I rise, Mr. Speaker, to a question of personal privilege. I desire to have read what I send to the Clerk's desk.

The Clerk read as follows:

Mr. BLAND, of Missouri, based his opposition to the resolution upon his general opposition to the national banking system. He was in favor of substituting silver for national-bank notes until silver was on a parity with gold. As a Democrat, he proclaimed his hostility to national banks and national bankers.

Mr. KASSON. That is not a question of privilege.

Mr. BLAND. That is a dispatch to the Associated Press, which is incorrect, so far as I am concerned.

Mr. KASSON. But I wish to ask the gentleman from Missouri whether he considers that as a question of privilege.

Mr. BLAND. It certainly is, so far as I am concerned. This statement, it seems, went out to the country as a dispatch to the Associated Press and does me injustice. I expressed no hostility to national bankers as individuals, but only to the system. There would be neither rhyme nor reason in denouncing persons who are engaged in a legitimate business authorized by the laws of the country.

ORDER OF BUSINESS.

Mr. KASSON. I move to dispense with the morning hour.

Mr. HOUSE. I rise to a question of privilege.

The SPEAKER. The gentleman from Iowa will be recognized again. The Chair now recognizes the gentleman from Tennessee.

PROPOSED ADJOURNMENT.

Mr. CAMP. I move, Mr. Speaker, that when the House adjourns to-day it adjourn to meet on Saturday next, as to-morrow will be Good Friday.

The House divided; and there were—ayes 30, noes 56.

So the motion was disagreed to.

MISSISSIPPI CONTESTED-ELECTION CASE.

Mr. CALKINS. Mr. Speaker, I rise to a question of the highest privilege.

The SPEAKER. The gentleman will state it.

Mr. CALKINS. I am directed by the Committee on Elections, in the matter of the contested-election case of John R. Lynch against James R. Chalmers, of the sixth Congressional district of Mississippi, to submit a report, which I ask may be printed and laid over for the present, to be called up at some other time, and only ask now that the accompanying resolutions be read by the Clerk.

The Clerk read as follows:

Resolved, That James R. Chalmers was not elected and is not entitled to his seat in the Forty-seventh Congress from the sixth district of Mississippi.

Resolved, That John R. Lynch was elected and is entitled to his seat in the Forty-seventh Congress from the sixth district of Mississippi.

The report was laid over and ordered to be printed.

Mr. CALKINS. In connection with that report I desire to ask that the minority of the committee shall have leave to file their views at any time in the future, and that they be ordered to be printed. My colleague on the committee, the gentleman from Ohio, [Mr. ATHERTON,] who has charge of that matter, is detained from the House by sickness, and it is at his request in a letter I have received from him that I have made this motion.

The SPEAKER. The Chair hears no objection, and it is ordered accordingly.

CONTESTED ELECTION—STOLBRAND VS. AIKEN.

Mr. JONES, of Texas. I am directed by the Committee on Elections, in the case of C. J. Stolbrand against D. Wyatt Aiken, from the third Congressional district of South Carolina, to submit a report recommending the adoption of the resolution which I ask the Clerk to read.

The Clerk read as follows:

Resolved, That C. J. Stolbrand have leave to withdraw papers.

The resolution was adopted.

Mr. JONES, of Texas, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. HUBBELL. I ask to introduce a joint resolution at this time for consideration.

Mr. HUTCHINS. I demand the regular order of business.

Mr. KASSON. I wish to complete the statement begun when moving to dispense with the morning hour for to-day, and it is this: that it is my intention if the motion be carried to yield to things that will not call for debate, such as reports from committees, &c. I now ask for a vote on my motion to dispense with the morning hour for to-day.

Mr. SPRINGER. Several gentlemen have reports to submit from their committees; and I hope the morning hour will not be dispensed with.

The SPEAKER. The Chair thinks that two-thirds have not voted in the affirmative.

Mr. KASSON. Then let us have a division.

The House divided; and there were—ayes 54, noes 36.

So (two-thirds not having voted in the affirmative) the motion was disagreed to.

Mr. KASSON. I demand the regular order of business.

Mr. BLACKBURN. Will the gentleman yield to me to offer a resolution?

Mr. KASSON. I cannot after the vote just given by the House.

Mr. BLACKBURN. I stand pledged to offer a resolution of investigation, which I am now trying to do.

Mr. HAZELTON. What is the regular order?

The SPEAKER. After privileged reports the regular order will be the call of committees for reports of a general character.

Mr. HAZELTON. Then I demand the regular order of business.

INDIAN APPROPRIATION BILL.

Mr. RYAN. I wish to submit a report from the Committee on Appropriations on the amendments of the Senate to the bill (H. R. No. 4185) making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes for the year ending June 30, 1883, and for other purposes.

Mr. RANDALL. I would like to ask the gentleman from Kansas whether any of the amendments of the Senate are liable to the point of order that if introduced in the House they would have to be considered in the Committee of the Whole House on the state of the Union. It is Rule XX, I think.

Mr. RYAN. I do not understand the question of the gentleman from Pennsylvania.

Mr. RANDALL. I desire to know whether any of the amendments of the Senate to this Indian appropriation bill are of such a character as would make them liable to the point of order under Rule XX of the House?

Mr. RYAN. None, I think, that the committee have recommended concurrence in.

Mr. RANDALL. Well, if there be any Senate amendments of that character, I desire to reserve the point of order upon them.

Mr. RYAN. There is some new legislation in the bill, but the committee have not recommended concurrence in any amendments which I think are subject to the point of order.

Mr. RANDALL. I ask the question for the reason that I desire to reserve the point of order as these amendments are read, that they shall have their first consideration in Committee of the Whole House on the state of the Union, if such point rests against such amendments.

Mr. RYAN. I wish to ask the gentleman from Pennsylvania whether he would not be willing, inasmuch as we have not recommended concurrence in such amendment, to wait until the conference committee make their report on these amendments, in which non-concurrence is now recommended?

Mr. RANDALL. I do not think my object would be reached in that way. A conference report is privileged. The committee's report as now presented to the House is open to points of order such as I indicated. In considering a conference, such point would not rest against such conference report. The mere recommendation of the Committee on Appropriations to non-concur does not necessarily imply that the House would agree to the non-concurrence. The gentleman will see the importance of the distinction. My only object is that we shall have an opportunity, if any of these amendments are liable to the point of order, of discussing them in Committee of the Whole House on the state of the Union.

Mr. RYAN. Has the gentleman from Pennsylvania any objection to the adoption of the report as far as the recommendation to concur of the Committee on Appropriations goes?

Mr. RANDALL. I should like to hear the report read to know what it does recommend. I might desire to amend some of these items. I have no belief in the propriety of the Senate inserting amendments to bills of this character, and have them brought before the House on a committee's report, unless they shall be subject to the point of order if it is desired to make such.

Mr. ROBESON. I would like to ask the gentleman from Pennsylvania whether when such amendments come here under the report of a conference committee they cannot go to the Committee of the Whole?

Mr. RANDALL. Not under the rule, because the conference report is a privileged report to the House.

The SPEAKER. The report of the committee will be read.

The Clerk read as follows:

The Committee on Appropriations, to which was referred the bill (H. R. No. 4185) making appropriations for the current and contingent expenses of the Indian Department, and for fulfilling treaty stipulations with various Indian tribes, for the year ending June 30, 1883, and for other purposes, together with the amendments of the Senate thereto, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments of the Senate numbered 1, 4, 5, 6, 7, 8, 10, 23, 24, 25, 26, 28, 29, 30, 31, 36, 37, 38, 39, 50, 57, 62, 63, 64, 65, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 83, 84, 85, 86, 87, 88, 89, 90, 97, 98, 99, 100, 101, 102, 106, 107, 108, and 109.

They recommend non-concurrence in the amendments numbered 2, 3, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 32, 33, 34, 35, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51, 52, 53, 54, 55, 56, 58, 59, 60, 61, 66, 67, 78, 79, 80, 81, 82, 91, 92, 93, 94, 95, 96, 103, 104, and 105.

Mr. HOLMAN. I wish to ask whether or not the amendments made by the Senate to this bill have been printed by order of the House?

The SPEAKER. The Chair is informed that they have been.

Mr. HOLMAN. Printed and numbered?

The SPEAKER. So the Chair is informed.

Mr. BLOUNT. Can we have the amendments read?

The SPEAKER. They will be read. The Clerk will first report the amendments in which the committee recommend concurrence. Does the gentleman from Kansas desire a separate vote upon the several amendments?

Mr. RYAN. I do not desire it.

Mr. RANDALL. Unless we can have the printed bill to indicate these various amendments, a vote had better be taken separately.

The SPEAKER. The bill with Senate amendments, the Chair is informed, has been printed. The Clerk will report the various amendments in which concurrence is recommended.

The Clerk reported the various amendments up to amendment numbered 84; which were severally agreed to.

The Clerk read as follows:

Strike out the words "training school," in line 176 of the bill, and insert "industrial school;" so that it will read:

"For support of Indian industrial school at Carlisle, Pennsylvania," &c.

Mr. DUNNELL. I would like to have the gentleman from Kansas explain the apparent departure from the previous character of the school at Carlisle, if there is any, as indicated by the striking out of the words "training school."

Mr. RYAN. As a matter of fact, there is no change whatever.

Mr. DUNNELL. Is there any reason for this change?

Mr. RYAN. None, except that, in the opinion of the superintendent, this word "industrial" better describes the character of the school than the other word.

The amendment was agreed to.

The Clerk reported the amendments numbered 85, 86, 87, 88, and 89; which were severally agreed to.

The Clerk reported the amendment numbered 90, as follows:

And said sum shall be disbursed upon the basis of an allowance of $200 for the support and education of each scholar, and not exceeding $500 of said sum may be used for the transportation of children to and from said school.

Mr. RANDALL. I suppose that is rendered necessary because the increase of $10,000 in the preceding amendment will increase the number of scholars.

Mr. RYAN. Yes, sir.

The Clerk reported the additional amendments in which concurrence was recommended; which were severally agreed to.

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

The latter motion was agreed to.

The SPEAKER. Does the gentleman from Kansas desire the reading of the other amendments, in which non-concurrence is recommended by the committee?

Mr. RYAN. No, sir; I move that the House non-concur in the amendments indicated in the report.

Mr. HOLMAN. I rise to make a parliamentary inquiry. On page 49 of this bill there is certain independent legislation by the Senate in the form of amendments to the bill. The question I present is whether such amendments in their consideration by the House are not subject to the same rule of order as if they had originated in the House on the ground of their being new and independent legislation, and not simply appropriations to carry out existing laws?

Mr. RYAN. I do not understand there is any rule of this House that allows the House to declare that because a Senate amendment is new legislation the House therefore will not consider it at all.

Mr. RANDALL. I ask that Rule XX be read.

The Clerk read as follows:

Any amendment of the Senate to any House bill shall be subject to the point of order that it shall be first considered in the Committee of the Whole House on the state of the Union, if, originating in the House, it would be subject to that point.

Mr. RYAN. Certainly that point of order can be made. But the amendment must be considered, either in the House or in the Committee of the Whole.

Mr. RANDALL. In the line of the inquiry of my friend from Indiana [Mr. HOLMAN] I would like to ask whether these amendments of the Senate are not only new legislation but whether they do not also make an appropriation to execute that new legislation? If so, they clearly come within Rule XX. I do not make the point of order. The point I aimed at I have had the opportunity of reaching by the amendments having been gone over *seriatim*.

The SPEAKER. The Chair will state to the gentleman from Indiana it is of opinion the only point of order that can be made would be such as could be made under Rule XX, which has just been read.

Mr. HOLMAN. It is very clear, of course, that if the Senate sends back a bill with an amendment that appropriates money that amendment must be considered in Committee of the Whole. But that was not the point I desired to present. It was this: whether if the Senate puts independent and new legislation on an appropriation bill it is subject to the point of order in the House that it is new legislation? I was not making the point of order; I was merely submitting a parliamentary inquiry.

The SPEAKER. The Chair thinks it has made all the answer it can make now to the gentleman's inquiry. It is under the impression that clause 3 of Rule XXI does not apply to Senate amendments.

Mr. RANDALL. Does not Rule XX apply to Senate amendments which are new legislation and carry an appropriation to execute them?

The SPEAKER. Rule XX provides for a point of order against a Senate amendment, if it makes an appropriation, that it shall be sent to the Committee of the Whole House on the state of the Union. The Chair would rather not conclusively decide the other question at present.

Mr. RANDALL. Not until the point of order is raised. The gentleman from Indiana only made the point in the form of a parliamentary inquiry.

The SPEAKER. And the Chair would rather not decide the question absolutely now.

Mr. RANDALL. I wish to say, however, if the Senate have introduced new legislation into the bill and have provided for an appropriation to execute that new legislation, the same proposition if it had been originally offered in the House must have been considered in Committee of the Whole House on the state of the Union under the rule; and such an amendment comes therefore as a Senate amendment within the range of Rule XX. But I do not myself make the point of order.

I want, however, to ask the gentleman from Kansas a question: How much in the aggregate do the Senate amendments increase the bill?

Mr. RYAN. Over half a million of dollars.

Mr. RANDALL. And in how much has the House Committee recommended concurrence, and in how much non-concurrence?

Mr. RYAN. I do not think we have recommended concurrence in anything that increases the original bill at all.

Mr. RANDALL. I noticed one or two items where the committee recommend concurrence in which there is an increase.

Mr. RYAN. One or two small items.

Mr. RANDALL. There was one of $10,000 I noticed.

Mr. ROBESON. I will say to the gentleman from Pennsylvania that as the bill now stands, with the concurrence of the Committee on Appropriations, it appropriates less money than when it went to the Senate.

Mr. RANDALL. I consider that a very gratifying fact if you only have the stamina to stand up to it.

Mr. HOLMAN. I notice there are a number of provisions here authorizing the erection of buildings for educational purposes; quite a number of them. I think that is proper. In that connection I wish to inquire—and it is a question that may properly arise in the committee of conference—whether it is not better and far more economical that instead of having a large number of these schools established over the country there should be one or two central establishments of this kind into which a large number of these children could be gathered?

Mr. RYAN. That will be, as the gentleman from Indiana states, a subject for conference discussion. I think there is force in what the gentleman from Indiana suggests.

Mr. HOLMAN. I submit to the gentleman from Kansas that the bringing of these Indians from various tribes to a particular point for educational purposes is not only better as tending to break up the tribal relations, which must be done in a few years, but far better also on the score of economy. And I trust my friend from Kansas will see to it that that view at least gets the attention of the committee of conference. Inasmuch as the tribal relations will be broken up in a very few years, the sooner you get these children together for educational purposes without reference to tribal relations the better.

Mr. HOOKER. I would inquire of the gentleman from Kansas [Mr. RYAN] whether any amendment of the Senate to this bill changes the appropriation made by the bill as it passed the House for the Indian Peace commission, as it is commonly called?

Mr. RYAN. It reduces the sum appropriated by the House by either $400 or $600. I now ask that the report of the Committee on Appropriations be adopted.

The SPEAKER. The question is upon non-concurring in the several amendments of the Senate as recommended by the Committee on Appropriations.

The amendments were non-concurred in.

ORDER OF BUSINESS.

Mr. PAGE. I ask unanimous consent to introduce a bill for reference.

Mr. RANDALL. I call for the regular order.

Mr. PAGE. Allow me to explain a moment. I want to introduce a bill to carry into effect the treaty between the United States and China.

Mr. SPRINGER. We have passed one bill for that purpose, which has been vetoed by the President and the Chinese minister.

Mr. PAGE. I want to introduce such a bill.

Mr. RANDALL. I have no objection to that bill.

Mr. SPRINGER, Mr. MORSE, and others objected.

The SPEAKER. Objection is made.

Mr. PAGE. I desire to give notice that I shall try until the end of this session to get consent to pass some bill for the relief of the people on the Pacific coast by restricting the immigration of Chinese.

Mr. HISCOCK. I desire to make a report from the Committee on Appropriations.

Mr. RANDALL. I call for the regular order.

The SPEAKER. Is the report a privileged one?

DEFICIENCY FOR DIES, STAMPS, ETC.

Mr. HISCOCK. I believe it is a privileged report. I want to report back a bill which was recommitted to the Committee on Appropriations the other day. It is House bill No. 5573, making appropriations to supply a deficiency for dies, paper, and stamps for the fiscal year 1882, and to continue work on the Washington Monument for the fiscal year 1883.

Mr. RANDALL. That is not a privileged report, for it is not one of the general appropriation bills. I will not object to it, however, and will withdraw my demand for the regular order as against that bill.

Mr. HOLMAN. I suppose there will be no objection to considering the bill at this time. I ask consent that it may be considered in the House as in Committee of the Whole.

There was no objection.

The SPEAKER. The bill will be read.

The bill was read, as follows:

Be it enacted, &c., That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums for the purposes hereinafter mentioned:

For dies, paper, and stamps, $170,000, being a deficiency for the service of the Government for the fiscal year ending June 30, 1882; and not exceeding $7,000 of this amount may be expended in the payment of persons employed in connection with the manufacture of paper and the production of stamps, and their custody and care.

For marble, granite, iron frame-work, machinery, tools, labor, office expenses, and for each and every purpose connected with the completion of the Washington Monument, $150,000, being for the fiscal year ending June 30, 1883.

The Committee on Appropriations reported an amendment to add to the bill the following:

For distinctive paper for United States securities, including mill expenses, transportation, examination, counting, and delivery, being a deficiency for the fiscal year 1882, $25,000.

Mr. RANDALL. I think the gentleman should make some explanation of that amendment, and after that I shall ask some explanation in regard to the deficiency of $170,000.

Mr. HISCOCK. In reference to the amendment, I will send to the Clerk's desk a letter to be read.

The Clerk read as follows:

OFFICE OF THE SECRETARY, TREASURY DEPARTMENT,
Washington, D. C., November 1, 1881.

SIR: I have the honor to state that in submitting an estimate in 1880 of the amount of appropriation required for distinctive paper for United States notes, silver certificates, and other securities for the fiscal year ending June 30, 1882, the amount was stated at $81,000 which would be required for the purchase of ten million sheets. In making the appropriation Congress reduced the amount to $25,000, thus providing for about three million sheets, which is at least two million sheets less than the amount required to meet the requisitions of the Treasurer of the United States for United States notes for the current fiscal year.

The large consumption of United States notes is owing to the fact that the Department has been compelled, by the limited appropriations of the past few years, to use the paper as soon as it is manufactured. The notes being printed on unseasoned paper lack durability, and are soon returned to the Department, worn out or mutilated, to be replaced at the expense of the Government.

In view of these facts it would seem to be a measure of economy to use only seasoned paper in preparing United States securities. I therefore respectfully recommend that Congress be requested to make an additional appropriation of $24,420 for distinctive paper for United States securities for the fiscal year 1882, which will enable the Department to fill the requisitions of the Treasurer of the United States and secure a small supply of paper for use during the next fiscal year.

It is proper to state that unless an additional appropriation be granted the manufacture of distinctive paper must cease on or before February 1, 1882, and the force at the mill be discharged.

Very respectfully,

WM. FLETCHER,
Chief Division of Loans and Currency.

The SECRETARY OF THE TREASURY.

The amendment reported from the Committee on Appropriations was agreed to.

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

The question was upon the passage of the bill.

Mr. RANDALL. I desire to say a few words touching the appropriation of $170,000 for a deficiency for dies, paper, stamps, &c. I was one of the members of this House who favored the policy of the printing by the Government of its own stamps, so far as it could do so, instead of having them printed by outside contractors.

I believed that the Government could and should print those stamps at a less price than a contractor could do so, who had to keep up his own establishment, because the Government had no rent to pay for buildings, had nothing to pay for machinery nor for its wear and tear from year to year, and was also free from insurance charges and many other charges which a private party must submit to in the way of office furniture, rent, &c. All of these expenses to which I have alluded the Government officials are free from, and consequently they ought to be able to do this work at a less cost than private parties would be willing to do it for.

But, as time has gone on I have been led to believe from information I have received from those who understand this subject better than I do, and perhaps better than many members of Congress do, that this work by the Government has now reached a cost in excess of the price which outside parties have heretofore offered to do the work for, and that is the real reason why this deficiency has occurred.

I only wish to direct the attention of members of the Committee on Appropriations to the statement I have made. I have already shown to the chairman of the Committee on Appropriations a detailed statement received from a respectable party, and he has assured me that there will be made an investigation of this subject.

One case was told me where a match manufacturer had to give up his own dies, which contained his trade-mark also, and was assured that the stamps would be furnished him by the Government at a cost of only seven dollars per thousand. When he came to pay for them, however, he was charged twenty-one dollars per thousand.

Such complaints as these have come to my ears, and I think it is due to all parties that they should be publicly stated, so that if they are incorrect they may be refuted, and if they are not incorrect, and this bureau is running into extravagant habits, then it should be checked.

Mr. HEWITT, of New York. I wish to remind the gentleman from Pennsylvania [Mr. RANDALL] that when he took the position he did in the Forty-fourth Congress upon this subject, I predicted that this very result would occur, and that the Government could not produce stamps in competition with private parties. Congress saw fit, however, to confide this work to a bureau of the Government, and the result which I then predicted has come to pass.

Mr. RANDALL. At the time the gentleman refers to I took the position which I take now, that the Government, if the business is properly and economically managed, can print stamps more cheaply than outside parties; and this stands to reason in a business light. The Government is free from rent, free from the cost of the original machinary, free from the expense of wear and tear in running the machinery.

Mr. VALENTINE. Now will the gentleman explain the meaning of that language? He used it once before, but I failed to understand it.

Mr. RANDALL. I mean to say that the cost of the machinery used by the Government is not charged relatively against the cost of the stamps.

Mr. VALENTINE. Does not the machinery wear out?

Mr. RANDALL. Of course it wears out and has to be renewed; but so far as I am able to learn the estimate of the cost of printing these stamps does not at any time include the wear and tear of machinery or charges for rent and insurance. In other words, so far as I know, the estimates include nothing except paper, printing, and the manual labor connected with the work.

Mr. VALENTINE. When you come to buy machinery to replace that which has worn out, does not that count as part of the expense?

Mr. RANDALL. That would not affect the question, because, whether it is the Government or an individual that purchases the price would be about the same.

Mr. VALENTINE. Then there is no saving.

Mr. HISCOCK. I would like to inquire of the gentleman from Pennsylvania whether he now recollects the relative cost of stamps in reference to the amount collected in years past.

Mr. RANDALL. I have not the figures here; I could find them, because in the investigation to which the gentleman from New York [Mr. HEWITT] has alluded all that appears, I think.

Mr. HISCOCK. I have a statement of this kind: that in 1879 the cost was $3.35 to $1,000 collected; in 1880 it had increased ten cents on the $1,000, being $3.45 to $1,000 collected; and in 1881 it was $3.56, owing to the increased price of material. So far as I have been able to investigate the matter in the brief time since my attention was called to it in personal conversation by the gentleman from Pennsylvania, it would appear that all the increase is accounted for by the increased cost of material.

The SPEAKER. The bill has been ordered to be engrossed and read a third time.

Mr. BLOUNT. I must object to the provision in this bill in relation to the Washington Monument, for which there is an appropriation here of $150,000, which the committee include in the shape of a deficiency.

Mr. HISCOCK. Not at all.

Mr. BLOUNT. As I understand, the gentleman from New York places the matter in this position: that this is simply an anticipation of the appropriation which would otherwise be made next year, and is made now in order that it may be used for the purpose of purchasing material. That I understand to be the explanation.

Mr. HISCOCK. The explanation of it, if the gentleman will allow me a moment, is this: this item is not put in the bill in the form of a deficiency; it is a distinct appropriation for the next fiscal year, which the committee concluded to put in this bill and recommend its adoption, to the end that in the prosecution of the work upon the Washington Monument contracts might be made for materials for the next fiscal year, or that the officers in charge of the work might know the sum which will be at their disposal. No part of this money is to be used during the present fiscal year; it is simply an appropriation proposed to be made at this time for the next fiscal year.

Mr. BLOUNT. I cannot understand the matter as the gentleman from New York does. Before the next fiscal year shall arrive appropriations for purposes of this kind will be made in the regular way. The only object, as I understand, of making this appropriation at the present time is that it may be at once available so that contracts for stone, &c., may be made—exactly what the officers of the Government may do with reference to funds which they may have on hand at the present time. It is therefore nothing more nor less than a deficiency appropriation. It is to make this amount available to be used at once by the Government in connection with the Washington Monument. A part of the operations connected with the construction of that monument is the purchase and laying down of materials; and if it were proposed simply to make contracts to be paid out of this item, but not to allow the parties to go forward at once in the execution of these contracts, nothing would be gained.

Mr. Speaker, my reason for objecting to this appropriation is that it is part of a system in reference to the public buildings as well as in regard to the Washington Monument. Every year since I have

been a member of this House, the attempt under some specious plea has been made to induce Congress to sanction in the form of deficiencies appropriations which the officers in charge of these works had failed to get in the regular way under the estimates. There is no more reason for the provision proposed in the present case than there would be in reference to all the public buildings throughout the country. The gentleman from New York might just as well come here and propose that in reference to every public building in the country the officers in charge might go forward and contract for material in this identical way.

The result will be simply an addition to the amount for this year, as it has been the experience of the past that when such appropriations have been made and the next fiscal year arrives they insisted on an amount just as large as if no portion of it had been anticipated by any preceding appropriation.

Mr. HISCOCK. I will say to the gentleman from Georgia there will be no further appropriation for the prosecution of this work for the next fiscal year, and I now call the previous question.

The SPEAKER. The bill has been ordered to be engrossed and read the third time.

Mr. HISCOCK. Very well; I demand the previous question on the passage of the bill.

The previous question was ordered, and under the operation thereof the bill was passed.

Mr. HISCOCK moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. If there be no objection the title will be amended by adding the words "and for other purposes."

There was no objection, and it was ordered accordingly.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. SYMPSON, one of its clerks, announced the passage of the bill (S. No. 1654) to provide for a deficiency in subsistence for the Indians; in which concurrence was requested.

ADDITIONAL ACCOMMODATIONS FOR INTERIOR DEPARTMENT.

Mr. SHALLENBERGER. I submit the following privileged report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. No. 1361) to provide additional accommodations for the Department of the Interior, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment to the said bill, and the House agree to the same.

That the bill be amended by inserting, in the fifth line, after the word "the," the words "Pension Office and Land Office;" and the Senate agree to the same.

W. S. SHALLENBERGER,
MARK L. DE MOTTE,
JAMES W. SINGLETON,
Managers on the part of the House.
E. H. ROLLINS,
JUSTIN S. MORRILL,
G. G. VEST,
Managers on the part of the Senate.

Mr. SPRINGER. I raise a question of order on that.

Mr. COX, of New York. I call for the reading of the original bill.

Mr. SPRINGER. But I raise the question of order, Mr. Speaker, that this report does not, as the rule requires, explain the effect of the proposed changes in the original bill.

The SPEAKER. Yes; there is an accompanying statement, and the report does, to that extent, comply with the rule of the House.

Mr. SPRINGER. Very well; then let the statement be read.

The Clerk read as follows:

Statement to accompany the report of the conferees on the part of the House on the Senate bill to provide additional accommodations for the Department of the Interior.

The effect of this report is that the House recedes from its amendment to the bill of the Senate reducing the appropriation from $20,000 to $15,000, and agrees to the amount fixed by the Senate. The Senate agrees to an amendment as follows: Insert in the fifth line, after the word "the," the words "Pension Office and Land Office." The Senate in providing $20,000 to be expended by the Secretary of the Interior for additional accommodations has included a sum sufficient to secure additional room for the accommodation of the Land Office. The House insisting upon its amendment, reducing the same to $15,000, distinctly understood that accommodations were desired simply for the Pension Office, and deemed $15,000 sufficient for that purpose. Upon the assurance, therefore, and under the belief that additional accommodations are required by the Land Office as well, they recede from the amendment, and allow the additional sum of $5,000 on condition that the Senate agree to specifically provide in the bill for additional accommodations for Pension Office and Land Office, which has been done.

The adoption of the report is recommended.

Mr. COX, of New York. Mr. Speaker, the House committee has receded from the amendment of the House, and allowed the appropriation to be raised as the Senate proposed, from fifteen to twenty thousand dollars. Now the gentleman from Pennsylvania ought to give to this House some reason for this increase. Here is a building costing only $100,000 to put it up, and for ten years, as I understand, we have been paying a rent for it of $20,000 a year. I do not believe it is good legislation to authorize the selection of one particular building. Let the Secretary of the Interior receive bids for all places and get the cheapest building.

Mr. SHALLENBERGER. Permit me to interrupt the gentleman for a moment, in order to ask him a question.

Mr. COX, of New York. Certainly.

Mr. SHALLENBERGER. Will the gentleman refer to any specific building named in this bill? There is nothing of the matter objected to by the gentleman in the bill.

Mr. TOWNSHEND, of Illinois. Let the bill be read.

Mr. COX, of New York. I understand it is the old Republican building.

Mr. SHALLENBERGER. No such thing.

Mr. COX, of New York. I should like to hear what it is, then.

Mr. SHALLENBERGER. The Secretary of the Interior, under the phraseology of the bill, is simply intrusted with $20,000 for the purpose of securing additional accommodations for the Pension Office and the Land Office. His discretion will permit him to take, under proper conditions, the Republican building for Pension Office accommodations.

Mr. TOWNSHEND, of Illinois. What building is contemplated?

Mr. SHALLENBERGER. He is contemplating, as we are informed, no specific building. The committee of the House, when this bill was before them, understood the accommodations were for the Pension Office alone, and it was stated that the Republican building would be the one most desirable, as being nearest the present Pension Office. [Mr. COX, of New York, rose.] One word further. Our committee distinctly disagreed to that proposition, to lease the building named for a term of years. We distinctly declined to specify any particular building, or to intimate we were willing to give or consent to have given more than $15,000 for that building. Hence we made our report.

The Senate sends to us another bill, increasing the appropriation to $20,000, not alone in the interest of increased accommodations for the Pension Office, but to provide accommodations as well for the Land Office, the necessity for which is as pressing as for the Pension Office, and having heard fully the statement of the reasons for that addition, having the assurance of the Senate committee they would not agree to more than $15,000 for the Republican building, allowing the Secretary of the Interior, as we do, full discretion to negotiate for that or for any other building or buildings, we now report in favor of allowing $20,000 for those two distinct purposes specifically provided for in the bill itself.

Mr. SPRINGER. Now, I want to ask the gentleman this question: whether it is not understood that this appropriation is for the purpose of renting the old Republican building at the corner of Thirteenth street and Pennsylvania avenue?

Mr. SHALLENBERGER. Upon the contrary, it is distinctly understood that it is not necessarily so.

Mr. SPRINGER. Where is that understanding?

Mr. SHALLENBERGER. This addition to the original amount proposed by the House was agreed to in committee of conference on the ground that it was necessary that additional accommodations should also be provided for the Land Office as well as for the Pension Office——

Mr. SPRINGER. The gentleman does not answer the question. What I want him to state is, whether it is not well understood that the effect of this bill, as now reported from the conference committee, will be to rent the old Republican building at the corner of Thirteenth street and Pennsylvania avenue for ten years at the price named in this bill?

Mr. SHALLENBERGER. I have answered that question, I think. The rental is from year to year and no building named. The Secretary of the Interior, by the provisions of the bill, must provide some accommodations for the Land Office also; hence that larger amount has been agreed upon.

Mr. RANDALL. Does this bind the Government for ten years?

Mr. SHALLENBERGER. It does not bind the Government for any period of years. It is only from year to year. It distinctly prohibits the rental or the making of any contract for rent beyond one year.

The SPEAKER. The bill will be read.

Mr. SPRINGER. I would like to have the bill read as agreed upon in conference.

The SPEAKER. The Clerk will read the bill.

The Clerk read as follows:

Be it enacted, &c., That the sum of $20,000 be, and hereby is, appropriated, out of any moneys in the Treasury not otherwise appropriated, for the purpose of enabling the Secretary of the Interior to rent or lease from year to year a suitable building for additional accommodations for the Pension Office and the Land Office, Department of the Interior.

Mr. SPRINGER. Now, Mr. Speaker, if the gentleman from Pennsylvania will yield to me I should like to be heard for a moment on this bill.

Mr. SHALLENBERGER. I yield five minutes to the gentleman from Illinois.

Mr. SPRINGER. I am opposed to the passage of this bill for this reason: the Government of the United States is now erecting a large addition to the building near the Executive Mansion known as the State, War, and Navy Department. That building will within a few months be ready for occupancy; all that portion of the building fronting upon Pennsylvania Avenue, at all events, will be ready for occupancy within that time, while a considerable part of it is already occupied. There is certainly sufficient room there to accommodate the immediate necessities of the Government over and above those now provided for. The Interior Department has occupied its present building from the time of its completion until now, and I do not see any special reason or any pressing demand for an appropri-

ation of $20,000 for the rent of a new building to give it additional accommodations just at present.

It has been the custom, I am sorry to say, whenever a corporation in this city becomes bankrupt and passes into the hands of an assignee, to find the famished creditors coming around and asking the Government to do something to make them get a dividend upon their bad investments; either coming to Congress and asking us to buy their old buildings or to rent them and thus save them from loss incurred by unprofitable investments. Now, I regard this bill, although the gentleman from Pennsylvania has apparently guarded it very closely, as another measure in that direction. It is another addition to what we did a few days ago when we passed an act for the purchase of the old Freedman's Bank building for the Government of the United States—a building wholly unsuitable for the necessities of a public building, but the necessities of the creditors were so great that it was deemed advisable to furnish a dividend for the unfortunate sufferers of that freedman's savings institution. Now we have a proposition in the shape of this bill to rent another building at an expenditure of $20,000 a year, to increase the Government facilities. I am opposed to the renting of private buildings for Government use.

The Government of the United States is able to erect suitable buildings for its own uses; and there is no such pressing emergency as would require us now to pay such a sum as this bill contemplates for the rent of an unsuitable building until we get ready to build one of our own. I hope the bill will be voted down, and that we will stop this pernicious habit of renting private buildings throughout this city for the assumed necessities of the Government.

Mr. SHALLENBERGER. I now ask the previous question on the passage of the bill.

Mr. TOWNSHEND, of Illinois. Will the gentleman permit me to ask him a question?

Mr. SHALLENBERGER. Yes, sir.

Mr. TOWNSHEND, of Illinois. I would like to ask the gentleman why it is that the words "or so much thereof as may be necessary" have been stricken out of the bill. This bill provides for the expenditure of $20,000 a year, without limitation. Why was there no limitation by the insertion of these words?

Mr. SHALLENBERGER. They were not stricken out. No such words ever appeared in the bill.

Mr. TOWNSHEND, of Illinois. But the gentleman does not seem to understand my question. There is, as the gentleman will perceive, no provision made here for a less sum than $20,000. If, for instance, the Secretary should find that he could secure a building for a much less sum, he would be compelled, under the language of this bill, to pay the whole amount of this appropriation. He may find a suitable building for $10,000, while, by the absence of these qualifying words, he must pay $20,000.

Mr. SHALLENBERGER. By no means; the gentleman is mistaken.

Mr. TOWNSHEND, of Illinois. These words are not in the bill: "or so much as may be necessary therefor;" and I ask for the reading of the bill again. I will make my statement squarely and allow the gentleman to refute it by the bill if he can. It does not contain any qualifying terms; and under that language the Secretary would not be allowed any discretion, but must rent a building at the rate specified. And, further, I will say from information I have heard, I am not satisfied that it is not the design of interested parties to procure the renting of the old Republican building on the Avenue for this amount. It is true the bill leaves it discretionary with the Secretary of the Interior, but we know not how he may exercise his discretion.

There is another thing I want to call attention to. The records of the Land Office are now in a fire-proof building. The value of those records is, of course, well known to all, involving, as they do, titles all through the country. It is proposed by this bill to take those records out of this fire-proof building and put them in a building which the bill does not contemplate as being a fire-proof building.

Mr. SHALLENBERGER. If the gentleman will permit me, I can explain in a moment the status of this matter.

Mr. TOWNSHEND, of Illinois. Let the gentleman then explain why it is proposed to take these records from a fire-proof building to one that is not fire-proof, and also let him explain why the qualifying words "or so much thereof as may be necessary" are left out of the bill.

Mr. SHALLENBERGER. At present the Pension Office uses four separate buildings for its purposes, quite separate, requiring telephone communication and consuming the time of clerks in carrying records back and forth, some of them at salaries of $1,200 or $1,400 a year. We propose to enable the Secretary of the Interior to rent, if he can, a building sufficiently large to consolidate these several branches. The building on Ninth street, which is now occupied by the Pension Office immediately opposite the Land Office, will be vacated when, under the provisions of this bill, we secure the accommodations desired. That building vacated will then, on the 1st of July, be subject to a new lease. It is said to be desirable that that building should be rented by the Land Office, being just across the street, and more convenient for its purposes. But that a building must be rented temporarily, no one doubts. The Secretary of the Interior has in repeated communications to this House through the President, as well as directly, informed our committee that he must have additional accommodations.

We do not, any more than the gentleman from Illinois, [Mr. SPRINGER,] desire to rent property for public use not fire-proof in character and at high figures from private individuals. We, as a committee, have unanimously reported against that. We unanimously state that we believe the rents of buildings used by the Government in the city of Washington are extravagant; and it was with intent to correct, if possible, that abuse that we desired to bring the appropriation down from $20,000 to $15,000. If the gentleman will follow the action of the committee he will see it has been in precise accord with what he has stated on this floor to be his desire, namely, the utmost economy in such matters.

We object to these buildings, insecure and lacking in fire-proof qualities. We do urge, as a committee, that the Government shall commit itself, as it did in the purchase of the Freedman's Bank property, to the purchase of a site upon which we can construct in the future a suitable building of brick and iron, which shall be fire-proof, to accommodate these valuable records as well as the business of the Department.

I will say further that I hope this House will commit itself to the policy of purchasing a square of ground, whether it be the square of ground opposite the Post-Office Department or not, with the intent to construct a suitable fire-proof building—not of ornate architecture, but of fire-proof qualities—and conveniently arranged for the accommodation of all these various offices. I hope in that to be heartily in accord with him. But until that is done and the building secured, we must have room for the pressing necessities of the Government. And now in the most careful and guarded manner, giving discretion to the Secretary of the Interior only from year to year, we provide these needed accommodations for the Government; and we do ask that the House will sustain the Committee on Public Buildings and Grounds when it is clearly in the line of economy as well as of the prompt and efficient transaction of the public business.

I call the previous question upon agreeing to the conference report.

Mr. TOWNSHEND, of Illinois. Will the gentleman allow an amendment to be offered?

The SPEAKER. The question is on ordering the previous question.

The previous question was ordered; and under the operation thereof the report of the committee of conference was concurred in.

Mr. SHALLENBERGER moved to reconsider the vote by which the report of the committee of conference was concurred in, and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

C. W. COOMBS.

Mr. KASSON. I call for the regular order.

Mr. CANDLER. I desire to make a privileged report from the Committee on Accounts. As the report is very brief, I ask that it may be read with the resolution. The committee recommend the adoption of the resolution which was submitted by the gentleman from Indiana [Mr. BROWNE] and referred to the committee on the 11th January.

The SPEAKER. The Clerk will read the resolution.

The Clerk read the resolution, as follows:

That the Doorkeeper of the House is hereby directed to place on his roll the name of C. W. Coombs as Department messenger for the members of this House, at a salary of $1,200 per annum, to be paid out of the contingent fund of the House, and that he be furnished desk-room in the folding department for his use. Said Coombs to be in addition to the present force of the Doorkeeper.

The SPEAKER. The report will be read.

The Clerk read the report, as follows:

The committee are advised the object of the resolution is to provide a "Department messenger for the members of this House." The committee are assured that Mr. Coombs possesses a familiarity with the various publications of the Government; the reports of departmental and other officers, &c., acquired by years of special application such as few persons have heretofore acquired. The knowledge thus possessed by Mr. Coombs makes his services peculiarly valuable, and his appointment has been urged by many members.

The committee therefore report back said resolution, and recommend its adoption.

Mr. CANDLER. I ask for the present consideration of this resolution.

Mr. SKINNER. As a member of the Committee on Accounts, I desire to state that I dissent from this report.

Mr. WHITE. I call for the regular order.

The SPEAKER. This is the regular order.

Mr. WHITE. The present consideration of this resolution?

The SPEAKER. The resolution is reported from the Committee on Accounts, and is now before the House.

Mr. WHITE. This is the same case which we considered in the House once before. It is simply a question whether we will make a place for a Democrat. [Laughter.] That is all there is about it. There is no necessity for it. [Many members: "Vote!" "Vote!"] I object to the consideration of this resolution at this time.

The SPEAKER. The resolution is before the House, and the question is upon adopting the resolution.

The question was taken; and upon a division there were—ayes 89, noes 20.

Mr. WHITE. No quorum has voted, and I call for tellers.

Tellers were ordered; and Mr. CANDLER and Mr. WHITE were appointed.

The House again divided; and the tellers reported that there were—ayes 125, noes 10.

Mr. MILLER. No quorum has voted.

Mr. WHITE. I would like to have the yeas and nays on this question. I want to know who are in favor of increasing the service in order to give a Democrat a place. [Laughter.] If the House will allow us to have the yeas and nays, I will not insist upon a further count by tellers.

Mr. HASKELL. We do not want the yeas and nays.

The question was taken upon ordering the yeas and nays, and there were 17 in the affirmative.

So (the affirmative not being one-fifth of the last vote) the yeas and nays were not ordered.

Mr. WHITE. Then I insist that no quorum has voted.

The SPEAKER. The point of order being made that no quorum has voted, the tellers will resume their places and continue the count, and gentlemen who have not voted are requested to vote.

The tellers resumed their places and proceeded with the count; but before reporting,

Mr. WHITE said: I will withdraw the point that no quorum has voted and call for the yeas and nays.

The SPEAKER. The yeas and nays have been refused.

Mr. WHITE. Then I call for tellers on ordering the yeas and nays. I am authorized to state that this is not a unanimous report of the committee at all.

The SPEAKER. It is not debatable.

Mr. MILLER. I renew the point that no quorum has voted.

The SPEAKER. Then the tellers will resume their places and continue the count.

The tellers resumed their places and proceeded with the count, and reported that there were—ayes 134, noes 13.

The SPEAKER. The resolution is adopted.

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

The SPEAKER. The yeas and nays have been demanded and refused.

Mr. WHITE. I ask for tellers on ordering the yeas and nays.

The SPEAKER. The Chair thinks that is too late; they should have been demanded before the result was announced.

Mr. WHITE. Do I understand the Speaker to decide that we cannot ascertain the fact whether the yeas and nays will be ordered by the House?

The SPEAKER. The House has voted on that question and has refused the yeas and nays.

Mr. WHITE. I understand that one of the ways of ascertaining whether the House will order the yeas and nays or not is by tellers.

The SPEAKER. It is one of the ways, but it must be done when the demand is made. After the result of the vote is announced it is too late to call for tellers.

Mr. CANDLER. I move to reconsider the vote by which the resolution was adopted; and I also move to lay the motion to reconsider on the table.

Mr. SKINNER and Mr. WHITE called for the yeas and nays upon laying on the table the motion to reconsider.

The question was taken upon ordering the yeas and nays, and there were 38 in the affirmative.

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

Mr. ANDERSON. May I inquire what is the question before the House?

The SPEAKER. The question is on the motion of the gentleman from Massachusetts, [Mr. CANDLER,] to lay on the table the motion to reconsider the vote by which the resolution which he reported from the Committee on Accounts was adopted by the House. And on that motion to lay on the table the yeas and nays have been ordered.

Mr. MOORE I would like to ask unanimous consent to talk three minutes before the vote is taken.

Many members objected.

Mr. CANDLER. I rise to a question of personal privilege.

The SPEAKER. The House has ordered the yeas and nays on the pending motion, which is not debatable.

Mr. COX, of New York. I would suggest to the gentleman from Massachusetts [Mr. CANDLER] to withdraw his motion to reconsider.

Mr. MILLER. If he does I will renew it. [Laughter.]

The SPEAKER. The House has ordered the yeas and nays on the motion, and the Clerk will call the roll.

Mr. CANDLER. I rise to a question of privilege.

The SPEAKER. The gentleman will state it.

Mr. CANDLER. When this report was handed to me to make here to-day, it was stated to me by the chairman of the committee that it was a unanimous report. I myself agreed to the report, although I was not present at the meeting of the Committee on Accounts when it was adopted, for I was engaged on the Committee on Commerce. While the vote was being taken, a member of the Committee on Accounts, the gentleman from New York, [Mr. SKINNER,] came to me and stated that it was not a unanimous report of the committee, that he himself had not agreed to it. The report therefore stands, as I understand it, six in favor and one against. I wish to do justice to the gentleman from New York.

Mr. RANDALL. And we want justice done to this employé.

The Clerk began to call the roll.

Mr. WHITE. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITE. If the House should refuse to lay on the table the motion to reconsider will not the question then come up for further consideration?

Several MEMBERS. Certainly.

The SPEAKER. The Clerk will proceed with the call of the roll.

The question was taken; and there were—yeas 128, nays 54, not voting 110; as follows:

YEAS—128.

Aiken,	Crapo,	Hewitt, Abram S.	Reagan,
Anderson,	Cravens,	Hewitt, G. W.	Rice, John B.
Armfield,	Culberson,	Hoge,	Rich,
Barbour,	Curtin,	Hooker,	Richardson, Jno. S.
Barr,	Davidson,	House,	Robertson,
Beach,	Davis, Lowndes H.	Hubbell,	Robeson,
Belmont,	De Motte,	Humphrey,	Robinson, Geo. D.
Berry,	Dibrell,	Hutchins,	Robinson, Wm. E.
Blackburn,	Dowd,	Jacobs,	Rosecrans,
Blanchard,	Dugro,	Jones, George W.	Simonton,
Bland,	Dunn,	Jones, James K.	Singleton, Otho R.
Bliss,	Ellis,	King,	Smith, J. Hyatt
Blount,	Evins,	Klotz,	Sparks,
Bragg,	Farwell, Sewell S.	Ladd,	Talbott,
Brewer,	Finley,	Manning,	Thompson, P. B.
Browne,	Forney,	Mason,	Tillman,
Buchanan,	Frost,	Matson,	Townshend, R. W.
Buck,	Fulkerson,	McLane,	Tucker,
Burrows, Jos. H.	Geddes,	McMillin,	Turner, Henry G.
Caldwell,	Gibson,	Mills,	Turner, Oscar
Candler,	Gunter,	Money,	Upson,
Carpenter,	Hammond, N. J.	Morrison,	Urner,
Cassidy,	Hardenbergh,	Morse,	Vance,
Caswell,	Hardy,	Muldrow,	Ward,
Chalmers,	Harmer,	Mutchler,	Warner,
Clements,	Harris, Benj. W.	Norcoss,	Washburn,
Cobb,	Harris, Henry S.	Oates,	Wellborn,
Colerick,	Haseltine,	Orth,	West,
Cook,	Hatch,	Phelps,	Whitthorne,
Cox, Samuel S.	Hepburn,	Phister,	Williams, Thomas
Cox, William R.	Herbert,	Randall,	Willis,
Covington,	Herndon,	Ranney,	Wilson.

NAYS—53.

Bayne,	Godshalk,	McCoid,	Shallenberger,
Briggs,	Grout,	Miller,	Skinner,
Brumm,	Hall,	Moore,	Smith, A. Herr
Camp,	Hammond, John	Murch,	Spooner,
Chace,	Haskell,	Neal,	Strait,
Crowley,	Heilman,	Pacheco,	Taylor,
Cullen,	Hiscock,	Paul,	Updegraff, J. T.
Darrell,	Holman,	Payson,	Valentine,
Davis, George R.	Hubbs,	Peelle,	Wadsworth,
Dawes,	Jadwin,	Richardson, D. P.	Webber,
Deering,	Joyce,	Ritchie,	White.
Dingley,	Kasson,	Robinson, James S.	
Dunnell,	Kelley,	Ryan,	
Farwell, Chas. B.	Lewis,	Scranton,	

NOT VOTING—111.

Aldrich,	Errett,	McCook,	Smith, Dietrich C.
Allen,	Fisher,	McKenzie,	Spaulding,
Atherton,	Flower,	McKinley,	Speer,
Atkins,	Ford,	Miles,	Springer,
Belford,	Garrison,	Morey,	Steele,
Beltzhoover,	George,	Mosgrove,	Stephens,
Bingham,	Guenther,	Moulton,	Stockslager,
Black,	Hawk,	Nolan,	Stone,
Bowman,	Hazelton,	O'Neill,	Thomas,
Buckner,	Henderson,	Page,	Thompson, Wm. G.
Burrows, Julius C.	Hill,	Parker,	Townsend, Amos
Butterworth,	Hoblitzell,	Peirce,	Tyler,
Cabell,	Horr,	Pettibone,	Updegraff, Thomas
Calkins,	Houk,	Pound,	Van Aernam,
Campbell,	Jones, Phineas	Prescott,	Van Horn,
Cannon,	Jorgensen,	Ray,	Van Voorhis,
Carlisle,	Kenna,	Reed,	Wait,
Chapman,	Ketcham,	Rice, Theron M.	Walker,
Clardy,	Knott,	Rice, William W.	Watson,
Clark,	Lacey,	Ross,	Wheeler,
Converse,	Latham,	Russell,	Williams, Chas. G.
Cornell,	Leedom,	Scales,	Willits,
Cutts,	Le Fevre,	Scoville,	Wise, George D.
Deuster,	Lindsey,	Shackelford,	Wise, Morgan R.
Dezendorf,	Lord,	Shelley,	Wood, Benjamin
Dibble,	Marsh,	Sherwin,	Wood, Walter A.
Dwight,	Martin,	Shultz,	Young.
Ermentrout,	McClure,	Singleton, Jas. W.	

So the motion to reconsider was laid on the table.

The following pairs were announced from the Clerk's desk:

Mr. MCCOOK with Mr. DIBBLE.

Mr. PEIRCE with Mr. BARBOUR.

Mr. BOWMAN with Mr. ALLEN.

Mr. SHACKELFORD with Mr. LINDSEY.

Mr. CORNELL with Mr. NOLAN.

Mr. SHELLEY with Mr. PRESCOTT.

Mr. ERRETT with Mr. SCALES, (confined to his room with rheumatism.)

Mr. VAN AERNAM with Mr. SCOVILLE.

Mr. SPAULDING with Mr. KENNA.

Mr. VAN HORN with Mr. CLARDY.

Mr. ERMENTROUT with Mr. FISHER.

Mr. MCKENZIE with Mr. MARSH.

Mr. WALKER with Mr. STOCKSLAGER.

Mr. WILLITS with Mr. KNOTT.

Mr. CAMPBELL with Mr. HOBLITZELL.

Mr. MOREY with Mr. LE FEVRE.

Mr. CLARK with Mr. HOUK.

Mr. KETCHAM with Mr. ATKINS.

Mr. SMITH, of Pennsylvania, with Mr. MARTIN.

Mr. GUENTHER with Mr. LEEDOM.
Mr. HAWK with Mr. BLOUNT.
Mr. DEZENDORF with Mr. WISE of Virginia.
Mr. DEUSTER with Mr. WILLIAMS of Wisconsin.
Mr. WISE, of Pennsylvania, with Mr. LORD.
Mr. RICE, of Missouri, with Mr. GARRISON.
Mr. WATSON with Mr. ATHERTON.
Mr. RICE, of Ohio, with Mr. GUNTER.
The result of the vote was announced as above stated.

DISTRIBUTION OF SEEDS IN OVERFLOWED DISTRICTS.

Mr. VALENTINE. As the House has now provided for a Democratic employé, I hope that gentlemen at least on the other side will withdraw the demand for the regular order and allow me to report from the Committee on Agriculture, for immediate action, a substitute for House bill No. 5213, for the distribution of seeds to the destitute in the region overflowed by the Mississippi River and its tributaries.

The bill was read, as follows:

A bill (H. R. No. 5665) appropriating $20,000 for the purchase and distribution of seeds.

Be it enacted, &c., That the sum of $20,000 be, and the same is hereby, appropriated for the purchase and distribution of seeds under the direction of the Commissioner of Agriculture to the people in localities overflowed by the present overflow of the Mississippi River and its tributaries.

Mr. HEWITT, of Alabama. Does the gentleman propose to allow any debate on this?

Mr. VALENTINE. No, sir. I do not think there can be any objection to it.

Mr. TURNER, of Kentucky. I hope the bill will be allowed to pass without objection. It is important for the benefit of persons living in the overflowed region.

Mr. VALENTINE. I will withdraw the measure if gentlemen insist upon debating it.

Mr. COX, of New York. I hope the gentleman will consent to yield to the gentleman from Alabama to submit some remarks.

Mr. HEWITT, of Alabama. I will ask leave, then, to print some remarks on this bill.

Mr. VALENTINE. I have no objection to that.

The SPEAKER. The Chair hears no objection, and it is ordered accordingly. [See Appendix.]

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

Mr. VALENTINE moved to reconsider the vote by which the bill was passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. KASSON. Mr. Speaker, in view of the lateness of the hour and the desire of my colleague on the committee from Ohio [Mr. MCKINLEY] to speak to-day, I move now to dispense with all further proceedings in the morning hour.

Mr. SPRINGER. The House refused to do that and now it can only be done by a motion to reconsider.

The SPEAKER. Business has intervened.

Mr. SPRINGER. But the House has refused to dispense with the morning hour.

The SPEAKER. The Chair thinks the motion of the gentleman from Iowa is in order.

The motion was agreed to.

MESSAGE FROM THE PRESIDENT.

A message in writing was received from the President of the United States by Mr. PRUDEN, one of his secretaries.

MORDECAI & CO.

On motion of Mr. MCLANE, and by unanimous consent, leave was granted for the withdrawal from the files of the House of the papers of Mordecai & Co.

LEAVE OF ABSENCE.

Mr. HUBBELL, by unanimous consent, was granted indefinite leave of absence on account of the sickness of his brother.

LIEUTENANT FREDERICK SCHWATKA.

Mr. SPARKS, by unanimous consent, from the Committee on Military Affairs, reported back the bill (H. R. No. 4594) authorizing full pay to Lieutenant Frederick Schwatka, United States Army, while on leave to serve in command of the Franklin search expedition in the Arctic; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SAINT LOUIS AND SAN FRANCISCO RAILWAY COMPANY.

Mr. DEERING, by unanimous consent, from the Committee on Indian Affairs, reported, as a substitute for House bill No. 978, a bill (H. R. No. 5666) to grant a right of way for a railroad and telegraph line through the lands of the Choctaw and Chickasaw Nations of Indians to the Saint Louis and San Francisco Railway Company, and for other purposes; which was read a first and second time, referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report and also the views of the minority, ordered to be printed.

ORDER OF BUSINESS.

Mr. KASSON. I move to go into Committee of the Whole on the state of the Union for the purpose of resuming the consideration of the tariff-commission bill.

Mr. PAGE. I object unless I can have the privilege of introducing a bill to carry into effect treaty stipulations between the United States and China.

Mr. WHITE. I object and demand the regular order of business.

Mr. HOUSE. I should like to inquire of the gentleman from Iowa how long he expects to run this debate on the tariff commission. When he made his motion the other morning I understood him to say, after a few speeches were made and the anxiety of the country on that subject was satisfied he would then be willing to give way for the special order he had antagonized on that day, that is the bill to transfer private claims to the Court of Claims. Now, I do not wish to antagonize this thing to-day, but the other is a very important measure, and if this thing is to run indefinitely I will have to antagonize it every morning hereafter when it comes up.

Mr. KASSON. I am glad the gentleman from Tennessee gives me the opportunity to say he did not understand correctly what I said before as he has now stated it, namely, that I was to give way indefinitely after a few speeches were made and the anxiety of the country was satisfied. What I did say was in connection with the appropriation bills which have taken up more time since we commenced the discussion of this bill than the tariff commission has. I wish only further to say if the gentleman's friends will help us on this side I hope to ask a vote of the House on this bill by the middle of next week. I only ask the House will help me to proceed constantly with this discussion and then vote on it and get it out of the way. I now make my motion to go into committee.

Mr. HOUSE. I do not know about agreeing to that. I think that measure is one which ought to be very thoroughly discussed, as I intimated the other day.

Mr. KASSON. And disposed of.

Mr. SPRINGER. Does the gentleman say he expects to call the previous question next week?

Mr. KASSON. If supported by the House, I shall ask we shall then come to a vote.

Mr. SPRINGER. I examined the list on the Speaker's desk, and there are about one hundred and fifty gentlemen who desire to speak on this important question. How, then, does he expect to hear them all in that time?

Mr. KASSON. My friend knows how those things are disposed of. After reasonable time for debate, by an understanding among gentlemen, less than an hour is accepted and the remainder of their arguments can be printed. I propose some such arrangement as that.

Mr. HOUSE. There are only one hundred and forty-seven, I am informed, who desire to speak. [Laughter.]

Mr. KASSON. I insist on my motion.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. ROBINSON, of Massachusetts, in the chair.

TARIFF COMMISSION.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. No. 2315) to provide for the appointment of a commission to investigate the question of the tariff and internal-revenue laws. The gentleman from Ohio [Mr. MCKINLEY] is entitled to the floor.

Mr. MCKINLEY. Mr. Chairman, the tariff question has again forced itself into prominence. While it has never ceased to be a question upon which the political parties of the country have made some declaration, yet for many years other issues have in a great measure determined party divisions and controlled party discipline. The last Presidential campaign brought recognition and discussion of this issue, and it may be fairly said that Republican advocacy of the protective principle contributed in no small degree to the success of the Republican national ticket. It may well be asserted that the doctrine of a tariff for revenue and protection as against a tariff for revenue only is the dominant sentiment in the United States to-day; and if a vote upon that issue, with every other question eliminated, could be had, the majority would not only be large but surprisingly large for the protective principle.

The Democratic majorities in the Forty-fourth, Forty-fifth, and Forty-sixth Congresses, although committed by party utterances and by platforms as well as the pledges of leaders to a reduction of duties to a revenue basis, were unable, with all their party machinery and the free use of the party lash, to accomplish even a step in that direction. Every proposition for a change was met with the almost solid opposition of this side of the House, which, with the assistance of a few Representatives on the other side from Pennsylvania and the New England States, were strong enough to insure and did insure the substantial defeat of every measure looking to a disturbance of the existing tariff rates.

Much criticism is indulged in by the Democratic party upon the enormities of our tariff, and yet with those years of power in absolute control of the House, and a part of that time controlling the Senate as well, nothing was accomplished by way of removing the so-called enormities, and at last the party was compelled to confess that it was unable to make any progress in that direction.

This is some evidence at least of the domination in this country of the protective idea, or else it demonstrates the infidelity of the Democratic party to its professed principles. One or the other. I prefer to interpret the former as its meaning. The sentiment is surely growing. It has friends to-day which it never had in the past. Its adherents are no longer confined to the northern and the eastern sections of the country, but are found in the South and in the West. This idea travels with industry, and is the associate of enterprise and thrift. It encourages the development of skill, labor, and inventive genius as part of the great productive forces. Its advocacy is no longer limited to the manufacturer, but has friends the most devoted among the farmers, the wool-growers, the laborers, and the producers of the land. It is as strong in the country as in the manufacturing towns or the cities, and while it is not taught generally in our colleges, and our young men fresh from universities join with the free-trade thought of the country, practical business and every-day experience later teach them that there are other sources of knowledge besides books, that demonstration is better than theory, and that actual results outweigh an idle philosophy. But, while it is not favored in the colleges, it is taught in the school of experience, in the workshop where honest men perform an honest day's labor, and where capital seeks the development of national wealth. It is, in my judgment, fixed in our national policy, and no party is strong enough to overthrow it.

It has become a part of our system, interwoven with our business enterprises everywhere, and is to-day better entitled to be called "the American system" than it was in 1824, when Henry Clay christened it with that designation. Fixed as I believe the principle is, the details of an equitable and equal adjustment of a schedule of duties, recognizing fully this idea, fair to all interests, is the work of this House, either through its appropriate committee, or calling to its aid primarily a commission of experts, as proposed by the bill now under consideration. My own preference would be that Congress should do this work, and delegate no part of it to commissions or committees unknown in this body. This, however, is a matter of private judgment, about which men equally intelligent and honest, equally devoted to the principle of protection, may well differ, and which from any point of view is in no wise essential or material. If we can get as good work, or better, from a commission of practical experts, all ought to be satisfied, and all will be.

Then, again, this side of the House is in some sense committed to a commission. In the last Congress the minority of the Ways and Means Committee, consisting of Messrs. Garfield, KELLEY, CONGER, and FRYE, in a report made to the House May 24, 1880, to accompany House bill 6188, recommended as a substitute for the bill the bill of Senator Eaton, "which provides for a tariff commission to report a comprehensive measure on the same subject."

The business men of the country have spoken for a commission.

The national tariff convention, which met in Chicago on the 15th and 16th of November last, declared for a commission in the following resolution:

Resolved, That this convention recommends the passage of an act of Congress, providing for the appointment by the President, by and with the consent of the Senate, of a commission to revise our revenue system, including both the internal revenue and tariff laws, in the interest of protection and needed revenue.

And the New York convention, held November 29 and 30, passed the following resolution:

Resolved, That in order to prepare for such an intelligent revision of the tariff laws as will give full and harmonious effect to the protective policy, Congress is asked to pass a law authorizing the appointment of a civilian commission with power to investigate fully the cost of labor, manner of living, and efficiency of the laborers in this country and elsewhere, and the interrelations, condition, and needs of our industries, and to report the testimony, with the recommendation for such Congressional action as it may deem beneficial; and that, pending this investigation, disturbing and destructive assaults upon protective duties or special industries shall not be permitted.

The manufacturers of my own State and district, without exception, favor it. Indeed the sentiment of protectionists everywhere, so far as any expressions have been had, seems to be overwhelmingly in favor of the commission. I will vote for the bill now under consideration, because, among other reasons, I have no fear of an intelligent and business-like examination and revision of the tariff by competent civilians who shall be known Americans and favorable to the American system. If this bill becomes a law it will not prevent consideration of some of the important questions demanding immediate attention, arising under interpretations of existing law. There are excrescences in the present tariff which should be removed. There are incongruities which should be corrected. There are wrongs growing out of decisions of the Treasury Department and the courts which ought to be remedied at once, commission or no commission; matters which ought not to be delayed for the adjustment of a commission, and which, if they are to be postponed until a commission which we may create shall make its report and Congressional action be had thereon, ought to defeat the whole scheme of a commission. The free list might be enlarged without affecting injuriously a single American interest.

I cannot refrain from saying in this connection that we are taking a step in delegating a duty which we ought ourselves to perform; a duty confided to us by the Constitution, and to no others. It is true that the commission does not legislate, and, therefore, its work may or may not be adopted by Congress. This is the safety of the proposition. The information it will furnish will be important, and its statistics of rare value, but the same sources of information are open to Congress and to the Committee on Ways and Means as will be available to the commission, and as the former will ultimately have to deal with the question practically in Congress, it has seemed to me if that committee were willing to undertake the task, and had the requisite time to perform it, it would be the wisest and most certain course to the accomplishment of results desired by all.

The argument that the proposition for a commission is the suggestion of the protectionists to secure delay and to postpone present action upon the tariff comes with bad grace from the party upon the other side of this House. It wasted six years and secured no revision of the tariff. It refused in the Forty-sixth Congress to pass the Eaton bill for a tariff commission, which required the report to be made on the 1st of January last, and which, if they had acted upon it during the closing session of the Forty-sixth Congress, the work of the commission would have now been in the possession of Congress for immediate consideration and practical action. My friend from Kentucky, [Mr. TURNER,] in his speech of March 8, says:

I regard it [the commission] like an affidavit filed in a criminal case, merely for the continuance of a bad cause.

If a bad cause, why did not your party abate it when you were in power? If it is an affidavit for a continuance, I beg to remind the gentleman that it was his party which prepared and filed it nearly two years ago when it had the House and the Senate and could have disposed of it according to its own liking. Senator Eaton, a distinguished Democrat, high in the councils of his party, presented the original bill, and for many months it was on the Speaker's desk of a Democratic House, where it was left undisposed of, insuring still further postponement. The Democratic party and no other is responsible for the delay, and I charge any injury which it has produced upon them.

The fundamental argument for protection is its benefits to labor. That it enables the manufacturer to pay more and better wages than are paid to like labor and services anywhere else will not be disputed.

There is not a branch of labor in the United States which does not receive higher rewards than in any other country. Our laborers are not only the best paid, clothed, and educated in the world, but they have more comforts, more independence, more of them live in the houses they own, more of them have money in savings institutions, and are better contented than their rivals anywhere else. And this, according to my view, is the result of protection, of the protective system that was enacted by the Republican party.

My friend from New York [Mr. HEWITT] who now does me the honor to listen to my remarks, was pleased, a few years ago, to announce an axiom in the school of protection which ought to be perpetuated. He declared at that time, what I have never seen better stated anywhere, that:

Free trade will simply reduce the wages of labor to the foreign standard.

Mr. HEWITT, of New York. Will the gentleman quote the authority for that?

Mr. MCKINLEY. Yes, sir; I will. Will the gentleman deny it?

Mr. HEWITT, of New York. I do not know; I will tell you in a moment when I hear where it is.

Mr. MCKINLEY. I did not expect to go into this so fully, but simply to make that single quotation. But, as the gentleman from New York calls for the authority, I beg to invite his attention to a correspondence which took place between himself and Mr. Jay Gould in 1870, and which I found published in the Bulletin of the American Iron and Steel Association for February 4, 1880; and I am glad to read this correspondence, because it so fully and clearly expresses the true ground upon which we base our advocacy of protection to-day. That was only twelve years ago.

I read first a letter from Mr. Jay Gould to Mr. HEWITT.

OFFICE OF THE ERIE RAILWAY COMPANY,
New York, January 26, 1870.

DEAR SIR: Herewith I send you a printed circular received by me this morning requesting my signature to a memorial upon the subject of the duty on steel rails—

I think I have heard steel rails mentioned in this debate—

forwarded with the circular, provided the views expressed were concurred in by me.

It seemed to me that our policy should be to foster and encourage home products rather than open our markets to such a formidable competition as would inevitably result from the reduction so strongly urged in the memorial. By establishing extensively the manufacture of steel rails on our own soil and protecting their production by a tariff which would effectually prevent the importation of European rails to any great extent, we could, in my opinion, be largely the gainers in the long run; for the capital invested would all be kept in the country. Our operatives would find constant and lucrative employment, and the general effect upon our business could not fail to be beneficial. I am at a loss—

Says Mr. Gould—

to perceive why we should contribute so large an amount annually to build up the trade and manufactures of foreign countries while our own interests are sacrificed by just so much.

Entertaining these views, I do not feel at liberty to attach my signature to the memorial. I should be pleased, however, to have your views on the subject; and should you coincide with me in the opinion I have given, I shall feel strengthened in the conviction that the gentlemen whose names are attached to the circular have made a mistake.

Respectfully, yours,

JAY GOULD, *President.*

ABRAM S. HEWITT, Esq.,
No. 17 Burling Slip, New York City.

To which letter my friend from New York [Mr. HEWITT] made the following reply, as I find it in the Bulletin, (I have never seen either of the originals, and they may not be the letters of the gentlemen:)

NEW YORK, *January* 27, 1870.

DEAR SIR: I beg leave to acknowledge the receipt of your favor of the 26th instant, and to state that I not only fully concur in the views which you express in regard to the duties on steel and iron rails but am at a loss to add anything which will make them more forcible. And I venture to suggest that you will allow me to send a copy of your letter to the Committee on Ways and Means.

The fact is that steel and iron rails can be made in suitable localities in this country, and notably on the line of the Erie Railway, with as little labor as in any part of the world; and the only reason why we pay more for American rails is because we pay a higher rate for the labor which is required for their manufacture, but for no greater quantity of labor.

Then comes the remark I quoted—

FREE TRADE WILL SIMPLY REDUCE THE WAGES OF LABOR TO THE FOREIGN STANDARD—

The very language, it will be observed, I quoted upon the gentleman—

which will enable us to sell our rails in competition with foreign rails. But as a matter of course—

And I want gentlemen to note this—

But as a matter of course the ability of the laborer to consume will be reduced and a serious loss will be inflicted on commerce, general industry, and the business of the railways especially.

The only reason why a tariff is necessary is to supply the laborer with such wages as will enable him to travel and consume not merely the necessaries but some of the luxuries of modern civilization.

And yet, the other day, the gentleman declared on the floor of this House that protection had nothing to do with the wages of labor.

Mr. HEWITT, of New York. Now, will the gentleman allow me——

Mr. MCKINLEY. Yes, sir; right now.

Mr. HEWITT, of New York. If you are through with the letter.

Mr. MCKINLEY. There is another sentence:

Besides, if we have free trade we cannot expect to procure our supplies from abroad by increased shipments of grain; for already the European markets take from us all that they require, and no amount of purchase of goods from them will induce them to buy more food than they need, and which they now take as a matter of necessity.

Faithfully, yours,

ABRAM S. HEWITT.

JAY GOULD, Esq., *President Erie Railway.*

Mr. HEWITT, of New York. If the gentlemen from Ohio will permit me to interrupt him I will make the answer now; otherwise I will wait until he gets through.

Mr. MCKINLEY. Does the gentleman deny the letters?

Mr. HEWITT, of New York. On the contrary they are genuine.

Mr. MCKINLEY. That is all I want to know. The gentleman can reply to me later.

Mr. HEWITT, of New York. But in saying they are genuine allow me to say also they are in strict conformity with the principles I laid down in my speech; that if you desire to preserve the iron and steel business you can only do it by a compensatory tariff. That is the exact doctrine which I laid down in my speech.

Mr. KELLEY. A compensatory tariff is not a protective tariff.

Mr. HEWITT, of New York. I beg the gentleman's pardon. However, I am trespassing upon the indulgence of the gentleman from Ohio, [Mr. MCKINLEY.]

Mr. MCKINLEY. I am glad always to be able to serve the gentleman from New York.

Mr. HEWITT, of New York. The compensation required in order to enable the iron business to exist in this country, as stated in my speech, is that which provides for the difference paid in the price of labor less the cost of transportation.

Mr. MCKINLEY. That is the gentleman's resolution.

Mr. HEWITT, of New York. I have stated that doctrine in my resolution, and I adhere to it.

Mr. MCKINLEY. And yet in that connection, if the gentleman will permit me, he declared in his speech made here the other day, and to be found on page 2436 of the RECORD:

Wages in this country are therefore not regulated by the tariff, because whatever wages can be earned by men in the production of agricultural products, the price of which is fixed abroad, must be the rate of wages which will be paid substantially in every other branch of business.

Mr. HEWITT, of New York. Certainly.

Mr. MCKINLEY. That is what he said in his speech of but a week ago. Yet in the letter from which I have quoted he declared that the only need we have of protection is for the purpose of maintaining the rate of wages in the United States.

Mr. HEWITT, of New York. As to the iron and steel business and protected industries, and in no other.

Mr. MCKINLEY. What is true of the iron and steel industries is true of every other industry which comes in competition with pauper labor in Europe; I care not what it is, cotton or wool, pottery or cutlery. If we have to compete with the pauper labor of Europe, and with the products of that labor, we need just as much relative protection in one branch of industry as we need in another.

Mr. HEWITT, of New York. Only as to the protected industries.

Mr. MCKINLEY. Only as to the protected industries? I do not care what the protected industries are or what you include in them. If we have to compete with foreign pauper labor and want to become successful manufacturers, we must have the same protection upon every other manufactured article as we have upon iron and steel.

Mr. HEWITT, of New York. And that I deny.

Mr. MCKINLEY. I know you deny it; you have already denied it. But you have established a principle——

Mr. HEWITT, of New York. Yes.

Mr. MCKINLEY. You have established a principle which must be general if it is worth anything.

Mr. BAYNE. It may make some difference whose ox is gored. [Laughter.]

Mr. HEWITT, of New York. No; it makes no difference.

Mr. MCKINLEY. To resume my discussion, Sir Edward Sullivan declares a fact in the August number of the Nineteenth Century worthy of consideration. He says:

The position of the operative under protection in America is better in every respect than the position of his mate under free trade. Operatives from all parts of the world flock to America, the land of protection; not one ever comes to England, the land of free trade.

Mr. Chairman, the wages question as related to the tariff is well illustrated by the following from the Rice Association of Georgia:

In the period between 1840 and 1860, the duty on foreign rice was absolutely needless as a protection to the American producer, and valueless as a source of revenue to the Government. The farmer was wholly independent of protection to an industry maintained by labor in cheapness second to that of Asia only, and in effectiveness unsurpassed. By reason of their cheap labor he was in a position to defy competition and triumphantly met the almost free importation of East India rice, even in the English markets.

The per diem of slave labor at that time did not much, if at all, exceed 20 cents.

This fact is the best argument that can be made, and needs no elaboration. It tells the whole story. With slave labor at 20 cents per day, or Asiatic cheap labor, we need no protection, and save for the purposes of revenue our custom-houses might be closed. When the South depended upon the labor of its slaves, and employed little or no free labor, it was as earnest an advocate of free trade as is England to-day. Now, that it must resort to free labor, it is placed upon the same footing as northern producers; is compelled to pay a like rate of wages for a day's work, and therefore demands protection against the foreign producer, whose product is made or grown by a cheaper labor. And we find all through the South a demand for protection to American industry against a foreign competition, bent upon their destruction and determined to possess the American market.

Then under our system and social structure the male and adult portion of our population perform the farm and manufacturing labor to a greater degree than in any nation of the world. This must be considered in treating of the question of labor.

Mr. RUSSELL, of Massachusetts, in his valuable speech has compiled some figures, from which I make the following summary:

In the United States in 1870, there were engaged in agricultural pursuits fourteen males to one female. In Great Britain and Ireland at the same time there were engaged in the same pursuits six males to one female.

In manufacturing, mechanical, and mining industries here there were engaged seven males to one female. In Great Britain and Ireland, two males to one female.

Children employed in the United States under sixteen years of age, twelve adults to one child. In Great Britain and Ireland, four adults to one child.

This contrast is creditable to our civilization, and if the complete census of 1880 on this subject was accessible, it would show even a more marked and more favorable contrast for us. I am enabled to furnish only statistics concerning our iron and steel industries. Mr. SWANK says in his census report:

The total number of hands employed in 1880 was 140,978. Of the whole number 133,203 were men above sixteen years old, and forty-five were women above fifteen years old; 7,709 were boys below sixteen years old, and twenty-one were girls below fifteen years old. The remarkably small number of sixty-six women and girls employed in the manufacture of iron and steel in 1880 will not escape notice. The comparatively small number of boys employed is also worthy of notice.

And I beg also to read the following significant figures touching the savings of labor:

Lowell, Massachusetts, is about twenty-five miles from the sea-coast, with an area of about 7,000 acres. It has a population of 60,000, the largest in the State or in the United States wholly engaged in the manufacture of textile fabrics, and therefore well illustrates the condition of our industrial classes in our New England manufacturing centers.

Of the 60,000 inhabitants 22,559 are employed in the various corporations and mills. There are seven banks of discount, with a capital of $2,500,000. There are six savings-banks, with a total deposit of $11,646,212 to the credit of 33,408 depositors. Of this number 1,735 are depositors of amounts above $300, and 31,673 depositors of $300 and under, showing how general the habit of saving has become among our people, and what a large proportion of the funds in the savings-banks are the earnings of the wage laborers. I have it from authority that fully seven-eighths of the deposits in these savings-banks are the laid-by earnings of the wage laborers.

In Lawrence, with a population of 40,000, grown up wholly out of manufacturing and now supported by it, we find a like result. There are 13,000 operatives, three savings-banks, with $5,000,000 deposits, and 13,728 depositors.

Manchester, England, corresponds with these two cities in its occupations more nearly than any other. Let us contrast the condition of its people: Manchester, with a population of 341,808, has in its various savings-banks £1,434,140, or $6,883,872; a city three and a half times as large as Lowell and Lawrence, and less than

one-half the amount of deposits in its savings institutions. I commend these facts to the other side of this House, who claim that the wage laborers in this country are no better off with our wages and cost of living than those in England.

Our position, from an English stand-point, is thus set out by Professor J. E. Cairnes, professor of political economy in University College, London. He says:

If only American laborers and capitalists would be content with the wages and profits current in Great Britain, there is nothing that I know of to prevent them from holding their own in any markets to which Manchester and Sheffield send their wares.

But our laborers are not satisfied, and ought not to be, with the wages current in Great Britain. Against this there is universal disapproval.

And this brings us to the heart of the question. Over a large portion of the great field of industry the people of the United States enjoy as compared with those of Europe advantages of a very exceptional kind; over the rest the advantage is less decided, or they stand on a par with Europeans, or possibly they are in some instances at a disadvantage.

Engaging in the branches of industry in which their advantage over Europe is great, they reap industrial returns proportionately great, and so long as they confine themselves to these occupations they can compete in neutral markets against all the world and still secure the high rewards accruing from their exceptionally rich resources.

How like a Democratic speech this sounds; it might well have been made on the other side of the Chamber. But the people of the Union decline to confine themselves within these liberal bounds.

They would cover the whole domain of industrial activity, and think it hard that they should not reap the same rich harvest from every part of the field.

And I may be permitted to add that they are quite content with their success.

They must descend into the arena with Sheffield and Manchester, and yet secure the rewards of Chicago and Saint Louis. They must employ European conditions of production and obtain American results. What is this but to quarrel with the laws of nature? These laws have assigned to an extensive range of industries carried on in the United States a high scale of return, far in excess of what Europe can command, to a few others a return on a scale not exceeding the European proportion. American enterprise would engage in all departments alike, and obtain upon all the high rewards which nature has assigned only to some. Here we find the real meaning of the "inability" of Americans to compete with the "pauper labor" of Europe. They cannot do so and at the same time secure the American rate of return on their work. The inability no doubt exists, but it is one created, not by the drawbacks, but by the exceptional advantages of their position. It is as if a skilled artisan should complain that he could not compete with the hedger and ditcher. Let him only be content with the hedger and ditcher's rate of pay, and there will be nothing to prevent him from entering the lists even against this rival.

But our laboring-men are not content with the hedger's and ditcher's rate of pay. No worthy American wants to reduce the price of labor in the United States. It ought not to be reduced; for the sake of the laborer and his family and the good of society it ought to be maintained. To increase it would be in better harmony with the public sense. Our labor must not be debased, nor our laborers degraded to the level of slaves, or any pauper or servile system in any form or under any guise whatsoever, at home or abroad. Our civilization will not permit it. Our humanity forbids it. Our traditions are opposed to it. The stability of our institutions rests upon the contentment and intelligence of all our people, and these can only be possessed by maintaining the dignity of labor and securing to it its just rewards. That protection opens new avenues for employment, broadens and diversifies the field of labor, and presents variety of vocation, is manifest from our own experience.

Mr. Chairman, I was surprised the other day to hear my distinguished and learned friend from Kentucky, [Mr. CARLISLE,] in his ably constructed speech, declare that protection brought no blessings which could not be secured from a tariff for revenue only; and he pointed to the period from 1850 to 1860 as the "golden era" in this country, when general prosperity prevailed and when unparalleled blessings were dispensed to all the people of every section. Now, lest I may do him injustice, I beg to read from his speech made on that day. He said:

We are not without the benefit of experience upon this subject, not English experience, but American experience.

There never has been such a period of general prosperity and growth in this or any other country as that extending from 1850 to 1860, when we had, not free trade, but a tariff for revenue with such incidental protection as necessarily resulted from the imposition of moderate duties upon imported goods; a tariff under which the average rates during the whole period on all dutiable articles were less than 23 per cent., and on free and dutiable only 19 per cent. It was the golden era in our history notwithstanding the financial disturbance of 1857, from which the country recovered in a single year.

Agriculture, manufactures, commerce, the arts and sciences, the social condition of the people, and the advance in population and aggregate wealth made such progress as has never been made before or since.

This was uttered on the 29th day of March of this year on this floor. Now, let us see what was our true condition between 1850 and 1860, the period when a revenue tariff prevailed in the United States. I believe that I shall be able to show that at no period in our history were times ever so bad, was business so universally depressed, and the people at large so disastrously affected as during most of the period from 1850 to 1860. The low tariff of 1846 commenced its havoc upon business even before the year 1850. In December, 1849, a prominent manufacturing firm thus speaks of the condition of the iron trade:

And first, what is the real condition of the domestic iron trade?

This was December 26, 1849, the last week of the last month preceding the beginning of that "golden era" of which the gentleman from Kentucky spoke the other day.

And first what is the real condition of the domestic iron trade? Is it actually depressed and threatened with ruin, or does all the outcry proceed from men who, having realized "princely fortunes" annually, are now clamorous because their profits are reduced to reasonable limits, or from another class, who, having erected works in improper locations, desire not so much to make iron cheaply as to build up villages and speculate in real estate? Undoubtedly to some extent there are such cases, * * * but as to the great fact, that the great majority of establishments judiciously located and managed with proper skill and economy have been compelled to suspend work throughout the land for want of remunerating work, there cannot be a shadow of a doubt.

Again, of fifteen rail-mills only two are in operation, doing partial work, and that only because their inland position secured them against foreign competition, for the limited orders of neighboring railroads, and when these are executed not a single rail-mill will be at work in the land.

This gloomy picture, I repeat, was drawn on the 26th of December, 1849—only five days before the opening up of that "golden era" described by the gentleman from Kentucky; and this statement was not made by a wild enthusiast of protection from Ohio or Pennsylvania, demanding an increase of the tariff, but by no less distinguished authority than the celebrated firm of Cooper & Hewitt, of which my distinguished friend from New York was and is the junior member.

Now, let us go a little further. On the 12th of August, 1850, during the first year of this "golden era," Hon. Joseph Casey, then a Representative from Pennsylvania, declared in a speech on the floor of this House:

The whole history of the manufacture of iron in Pennsylvania shows that in a period of seventy-five years there have been erected 500 furnaces, and out of them 177 failures or where they have been closed or sold out by the sheriff. Out of this 177 failures 124 of them have occurred since the passage of the tariff of 1846.

This was said only four years later:

And out of 300 blast-furnaces in full operation when the tariff of 1846 was enacted into a law, 150, or fully one-half, had stopped several months ago, and fully 50 more are preparing to go out of blast.

This was the first year of the "golden era" referred to by my learned friend from Kentucky.

But let me proceed further, Mr. Chairman, and call your attention to a message of Millard Fillmore, President of the United States, who was required by the Constitution to report to Congress the condition of the country. I ask attention to an extract from his message, to be found in the Journal of this House, first session Thirty-second Congress, page 26. The date of this message is December 2, 1851. President Fillmore says:

The values of our domestic exports for the last fiscal year, as compared with those of the previous year, exhibit an increase of $43,646,322. At first view this condition of our trade with foreign nations would seem to present the most flattering hope of its future prosperity. An examination of the details of our exports, however, will show that the increased value of our exports for the last fiscal year is to be found in the high price of cotton which prevailed during the last half of that year, which price has since declined about one-half. The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have greatly augmented, has fallen from $68,701,921 in 1847 to $26,051,373 in 1850 and to $21,848,653 in 1851, with a strong probability, amounting almost to a certainty, of a still further reduction in the current year. The aggregate values of rice exported during the last fiscal year as compared with the previous year also exhibit a decrease amounting to $460,917, which, with a decline in the values of the exports of tobacco for the same period, make an aggregate decrease in these two articles of $1,156,751.

Will my friend listen to this?

The policy which dictated a low rate of duties on foreign merchandise, it was thought by those who promoted and established it, would tend to benefit the farming population of this country—

And you all speak for the farmers as though you were their divinely constituted guardians—

by increasing the demand and raising the price of agricultural products in foreign markets.

The foregoing facts, however, seem to show incontestably that no such result has followed the adoption of this policy.

If it did it not then, I ask you what assurance we have it will do it if you adopt it now, thirty years later in the history of the Government?

I now call your attention to another message of the same President, a year later, found in the second session of the Thirty-second Congress, pages 15 and 16:

In my first annual message to Congress I called your attention to what seemed to me some defects in the present tariff and recommended such modifications as in my judgment were best adapted to remedy its evils and promote the prosperity of the country. Nothing has since occurred to change my views on this important question.

Without repeating the arguments contained in my former message in favor of discriminating protective duties, I deem it my duty to call your attention to one or two other considerations affecting this subject. The first is the effect of large importations of foreign goods upon our currency. Most of the gold of California, as fast as it is coined, finds its way directly to Europe in payment for goods purchased. In the second place, as our manufacturing establishments are broken down by competition with foreigners, the capital invested in them is lost, thousands of honest and industrious citizens are thrown out of employment, and the farmer, to that extent, is deprived of a home market for the sale of his surplus produce. In the third place, the destruction of our manufactures leaves the foreigner without competion in our market—

The very argument we make—

and he consequently raises the price of the article sent here for sale, as is now seen in the increased cost of iron imported from England. The prosperity and wealth of every nation must depend upon its productive industry. The farmer is stimulated to exertion by finding a ready market for his surplus products, and benefited

by being able to exchange them, without loss of time or expense of transportation, for the manufactures which his comfort or convenience requires. This is always done to the best advantage where a portion of the community in which he lives is engaged in other pursuits. But most manufactures require an amount of capital and a practical skill which cannot be commanded unless they be protected for a time from ruinous competition from abroad.

I will not detain the committee with further reading from this message, but will ask your attention now to the message of the last Democratic President of the United States. Of course I do not mean Mr. Tilden, [laughter;] I mean James Buchanan.

Mr. McMILLIN. I am glad you made the explanation.

Mr. McKINLEY. The last Democratic President of the United States.

A MEMBER. The last one they will ever have. [Laughter.]

Mr. McKINLEY. Some one suggests the last one they will ever have.

I call attention to Mr. Buchanan's message, first session Thirty-fifth Congress, found on pages 19, 20, 21, and 22. I shall not have time to read all of this extract, but shall take the liberty of putting so much as I may deem best in the remarks I shall publish. I read from page 19.

A MEMBER. What date?

Mr. McKINLEY. December 8, 1857:

Since the adjournment of the last Congress our constituents have enjoyed an unusual degree of health.

[Laughter.]

I suppose that is what the gentleman referred to as one of the blessings of the golden era from 1850 to 1860; and so it was, and we should be thankful for that.

The earth has yielded her fruits abundantly and has bountifully rewarded the toil of the husbandman. Our great staples have commanded high prices, and, up till within a brief period, our manufacturing, mineral, and mechanical occupations have largely partaken of the general prosperity. We have possessed all the elements of material wealth in rich abundance, and yet, notwithstanding all these advantages, our country, in its monetary interests, is at the present moment in a deplorable condition. In the midst of unsurpassed plenty in all the productions and in all the elements of national wealth we find our manufactures suspended, our public works retarded, our private enterprises of different kinds abandoned, and thousands of useful laborers thrown out of employment and reduced to want. The revenue of the Government, which is chiefly derived from duties on imports from abroad, has been greatly reduced, while the appropriations made by Congress at its last session for the current fiscal year are very large in amount.

And this was during the golden era of my learned friend from Kentucky, [Mr. CARLISLE.]

Under these circumstances a loan may be required before the close of your present session; but this, although deeply to be regretted, would prove to be only a slight misfortune when compared with the suffering and distress prevailing among the people. With this the Government cannot fail deeply to sympathize, though it may be without the power to extend relief.

Again, in the next message President Buchanan says:

In connection with this subject, it is proper to refer to our financial condition. The same causes which have produced pecuniary distress throughout the country have so reduced the amount of imports from foreign countries that the revenue has proved inadequate to meet the necessary expenses of the Government. To supply the deficiency, Congress, by the act of December 23, 1857, authorized the issue of $20,000,000 of Treasury notes; and this proving inadequate, they authorized, by the act of June 14, 1858, a loan of $20,000,000, "to be applied to the payment of appropriations made by law."

No statesman would advise that we should go on increasing the national debt to meet the ordinary expenses of the Government. This would be a most ruinous policy. In case of war our credit must be our chief resource, at least for the first year, and this would be greatly impaired by having contracted a large debt in time of peace. It is our true policy to increase our revenue so as to equal our expenditures. It would be ruinous to continue to borrow. Besides it may be proper to observe that the incidental protection thus afforded by a revenue tariff would at the present moment, to some extent, increase the confidence of the manufacturing interests and give a fresh impulse to our reviving business. To this surely no person will object.

Mr. CARLISLE. Has my friend from Ohio among his notes any description of the condition of the country under the high tariff from 1873 to 1878? If he has not, I can furnish it to him from the gentleman from Pennsylvania, [Mr. KELLEY,] the present distinguished chairman of the Committee on Ways and Means.

Mr. McKINLEY. I shall come to that.

Mr. KELLEY. As the gentleman from Kentucky has alluded to me, permit me to say——

Mr. McKINLEY. This does not come out of my time, I hope.

Mr. KELLEY. Of course not. Let the reasons I assigned for the depression also be printed, for they are the true ones.

Mr. UPDEGRAFF, of Ohio. The loan was needed.

Mr. McKINLEY. Yes; the loan was needed, as my friend and colleague suggests, and I will reach that later on. Now, I desire to call attention, as my friend from Kentucky invokes the authority of the distinguished chairman of the Committee on Ways and Means and begs to call my attention to it, I desire in this connection to give a little page in the history of that gentleman, touching the period from 1850 to 1860; and as I am somewhat worn out, if the Clerk will read what I have marked I will be obliged. This is a portion of the statement and the reasons assigned by the distinguished gentleman from Pennsylvania for abandoning the theory of free trade and adopting the principles of protection to American industries.

The Clerk read as follows:

Were we early revenue reformers worshipers at false shrines——

Mr. KELLEY. If the Clerk will send me the volume, and my friend from Ohio will permit, I will read the language, as I am familiar with it.

Mr. McKINLEY. I am very much obliged to the distinguished gentleman from Pennsylvania, and will gladly have him read the extract.

Mr. KELLEY, (reading:)

Were we early revenue reformers worshipers at false shrines or did the sequel approve our faith? History answers these questions with emphasis. It needed but a decade to demonstrate the folly of attempting to create a market for our increasing agricultural productions, and to develop our mining and manufacturing resources by the application of the beautiful abstractions disseminated by free-trade leagues. It was just ten years after the substitution of the revenue tariff of 1846 for the protective tariff of 1842 that the general bankruptcy of the American people was announced by the almost simultaneous failure of the Ohio Life and Trust Company and the Bank of Pennsylvania and the suspension of specie payments by almost every bank in the country. In that brief period our steamers had been supplanted by foreign lines and our clipper ships driven from the sea or restricted to carrying between our Atlantic and Pacific ports. At the close of that brief term, the ship-yards of Maine were almost as idle as they are now when railroads traverse the country in all directions and compete with ships in carrying even such bulky commodities as sugar, cotton, and leaf tobacco; and while the families of thousands of unemployed workmen in our great cities were in want of food, Illinois farmers found in corn, for which there was no market, the cheapest fuel they could obtain, though their fields were underlaid by an inexhaustible deposit of coal that is almost coextensive with the State. Capital invested in factories, furnaces, forges, rolling-mills, and machinery was idle and unproductive, and there was but a limited home market for cotton or wool. Taking advantage of this condition of affairs, foreign dealers put their prices down sufficiently to bankrupt the cotton States, to induce many of our farmers to give up sheep raising, and to constrain many thousand immigrants who could not find employment to return to their native countries. Eighteen hundred and forty-seven had been a good year for farmers, mechanics, miners, and merchants; but 1857 was a good year for sheriffs, constables, and marshals, though few were purchasers at their sales except mortgagees, judgment creditors, and capitalists who were able to pay cash at nominal prices for unproductive establishments, and hold them till happier circumstances should restore their value.

Not one of the glowing predictions of political economy had been fulfilled, and the surprise with which I contemplated the contrast presented by the condition of the country with what it had been at the close of the last period of protection amounted to amazement.

Mr. McKINLEY. I am very much obliged to my friend from Pennsylvania. Now, I desire in this same connection, and as throwing some light upon the blessings resulting from the era referred to, to call the attention of the committee to the question of wages to which I believe the gentleman from Kentucky referred, and who declared that the wages of the laboring classes were as good during that period as at any other period previous or since. On the 14th day of February, 1859, the operatives of the Pembroke mills, in the State of Massachusetts, in convention assembled, passed the following resolution:

That we, the spinners, &c., have long enough endured the low prices for our hard labor—wages which are too low to live by—

All this during the "golden era," remember—

too low to live by, as we cannot meet our bills for the necessities of life with such a contemptible compensation for our labor as has been paid us for the last year.

In this connection I desire to publish a table of exports and imports during this period, and the period from 1870 to 1880, the former under a revenue tariff and the latter under a protective tariff:

Value of merchandise imported into and exported from the United States from 1850 *to* 1860.

UNDER A REVENUE TARIFF.

Year.	Exports.		Total exports.	Imports.	Excess of exports over imports.	Excess of imports over exports.
	Domestic.	Foreign.				
1850	$134,900,233	$9,475,493	$144,375,726	$173,509,520		$29,133,800
1851	178,630,138	10,295,121	188,915,259	210,771,429		21,856,170
1852	154,931,147	12,053,084	166,984,231	207,440,398		40,456,167
1853	189,869,162	13,620,120	203,489,282	263,777,265		60,287,983
1854	215,328,300	21,631,260	236,959,560	297,623,039		60,663,479
1855	192,751,135	26,158,368	218,909,503	257,808,708		38,899,205
1856	266,438,051	14,781,372	281,219,423	310,432,310		29,212,887
1857	278,906,713	14,917,047	293,823,760	348,428,343		54,604,582
1858	251,351,033	20,660,241	272,011,274	263,338,654	$8,672,620	
1859	278,392,080	14,509,971	292,902,051	331,333,341		38,431,290
1860	316,242,423	17,333,634	333,576,057	353,616,119		20,040,062

Value of merchandise imported into and exported from the United States from 1870 *to* 1881.

UNDER A PROTECTIVE TARIFF.

Year.	Exports.		Total exports.	Imports.	Excess of exports over imports.	Excess of imports over exports.
	Domestic.	Foreign.				
1870	$376, 616, 473	$16, 155, 295	$392, 771, 768	$435, 958, 408	.....	$43, 186, 640
1871	428, 398, 908	14, 421, 270	442, 820, 178	520, 223, 684	.....	77, 403, 506
1872	428, 487, 131	15, 690, 455	444, 177, 586	626, 595, 077	.....	182, 417, 491
1873	505, 033, 439	17, 446, 483	522, 479, 922	642, 136, 210	.....	119, 656, 288
1874	569, 433, 421	16, 849, 619	586, 283, 040	567, 406, 342	$18, 876, 698	.....
1875	499, 284, 100	14, 158, 611	513, 442, 711	533, 005, 436	.....	19, 562, 725
1876	525, 582, 247	14, 802, 424	540, 384, 671	460, 741, 190	79, 643, 481	.....
1877	589, 670, 224	12, 804, 996	602, 475, 220	451, 323, 126	151, 152, 094	.....
1878	680, 709, 268	14, 156, 498	694, 865, 766	427, 051, 532	257, 814, 234	.....
1879	698, 340, 790	12, 098, 651	710, 439, 441	445, 777, 775	264, 661, 666	.....
1880	823, 946, 353	11, 692, 305	835, 638, 658	667, 954, 746	167, 683, 912	.....
1881	883, 925, 947	18, 451, 399	902, 377, 346	642, 664, 628	259, 712, 718	.....

Now, coming down to December 17, 1860, the last year of the last month of this halcyon period, I find an act of Congress, passed December 17, 1860, authorizing the issue of certain Treasury notes. Treasury notes were issued redeemable at the expiration of one year from date; and this shows the financial condition of the country during the concluding year of that decade, after a tariff for revenue only had had full opportunity to produce its best results and to demonstrate, if it could, its highest good. I find these Treasury notes were sold under that act as follows, and the percentage shows the discount:

At 6 per cent	$70, 200
At 7 per cent	5, 000
At 8 per cent	24, 500
At 8½ per cent	33, 000
At 8¾ per cent	10, 000
At 9 per cent	65, 000
At 9¼ per cent	10, 000
At 9½ per cent	160, 000
At 9¾ per cent	77, 000
At 10 per cent	1, 027, 500
At 10¼ per cent	266, 000
At 10½ per cent	623, 000
At 10¾ per cent	1, 367, 000
At 11 per cent	1, 432, 700
At 12 per cent	4, 840, 000
Total	10, 010, 900

which shows that during the closing year of that free-trade period, which has been denominated one of exceptional prosperity, the financial credit of this Government was so bad that our Treasury notes sold from 6 to 12 per cent. discount.

I come now to February 8, 1861, the beginning of the second month of the next year, when Congress authorized a loan of $25,000,000 of bonds bearing 6 per cent., and having twenty years to run. They were disposed of, in amount only $18,000,000, for the Government could not dispose of the remainder of the loan, and what were sold were sold at a discount of $2,019,776. Six per cent. bonds sold for 89.1 cents on the dollar. At the very close of that glorious period when all, as we are told, was blazing in the splendor of prosperity——

[Here the hammer fell.]

Mr. UPDEGRAFF, of Ohio. I ask unanimous consent that the time of my colleague may be extended.

Mr. HEWITT, of New York. I was about to make the same request.

The CHAIRMAN. Is there objection to the extension of the time of the gentleman from Ohio.

There was no objection.

Mr. McKINLEY. I am greatly indebted to the House for its courtesy.

So low had the credit of the Government fallen at that time that the Secretary of the Treasury, in January, 1861, suggested to Congress as a financial resource that the several States be asked as security for the repayment of any money the Government might find it necessary to borrow, to pledge the deposits received by them from the Government under the act for the distribution of the surplus revenues of 1836; the Secretary believing that a loan contracted on such a basis of security, superadding to the plighted faith of the United States that of the individual States, could hardly fail to be acceptable to capitalists.

Thus was this Government driven by your revenue policy to the brink of financial ruin, with neither money nor credit, a condition that necessitated a Democratic Secretary of the Treasury to solemnly suggest to Congress that the States should be asked to indorse the paper of the Government of the United States. Think of our Government going out and asking somebody to go her bail that she might borrow money in the money centers of the world, and of her own citizens. We have got no such trouble now. Twenty years of protection have given us a good credit, have given us a good currency, an overflowing Treasury, and universal prosperity, enabling us to borrow all the money we want at 3½ per cent. and the lender must pay a premium to get it at that. Contrast that period with the golden era described by the gentleman from Kentucky, [Mr. CARLISLE,] when the tariff policy he advocates led this Government to the condition which I have described. I thank God that policy does not prevail to-day, and protection needs no other defense. [Applause.]

Average weekly wage in Massachusetts—1860, 1872, 1878, 1881.

Occupations.	Average weekly wage; standard, gold.				Increase or decrease for 1881, as compared with 1878.
	1860.	1872.	1878.	1881.	
Agriculture:					
Laborers, per month, with board	$13 63	$23 09	$15 72	$18 00	+$2 28
Laborers, per day, without board	90	.....	1 25	1 37	+ 12
Blacksmithing:					
Blacksmiths	9 30	16 44	13 75	16 38	+2 63
Boots and shoes:					
Cutters	12 00	14 81	11 05	14 91	+3 86
Bottomers	10 50	16 00	10 71	11 71	+1 00
Boot-treers	10 50	.....	12 00	11 41	— 59
Crimpers	10 50	.....	10 00	11 88	+1 88
Fitters	.....	14 22	12 00	9 63	—2 37
Finishers	14 50	16 00	11 75	12 18	+ 43
Buffers	.....	.....	19 50	11 21	—8 29
Heelers	.....	17 78	13 75	11 31	—2 44
Edge-setters	12 00	17 78	13 00	11 50	—1 50
Shoemakers	10 33	14 66	8 00	12 21	+4 21
Machines and machinery:					
Pattern-makers	11 50	17 60	15 24	18 10	+2 86
Iron-molders	9 50	14 67	12 30	16 40	+4 10
Brass-molders	10 00	14 67	13 25	15 75	+2 50
Core-makers	5 00	.....	6 00	6 28	+ 28
Blacksmiths	9 15	16 00	12 15	15 75	+3 60
Blacksmith's helpers	6 50	10 20	7 70	10 29	+2 59
Machinists	9 64	14 40	13 05	17 09	+4 04
Cleaners and chippers	6 00	.....	7 50	8 64	+1 14
Chuckers	6 75	.....	9 75	11 33	+1 58
Fitters	8 83	14 40	10 66	12 82	+2 16
Polishers	8 00	.....	9 75	8 59	—1 16
Setters-up	10 00	12 80	12 00	13 38	+1 38
Rivet-heaters, boys	4 00	.....	5 00	5 64	+ 64
Riveters	9 50	14 67	12 00	13 05	+1 05
Wood-workers	9 16	.....	10 39	14 60	+4 21
Painters	6 00	.....	8 00	12 23	+4 23
Laborers	6 00	8 53	7 27	9 15	+1 88
Watchmen	7 00	.....	9 00	12 21	+3 21
Teamsters	7 50	.....	10 00	11 80	+1 80
Metals and metallic goods:					
Hammersmen	.....	.....	12 00	18 00	+6 00
Heaters	.....	21 33	23 40	27 77	+4 37
Rollers	.....	10 67	13 80	16 40	+2 60
Puddlers	.....	24 00	18 00	20 91	+2 91
Shinglers	.....	24 00	19 50	22 94	+3 44
Helpers	.....	.....	12 75	12 00	— 75
Wire-drawers	.....	.....	12 75	10 50	—2 25
Annealers and cleaners	.....	.....	9 90	8 40	—1 50
Ruffers	.....	.....	21 60	15 00	—6 60
Finishers	.....	.....	27 00	28 87	+1 87

* Probably owing to the influence of machinery.

NOTE.—The reader who desires to pursue this subject further is referred to the tenth report, which contains data showing the relative condition of workingmen in Massachusetts, as regards subsistence, in 1860 and 1878.

The above is from the Report on the Statistics of Labor of Massachusetts for 1882.

There are some industries in the United States, notably that of tin-plate manufacturing and the manufacture of pottery, which are inadequately protected. Of the former, the secretary of the United States Iron and Tin-plate Company says:

About eight years ago, when the tin-plate industry was entirely dead in this country, the prices of tin-plate were so high that some enterprising citizens came to the conclusion that they could invest their money profitably by building tin-plate works. At first the prospects were favorable, but the prices of imported

plates went down lower and lower, until our home manufacturers were compelled to abandon the business and leave their works standing idle, yet the agitation for better protection has been kept up, and by that the prices of tin-plate have been kept down; but if Congress refuses again to lend an ear to the urgent appeals we have made so many times, the agitation on the subject will die out, and the price of tin-plates will go up, and instead of making English manufacturers pay a revenue for dealing in our markets, we shall have to submit to their laying a heavy tax upon us because we did not protect ourselves.

This condition should no longer be permitted. Legislation which will revive this palsied industry should be enacted at once.

The manufacture of pottery, although early started, is among the new industries in the United States, and none more worthy. Its growth has not been rapid, but substantial. It has made progress against the fiercest opposition of British manufacturers. It has been forced to fight prejudice at home and unscrupulous rivals abroad. It has happily triumphed over all. Its annual products have reached five millions of dollars, and are not excelled in quality anywhere, while the price to the consumer has been largely diminished. In the days of the gold premium the tariff was moderately protective. Since resumption it has been wholly inadequate. The price paid to labor is 100 per cent. more than is paid in the English potteries, and 90 per cent. of the cost of the product is labor. With labor equal, or made equivalent by the duty, they can successfully compete with the best potteries of the world. We have the good raw material, skilled labor, new and valuable improvements. Our decorated ware is not excelled anywhere. All that is needed is a just and fair protection, and we will fail in our duty if it is not accorded. Forty per cent. ad valorem is wholly insufficient. I beg to append a table of the price of labor in the potteries of this country and in England, to which I invite careful attention; it was prepared by the Potters' Association of East Liverpool, Ohio:

Comparatire wages paid in the potteries in England and America.

PER DOZEN (12) PIECES.

Articles.	Sizes.	English price.	American price.	Per cent. American over English.
		s. d.	s. d.	
Scalloped nappies	3 in.	3	5½	83
Scalloped nappies	4 in.	3	6	100
Scalloped nappies	5 in.	4	6½	62
Scalloped nappies	6 in.	5	7	40
Scalloped nappies	7 in.	5	8	60
Scalloped nappies	8 in.	7	9	28
Scalloped nappies	9 in.	8	10	25
Scalloped nappies	10 in.	8	1 0	50
Bakers	3 in.	4	5	25
Bakers	4 in.	4	5½	37
Bakers	5 in.	6	6	------
Bakers	6 in.	6	6½	8
Bakers	7 in.	6	7	16
Bakers	8 in.	6	8	33⅓
Bakers	9 in.	7	9	28
Bakers	10 in.	7	10	42
Bakers	11 in.	7	11	57
Bakers	12 in.	7	10	71
Dishes	3 in.	4	5	25
Dishes	4 in.	4	5½	37
Dishes	5 in.	6	6	------
Dishes	6 in.	6	6½	8
Dishes	7 in.	6	7	16
Dishes	8 in.	6	8	33
Dishes	9 in.	7	9	28
Dishes	10 in.	7	10	42
Dishes	11 in.	7	11	57
Dishes	12 in.	7	1 0	71
Dishes	14 in.	10	1 4	60
Dishes	16 in.	1 4	1 8	25
Cake-plates	------	8	2 6	275
Sauce-tureens	------	3 0	4 2	40
Soup-tureens, each	9 in.	8	1 0	50
Soup-tureens, each	10 in.	9	1 1½	50
Creams	30 in.	1 2	1 9	50
Creams	24 in.	1 3	1 10½	50
Sugars	30 in.	1 10	2 8½	47
Sugars	24 in.	2 0	2 11	37
Tea-pots	24 in.	3 0	4 2	39
Tea-pots	18 in.	3 3	5 1	50
Sauce-boats	------	1 3	1 9	38
Stands	------	1 0	1 6	50
Pickles	------	1 0	1 3	25
Ewers	9 in.	2 9	3 9	36
Ewers	6 in.	3 0	4 2	38
Basins	9 in.	1 1	1 8	54
Basins	6 in.	1 4	1 10½	40
Brush-vases	------	1 6	2 1	39
Jugs	36 in.	1 1	1 6	39
Jugs	30 in.	1 2	1 9	50
Jugs	24 in.	1 4	1 10½	40
Jugs	12 in.	1 8	2 3½	37
Jugs	6 in.	2 2	2 11	34
Jugs	4 in.	2 5	3 7	49
Cover-dishes	6 in.	2 9	4 2	51
Cover-dishes	7 in.	3 0	4 7	53
Cover-dishes	8 in.	3 3	5 1	54
Cover-dishes	9 in.	3 6	5 3	50
Cover-dishes	10 in.	3 9	6 4	64
Cover-dishes	7 in. round	2 4	4 4½	87
Cover-dishes	8 in. round	2 7	4 10	87
Cover-dishes	9 in. round	2 10	5 5	94
Cover-dishes	10 in. round	3 3	6 0	82

FOR TWENTY POTTER'S DOZEN OF 36 TO DOZEN.

Articles.	Sizes.	English price.	American price.	Per cent. American over English.
		s. d.	s. d.	
Ice-creams	3	4 9	10 1	112
Ice-creams	3½	4 9	10 1	112
Ice-creams	4	4 9	10 1	112
Ice-creams	5	4 9	12 7	165
Cups	tea.	6 6	10 7½	64
Cups	coffee.	6 6	13 9	90
Saucers	tea.	6 9	11 10	85
Saucers	coffee.	7 3	14 0	84
Mugs, 36 to dozen		6 6	15 0	107
Mugs, 30 to dozen		7 3	16 8	130
Mugs, 24 to dozen		7 3	17 6	140
Bowls, 36 to dozen		6 6	15 2	133
Bowls, 30 to dozen		6 6	16 10	158
Bowls, 24 to dozen		6 6	17 8	172

FOR TWENTY DOZEN.

Plates, flat	8	3 7	9 0½	150
Plates, flat	7	3 0	8 2½	174
Plates, flat	6	2 6	7 5	196
Plates, flat	5	2 4	4 1½	77
Plates, flat	3	2 0	3 3½	60
Plates, deep	8	3 7	9 10½	174
Plates, deep	7	3 0	9 0½	201
Plates, deep	6	3 6	8 2½	228
Plates, deep	5	2 4	7 5	218
Plates, deep	3	2 0	4 1½	106

HANDLING, (PER SCORE DOZEN.)—Count 20 dozen of 36, 30, and 24.

Mugs	36			
Mugs	30	5	12 6	150
Mugs	24			
Cups	36	3	10 0	233

TURNING COUNT AS ABOVE.

Bowls	36	7 6	12 6	50
Bowls	30	7 6	11 5½	37
Bowls	24	7 6	10 0	20
Cups	36	6 0	8 9	46

OTHER PRINCIPAL WORK.

Mold-making, per week	------	40 0	80 0	100
Kiln-men, biscuit, per bung	------	7⅛	18½	147
Kiln-men, gloss, per week	------	30 0	50 0	66
Dippers, per week	------	42 0	62 6	49
Firemen, good, per week	------	40 0	69 0	72
Firemen, extra, per week	------	50 0	83 4	66
Odd men, per week	------	18 0	50 0	177
Warehouse women, per week	------	10 0	25 0	150
Warehouse girls, per week	------	7 0	18 9	167
Packers, per week	------	30 0	62 6	108
Gilders and painters, per week	------	34 0	83 4	145

The English prices given are those paid November, 1880, and in force after that time with a deduction of 8 per cent. from these prices. The American prices are from the established printed work list. All the American work is paid for "good from hand" when made, the loss in it going through the kilns falling on the manufacturer. The English is paid for "good from kilns," the workmen suffering the losses sustained while going through the kilns. All other lines as C. C. ware and china compare in same proportions as white granite.

We ask the gentleman from New York [Mr. HEWITT] to unite with us in making up that difference in the price of labor. If we do that the potteries of East Liverpool, Wellsville, and Cincinnati, in Ohio, and of Trenton, in New Jersey, represented by my distinguished friend on my left, [Mr. BREWER,] will be able to sell their products not only as readily here as those of other manufacturers, and with a fair profit, but will be able in time, I trust, to export them beyond the seas.

I shall in this connection, without taking the time of the committee to give it in detail, put in my remarks a statement of the cereal productions in 1850, 1860, 1870, and 1880. We produced in 1850 100 000,000 bushels, in round numbers, of wheat; we produced in

1880 459,000,000 bushels of wheat. We produced in 1850 592,000,000 bushels of Indian corn; and in 1880 we produced 1,754,861,535 bushels. And I might go through this contrast with oats, and barley, and buckwheat, &c., taking in all the cereal products, and show that the like of it was never known in the industrial history of any country in the world. The following is the table in detail:

Articles.	Bushels produced in 1850.	Bushels produced in 1880.	Increase for 1880 over 1850.	Bushels produced in 1870.	Bushels produced in 1880.	Increase for 1880 over 1870.
			Pr. ct.			Pr. ct.
Wheat	100, 485, 944	173, 104, 924	72	287, 745, 626	459, 479, 505	60
Rye	14, 188, 813	21, 101, 380	48	16, 918, 795	19, 831, 595	17
Indian corn	592, 071, 104	838, 792, 742	41	760, 944, 549	1, 754, 861, 535	130
Oats	146, 584, 179	172, 643, 185	17	282, 107, 157	407, 858, 999	44
Barley	5, 167, 015	15, 825, 898	206	29, 761, 305	44, 113, 495	48
Buckwheat	8, 956, 912	17, 571, 818	96	9, 821, 721	11, 817, 327	20
Total	867, 453, 967	1, 239, 039, 947	42. 8	1, 387, 299, 153	2, 697, 962, 456	98. 4

They talk about the farmer not being protected. Why, sir, he is protected in nearly everything he grows or raises, and protected just as much as he wants to be, just as much as he asks to be. He is protected in his horned cattle, in his hogs, in his sheep, in his bacon, in his hams, in his cheese, in his pork, in his corn, in his wheat, in his cotton, his tobacco, his sugar, and his wool.

My friend from New York [Mr. HEWITT] proposes to take the duty off wool; indeed he proposes to take the duty off all raw materials. When he does that the farmer in the United States will be compelled to dismiss his flocks, sheep husbandry will fall into decay, and the woolen manufactures will go down.

Mr. UPDEGRAFF, of Ohio. But the farmer will vote first.

Mr. McKINLEY. Yes, as my friend suggests, the farmer will vote first, and he will vote for that party and that individual who will stand by him in protecting the products of his labor and his farm from the cheaper labor of the products of the Old World. The farmer is protected by the levy and collection of duties on his products as follows:

Hogs, horned cattle, horses, sheep, and all other animals, pay a duty of 20 per cent.; bacon and ham pay a duty of 2 cents per pound; beef, 1 cent a pound; butter, 4 cents a pound; cheese, 4 cents a pound; condensed milk, 20 per cent.; lard, 2 cents per pound; preserved meats, 35 per cent.; mutton, 10 per cent.; pork, 1 cent per pound; tallow, 1 cent per pound; glue, 20 per cent.; barley, 15 cents per bushel; bread and biscuit, 20 per cent.; Indian corn, 10 cents per bushel; cornmeal, 10 per cent.; oats, 10 cents per bushel; rye, 15 cents per bushel; wheat, 20 cents per bushel; wheat flour, 20 per cent.; all other small grain and other preparations of breadstuffs for food average 18.56 per cent.; fruits, from 10 to 35 per cent.; flaxseed or linseed, 20 cents per bushel; wool, hay, hops, rice, tobacco, potatoes, sugar, all pay a duty. I need not further amplify. I publish herewith a statement prepared by Mr. Nimmo, Chief of the Bureau of Statistics, showing the importations of farm products in the last year, with values and duty assessed and collected.

The condition of American farmers to-day is better than at any other time in our history, while the condition of the farmers of England was never so deplorable as now. We have a protective tariff; England has a tariff for revenue only.

Every country has its peculiar conditions which must be recognized by its law-makers. Each nation must legislate for its own, study its own interests, take care of its own industries and its own people; when this is done American statesmen have discharged their highest duty, and can with safety leave to other nations the duty of legislating for themselves. England's boasted free trade is England's protection and profit if she could induce the world to enter upon the same policy. Her seaports, open only partially even now, were not open until after years of practical prohibition. At last she conceived her power to profitably manufacture for the world and announced it, but at the present time she levies and collects duties on imports, producing to her a large revenue, duties not upon the luxuries but upon articles of the highest necessity, like tea and coffee. Her tariff is a tariff for revenue only; the same which is advocated on the other side of this House and which was announced in the last Democratic national platform. With all her boasted professions and her invitation to the world to accept her theory of universal brotherhood, Great Britain has not free trade within her own borders and in her own possessions.

George Baden Powell, an English author and free-trader, declares in his book on Protection and Hard Times—

> It is, however, a matter of notoriety that many of our colonies at the present do impose duties for avowedly protective purposes. The colony of Victoria is a notable instance, more especially as she holds to her position in spite of the tendencies of the surrounding colonies toward free trade. It may well be asked why have any of the provinces of the British Empire the right, how have they the license to adopt other than free-trade principles?

It would be well for the distinguished author to look after Canada, which, in March, 1879, adopted a high protective tariff and is prospering under it to-day.

> In a word, by the imposition of duties for purposes other than those for revenue, a province of the empire at once invades the domain of imperial interests, at once challenges the control of the imperial authorities.
>
> There are but two or three colonies, says the same author, * * * that avowedly impose duties on imports for the purpose of protecting their industries. There is nothing impracticable in the prospect of the various provinces of the British Empire banding themselves together * * * and jealously maintaining as secure a freedom of intercourse among themselves, as close a commercial union as that rigorously maintained by the citizens of the United States.

So that the free trade which England teaches and cajoles us to follow she fails to practice at home, and looks forward with fond expectancy to the time when that same freedom of intercourse, that close commercial union, shall exist in all the British Empire as is rigorously maintained by the citizens of the United States. Here we have unrestricted trade among ourselves, no impost duties, no discriminating tax between the States. The markets of California are open to the manufactures of Maine. Ohio sends her manufacturing and other products, freely and without restraint, to every State of the Union. The products of one State are as free to the citizen of another State as his own. We impose duties only on the products of foreign labor and capital.

The early history of Great Britain upon the tariff has been often told, but loses none of its force by repetition. England declared herself not only "the sole market for American products," "the sole storehouse for American supplies," but also "the workshop of the world."

> The colonies must not only sell exclusively in British markets but they must also buy exclusively in British markets. It was intended that no commodity of the growth, production, or manufacture of Europe should be imported into British plantations but such as are laden and put on board in England, Wales, or Berwick-upon-Tweed, and in English-built shipping, whereof the master and three-fourths of the crew were English.

The preamble to this statute, which was supplemental to the navigation act, declares—

> The maintaining a greater correspondence and kindness between the subjects at home and those in the plantations, keeping the colonies in a firmer dependence on the mother country, making them yet more beneficial to it in the further employment and increase of English shipping and in the vent of English manufactures and commodities, rendering the navigation to them more safe and cheap, and making this kingdom a staple not only of the commodities of the plantations but also of the commodities of other countries and places for their supply; it being the usage of other nations to keep their plantation trade exclusively to themselves.
>
> In 1710 the House of Commons declared that "the erecting of manufactories in the colonies tended to lessen their dependence on Great Britain." In 1732 the importation of hats from province to province and the number of apprentices was limited. In 1750 the erection of any mill or engine for slitting or rolling iron was prohibited. In 1765 the exportation of artisans from Great Britain was prohibited under a heavy penalty. In 1781 utensils required for the manufacture of wool or silk were prohibited. In 1782 the prohibition was extended to artificers in printing calicoes, muslins, or linens, or in making implements used in their manufacture. In 1785 the prohibition was extended to tools used in iron and steel manufacture, and to workmen so employed; in 1799 it was extended so as to embrace even colliers.

This is the early record, rigorously adhered to and enforced with an iron hand. British free trade is the voice of interest and selfishness, not principle. American protection is the voice of intelligent labor and American development. Its benefits must be manifest to the most casual student of industrial history. No man will be found who would declare that our present advanced position of manufactures could or would have been reached without the aid afforded by a wise system of protection. Commencing without capital or experience, we have grown to that extent as to be the wonder of the civilized world. Even Mr. HEWITT, although differing from my conclusions, is forced to say that to any one studying the condition of this country at the present time three things are evident: first, that we are the most prosperous people in the world; secondly, that we are paying the highest wages of any people in the world; lastly, that we have the highest tariff duties of any nation in the world. Why, sir, in 1858 the United States received a great majority of its manufactured articles from England; to-day we manufacture for ourselves, and as exporters have but one equal. From thirteen States we leap to thirty-eight; from three millions of population we now number fifty-one millions. It would be impossible, says Mr. Mulhall, an English statistician, whom Mr. HEWITT quotes approvingly, to find in history a parallel to the progress of the United States in the last ten years. Wealth and property have everywhere increased; comforts, education, the school-house, the church are within the reach and enjoyment of every citizen of this Republic.

In this connection permit me to call the attention of the committee to the following exhibit of the export and import trade of the United States for the last few years, taken from the report of the Secretary of the Treasury:

The exports as contrasted with the imports during the last fiscal year (1881) are as follows:

Exports of domestic merchandise	$883, 925, 947
Exports of foreign merchandise	18, 451, 399
Total	902, 377, 346
Imports of merchandise	642, 664, 628
Excess of exports over imports of merchandise	259, 712, 718
Aggregate of exports and imports	1, 545, 041, 974

Compared with the previous year, there was an increase of $66,738,088 in the value of exports of merchandise, and a decrease of $25,290,118 in the value of imports. The annual average of the excess of imports of merchandise over exports thereof for ten years previous to June 30, 1873, was $104,706,922; but for the last

six years there has been an excess of exports over imports of merchandise amounting to $1,180,668,105—an annual average of $196,778,017. The specie value of the exports of domestic merchandise has increased from $376,616,473 in 1870 to $883,925,947 in 1881, an increase of $507,309,474, or 135 per cent. The imports of merchandise have increased from $435,958,408 in 1870 to $642,664,628 in 1881, an increase of $206,706,220, or 47 per cent.

This remarkable showing, which is under our present protective system, inspired my friend from Tennessee, [Mr. WHITTHORNE,] a Democratic Representative, to say in his recent able speech upon another subject:

This is a most gratifying exhibit of commercial progress and prosperity. And when we compare this aggregate of exports and imports with that of the principal commercial powers of the world, and see from that comparison that we are now the peer of the greatest, save and except only the United Kingdom of Great Britain and Ireland; and reflecting that under the control and administration of that government there are quite two hundred and fifty millions of people, we have just cause of pride in the miraculous growth and progress of the trade of our people.

We have indeed just cause of pride in the wonderful growth of our trade. Why enter upon a new policy, I ask? Would any business man whose ledger showed such results embark in new and doubtful experiments? He would pass unheeded the allurements of the dreamer and the theorist. He would pursue the old way, which had secured him success, and discard all new theories which experience had not proven sure and beneficial. The same conservatism should guide the nation as controls the individual citizen, in the conduct of his business.

The aggregate of American industries, says Mr. Mulhall, an English author, has risen 35 per cent. in the last ten years; the ratio per inhabitant to the population has increased one-third in the interval; the actual increase of American industry $2,541,000,000; whereas the maximum among European nations, that of Great Britain, was only $1,631,080,000. Ten years ago the balance of trade was against this country, but now the exports are 31 per cent. over imports. Ten years ago we lagged far behind France or Germany as regards steel, but now produce more than both these countries combined. We make more than one-fifth of the iron and more than one-quarter of the steel of the world. In mining we have increased 90 per cent. in the last decade, and to-day we represent 36 per cent. of the mining industries of the world, Great Britain 33 per cent., and other nations 31 per cent. Agriculture shows a healthful increase. Farming stock increased 33 per cent. In ten years we have built 42,000 miles of railroad; an increase of 100 per cent.

The net increase per inhabitant is double the European average, and is 5½ per cent. higher than it was in 1870.

Taxation has been reduced from 13½ per cent. of income in 1870 to 9½ per cent. in 1880, being now only half of what it is in France, and one-fourth less than in Great Britain.

The reduction of the principal of our public debt since 1870, and up to March, 1882, has averaged $116,560.22 per day, including Sundays and holidays.

The ratio of debt per inhabitant has fallen 42 per cent.; that of interest 54 per cent. in ten years. Population has increased 31 per cent. since 1870.

We produce 30 per cent. of the meat and 30 per cent. of the grain of the world. These figures illustrate our growth and prosperty and include the disastrous year of 1873 and the subsequent years of depression.

Our growth of mineral products is shown by the following tables, which I take from the census reports prepared by Mr. Swank.

The following table shows the production of iron and steel in 1880:

States.	Production.	Rank.
	Tons.	
Pennsylvania	3,616,668	1
Ohio	930,141	2
New York	598,300	3
Illinois	417,967	4
New Jersey	243,860	5
Wisconsin	178,935	6
West Virginia	147,487	7
Michigan	142,716	8
Massachusetts	141,321	9
Missouri	125,758	10
Kentucky	123,751	11
Maryland	110,934	12
Indiana	96,117	13
Tennessee	77,100	14
Alabama	62,986	15
Virginia	55,722	16
Connecticut	38,061	17
Georgia	35,152	18
Delaware	33,918	19
Kansas	19,055	20
California	14,000	21
Maine	10,866	22
Wyoming Territory	9,790	23
Rhode Island	8,134	24
New Hampshire	7,978	25
Vermont	6,620	26
Colorado	4,500	27
Oregon	3,200	28
Nebraska	2,000	29
Texas	1,400	30
North Carolina	439	31
District of Columbia	264	32
Total	7,265,140	.....

The following table from the same source presents the quantities of mineral products used by the iron and steel works in 1880:

Works.	Iron ore.	Limestone.	Anthracite coal.	Bituminous coal.	Coke.
	Tons.	*Tons.*	*Tons.*	*Tons.*	*Tons.*
Blast-furnaces	7,256,684	3,169,149	2,615,182	1,051,753	2,128,255
Rolling-mills	363,959	.....	526,126	3,915,377	14,834
Bessemer and open-hearth steel works	7,327	.....	140,458	465,655	104,980
Crucible steel works	2,128	.....	40,992	224,657	22,791
Forges and blomaries	79,610	.....	340	1,613	6,695
Total	7,709,708	3,169,149	3,322,498	5,659,055	2,277,555

And the subjoined table, from the same source, shows the distribution geographically of these products. The whole territory of the United States may be regarded as comprising four grand divisions—the Eastern States, the Southern States, the Western States and Territories, and the Pacific States and Territories.

Geographical divisions, States and Territories.

Grand divisions.	Number of establishments.	Capital invested.	Hands employed.	Wages paid.	Tons produced.	Value of all products.
Eastern States	556	$149,507,461	82,842	$34,361,660	4,671,808	$192,606,010
Southern States	218	29,145,830	20,595	6,261,344	649,153	25,353,251
Western States and Territories	224	50,755,990	36,663	14,542,587	1,912,689	76,933,686
Pacific States and Territories	7	1,562,603	878	311,194	31,490	1,574,738
Total	1,005	230,971,884	140,978	55,476,785	7,265,140	296,557,688

In my own State the growth of the iron industries has been most gratifying. The first furnace built in Ohio was in 1803–'04, located in Poland Township, Mahoning County, constituting a part of my present district. That county to-day is practically peopled with furnaces, mills, and factories, and tunneled with mines, while their products are renowned the country over, and like evidences of prosperity in agriculture, manufacturing, and mining are found in Carroll, Columbiana, and Stark, the remaining counties which compose the district I have the honor to represent. The State now ranks second in iron and steel manufactures in the Union. Her thrift and energy, her great natural resources, aided by protection, have enabled the State to take the position which she now holds. She wants no legislation which shall disturb her present prosperity or curtail her future growth.

There is perhaps no better exponent of our progress than the increased production of coal, the great motive power of industry and of commerce.

Who has demanded a tariff for revenue only, such as is advocated by our friends on the other side? What portion of our citizens? What part of our population? Not the agriculturist; not the laborer; not the mechanic; not the manufacturer; not a petition before us, to my knowledge, asking for an adjustment of tariff rates to a revenue basis. England wants it, demands it—not for our good, but hers; for she is more anxious to maintain her old position of supremacy than she is to promote the interests and welfare of the people of this Republic, and a great party in this country voices her interests. Our tariffs interfere with her profits. They keep at home what she wants. We are independent of her; not she of us. She would have America the feeder of Great Britain, or, as Lord Sheffield put it, she would be "the monopoly of our consumption and the carriage of our produce." She would manufacture for us, and permit us to raise wheat and corn for her. We are satisfied to do the latter, but unwilling to concede to her the monopoly of the former.

Much idle talk is indulged in about manufacturing monopolies in the United States, and everything is called a monopoly that prospers; everybody who gets ahead in the world is in the minds of some people a monopolist. We have few if any manufacturing monopolists in the United States to day. They cannot long exist with an unrestricted home competition such as we have. They feel the spur of competition from thirty-seven States, and extortion and monopoly cannot survive the sharp contest among our own capitalists and enterprising citizens. There may be some here and there, but as a rule we have none; and yet the gentlemen who shout the loudest against monopolies are found advocating a doctrine which if carried into practical operation would break down American manufactures and give England the unbridled monopoly of American markets. English monopoly does not disturb them; it is American monopoly that distresses their souls. Under the cry of a "bounty-fed monopoly" they would transfer manufacturing from American citizens to foreign citizens. For one, Mr. Chairman, speaking for myself, I

declare that I would rather America and American manufacturers should have the monopoly of American consumption than that England should have it; and I would infinitely prefer that the American laborer and the American mechanic should have the monopoly of supplying the American markets than that English laborers and mechanics should have it.

No man can outdo me in opposition to monopolies; but the manufacturers of this country should not be thus characterized. They have no princely fortunes; in general they have no independent means. Their all is in the brick and mortar of their establishments, in the machinery, in the organization, in their trade. And how many of them to-day would be willing to sell out for first cost, and below first cost, if they could do it? He who would break down the manufactures of this country strikes a fatal blow at labor. It is labor I would protect.

My friend from New York [Mr. HEWITT] told us about the uncertainty of business the other day, when he assured us that in six years, from 1873 to 1879, he lost $100,000 a year in the manufacture of iron. He knows that it is not all profit. It is work of the brain; it is work of the nerve forces; it is work of the hands; and it is worry, worry all the time. And yet gentlemen would howl down a protective tariff because there are, in fact or in imagination, manufacturing monopolies in the United States.

The effect of protection upon the price of products to the American consumer has been often stated, and can be illustrated by taking any of the protected articles which are manufactured in the United States. It will be observed that the price not only diminishes but in nearly every case the quality of the product has been improved. There is no department of manufacture in this country which has received protection sufficient to encourage capital to embark in it and enable it to compete successfully with foreigners for the trade of the United States but has resulted in the falling of prices to the consumer.

Cast-steel furnishes a marked illustration of this statement. It has been stated to me that consumers of the higher grades of crucible best cast-steel in England pay higher prices for best cast-steel of English manufacture than is paid by our consumers of the same grades from the same manufacturers, showing that the English manufacturers of cast-steel are conceding more than the amount of duty in favor of the American market. Another important point should not be lost sight of, that when the English manufacturers of crucible best cast-steel were receiving from the American consumer 38 per cent. over and above what they are willing to sell at the present time, they were better able to furnish our people steel at the present reduced price than they are now.

A large quantity of best cast-steel in the shape of circular-saw plates is consumed in this country, and to the lumber interest it is an important article. Before the passage of the present tariff laws, when this class of steel was not made in the United States, the sawmakers of this country depended upon the English manufacturers for their supply, and were forced to pay 35 to 40 cents per pound in gold for the large sizes. These plates of the same size are now furnished at 26 cents per pound, being a saving of 30 per cent., or more than double the rate of the tariff to the saw manufacturers of this country. I am informed that one of the most extensive manufacturers of saws in the United States estimates the gain to the lumber interest since the passage of the tariff of 1864, of a sum exceeding $7,000,000 on saw steel. A like advantage has been gained by the same lumber interest by the saving of money in the cost of axes. Before the present law was enacted best ax steel, manufactured in England, sold at 17 cents per pound, gold. The price is now 10½ cents per pound. In the manufacture of reapers and mowers, (a large and valuable industry in my own district,) one thousand tons of section crucible best cast-steel is now used annually in this country. Before the present tariff law went into effect, this article of English manufacture was sold at 17 cents per pound in gold, and now is furnished at 10 cents or under, producing a saving to the farmers of this country of more than 40 per cent., or twice the rate of tariff on the article, and a saving in the aggregate since 1864 of more than one and a quarter million dollars. This is one of the ways that the agriculturist is taxed for the benefit of monopolies. The prices of steel plows, hayrakes, grain-drills, harrows, and other agricultural implements have been reduced to such low figures that but few, if any, are imported; and the farmers have saved millions of dollars by the provisions of the present law.

Again, crucible tool best cast-steel used in the manufacture of all descriptions of tools, drills, sledges, &c., employed in mining before the enactment of our protection laws, of English manufacture brought 17 cents in gold per pound, and now it can be bought at 10 cents, fully equal in quality to that for which 17 cents was paid per pound, making a saving of 38 per cent., equal to more than twice the sum charged as duty. From a careful estimate, it seems that about 20,000 tons of this description of cast-steel are consumed in this country annually, saving to the carpenter, the miner, the machinist $2,500,000.

We produce over three-quarters of the crucible cast-steel used in this country. The effect of protection in reducing the price of cast-steel is not confined alone to this article but applies to nearly every description of manufacture. Take, for example, the cotton manufactures; the same kind and quality of goods are now in the market which were first made in this country, and therefore an exact comparison can be made, which in many other branches of the textile industry cannot be made.

The tariff act of 1816 imposed on cotton goods a square-yard duty of 6¼ cents. The effect of the protection is seen in the prices of heavy sheetings, stated by Mr. Nathan Appleton, as follows: Price in 1816, 30 cents per yard; 1819, 21 cents per yard; 1826, 13 cents per yard; 1829, 8½ cents per yard; 1879, according to Reece's Dry Goods Chart, the average price was 7.8 cents per yard. To-day the price is 8 cents per yard. The goods of 1816 and 1882 are the same in quality.

PRINTS OR CALICOES.

This manufacture was not successful until 1825. According to Mr. Appleton, the average price per yard in 1825 was 23.07 cents; 1830, 16.36 cents; 1835, 16.04 cents; 1840, 12.09 cents; 1845, 10.9 cents; 1850, 9.24 cents; 1855, 9.15 cents; in 1860, according to Reece's Chart, 9.50 cents; 1878, 6.09 cents; present prices, 6½ cents.

PRINT CLOTHS OR PLAIN UNDYED COTTON CLOTHS FOR PRINTING.

According to Reece, prices in 1860, 5.44 cents; 1878, 3.44; February 14, 1882, 3.75.

BLEACHED SHIRTINGS.

The article was first made in 1828, of a weight of 2.80 yards to the pound. Prices in 1860, according to Reece, 15.50 cents; 1878, 11.

BROWN DRILLINGS.

An article of American invention sold by package in 1828 for 15.50 cents. Price in 1860, according to Reece, 8.92 cents; 1878, 7.65.

JEANS.

A lighter twilled fabric than drillings. When first introduced by our mills, in 1826, no article of that kind could be bought in our stores for less than 30 to 35 cents. The first American article, better in quality than any foreign make imported, was sold for 23 cents. The prices in 1860 were 6½ to 9 cents.

PRINTED LAWNS.

The manufacture of printed lawns commenced about 1846. Both foreign and American lawns were sold in our market in 1847 for from 12 to 15 cents. The market price in 1881 was a little below 10 cents.

It is more difficult to make a comparison of prices of woolen goods illustrating the effect of the tariff. Hon. John L. Hayes, secretary of the National Association of Wool Manufacturers, says:

Reliable returns of the two leading agencies of flannel wools in the country, representing more than twenty different establishments, show that the selling prices in 1869, after the tariff of 1867, were in one house 20 per cent. less in gold than in 1860. On the other hand, the books of a mill producing cloths more extensively than any other establishment in the country, and employing 2,500 operatives, show an advance of wages in gold from 1860 to 1869 of 37 per cent. for female operatives and 50 per cent. for male operatives. These facts show conclusively that the protection to the woolen industry, if to no others, has been a boon to laborers and consumers. Certain cashmeres which brought 46 cents per yard in 1860 were rated at 38½ cents per yard in 1880.

BLANKETS.

If you would warm a free-trader into wrath and excite him to violent denunciation, exhibit an American blanket made in an American factory, of American wool, by American labor. This article above all others is seized by the free-trader as an illustration of the vice and enormity of our tariff. Now, what are the facts?

A certain fixed style of blankets of medium grade sold in 1860 as follows: A 9-7 blanket for $1.87½, a 10-4 article for $2.27½ to $2.50. Sales of precisely the same goods were for the former at $1.75 and for the latter at $2.25, with wools at 3 to 4 cents higher in 1880 than in 1860, and labor in the mills from 15 to 20 per cent. in advance of 1860.

Those most familiar with the markets, of whom I have made careful inquiries, estimate that ordinary woolen goods, constituting the great bulk of consumption, are now obtained by consumers at prices from 12½ to 25 per cent. less than goods of the same quality could be purchased for before the war.

The same is true of the rice industry, as shown by the following, taken from the report of the special committee of the Savannah (Georgia) Rice Association, which shows the effect of protection on the rice industry of the United States:

It is only left to infer that the effect of the import duty has been extraordinary increase in the production of American rice and correspondent reduction of price. In sixteen years the crops have increased more than tenfold, and prices have declined from 100 to 150 per cent. It has induced active competition with foreign importation without reducing its volume.

It seems, then, evident that the average profits on American rice are at present dependent on the maintenance of the import duty, and if the latter is removed or materially reduced the cultivation of the former must be abandoned as a staple product and the lands returned to nature. There are now cultivated in rice more than 155,000 acres, affording livelihood to more than 160,000 persons.

Another instance in point is in the price of pottery. Goods in that line are selling 50 per cent. cheaper than in 1860 under the old 24 per cent. duty. These examples, and more which I might present, demonstrate that protective duties are not a tax upon the consumer, but universally cheapen the price of consumption to the people.

There is one other subject to which I want to refer briefly, because it has been drawn into this debate.

The Treasury rulings interpreting existing tariff laws are alarming the industries of the country. Already some of them have been disastrously affected, and others will follow in their train if Congress does not intervene with positive legislation to prevent. The parts of the statute known as the omnibus clauses, under which these decisions are made adverse to the interests of American manufacturers of

iron and steel, are as follows: "manufactures of steel, or of which steel shall be the component part, not otherwise provided for;" "steel in any form not otherwise provided for;" "manufactures, articles, vessels, and wares of iron, or of which iron shall be the component material of chief value, not otherwise provided for;" "metals manufactured not otherwise provided for," and "castings of iron not otherwise provided for." These give the officials of the Treasury Department such latitude of construction that with the constantly increasing new forms of iron and steel and other manufactures the true intent of the law becomes virtually a dead letter and without force. By the employment of new names for old forms of construction, and new designs not specially named in the statute, the articles not enumerated in the law are transferred from specific to ad valorem rates, thus evading the duty applicable to such classes of manufacture. To illustrate: Hoop-iron pays a duty of 1¼ cents per pound. If a piece of hoop-iron is cut into lengths, say eleven feet, and fastened with a buckle, under the Treasury rulings it is no longer hoop-iron, but becomes a manufacture of iron not otherwise provided for, and is dutiable at 35 per cent. ad valorem, or about three-quarters of a cent a pound instead of 1¼ cents. It is estimated that there were 5,500,000 bales of cotton raised last year, which would consume thirty thousand tons of hoop-iron. Nearly every pound of this is of foreign manufacture, imported here under the favorable decisions of the Treasury Department. I have never been able to understand how the length of the piece of hoop-iron or the riveted buckle, or any other contrivance, should remove this article from the special designation of "hoop-iron," and relieve it from a like duty. It is hoop-iron, and nothing else. The iron or steel, of whatever length, five feet or twenty, should bear the same duty. A recent decision of the Treasury Department permits barrel-hoops to come in under the same clause, practically shutting out the hoop-iron manufacturer of the United States from the American market.

That no manufactured article should pay any less duty than the duty chargeable upon the material of chief value out of which it is made, is the principle of the iron and steel bill about which there has been so much criticism and discussion here and throughout the country; a principle which is right and should form the basis of all tariff legislation and be the rule of all Treasury interpretations upon this subject; a principle which every one concedes is right, and thoroughly just, and which in the main has been recognized in every tariff law since the foundation of the Government. It may be said that the duty is too high upon the material of chief value. If that be true, reduce it. But so long as that duty remains I insist that the intent of the law shall be sacredly preserved. It should not be the mere form, but the substance, of the article which should regulate the rate of duty.

The gentleman from South Carolina [Mr. AIKEN] takes occasion in his recent speech to characterize the hoop-iron bill, so called, (which is now in the hands of the Ways and Means Committee,) as an effort to rob the many for the benefit of the few. He says:

> Mr. Chairman, how insatiate is the greed of humanity! Not content with their already dazzling incomes through the bounty of the Government, these iron men are attempting to increase, and doubtless will increase, the tariff upon that class of manufactured iron in which is included "cotton ties," a description of iron that affects the pockets of the greatest number of the poorest laborers of this country. These laborers are, however, all farmers, who seldom feel the helping hand of a paternal government. The duty on cotton ties some years ago was 70 per cent. ad valorem. For some reason, not pertinent at this moment, this duty was reduced to 35 per cent. ad valorem, which is about three-fourths of 1 cent per pound. The bill familiarly known as the McKinley bill proposes to restore the 70 per cent. tax or increase the duty three-fourths of 1 cent. per pound. Certainly such a tax is only a mite when imposed upon an individual farmer, but what is it when aggregated upon a cotton crop numbering millions of bales? Each bale usually has six ties around it and they weigh ten pounds, hence the levy upon each bale is 7½ cents. The crop of 1882 will doubtless aggregate 6,000,000 bales, and hence the tax on the 36,000,000 ties that bind them will amount to the sum of $450,000. Now, sir, if this amount could be collected at our custom-houses and be then covered into the Treasury, not a farmer in the South would complain of the tax. But when we know from past experience that it will all go, or at least $449,000 of it, into the coffers of less than a half dozen cotton-tie manufacturers of this country, we can but denounce the proposition as an effort to rob the many for the benefit of the few.
>
> But, sir, the cotton farmer is blandly told he should not complain, for inasmuch as he buys these ties at 2½ cents per pound or less by retail, he sells them around his bales at the net price of cotton, 9, 10, or 11 cents per pound. This plausible argument does not warrant an unjust tax. But however plausible the proposition, it is not true in fact.

Let us see if it is not true in fact, and if the proposed measure will put into the coffers of the iron manufacturers of the United States the enormous amount alleged by the gentleman, or any other amount which in justice they ought not to have.

I find in a southern newspaper—the Telegraph and Messenger—published in Macon, Georgia, under date of February 18, 1882, a statement in reply to a criticism of the hoop-iron bill which appeared in another southern paper called the Atlanta Constitution, which announces who receives the money from the cotton-tie trade, who bears the burdens, and who pockets the profits. It will be observed that it is not the iron manufacturer, not the laborer in the cotton field, but the thrifty planter. I quote this southern authority as an answer to my friend from South Carolina:

> The Constitution (newspaper) does not confine itself to any injury or inequality in the present law, but travels outside to take up a bill introduced by Mr. MCKINLEY, to increase the duties on cotton ties, according to the Constitution, $19.19 per ton. The Constitution is very unfortunate in its selection of an article to demonstrate a species of protection as "robbery pure and simple." It is a fact well known to every negro who raises one bale of cotton that the most profitable feature connected with the whole transaction is the difference in price that he buys at and the price at which he sells his cotton ties. The price of the latter the past season averaged about one dollar and seventy-five cents per bundle. There are forty bundles to the ton, and hence the price per ton of ties to the cotton planter was $70. This is the long ton of 2,240 pounds. These ties are sold at the price of cotton, and at ten cents per pound they bring $224 per ton. As they cost only $70 per ton, the net profit on every ton of ties sold by the planters of the South was $154. This, according to the Constitution's figures of the quantity consumed, shows they make a clear profit of $4,626,003 on their annual consumption of cotton ties. If this is true, there is no class of people in the country who can better afford to see such a rate of duty levied upon cotton ties as will enable our manufacturers to produce them at fair profit.

From this it appears that the cotton planter of the South is not the oppressed and burdened individual described so graphically by the gentleman from South Carolina. On the contrary he seems to be the monopolist, for he buys the cotton ties at 2½ cents per pound and sells them for cotton at 10 or 11 cents per pound, making a clean profit of more than $4,500,000 on the annual consumption of cotton ties.

My friend exclaims, "How insatiate is the greed of humanity!" I answer, how insatiate is the greed of the cotton planter, if this southern authority be true. He is quite content with his dazzling income, and is unwilling to share it with the manufacturer and laborers in the hoop-iron industry.

My friend, in the same speech, expresses himself as quite willing to protect the rice planter of the South, and I doubt not the sugar-grower of the same section. If the principle is worth maintaining at all, its application should not be sectional or awarded to any single industry, but all should share in its benefits and blessings, and feel the life-giving force of its influence.

Under the Treasury rulings the cotton-tie trade has gone from the United States, from its mechanics and manufacturers, to the foreign manufacturer, to enrich the latter at the expense of the former. The cotton planter, not content with his profit on ties at the expense of the consumer, insists upon depriving American labor and capital of its just rewards and its legitimate profits.

While the present tariff laws need some revision, any wholesale change would be unhealthful and unwise. A large part of our industries has been built up under their fostering care; trade has conformed to them, and has been prosperous and progressive, and no genuine American interest wants them overthrown or materially disturbed. If we could secure some slight changes, conceded by all as necessary, which would endanger no existing interest in the United States, and then establish a clear and unmistakable rule of construction, to guide our customs officers in their interpretation of the law, any general revision of the tariff might well be left for many years to come.

Certainty and stability are essential elements to the success of trade, and as long as we are doing reasonably well experiments should be avoided.

Manufacturers, farmers, laboring-men, indeed all the industrial classes in the United States, are severally and jointly interested in the maintenance of the present or a better tariff law which shall recognize in all its force the protection of American producers and American productions. Our first duty is to our own citizens.

Free trade may be suitable to Great Britain and its peculiar social and political structure, but it has no place in this Republic where classes are unknown and where caste has long since been banished; where equality is the rule; where labor is dignified and honorable; where education and improvement are the individual striving of every citizen, no matter what may be the accident of his birth or the poverty of his early surroundings. Here the mechanic of to-day is the manufacturer of a few years hence. Under such conditions, free trade can have no abiding-place here. We are doing very well; no other nation has done better, or makes a better showing in the world's balance-sheet. We ought to be satisfied with the progress thus far made, and contented with our outlook for the future. We know what we have done and what we can do under the policy of protection. We have had some experience with a revenue tariff, which neither inspires hope or courage or confidence. Our own history condemns the policy we oppose and is the best vindication of the policy which we advocate. It needs no other. It furnished us in part the money to prosecute the war for the Union to a successful termination; it has assisted largely in furnishing the revenue to meet our great public expenditures and diminish with unparalleled rapidity our great national debt; it has contributed in securing to us an unexampled credit; has developed the resources of the country and quickened the energies of our people; has made us what every nation should be, independent and self-reliant; it has made us industrious in peace, and secured us independence in war; and we find ourselves in the beginning of the second century of the Republic without a superior in industrial arts, without an equal in commercial prosperity, with a sound financial system, with an overflowing Treasury, blessed at home and at peace with all mankind. Shall we reverse the policy which has rewarded us with such magnificent results? Shall we abandon the policy, which, pursued for twenty years, has produced such unparalleled growth and prosperity?

No, no. Let us, Mr. Chairman, pass this bill. The creation of a commission will give no alarm to business, will menace no industry in the United States. Whatever of good it brings to us on the first Monday in December next we can accept; all else we can and will reject. [Great applause.]

Quantities of wool produced, imported, exported, and retained for consumption in the United States in 1850 *and from* 1861 *to* 1881, *inclusive.*

Year ended June 30—	Production.*	Imports.	Total production and imports.	Exports.			Retained for home consumption.
				Domestic.	Foreign.	Total.	
	Pounds.	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*	*Pounds.*
1850	52, 516, 959	18, 695, 294	71, 212, 253	35, 898	(†)	35, 898	71, 176, 355
1861	75, 000, 000	(†)	(†)	847, 301	(†)	(†)	(†)
1862	90, 000, 000	42, 131, 061	132, 131, 061	1, 153, 388	332, 953	1, 486, 341	130, 644, 720
1863	106, 000, 000	73, 931, 944	179, 931, 944	355, 722	708, 850	1, 064, 572	178, 867, 372
1864	123, 000, 000	90, 464, 002	213, 464, 002	155, 482	223, 475	378, 957	213, 085, 045
1865	142, 000, 000	43, 840, 154	185, 840, 154	466, 182	679, 281	1, 145, 463	184, 694, 691
1866	155, 000, 000	76, 532, 274	231, 532, 274	973, 075	851, 645	1, 824, 720	229, 707, 554
1867	160, 000, 000	16, 558, 046	176, 558, 046	307, 418	618, 587	926, 005	175, 632, 041
1868	168, 000, 000	24, 124, 803	192, 124, 803	558, 435	2, 801, 852	3, 360, 287	188, 764, 516
1869	180, 000, 000	39, 275, 926	219, 275, 926	444, 387	342, 417	786, 804	218, 489, 122
1870	162, 000, 000	49, 230, 199	211, 230, 199	152, 892	1, 710, 053	1, 862, 945	209, 367, 254
1871	160, 000, 000	68, 058, 028	228, 058, 028	25, 195	1, 305, 311	1, 330, 506	226, 727, 522
1872	150, 000, 000	122, 256, 499	272, 256, 499	140, 515	2, 266, 393	2, 406, 908	269, 849, 591
1873	158, 000, 000	85, 496, 049	243, 496, 049	75, 129	7, 040, 386	7, 115, 515	236, 380, 534
1874	170, 000, 000	42, 939, 541	212, 939, 541	319, 600	6, 816, 157	7, 135, 757	205, 803, 784
1875	181, 000, 000	54, 901, 760	235, 901, 760	178, 034	3, 567, 627	3, 745, 661	232, 156, 099
1876	192, 000, 000	44, 642, 836	236, 642, 836	104, 768	1, 518, 426	1, 623, 194	235, 019, 642
1877	200, 000, 000	42, 171, 192	242, 171, 192	79, 599	3, 088, 957	3, 168, 556	239, 002, 636
1878	208, 250, 000	48, 449, 079	255, 449, 079	347, 854	5, 952, 221	6, 300, 075	249, 149, 004
1879	211, 000, 000	39, 005, 155	250, 005, 155	60, 784	4, 104, 616	4, 165, 400	245, 839, 755
1880	232, 500, 000	128, 131, 747	360, 631, 747	191, 551	3, 648, 520	3, 840, 071	356, 791, 676
1881	264, 000, 000	55, 964, 236	319, 964, 236	71, 455	5, 507, 534	5, 578, 989	314, 385, 247

* In the column of "Production" the amount placed opposite the fiscal year is the production of the preceding calendar year. † Quantity cannot be stated.

Quantity of coal produced in each State and Territory of the United States during the calendar years 1869, 1876, 1877, 1878, 1879, *and* 1880.

[Weight expressed in tons of 2,240 pounds.]

State or Territory.	1869.*	1876.	1877.	1878.	1879.	1880.
ANTHRACITE.						
Pennsylvania	*Tons.* 13, 866, 180	*Tons.* 21, 436, 667	*Tons.* 23, 619, 911	*Tons.* 20, 605, 262	*Tons.* 26, 142, 689	*Tons.* †26, 437, 242
BITUMINOUS.						
Pennsylvania	7, 798, 517	11, 500, 000	12, 500, 000	13, 500, 000	14, 500, 000	19, 000, 000
Illinois	2, 629, 563	3, 500, 000	3, 500, 000	3, 500, 000	3, 500, 000	4, 000, 000
Ohio	2, 527, 285	3, 500, 000	5, 250, 000	5, 000, 000	5, 000, 000	7, 000, 000
Maryland	1, 819, 824	1, 835, 081	1, 574, 339	1, 679, 322	1, 730, 709	2, 136, 160
Missouri	621, 930	900, 000	900, 000	900, 000	900, 000	1, 500, 000
West Virginia	608, 878	800, 000	1, 000, 000	1, 000, 000	1, 250, 000	1, 400, 000
Indiana	437, 870	950, 000	1, 000, 000	1, 000, 000	1, 000, 000	1, 196, 490
Iowa	263, 487	1, 500, 000	1, 500, 000	1, 500, 000	1, 600, 000	1, 600, 000
Kentucky	150, 582	650, 000	850, 000	900, 000	1, 000, 000	1, 000, 000
Tennessee	133, 418	550, 000	750, 000	375, 000	450, 000	641, 042
Virginia	61, 803	90, 000	90, 000	75, 000	90, 000	100, 000
Kansas	32, 938	125, 000	200, 000	300, 000	400, 000	550, 000
Oregon	.....	200, 000	200, 000	200, 000	200, 000	200, 000
Michigan	21, 150	30, 000	30, 000	30, 000	35, 000	35, 000
California	.....	600, 000	600, 000	600, 000	600, 000	600, 000
Rhode Island	14, 000	14, 000	14, 000	14, 000	15, 000	15, 000
Alabama	11, 000	100, 000	175, 000	200, 000	250, 000	340, 000
Nebraska	1, 425	30, 000	50, 000	75, 000	75, 000	100, 000
Wyoming	50, 000	500, 000	100, 000	100, 000	175, 000	225, 000
Washington	17, 844	100, 000	150, 000	150, 000	170, 000	175, 000
Utah	5, 800	45, 000	45, 000	60, 000	225, 000	275, 000
Colorado	4, 500	250, 000	300, 000	367, 000	400, 000	575, 000
Georgia	.....	.....	.....	.....	100, 000	100, 000
Totals	31, 077, 994	49, 005, 748	54, 308, 250	52, 130, 584	62, 808, 398	69, 200, 954

* The statistics for 1869 are derived from the United States census. The statistics for 1876, 1877, 1878, 1879, and 1880 are compiled from data collected and estimates made by Mr. Frederick E. Saward, editor of the Coal Trade Journal of New York.
† Includes 3,000,000 tons estimated as the local consumption.

Statement showing the quantities, values, and rate and amount of duty collected on products of foreign agriculture imported into and entered for consumption in the United States during the fiscal year ended June 30, 1881.

Articles.	Quantities.	Values.	Rate of duty.	Amount of duty collected.
Animals, living:				
Hogs ..... number..	2, 195	$3, 834 22	20 per cent	$766 84
Horned cattle ..... number..	41, 824	384, 066 59	20 per cent	76, 813 30
Horses ..... number..	33, 994	2, 520, 692 80	20 per cent	504, 138 54
Sheep ..... number..	403, 658	972, 396 38	20 per cent	194, 479 23
All other, not otherwise specified	.....	36, 833 94	20 per cent	7, 366 78
Total	.....	3, 917, 823 93	.....	783, 564 69
Animals, living:				
For breeding purposes ..... number..	21, 268	1, 245, 607 00	Free	.....
Teams of immigrants	.....	133, 005 65	Free	.....
Birds, singing and other	.....	88, 935 00	Free	.....
Fowls, land and water	.....	78, 143 41	Free	.....
Leeches	.....	4, 536 00	Free	.....
Total	.....	1, 550, 227 06		
Animal oils:				
Neat's-foot and other animal oils ..... gallons..	12, 572	3, 839 60	20 per cent	767 92
Provisions:				
Bacon and hams ..... pounds..	77, 423	14, 340 56	2c. per pound	1, 548 46
Beef ..... pounds..	164, 021	10, 663 29	1c. per pound	1, 640 21

Statement showing the quantities, values, and rate and amount of duty collected on products of foreign agriculture imported, &c.—Continued.

Articles.	Quantities.	Values.	Rate of duty.	Amount of duty collected.
Provisions—Continued.				
Butter ..... pounds	237,678.75	$45,187 88	4c. per pound	$9,507 13
Cheese ..... pounds	3,655,370.25	622,878 84	4c. per pound	146,214 81
Condensed milk		197,962 85	20 per cent	39,592 57
Eggs ..... dozen	8,569,568	1,087,250 47	Free	
Lard ..... pounds	1,655	224 76	2c. per pound	33 10
Meats, preserved		46,618 69	35 per cent	16,316 55
Mutton, undressed		1,635 16	10 per cent	163 52
Pork ..... pounds	28,647	2,026 36	1c. per pound	286 47
Total		2,028,788 86		215,302 82
Hides and skins, other than fur		27,756,990 07	Free	
Tallow ..... pounds	55,519	4,541 25	1c. per pound	555 19
Bones and bone-dust		312,692 66	Free	
Hair, unmanufactured		874,727 00	Free	
Glue ..... pounds	1,888,005	243,352 98	20 per cent	48,670 59
Total		29,192,303 96		49,225 78
Bread and breadstuffs:				
Barley ..... bushels	9,590,938.33	6,711,307 48	15c. per bushel	1,438,640 80
Bread and biscuits ..... pounds	161,098	20,621 85	20 per cent	4,124 37
Indian corn ..... bushels	75,161.95	88,127 84	10c. per bushel	7,516 20
Indian corn meal ..... barrels	129.25	719 20	10 per cent	71 93
Oats ..... bushels	65,276.80	23,196 80	10c. per bushel	6,527 68
Rye ..... bushels	4,680	4,680 00	15c. per bushel	702 00
Rye flour				
Wheat ..... bushels	10,583.24	15,838 45	20c. per bushel	2,116 66
Wheat flour ..... barrels	490.74	2,562 97	20 per cent	512 59
Other small grain and pulse, and all other preparations of breadstuffs used for food		1,340,881 66	Average 18.56 per cent.	248,895 34
Total		8,207,936 25		1,709,107 57
Fruits:*				
Green, dried, or ripe, not otherwise specified		143,115 93	10 per cent	14,311 59
In their own juice, and fruit juice not otherwise specified		153,937 33	25 per cent	38,484 36
Preserved comfits, sweetmeats, fruits, &c		577,928 95	35 per cent	202,275 15
Total		874,982 21		255,071 10
Seeds:				
Flaxseed or linseed ..... bushels	797,910.75	1,126,370 25	20 cents per bushel	159,582 15
Garden and all other, including bulbous roots		485,837 16	Average 24.36 per cent.	118,395 30
Total		1,612,207 41		277,977 45
Textiles:				
Cotton, unmanufactured ..... pounds	4,440,996	757,352 00	Free	
Wool, unmanufactured:				
Class 1. Clothing Wools—				
Value 32 cents or less per pound ..... pounds	19,994,040.30	4,492,839 79	10c. and 11 per cent	2,488,616 40
Value over 32 cents per pound ..... pounds	643,832	244,435 00	12c. and 10 per cent	101,703 30
Scoured—				
Value 32 cents or less per pound ..... pounds	9,090	8,544 00	30c. and 33 per cent	5,546 52
Washed—				
Value 32 cents or less per pound ..... pounds	11,765	5,218 00	20c. and 22 per cent	3,500 96
Value over 32 cents per pound ..... pounds	980	417 00	24c. and 20 per cent	318 60
Class 2. Combing Wools—				
Value 32 cents or less per pound ..... pounds	4,207,558.50	1,193,900 39	10c. and 11 per cent	552,084 89
Value over 32 cents per pound ..... pounds	213,932	77,432 00	12c. and 10 per cent	33,415 04
Class 3. Carpet and other similar wools—				
Value 12 cents or less per pound ..... pounds	28,917,217.33	3,384,423 97	3c. per pound	867,516 52
Value over 12 cents per pound ..... pounds	13,468,552	2,653,616 75	6c. per pound	808,113 12
Hemp and flax, unmanufactured		9,659,779 87	Average 15.88 per cent.	1,524,445 81
Total		22,477,958 87		6,385,261 21
Vegetable oils and oil-cake:				
Cotton-seed oil ..... gallons	20	7 00	30c. per gallon	6 00
Linseed oil ..... gallons	9,681.90	4,710 85	30c. per gallon	2,904 57
Oil-cake ..... pounds	2,243,212	26,376 00	Free	
Total		31,093 85		2,910 57
Miscellaneous:				
Hay ..... tons	165,352.61	1,965,632 11	20 per cent	393,126 40
Hops ..... pounds	475,428	111,903 00	8c. per pound	38,034 24
Rice:				
Cleaned ..... pounds	41,918,444	995,098 01	2½c. per pound	1,047,961 14
Uncleaned ..... pounds	243,756	5,657 67	2c. per pound	4,875 12
Paddy ..... pounds	12,309	264 30	1½c. per pound	184 65
Tobacco, leaf ..... pounds	7,631,071.43	4,270,358 37	35c. per pound	2,670,875 04
Potatoes ..... bushels	2,168,049.21	874,019 56	15c. per bushel	325,207 46
Vegetables, crude		439,233 87	10 per cent	43,923 41
Vegetables, prepared or preserved		307,276 20	35 per cent	107,546 67
Wax, bees' ..... pounds	7,003	1,414 72	20 per cent	282 94
Sugar of all kinds		82,721,087 27	Average 55.53 per cent.	45,933,045 09
Wines of all kinds		6,534,658 49	Average 51.74 per cent.	3,381,032 82
All other agricultural products		1,438,331 15	Average 14.92 per cent.	214,611 64
		735,865 80	Free	
		100,400,800 52		54,160,706 62
Total value and duty of the agricultural products above enumerated		170,297,962 42		63,839,895 73
Total value and duty of all foreign imports		650,618,999 63		193,800,879 67
Per cent. of agricultural products to total imports of foreign merchandise		26.17		32.94

* Have not included oranges, lemons, prunes, raisins, figs, dates, currants, &c., but have confined the whole table as nearly as possible to the articles mentioned in the table in Quarterly No. 1, series 1881-'82.

TREASURY DEPARTMENT BUREAU OF STATISTICS, *March* 10, 1882.

JOSEPH NIMMO, JR., *Chief of Bureau.*

Mr. SIMONTON. Mr. Chairman, it is impossible for one of my limited experience as a member of this House not to feel a degree of embarrassment, entering, as I do, the discussion at this stage when the questions involved have been presented with so much ability by the distinguished gentlemen who have preceded me; and this embarrassment is increased because of the fact that in presenting the reasons which influence me in my opposition to the bill I must necessarily pass over ground which has already been occupied, and much better than I can hope to do. But there are some considerations, weighty with me, which have not been elaborated and to which I shall refer before I close; so that I trust the time I shall detain the committee by its indulgence will not be altogether in vain.

The bill before us proposes ostensibly a revision of the tariff. The mode of procedure to accomplish this result, namely, the appointment of a commission of citizens by the President, to be confirmed by the Senate, so that in its selection and make-up the House will have absolutely no voice; and such commission when organized is to take into consideration, to investigate, and to report upon the amount of tariff and the method of levying it, duties imposed by the Constitution specially upon this House—this mode of procedure, I say, seems to me to be an unwarranted delegation of our powers and a cowardly refusal on our part to meet our constitutional obligations.

This bill, if it means anything but delay, presents an important question, an issue upon which our people and their interests are divided. Upon the one hand, and greatly to be affected, if there shall be a revision of the tariff that will materially reduce duties, are the protected classes of the country, who constitute, with those they represent, more than one-fifth of our population.

They represent a vast aggregate of capital. In a memorial which they transmitted to this House, I think they put the sum at more than a thousand millions of dollars. They are active, vigilant, wide awake to their peculiar interests, organized, and capable of ready and easy combinations and actions, and are consequently of great influence and power as respects their numbers. They are interested in high duties, laid upon the protective principle. Under the operation of these duties their industries have grown up and accommodated themselves to this condition of affairs, and they look with great concern upon the prospect of any reduction of duties.

Upon the other side are the unprotected classes of the country, embracing mainly the nation's great body of workers, the agriculturists, tradesmen, mechanics, and laborers, as well as the professional men. In the very nature of things they cannot be benefited by a high tariff. High duties are a tax on them. They do not ask the interference of the Government in their business concerns. All they do ask is an even chance in the race of life, with only a fair and just proportion of the burdens of public expenses to be placed upon their shoulders, and special favors and bounties to none.

Neither of these classes as such constitutes a political organization, but the former, vigilant and active, as I have said, keenly watches for such political combinations as may be advantageous to it, and for such exigencies in public affairs as it may turn to its own account.

When the Republican party was first struggling for supremacy in this country it sought and obtained an alliance, not universal, but very general, with the protected classes of the country by adopting as part of its political creed the doctrine of protection, and during its continuance in power it has loaded them with extraordinary marks of favor. In return it has received their unwavering and loyal support in many a doubtful and bitter political contest. In 1861, when just seated in power, it bestowed its first mark of reward in passing the Morrill tariff, and although this act for the first time in the history of this country imposed double duties upon the same article, specific and ad valorem, it was followed five months later (August, 1861) by a further increase of duties. In the same year (December, 1861) further duties were laid, this time on tea, sugar, and coffee; which is one of the few instances where, under Republican rule, duties were imposed solely or chiefly for revenue. This was followed by a general increase in July, 1862. On the 30th of June, 1864, there was another increase, followed by a still greater one in 1865–'66. From this time till 1874 several modifications of the tariff followed, in which duties laid purely for revenue were repealed, and others on the principle of protection were increased. These various changes and extraordinary increases of the tariff raised the average rates of duty from 19 per cent., what it was in 1860, to more than 45 per cent. It is a remarkable fact worthy of notice in this connection that, though a depleted Treasury furnished the pretext for these repeated and extraordinary increases of the tariff, the schedule of duties was adjusted mainly for purposes of protection rather than revenue. These extraordinary and oppressive duties continue in force to this day; and gentlemen tell us, with all the appearance of sincerity, that the election in November, 1880, was a solemn verdict of the people in favor of the principle upon which they were laid, and is to be taken as instructions to this House to continue them indefinitely. But I apprehend no gentleman seriously believes this proposition.

That the classes benefited by protection were remarkably active in the late canvass, and, as a general thing, very loyal to the party that has given them so many substantial marks of gratitude, is undoubtedly true. But no man, I take it, seriously believes that the mass of Republican voters, outside of the protected classes, intended by their votes to decide this issue. Unfortunately the sectional feelings engendered by the war and the party alignments resulting therefrom still remained in sufficient force to overshadow so important a question of political economy as this, and had a very potent influence in determining the result of that election, as may be plainly seen from the vote of the States in the different sections of the Union. Besides corrupt influences in pivotal States, as New York and Indiana, and the immense power and patronage of the Administration with its army of office-holders, and the free use of a great campaign fund levied by assessments and contributed by the classes interested in protection, under the skillful manipulations of the secretary of the Republican executive committee, Mr. Dorsey—a man not overscrupulous about honest and fair methods, a man who is now under indictment for frauds against the Government—these causes doubtless had more to do with Republican success than the determination of any principle. But, if gentlemen are right in assuming that this was the great issue which determined the preference of voters in that election, it is, at best, a verdict that is entitled to little consideration at our hands, being practically a drawn battle, not even a majority, only a plurality of a few hundred in a mass of more than nine millions of votes. If the votes of the army of office-holders, whom everybody shrewdly supposes to vote not upon principle, but to retain position, were not to be reckoned, the verdict would be for the Democratic doctrine of tariff for revenue by more than one hundred thousand majority.

If the battle of protection has been fought and won by that verdict, why is this bill before us? Why this activity and concern among the protected classes? Why these conventions in Chicago and New York? Why this great effort to get this whole subject out of the hands of Congress? No, Mr. Chairman, our people have not decided to retain these extraordinary and oppressive duties, levied professedly for a temporary purpose. The exigency which made their imposition possible has long since passed away; the receipts of revenue are greatly in excess of the needful expenditures of Government; our people will not, to please protectionists, continue to pay these extraordinary rates of taxation, filling an overflowing Treasury, to be squandered in extravagant and corrupt appropriations. There must be a revision of the tariff, and the protected classes would as well "set their houses in order" for it and agree to a gradual and moderate reduction of duties, else the rising tide of public indignation under these more than useless burdens will soon sweep suddenly away the whole tariff, allowing them no opportunity of adjusting their industries to the changed order of affairs.

And upon what principle shall the revision be made is a question of far greater importance even than the mode of procedure. Is it consistent with justice or a wise public policy to lay or to continue heavy duties on our imports, thereby restricting trade and commerce and abridging the liberty of the citizen in his right to dispose of or exchange the products of his labor to the best advantage, not for revenue, nor to distribute the burdens of Government among all the citizens in proportion to their ability to bear them, but to foster and promote the business interests and enterprises of a portion of the citizens and corporations of the country? And shall the contemplated revision be made upon the principles of such a system?

These, sir, are the real questions at issue, and as economic questions they are neither new nor novel. Ever since the time, now more than a hundred years ago, when Dr. Adam Smith laid the foundations of the science of political economy in his great work, the Wealth of Nations, these very questions practically have received the attention of the profoundest thinkers of all civilized countries. No question ever submitted to philosophical investigation has attracted the attention of a greater number of learned inquirers than the comparatively new science of political economy; and no question in the range of its investigation has received greater unanimity in the conclusions reached than the chief question in this discussion. John Stuart Mill, one of the more recent as well as one of the ablest and most learned authors in this field, in his work on Political Economy, book 5, page 556, says: "There is no writer of any reputation as a political economist who now adheres to the doctrine of protection except H. C. Carey," who gentlemen all remember was an American, the distinguished author of Carey's Social Science.

A protectionist of reputation in the State of Iowa recently wrote to the editor of a newspaper to ascertain if there was not some institution of learning in the country where political economy was taught without the heresy of free trade. The fact is, the weight of authority among writers of reputation as political economists and the books used and the system taught in our institutions of learning are almost universally against restrictions of trade and commerce. Science, so far as it can settle any question, may be fairly said to have determined this, that the doctrine of protection to native industries by the imposition of heavy duties in restraint of trade and commerce is false in theory and hurtful in practice.

It would seem, sir, that in the field of philosophic research, in the domain of science, away from party bias, from the contentions of self-interests, and from the influence of existing prejudice, we might look for an impartial tribunal to determine questions of pure political economy.

But neither prejudice nor self-interest will ever submit either to the deductions of reason or the conclusions of science, if adverse to them, so long as ingenuity can furnish a show of resistance by plausible pretexts or deceptive sophisms. Hence, protectionists profess a

great contempt for philosophical deductions, theories, books, the teachings of political economists, and college professors. Like the colored parson, Rev. Jasper, of Richmond, Virginia, who, finding the conclusions of a science opposed to his view, boldly declared, "What do I care for books and theories; the sun do move; don't I see it?" So they say, "What do we care for abstract theories and the speculative deductions of books? Have we not had protection laws for twenty years, and don't we see evidences of prosperity all around us? Therefore protection is a blessing." And may I not reply, with equal propriety, have we not had a public debt of great magnitude hanging over the country during these twenty years, and don't we see evidences of prosperity all around us? Therefore a public debt is a blessing. Sir, it is as much a matter of careful inquiry, philosophical investigation, if you please, whether the prosperity of the country results from protection's laws or from the blessings of Heaven in bountiful crops, the greatly increased facilities for transportation and trade, the peace and good-will that prevail among the nations of the earth, and other like causes, as whether the rising and setting of the sun is to be attributed to its own or the earth's motion.

It is no wonder that protectionists do not like to encounter the deductions of political economists; they are so reasonable and logical that they have to admit them, and are then at the trouble to explain them away; in the lawyer's parlance, "they confess and avoid." Mr. Garfield, during the discussion when these very duties were under consideration, declared on this floor, "Against the abstract doctrine of free trade little can be said." So perfect and desirable indeed did the system appear to him that he further declared he was for that protection which led ultimately to free trade. The gentleman from Pennsylvania, [Mr. KELLEY,] the chairman of the Committee on Ways and Means, the learned and eloquent champion of protection on this floor in the Forty-sixth Congress, when controverting a proposition of the gentleman from Ohio, [Mr. Hurd,] then a member of this House, which was in these words, "Protection builds up one citizen at the expense of another; for the additional price which protection enables the manufacturer to charge must be paid by another citizen," said: "I doubt not the gentleman [Mr. Hurd] really believes this proposition." I pause a moment to remark it is the most natural thing that he should believe it. To an unprejudiced mind it must seem a self-evident proposition; its simple statement is its own proof. But the gentleman [Mr. KELLEY] continuing, said: "He was so taught in college; the text books he then used affirm the proposition as confidently as he does."

Now, since the gentleman seems to think the proposition well disposed of when he has referred it to books and college professors, we naturally wonder whence he draws the inspiration of the doctrine which he professes. Of course, not from such unworthy sources as he imputes to the gentleman from Ohio. In a speech which he delivered in this House May 1, 1872, he gives us the clue; he then said: "If gentlemen would go with me to my district, the leading district in the country in machine-shops, &c." Now, I doubt not that the gentleman is perfectly sincere in his advocacy of the doctrine of protection; but I submit whether he, representing the leading district in the country in machine-shops, and one, therefore, greatly interested in the direct benefits of protection laws, and having these interests committed to his hands to guard—I submit whether he is more likely to come to an unbiased conclusion on this question of political economy than even those college professors or the learned authors of the books they use, or political economists generally, whose only reward could be the ascertainment of truth.

I believe the gentleman himself, and also the gentleman from Michigan who addressed the House the other day, who, as I understand him, represents a district containing a great protected industry, the salt works of his State—I believe these gentlemen are sincere; I know they are human, and when they put the benefits of protection in the scale to weigh them as between the interests they directly represent and those of the whole country, they are practically weighing their own interests, for they would guard the trust committed to them at least with equal fidelity; and we well know that

> When self the wavering balance holds
> 'Tis rarely right adjusted.

I, for one, cannot understand how it is a reproach to us who oppose the doctrine of protection as applied in our fiscal system, that the deductions of profound inquirers, seeking only the ascertainment of truth or the weight of authority among the ablest writers on political economy, or the great body of professors in our institutions of learning, should concur in our views. I welcome such reproach as this. And I frankly confess, in the investigation I have been able to give this subject, I have been careful not to neglect this source of information.

Sir, the right of Government to levy and collect taxes and impose duties under the provisions of the Constitution is undisputed. It is, nevertheless, a dangerous power, because so often and so easily abused. "The power to tax," says Chief-Justice Marshall, "is the power to destroy," and we have often seen it so used—notably in taxing the State banks out of existence. It is a power that must necessarily be confided to the discretion of the legislators; and however heavy and oppressive the burden may be laid, the citizen has no redress but his unavailing protest, hoping for a future repeal, which cannot affect, however, the levy already made. To frame laws, therefore, which are intended to and which do abstract from the citizen, independent of his personal consent or choice, a part of his daily earnings or capital to constitute a public revenue, is one of the most delicate and responsible duties a legislator is ever called upon to perform. And this bill proposes to take out of this House and from our consideration this important duty and confer it upon a commission of citizens in whose selection we have no more voice than the man in the moon.

Mr. Chairman, taxes are never a blessing to those who pay them. Every citizen is entitled to the fruit of his labor, to his whole property, not only as against every other citizen but as against the Government itself, except his fair and ratable share needed for its legitimate public uses, which he is bound to give in return for its guarantee of life, liberty, and property. That the Government, therefore, in the exercise of its taxing power, should take from the citizen only a fair and ratable share of his earnings or property assessed in proportion to his ability to pay; that it should take the least sum requisite for legitimate public uses, and in the manner least burdensome with useless cost, and which interferes least with the undoubted right of the citizen to do with his own as he chooses so long as he violates no right of any other citizen, and that the revenue thus collected should be applied only to legitimate public uses, are propositions so just, as it would seem, that they ought to have the assent of every fair-minded man. And yet, sir, in our fiscal system they are ignored. The larger portion of our revenue (to wit, $193,800,879.67 for the last fiscal year) is raised by imposition of duties on imports; but these duties are laid not with the view primarily of distributing the burdens of government among all the citizens in proportion to their abilities to bear them, nor with a view to the greatest amount of revenue with the least restrictions to trade and commerce and the least abridgment of the rights and liberty of the citizen, but to foster and promote the business interests and enterprises of a portion of the citizens and corporations of the country.

If any proof were needed to sustain this assertion an analysis of the schedule of duties will furnish it, as will also a reference to the debates when the duties were laid. But I need scarcely detain the committee on this proposition. Protectionists eulogize our present tariff laws, and confidently attribute the prosperity of the country to their protective features. But I beg indulgence while I present a few illustrations out of many that might be adduced, showing how protection, (God save the mark,) as illustrated in our fiscal system, disregards a fair distribution of the burdens of Government, and discriminates against the humble citizen and grinds the poor by imposing upon them an undue proportion of the public expense. For instance, plain bleached cotton, worth less than twenty cents per yard, pays an ad valorem duty, a tax, of 45 per cent., while the same article, worth more than twenty cents, pays a tax of 35 per cent., a discrimination of 10 per cent. in favor of the more costly goods suited to the rank and condition of the rich, and against the cheaper and coarser goods with which the poor must content themselves. The cheapest shirts and drawers (woolen) pay 86 per cent., the dearest 60 per cent., a discrimination of 26 per cent. The cheapest wool hat pays 92 per cent., while the dearest pays 63 per cent., a discrimination of 29 per cent.

Carpets valued at $2.42 per yard, suitable for the rich man's drawing-room, pay 50 per cent.; Brussels, worth $1.31 per yard, to which an humble citizen might sometimes aspire for the nice room, pays 68 per cent., a discrimination of 18 per cent.; a cheaper still, and certainly within the reach of many humble citizens, worth 68 cents per yard, pays 75.92 per cent., a discrimination of 25.92 per cent.; while druggets, bockings, &c., valued at 36 cents per yard, pay 96.30 per cent., or a discrimination of 46.30 per cent. in favor of the rich. The cheapest blanket, the poor man's blanket, pays the enormous tariff of 104 per cent.; more than half the price is tax, while the soft and downy ones, suitable, as some one said, for the bridal couch or the chambers of wealth, that rest gentle as the snowflakes fall on the tender forms of the children of fortune, pay 75 per cent., a discrimination of 29 per cent. in favor of the rich and against the poor. Sir, these are a few of the many vicious effects from the application of the principle of protection as found in our tariff laws. These inequalities, this shameful injustice, are not mere accidents, but are a part of the system and will always be found when duties are laid not to distribute the burdens of Government equably and justly nor for purposes of revenue, but to protect some man's factory or some man's furnace.

Protection has favors to bestow, plenty of them; but not for the great mass of the people, and especially not for the humble citizen or the poor. It follows them with remorseless greed. When you abandon a fair distribution of the burdens of government or revenue as the basis of laying duties, what principle is left to guide you in the performance of the delicate task? None, sir, but the selfish demands of this protected class and of that, each clamorous for the highest duties on the products in which they are interested. And that industry or combination of industries which can command the most influence in legislation gets the highest duties, regardless of equality and of justice. Each manufacturer, of course, desires high duties on the products in which he is interested, regardless of what class of citizens the burden may fall upon. I was greatly interested in the graphic description the gentleman from Iowa [Mr. KASSON] gave the other day of the troubles that environed the Ways and Means Committee. The pertinacious demands of rich and powerful industries,

urging vehemently their interests, while unorganized or weaker ones were not represented at all, or their claims feebly pressed. The confusion resulting from such a state of affairs, the inability to fix a schedule satisfactory to all interests, was urged as a reason for sending the whole matter to a commission. This, of course, relieves the Ways and Means Committee, but does not cure the evil. The representatives of these powerful industries will be as pertinacious before the commission. The whole system is a travesty on just and fair legislation.

Think of Congress asking a lot of monopolists how much tax in the way of duties upon the people of the country will be satisfactory to them And because an agreement as to the division of the plunder cannot be amicably arranged among them, the whole thing is to be sent to a commission of experts.

But to return from this digression. Our manufacturers, of course, usually or largely engage in the manufacture of articles of general use and consumption; and as manufacturers generally desire high duties upon their products, and during Republican rule have obtained what they want, you will find the duties high on the utensils and implements of industry, on articles of prime necessity, and especially the coarse goods and wares of the poor, while articles of luxury and taste come in free of duty or at low rates, except in the case of some of them where a manufacturer is concerned. Thus the farmer upon his trace-chains pays a tax of 58½ per cent., while the sport can have his diamonds and cameos at 10 per cent. The seamstress on the needles in her sewing machine pays a tariff of 45 per cent., the carpenter on his saws from 42 to 63 per cent., while the elegant gentleman of leisure gets his rubies, pearls, and precious stones at 10 per cent.

If it is board nails or wood screws the farmer wants, if it is tacks or brads to do his mending or a steel pen to keep his account, he must pay 58 per cent.; but the dainty little gentleman with his derby hat sports his ratan cane taxed 20 per cent., his jewelry 25 per cent. On his plows, spades, picks, and shovels he pays 45 per cent., while the æsthetic citizen, who despises the useful, who studies music and fills the air with melody, can have his instruments at 30 per cent. If it is castor oil or Epsom salts needed for the sick in the family, for the former he pays 152 per cent., for the latter 78 per cent.; but his hospitable neighbor, to treat his friends, may have his champaign for 47 per cent. On the bagging to wrap his cotton bales he pays 69 per cent., on his window glass 59 to 73 per cent.; but he may have, if he chooses, silver plate and wares of gold at 45 per cent. His good wife on her spool thread pays 74 to 78 per cent., on her balmoral 80 per cent., on her hosiery 60 per cent., on her coarse shawl 60 per cent., her worsted dress goods 67 per cent., (being 7 per cent. more than the tax on silk,) but if she would adorn her home with statuary and paintings from foreign masters the tariff seeks to encourage her taste and kindly lets them in at 10 per cent., but on her broom and knives and forks she must pay 35 per cent., on her pitchers, bowls, plates, &c., she pays 25 per cent.

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

Mr. SIMONTON. Certainly.

Mr. CHACE. I desire to ask the gentleman how he makes out these percentages? Does he not do it by adding together the specific and the ad valorem rates? And are those rates the same now as they were upon the prices which prevailed at the time this tariff was enacted?

Mr. SIMONTON. I got these percentages from the report of the Bureau of Statistics on the importations of last year. That report carries out the statement, giving the equivalent ad valorem duty on each of these articles. There is where I have obtained them.

Mr. CHACE. The most of the difference arises from the fact that the prices have changed since the tariff was adopted.

Mr. SIMONTON. The tariff is so bad that I am not sure from what part of it it results; but I am sure it results from this principle of protection.

Now, I have given a few illustrations to show how this protective principle ingrafts the burdens of government into the utensils and implements of industries, into the coarse wares and goods of the poor, and then commissions the hostile elements to be its tax gatherers to collect them from them, for the poor man must pay or go naked, starve, and die.

But, Mr. Chairman, they tell us that we ought not to complain, because the imposition of duties has the effect of cheapening the article upon which the duty is imposed. The gentleman from Michigan [Mr. HORR] the other day labored very seriously (which was rather remarkable for him) to prove that a duty upon salt has the effect of cheapening it, and he supported his argument with tables. It is the argument of protectionists everywhere; but I think I can tell him and them where the fallacy is. They attribute to the tariff the effect of competition, whereas competition exists independently of the tariff; and although among the protected home manufacturers there does spring up a limited competition which has the effect of reducing in part the enhanced price caused by the imposition of the duty, yet the greater competition, the foreign competition, is excluded or reduced by the duties, and consequently the cheapening effect of competition is retarded instead of accelerated by the action of the tariff.

The gentleman from Michigan seemed to apprehend the weakness of his position, and though he assumed to speak for the farmers, saying they do not complain of the tariff upon salt, still he was not willing to rest the matter upon his argument, but seemingly to further conciliate and reconcile them to the burden of the tariff, he said, "There is scarcely a product of the farm that is not protected by the operations of the tariff." He said that oats were fifteen cents cheaper over in Canada than on the American side, and that the salt manufacturer, instead of buying oats over there went to Peoria, Illinois, and shipped them by hundreds and thousands of bushels up into the valley. Now, it is their business, and not mine, what they do with so many oats. But I should like to know why they insist on going to Peoria and paying freight and five cents a bushel more for oats than they could get them for across the bay, because the tariff is only ten cents a bushel upon oats. But the gentleman says they are fifteen cents cheaper in Canada than on this side; and he would therefore have the American farmer understand that by the operation of the tariff he sells his oats for fifteen cents more than they would bring without the tariff.

Now, if the gentleman is perfectly sincere in assuring the farmer that the tariff on salt brings it down, how can he be equally sincere in telling him that the tariff puts his oats up? If the tariff puts salt down, how does it put oats up? Which horn of the dilemma will he take? [Laughter.]

Mr. HORR. Does the gentleman understand that the protective system acts the same way on the raw material, like wool, that it does on the manufactured article?

Mr. SIMONTON. Well, if it has not the effect of putting up the price of oats, the farmer would not care much for it.

Mr. HORR. Raw material like wool is higher on account of protection.

Mr. SIMONTON. That is your solution of the quandary.

Mr. Chairman, if the theory that a duty cheapens is the correct one, why do not manufacturers reverse their rule and have the duty placed upon the raw material rather than on the manufactured product? But the gentleman was unfortunate in his reference to oats and the farm products. The gentleman from Ohio [Mr. MCKINLEY] was equally unfortunate. He also asserted that the farmers are protected in all the products of the farm, and are content with the tariff laws.

It is not true that the farmer realizes an enhanced price for his farm products by reason of the tariff. A tariff cannot afford protection nor furnish increased prices except by prohibiting or impeding foreign competition. But our farmers, in all the great staple products of the farm, including oats, fill the home market to overflowing and send a surplus abroad. The price obtained for this surplus determines the price of the whole crop.

Now, this proposition is so patent as scarcely to need illustration. But, by way of authority, I may mention that the honorable gentleman after whom the present tariff is named distinctly announced this principle in his speech in the Senate last December, saying in so many words, "that the surplus determines the price of the whole crop." How can a tariff protect a commodity the price of which is regulated by its surplus sold in the open market of the world? During the last fiscal year our production of oats amounted to 417,885,380 bushels, of which amount more than 400,000 bushels were shipped abroad. Suppose there was no tariff upon oats, and the few thousand bushels in western Canada, which the gentleman says are cheaper by fifteen cents than ours, had been thrown upon the American market, based, as I have said, upon a yield of more than 417,000,000 bushels and already in competition in the open market with the world's production of oats, what effect would they have produced? About as much as a bucket of water thrown upon the bosom of the sea. Gentlemen talk about pauper labor, and we must protect the manufacturer against pauper labor. Why, my constituent raising cotton competes with the pauper labor of Egypt and India. Of course our cotton crop more than fills the home market, the surplus sent abroad competes in the open market of the world, and the price there obtained for it regulates the price of the whole crop, even that sold to our home manufacturers, notwithstanding your handsome talk about the value of a home market for our produce. Our wheat-raisers compete with the pauper labor, so called, of England, Denmark, Russia, Turkey, and Chili; and they cannot even boast of a better adaptability of soil, for in England the average yield per acre is 33 bushels, in Denmark 27; and I have not the figures for the other countries before me just now, but I believe it is as great, while the average in the United States has never exceeded 13.08 bushels per acre.

Let me tell you how our farmers are protected by this tariff. They raise their great staples of the farm, they send a surplus abroad—usually by their merchants to whom they sell, their merchants being practically their agents, the effect being the same on the farmer whether he sells or sends abroad—and in the open market of the world this surplus that determines the price of the whole crop competes with the product of the pauper labor of the world, and they are not permitted to purchase, in that cheap foreign market where they sell, the utensils and implements that are necessary in the cultivation and husbanding of their crop, nor the clothing and wares so much needed for the comfort of their families, but they are compelled by exorbitant duties to buy in the protected home market these implements and goods, giving an enhanced price therefor, without any corresponding benefit to themselves because forsooth you say the manufacturer is not able to compete with foreign pauper labor. And besides

the farmers, when they send their products abroad, sell at a disadvantage, because commerce is carried on by means of exchange, and as they cannot take in return the things that they need they must sell at a disadvantage. So whether they buy or sell they are equally victims under the operation of the tariff laws, and then you insult their intelligence by telling them that these laws are made in their interest and protect every product of their farm.

Mr. CHACE. Can the gentleman tell what amount of farming implements is imported into this country every year?

Mr. SIMONTON. I can find out if the gentleman desires that I should. They import some; and if they do not import they pay for the domestic article the enhanced price caused by the tariff, so that the only difference is that in the one case the addition to the price goes as tax into the Treasury, and in the other it goes as bounty to the manufacturer. By far the larger amount of our implements are of American manufacture.

But the importation is doubtless very considerable, as the following statement from the official report of imports for the last three fiscal years indicates:

Articles.	1879.	1880.	1881.
Manufactures of cotton	$16, 933, 767 97	$25, 723, 251 85	$28, 084, 116 69
Iron and manufactures of iron...	5, 394, 760 71	34, 318, 531 68	32, 991, 038 45
Steel and manufactures of steel..	4, 299, 604 50	11, 148, 454 45	18, 463, 535 15
Wool and manufactures of wool.	30, 553, 922 87	49, 784, 212 79	45, 164, 149 01

Recurring for a moment to the theory that a duty cheapens the article upon which it is laid, we were told that if the duty should be taken off quinine the British manufacturers would seize our market, destroy our manufactories, and run the price of this article up. Notwithstanding these predictions, by a suspension of the rules, a bill was passed in this House, June, 1879, placing quinine on the free list, and it became a law. A little more than two years and a half have elapsed, and what is the result? The average price of free quinine during these two and a half years has been $2.86 per ounce, and for duty quinine for the two and a half years preceding June, 1879, it was $3.64½ per ounce, or a reduction in price by the removal of the duty of seventy-eight cents per ounce.

Mr. Chairman, I have spoken mainly of the oppressive effect of protection upon the farmer because my constituents are mainly agriculturists, and I speak for them. But if one would place himself on one of our thoroughfares and observe the various things as they pass on to the consumer he would be surprised at the relatively small proportion that are benefited by protection. Notably among those not benefited would be, in addition to agricultural products, building materials, constructions of wood, furniture, pork, beef, fruit, vegetables, and, indeed, a very long list. No benefit from protection accrues to the producers of such articles.

I do not hesitate to assert that our twenty years of protection have not added a single dollar to our aggregate wealth; but, on the contrary, have greatly diminished it. This proposition is obvious because the tariff never created a single dollar—all it could do was to give direction to capital and the labor it employed, by diverting it out of the natural and ordinary channels of trade and business, where it was remunerative, into enterprises which, protectionists themselves being judges, are not able to maintain themselves without the artificial aid of governmental interference. So that the effect of so-called protection has been to lay a tribute on the self-sustaining industries to maintain those which it is insisted cannot maintain themselves without artificial aid. This, in my judgment, is false political economy at best; and, under our high duties, amounts to actual robbery by operation of law. According to the fairest estimates, not less than $500,000,000 is annually paid by the great body of our people as tribute under the plea of maintaining, but really for the enriching of the protected industries.

But I must consider the effect of protection on the Government. And to this I invite particular attention, not, however, on account of the novelty of my views, for some of which I must acknowledge my indebtedness to the very able report of W. W. Boyce, made in 1859 to the first session of the Thirty-fifth Congress, being Report 107, but because this view of the subject has not yet been presented in this debate. I maintain that the logical effect, as well as the practical result of protection, is subversive of a just and economical administration of the Government, inasmuch as it naturally and surely leads to corrupt and prodigal waste of the public Treasury. This is, to some extent, true of a tariff for revenue, which affords incidental protection, but it is strikingly true of a tariff laid on the principle of protection, because the duties then operate as a bounty to a large and influential class. They become, therefore, interested in high taxation, for the higher duties are laid on the principle of protection the better for them. Some one has said: "The way to make a man a spendthrift is to supply him with an unlimited amount of money," and the way to make a government prodigal is to fill its coffers to overflowing.

Now, it is dangerous, alarming even, to have a large element of population, an influential class of citizens, interested personally and pecuniarily in high taxation, regardless of the needs of Government—regardless, if you please, of what is to be done with the money. But this is not the whole of this case; because the same class interested in the imposition of high taxes are just as much interested in liberal expenditures to prevent an accumulation in the Treasury, for a depleted Treasury affords the pretexts for continuing the high duties. Nothing is so unwelcome to the protected classes as the prospect of the reduction of duties. It is dreaded as the approach of an invading army. It is, in their theory, a catastrophe with ruin in its train. It foreshadows fireless furnaces, a cessation of the hum of busy spindles, and silent factories. It is something that must be averted at all hazards.

Whenever there is a prospect of the reduction of duties you will find great activity among the protected classes. Conventions are called like those which met lately in Chicago and New York. The press is subsidized so far as money can do it, and they always have money to do it with. Pamphlets and documents and statistics, which are twisted into the most ingenious and deceptive sophisms, flood the country. They look after the primaries. They look after the nominating conventions. They look after Congress. Lobbyists, learned lobbyists—they call them experts now, [laughter]—swarm around the Capitol with arguments suited to all sorts of legislators. Heaven and earth are moved to avert such a calamity as the reduction of duties.

Now, this far-seeing interest well knows the best way to prevent the dreaded reduction of duties is to keep the Treasury empty. Suppose the question was propounded to-day to the cotton manufacturers, the iron and woolen manufacturers, whether the duties upon the products of cotton, iron, and wool should be reduced, does anybody doubt, though the duties are twice as high as in 1860, and the receipts of revenue, according to the report of the Secretary of the Treasury, "embarrass the Department in disposing of the surplus in a lawful way"—does anybody doubt what their answer would be? They have given us their answer in advance. In the convention at New York they demanded that the contemplated revision should be made in the interest of protection; that Congress should not undertake it, but should commit it to hands friendly to their interests, which means no reduction. So far as they are concerned they regard these duties as a bounty to them, and not only as a bounty but as something which is actually necessary to preserve these industries in successful operation, and a material reduction of duties would, as they think, disarrange the business of the country and displace labor; and they would be in favor of the revenue derived therefrom if it was to be "thrown into the sea" or burned in the fire, much more if squandered in doubtful and wasteful appropriations. Self-interest, that master motive in the human breast, compels them to be on the side of high duties, high taxation, and just as logically and certainly to favor liberal, even wasteful, appropriations.

The method of collecting revenue under the protective system furnishes also the very best opportunity for the logical effect of protection—waste and corruption. Protection operates through duties, and the revenue is consequently collected by the indirect system. Not one in a hundred perhaps of our people ever saw a custom-house officer or a Federal tax-gatherer to know him.

They do not realize that the overflowing Treasury has been wrung from them in the way of taxes; although every man in the country on an average pays into the Treasury for himself and for every member of his family $4 per capita and $10 by way of the operation of duties which do not go into the Treasury; and yet this sum is incorporated into the price of his merchandise; but as he has no standard by which to measure its true value he does not know how much is price and how much is tax. He realizes his implements of industry are high, his goods and wares very dear, and he has to economize and deny himself the comforts of life in many instances; but cheated by the operation of the protective system he attributes it all to the state of the market or the grasping avarice of his merchant. Not realizing that it is taxes wrung from him which fill the overflowing Treasury, he does not hold his Representative to that strict and rigid accountability in appropriating the public revenue he would do if he had counted the sum he actually paid to a Federal tax-gatherer.

Now, Mr. Chairman, there is nothing that keeps a Representative so close to his line of duty, so close to the line of economy especially, as to know that the vigilant eye of his taxpaying constituent is ever upon him, watching to see what disposition he will make of the money wrung from him in taxes. Take away this salutary restraint upon the legislator, and he insensibly falls under the influence of the blandishments and seductive arguments of those who continually ask generous and liberal appropriations. Of course, guided by a sense of duty, he resists; but, hearing no protest from the taxpayers, who are oblivious of the fact that their hard earnings filled the overflowing Treasury; indeed, he is told by the protectionists that the merchants of England and France have been compelled by the beautiful system of protection to pay the duties and fill our Treasury—hearing, I say, no protest, and construing the silence into an approval of generous and liberal appropriations, and half-believing the miserable sophistry, which members on this floor must believe if they give credence to their own arguments, that it is British gold he is appropriating, he falls an easy victim to the sharpers who, in the name of gratitude, benevolence, patriotism, and the public good, demand that the bars of the Treasury be unlocked for splendid and munificent appropriations for all conceivable objects.

What more dangerous condition of affairs can there possibly be

than this? What a dangerous factor it must be in the political aspect of a country when you have enlisted a large element of the population in favor of a high taxation without regard to the needs of the Government; and have also enlisted them in behalf of liberal and wasteful appropriations, and that by a system of collecting taxes that lulls to sleep the vigilance of the taxpayers, the only real safeguard of the Treasury! Gentlemen may say this is good theory, but facts do not sustain it. Now, let us see what the facts are. What were the expenditures of the Government at varying periods in its history and where do they tend? Compare the expenditures by the test of per capita; and in this connection I will lay down this proposition, that the net ordinary expenditures of the Government per capita on any fair basis should not keep pace with the population of the country, but should decrease in proportion as the population increases.

To be more explicit, the expense of maintaining a President when distributed among 50,000,000 of people should not be as much per capita as when divided among only 13,000,000, and so with all departments of the Government. This proposition is so reasonable that I think it does not need further illustration. I have prepared a statement from the official records for the years 1830, 1840, 1850, 1860, 1870, 1874, and 1880, which gives the population for each of these years, the total receipts of revenue, the total receipts per capita, and the net annual expenditures per capita. In the net annual expenditure of course pensions and public debt are excluded. This statement is as follows:

A statement showing the population, receipts of revenue, and the expenditure, exclusive of the public debt and pensions, pro rata of the population for the years 1830, 1840, 1850, 1860, 1870, 1874, *and* 1880.

Years.	Population.	Total receipts.	Total receipts *pro rata* as to population.	Expenditure, exclusive of the public debt and pensions.	Expenditure, exclusive of the public debt and pensions *pro rata* as to population.
1830	12,866,020	$24,844,116 51	$1 93	$11,866,236 02	$0 92
1840	17,069,453	19,480,115 33	1 14	21,536,357 94	1 26
1850	23,191,876	43,592,888 88	1 87	35,299,104 07	1 52
1860	31,443,321	56,054,599 83	1 78	58,955,952 39	1 87
1870	38,558,371	395,959,833 87	10 26	136,081,304 98	3 52
1874	43,197,335	299,944,090 84	6 94	164,738,570 34	3 79
1880	50,155,783	333,526,610 98	6 64	115,108,208 23	2 29

An analysis of this statement reveals some interesting results. The net annual expenditure for 1830 was ninety-two cents per capita. Now, according to the principle I have announced, we would expect to find for each successive decade a reduction of expenditure per capita, but on the contrary we find an increase, slow, steady, "with all the regularity of a great principle," rising in 1840 to $1.26; in 1850 to $1.52; in 1860 to $1.87; having a little more than doubled in a period of thirty years. Can any valid reason be given to account for this constant increase in maintaining the ordinary expenditures of the Government? None, I apprehend. I am very confident that it must be attributed mainly to a spirit of extravagance resulting from the fact that in our fiscal system, even then a large element of our population derived great benefits from high taxes. They regarded high duties as a blessing; they lit, according to their theory, the fires of the furnace; they gave music to the hum of the spindles. The facts presented in this part of the history of the country are sufficient to arrest the attention of the citizen who desires an honest and economic administration of Government. And he may well inquire whether there is not some fatal error in our fiscal system that breeds extravagance and corruption and leads to ultimate ruin. If this part of our history is sufficient to excite apprehension, that of the next decade, it would seem, might occasion alarm.

In 1870, in a time of profound peace, with the Army and Navy reduced to a peace footing, with no unusual expenses necessary, the net ordinary expenditures per capita had risen to the startling figures of $3.52, or nearly doubling in one decade. If ninety-two cents per capita on about thirteen millions of people in 1830 was sufficient to maintain efficiently the Government in all of its departments, it would seem that the same sum on thirty-eight millions ought to have been sufficient to maintain the same Government in 1870. Ninety-two cents per capita on the population of 1870 would have yielded $35,000,000 in round numbers, whereas the net expenditure for that year was $136,000,000, or $101,000,000 over the basis of 1830. Now, let it be borne in mind that during this decade the tariff was increased from 19 per cent. to over 45 per cent.—more than doubling the benefits of protection as they existed in 1860; and, besides enlarging the classes interested in high taxation, that, during this decade, the party in power was the open friend of the classes who regard high taxes as a blessing. Can any one hesitate as to what cause this increased extravagance and waste should be attributed? Sir, the venality and corruption which had sprung up in the administration of public affairs, and which was then so soon to shock the country, was mainly, as I believe, the logical effect of this false and pernicious system.

If any one should think that 1870 was a period too near the war for a fair test, we will take 1874; and then we find, instead of a reduction, a still further increase, the per capita expenditure then being $3.79.

The facts show that the ordinary expenditure per capita to this date increased in an accelerating ratio far beyond the growth of the population. Suppose it should continue doubling in a decade, there is a period in the near future when the people will be overwhelmed with the burden of the ordinary expenses of Government. Five decades from 1874, at such a rate, would show a per capita expense of $121.28. Another fact proper to be taken into consideration in this connection, to illustrate the criminal extravagance of this period, is that in regard to the disposition of the public domain. In 1850 a grant of land was made to the State of Illinois for the benefit of the Illinois Central Railroad Company. It was the first effectual grant of any part of the public domain to a railroad corporation and the initiative of a system that soon reached gigantic proportions.

In the decade following, to wit, from 1850 to 1860, the land grants to railroads amounted to 27,876,773.52 acres. From 1860 to 1874, a period of fourteen years, the amount reached the enormous sum of 127,628,220.98 acres, exceeding the preceding decade by a little less than 100,000,000 acres, as may be seen from the history of the public domain by the public land commission. The figures of both the expenditures and the grants of lands bewilder, but they scarcely suggest the prodigality and criminal extravagance of this period, known in history now as the Grant era, the mention of which is suggestive of credit mobiliers and jobberies generally. It is no wonder, therefore, that the people in the popular election of November, 1874, did call again to power and constitute as guardians of the Treasury and public domain that party, long banished from power, which by its profession and traditions opposed an increase of the power, importance, and splendor of the General Government; which opposed high duties, bounties, subsidies, and monopolies; which demanded a strict construction of the Constitution, economy and simplicity in the administration of public affairs, and the application of the public revenue strictly to legitimate public uses. But suddenly called to the control of this House, opposed here by a solid and skillful minority, handicapped most of the time it was in power by a Republican Senate, under the leadership of the most skillful and audacious party leaders this country has ever produced, opposed at all times by a Republican Executive, and lacking perfect unity of sentiment on some cardinal principles, it must be confessed, it has been subjected to severe criticism for failing to give the full relief expected of it.

However, if it did not reduce duties to the extent expected, it certainly did prevent any increase in them, as had been the habit for sixteen years. It furnished the only organized opposition to the aggressive demands of the protected classes and stood between them and the Treasury; it turned a deaf ear to the lobby; it gave no bounties nor created any monopolies; it granted no subsidies; it did not vote away another acre of land to a railroad corporation; and above all, for the first time in the history of the country for forty-five years, the net annual expenditures of the Government per capita began on the descending scale, and continued to decrease, on the true principle, in an inverse ratio to the growth of the population, descending from $3.79 in 1874 to $2.29 in 1880—a reduction of $1.50 per capita in five years, or a total reduction of $75,000,000 per annum, under the basis of expenditure in 1874.

Now, these are facts of history, and to them I challenge the attention of this committee and of the country.

Mr. Chairman, it bodes no good to the country that the Republican party, planted upon this vicious principle of protection for protection's sake, which means high taxes are a blessing, and stained, too, with this record of shameless and criminal extravagance, is again in control of every department of the Government.

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

Mr. SIMONTON. Not now. After a little. I am no prophet, and I hope the prophecy I now make may never be fulfilled; but I predict a repetition of that reign of extravagance, corruption, and fraud which was alone arrested by the elections of 1874, by the people of the country turning that party out of power. In the make-up of the majority in this House I recognize gentlemen of integrity, but this is the record of their party, it is planted to-day upon the same principles, surrounded by the same influences, restored to power by the same combinations, and any stand which gentlemen may take for economy will be overborne as a willow in the storm. Already, sir, the dead schemes and jobberies of the past (some of them were thought to have rotted in tombs where they were consigned six years ago) have sprung to life and vigor; and bounty men and subsidy men are knocking at the Treasury door; and re-enforced by the public sentiment created by those interested in high duties, they are likely to have their wonted consideration and reward.

Mr. WHITE. Will the gentleman yield to me for a question?

Mr. SIMONTON. I have already detained the committee too long—I am trespassing on their patience.

Mr. WHITE. I want to ask the gentleman if the $20,000,000 which we gave the whisky manufacturers the other day was not given unanimously by the Democratic party?

Mr. SIMONTON. The gentleman is mistaken, but I have no time to respond to him. From the extraordinary demands upon the Treasury now pending before us the majority can easily make way with all the surplus revenue in the Treasury. I am not surprised, therefore, that the Republicans in caucus the other day resolved not to reduce the internal revenue tax, nor do they expect to reduce duties upon our imports; they will need all the revenue from all these sources to meet the increasing demands upon them from the influences and combinations that maintain them in power.

Mr. WHITE. Have we not done a still better thing for the distillers than to have reduced the tax from ninety cents to fifty cents per gallon? Have we not given them more money by that bill the other day than we would have given them by such a reduction of tax?

Mr. SPRINGER. That bill was reported unanimously from the Republican Committee on Ways and Means.

The CHAIRMAN. Does the gentleman from Tennessee yield?

Mr. SIMONTON. I cannot now. My time is nearly exhausted.

And now, Mr. Chairman, it is proposed to refer the consideration of the tariff to a commission of experts, the friends and representatives of the protected classes. This is the plan they themselves propose. They have not committed themselves to it blindly. They are as astute as those people who the Master said "were wiser in their generation than the children of light." They have well calculated the result. Mr. Wharton, of Phildelphia, secretary of the industrial league, a protective association, and himself a high priest of protection, declared in the convention at New York that as the result of tariff legislation by a commission such as is contemplated in this bill, it may be expected—

That the changes to be made will turn out to be mainly in the rectifying of some real mistakes and abuses; such amendments of phraseology in places as will close the door to many abominable perversions; * * * that the policy of protection to American industry will remain firmly established and be even better fortified than now, because the flaws by which the intention of the law has been evaded will be carefully amended, and because the commission cannot possibly do its work without most thoroughly convincing itself and Congress that the reiterated verdicts of the people as expressed by all recent elections mean, in dead earnest, that protection shall rule.

This is what protectionists expect to result from this commission bill. It certainly means a delay of any change in the schedule of duties for a couple of years. It means also a report based upon the principle of protection, supported by testimony taken with the view of sustaining it and none of an opposing character; a report that will mislead this House by magnifying the importance of certain industries, and the necessity of continuing high duties to sustain them. It will be urged that, as the system of tariff is very complex, no change can be safely made in the schedule of duties the commission may recommend; for the unity and equality of the system will thereby be destroyed and all the labor of the commission rendered useless, and their report will be adopted as a whole or rejected altogether. If rejected, then two years from to-day we will be no further advanced in this matter than now. If adopted, then we will have delegated to an irresponsible body of men the most delicate and responsible duties devolving upon this House. The report of this commission must necessarily be partial and incomplete.

The very purpose of levying duties ought to be for providing revenue, but what will this commission know of the real needs of Government in the matter of revenue? What will they care? Revenue will be the least consideration with them. The fact is the whole proceeding as based upon the assumption that duties are imposed to protect, leaving revenue out of view, or making it the mere incident, regardless of the legitimate needs of Government, thereby subsidizing its taxing power for the benefit of a portion of our citizens and the corporations of the country. Sir, this is a solemn and weighty duty imposed by the Constitution upon the House, and we ought not to shirk it nor complicate it in this manner. We should now and here undertake it prudently and courageously, without hostility to any industry, desiring to promote them all, having in view, first, the legitimate needs of the Government for revenue, the reduction of taxes, and of the burden of public expenses, especially removing them from labor and equalizing them fairly by putting the just proportion on capital and luxuries. What folly; nay, what criminality for this House to refer to the protected classes or their representatives, interested as they are in high taxation, (which this commission business really means,) the question whether there shall be any, and, if so, what, amount of reduction of taxes.

I beg to submit in this connection an extract from Dr. Smith's Wealth of Nations. Says he:

To expect, indeed, that the freedom of trade should ever be entirely restored in Great Britain is as absurd as to expect that an Oceania or Utopia should ever be established in it. Not only the prejudices of the public, but, what is much more unconquerable, the private interests of many individuals irresistibly oppose it. Were the officers of the army to oppose with the same zeal and unanimity any reduction in the number of forces with which master-manufacturers set themselves against every law that is likely to increase the number of their rivals in the home market, were the former to animate the soldiers in the same manner as the latter inflame their workmen to attack with violence and outrage the proposers of any such regulation—to attempt to reduce the army would be as dangerous as it has now become to attempt to diminish in any respect the monopoly which our manufacturers have obtained against us. This monopoly has so much increased the number of some particular tribes of them that, like an overgrown standing army, they have become formidable to the government, and upon many occasions intimidate the legislature. The member of Parliament who supports every proposal for strengthening this monopoly is sure to acquire not only the reputation of understanding trade, but great popularity and influence with an order of men whose numbers and wealth render them of great importance. If he opposes them, on the contrary, and, still more, if he has authority enough to be able to thwart them, neither the most acknowledged probity nor the highest rank nor the greatest public services can protect him from the most infamous abuse and detraction, from personal insults, nor sometimes from real danger arising from the insolent outrage of furious and disappointed monopolists.

Whether the graphic picture of the British monopolists of a hundred years ago, drawn so truthfully by the bold hand of Dr. Smith, may be applied in all its details to the monopolists under our protection laws, I will not now undertake to say; but, sir, human nature in like conditions is the same in all ages and in all climes; and the conduct of these classes, lately assembled by their representatives in New York under the delusive guise of a tariff convention, falsely claiming to represent the agricultural and commercial as well as their own manufacturing interests, and coolly asking of this House that it shall not presume to enter upon its constitutional duties without their advice, and in the manner they suggest; that it shall grant no relief to the taxpayers but such as they concede, and denouncing in their memorial to this House the Representative who, by constitutional methods under the rules of the House, seeks to lift some oppressive burden from the people borne unjustly for years, as a "Congressional crank" that ought to be "suppressed," and a "more dangerous madman and criminal than the incendiary who fires a mill or factory"—this conduct, to say the least of it, is insolent and indicates that they are emulous of filling to life the picture of the old British monopolists as drawn by Dr. Smith, and likewise of verifying his further declaration, that "when manufacturers meet it may be expected a conspiracy will be planned to pick the pockets of the public."

This commission is their plan. There is not an overgrown protected monopoly from the Bessemer Steel Association down that is not urging the passage of this bill.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Several MEMBERS. Go on.

Mr. DIBRELL. I ask that the time of my colleague be extended.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none, and the gentleman from Tennessee will proceed.

Mr. SIMONTON. Mr. Chairman, I have already detained the committee a long time, and with a good deal of disadvantage to myself in trying to compress in the hour what I desired to say. There are some other considerations which I wished to present against the passage of the bill, but at this late hour, it being now after the usual time for adjournment, I will not further trespass on the time of the committee; but thanking my colleague and the committee for the courtesy just extended me, as well as for their patient attention, I yield the floor. [Applause.]

Mr. SPRINGER. I desire to ask one question in regard to the statement made by the gentleman from Kentucky, [Mr. WHITE,] which was that we had passed a bill here giving a great advantage to distillers.

Mr. WHITE. Yes; and when I desired to explain it the gentleman from Illinois [Mr. SPRINGER] shut me off and would not allow me to show that the Democratic party is more responsible than anybody else.

Mr. HAZELTON. A thousand times more.

Mr. SPRINGER. In reference to that bill I desire to say—["Order!" "Order!"]

The CHAIRMAN. The gentleman from Illinois [Mr. SPRINGER] is not entitled to the floor.

Mr. SPRINGER. One word of explanation.

The CHAIRMAN. The gentleman can proceed only by unanimous consent.

Mr. WHITE. I object.

The CHAIRMAN. Objection is made.

Mr. KASSON. If no gentleman desires at this hour to take the floor I will move that the committee rise. If any one wishes to go on now I will give way.

Mr. COOK asked and obtained leave to have printed in the RECORD as a portion of the debates some remarks he had prepared upon the pending bill. [See Appendix.]

Mr. KASSON. I move that the committee now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. ROBINSON, of Massachusetts, reported that the Committee of the Whole on the state of the Union had had under consideration the bill (H. R. No. 2315) to provide for the appointment of a commission to investigate the question of the tariff and internal-revenue laws, and had come to no resolution thereon.

ORDER OF BUSINESS.

Mr. ROBESON. I move that the House now adjourn.

Mr. PAGE. Before the vote is taken upon that motion, I desire to introduce a bill for reference.

Mr. SPRINGER. I object, and call for the regular order.

Mr. PAGE. It is a bill to carry out the treaty existing between the United States and the Chinese Government.

Mr. SPRINGER. I am aware of that, and object.

Mr. PAGE. It is a bill to relieve the people of the Pacific coast from the influx of Chinese immigrants.

Mr. SPRINGER. Take it first to your President and see if he is in favor of it.

Mr. PAGE. I hope that gentlemen on the other side will not object to the introduction of this bill.

Mr. SPRINGER. The gentleman can introduce it on Monday.

Mr. PAGE. I hope they will not place themselves in antagonism to the introduction of a bill, so that it may be passed and go to the President.

Mr. SPRINGER. We have already passed a good bill.

Mr. RANDALL. I call for the regular order.

The SPEAKER. The regular order is the motion to adjourn.

Mr. RANDALL. There is a bill on each side of the Chinese question, and I hope they will be both allowed to come in.

Mr. ROBESON. Let it stand as it is now. I insist upon my motion to adjourn.

The SPEAKER. Pending the motion to adjourn, the Chair desires to submit a personal request to the House, and also to lay before the House messages from the President.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. CHACE, for one week.

FORT M'KINNEY, WYOMING TERRITORY.

The SPEAKER laid before the House the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a letter from the Secretary of War, dated the 4th instant, inclosing plans and estimates for the completion of the post of Fort McKinney, Wyoming Territory, and recommending an appropriation of $50,000 for the purpose in accordance with the estimate.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April* 6, 1882.

DEFICIENCY IN ARMY APPROPRIATIONS.

The SPEAKER also laid before the House the following message from the President of the United States; which was referred to the Committee on Appropriations, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a communication from the Secretary of War, dated the 4th instant, inclosing estimates for deficiency in the appropriation for the transportation of the Army and its supplies for the fiscal year ending June 30, 1882, and recommending an appropriation in accordance therewith.

CHESTER A. ARTHUR.

EXECUTIVE MANSION, *April* 6, 1882.

[Cries of "Regular order!"]

Mr. RANDALL. I have a suggestion to make. It is that the call for the regular order be withdrawn, so that gentlemen on both sides—[cries of "Regular order!"]

Mr. ROBESON. I move the House adjourn.

The motion was not agreed to; there being—ayes 36, noes 39.

CHINESE IMMIGRATION.

Mr. PAGE. I ask unanimous consent to introduce a bill to execute certain treaty stipulations relating to Chinese; and I ask that it may be placed on the Calendar without being referred.

Mr. KENNA. Let it take the regular course.

Mr. SPRINGER. The gentleman from California has indicated a desire that his bill go to the Calendar. I must object to that, though I do not object to its introduction, provided——

Mr. PAGE. Then, if the gentleman objects, let it go to the Committee on Education and Labor.

The SPEAKER. Is there objection to the introduction of the bill and its reference to the Committee on Education and Labor? The Chair hears no objection.

The bill (H. R. No. 5667) was accordingly read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

Mr. SPRINGER. I objected to the introduction of the bill of the gentleman from California unless the same privilege were permitted on this side.

Mr. ROBESON. I move that the House adjourn.

Mr. SPRINGER. I endeavored to bring to the ear of the Chair my objection to the introduction of the bill of the gentleman from California, unless the same privilege is to be extended to this side of the House.

The SPEAKER. The gentleman made that objection after the reference had been made.

Mr. SPRINGER. I made it all the time.

The SPEAKER. The question is on the motion of the gentleman from New Jersey.

Mr. PAGE. I hope the gentleman from New Jersey will allow the gentleman from Kentucky, [Mr. WILLIS,] my colleague, [Mr. BERRY,] and all others to introduce their bills.

Mr. ROBESON. I will yield to the gentleman from Kentucky provided he will consent to allow them all to go at once to the Calendar; but I object to any attempt to crowd us out in order that they may come in.

The SPEAKER. The question is on the motion of the gentleman from New Jersey, that the House adjourn.

Mr. ROBESON. I will yield to the gentleman from Kentucky for the introduction of his bill on the condition that not only his bill but that of the gentleman from California [Mr. PAGE] shall take the direction which the gentleman from California asked.

Mr. RANDALL. We made no condition; and we want to be treated in the same manner that we treated the gentleman from California.

Mr. SPRINGER. The House knows very well that I objected to the introduction of the bill of the gentleman from California [Mr. PAGE,] unless all bills on the same subject were permitted to be introduced; and I so stated at the time.

The SPEAKER. The Chair will state again to the gentleman from Illinois that it took great pains to ask the House whether there was objection to the introduction and reference of the bill of the gentleman from California; and there was none.

Mr. SPRINGER. I kept saying "I object;" but the Chair could not hear me.

Mr. RANDALL. We allowed the bill of the gentleman from California [Mr. PAGE] to come in because we supposed the same privilege would be allowed to gentlemen on this side.

The SPEAKER. That was addressed to members on the floor, not to the Chair.

Mr. RANDALL. It was so understood on the floor.

The SPEAKER. With that the Chair has nothing to do.

Mr. BRIGGS. Is it in order to introduce any bill except by unanimous consent?

The SPEAKER. It is not.

Mr. BRIGGS. Then I shall object.

Mr. RANDALL. The gentlemen on the other side got their bills in, and now they object to ours.

The question being taken on the motion of Mr. ROBESON, that the House adjourn, it was not agreed to.

CHINESE IMMIGRATION.

Mr. WILLIS, by unanimous consent, introduced a bill (H. R. No. 5668) to regulate, limit, and suspend the immigration of Chinese laborers to the United States; which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

IMMIGRATION.

Mr. VAN VOORHIS, by unanimous consent, introduced a bill (H. R. No. 5669) to regulate immigration; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

CHINESE IMMIGRATION.

Mr. BERRY, by unanimous consent, introduced a bill (H. R. No. 5670) to execute certain treaty stipulations relating to Chinese; which was read a first and second time, referred to the Committee on Education and Labor, and ordered to be printed.

NEW MEXICO PRIVATE LAND CLAIM.

Mr. HAZELTON, by unanimous consent, from the Committee on Private Land Claims, reported, as a substitute for House bill No. 2189, a bill (H. R. No. 5671) to confirm a certain private land claim in the Territory of New Mexico; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PLEASANT W. FORTNER.

Mr. PETTIBONE, by unanimous consent, introduced a bill (H. R. No. 5672) to remove the charge of desertion against Pleasant W. Fortner from the records in the Adjutant-General's Office; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

SAMUEL V. ADAMS.

Mr. BREWER, by unanimous consent, introduced a bill (H. R. No. 5673) to pay Samuel V. Adams for arrears of pension; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EDWARD BELLOWS.

Mr. RAY, by unanimous consent, introduced a bill (H. R. No. 5674) for the relief of Edward Bellows; which was read a first and second time, referred to the Committee on Naval Affairs, and ordered to be printed.

WINNIFRED SAMS.

Mr. PETTIBONE, by unanimous consent, introduced a bill (H. R. No. 5675) granting a pension to Winnifred Sams; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JEREMIAH B. HALE.

Mr. PETTIBONE also, by unanimous consent, introduced a bill (H. R. No. 5676) granting a pension to Jeremiah B. Hale; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELIZABETH TIPTON.

Mr. PETTIBONE also, by unanimous consent, introduced a bill

(H. R. No. 5677) granting a pension to Elizabeth Tipton; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BENJAMIN JEFFRIES.

Mr. KASSON, by unanimous consent, introduced a bill (H. R. No. 5678) granting a pension to Benjamin Jeffries; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HUGH O'NEIL.

Mr. ROBINSON, of New York, by unanimous consent, introduced a bill (H. R. No. 5679) granting a pension to Hugh O'Neil; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ORDER OF BUSINESS.

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

Several MEMBERS. Oh, no; do not insist on that now. Let us introduce our bills.

Mr. HOLMAN. I do not insist on my motion to adjourn against gentlemen who wish to introduce bills for reference.

JOHN FRASER.

Mr. DUNNELL, by unanimous consent, introduced a bill (H. R. No. 5680) for the relief of John Fraser; which was read a first and second time.

Mr. DUNNELL moved that the bill be referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

Mr. RANDALL. That bill should not be referred to the Committee on Public Building and Grounds.

The SPEAKER. It seems it should go to the Committee on Claims.

Mr. DUNNELL. A similar bill was referred to the Committee on Public Buildings and Grounds in the Senate.

Mr. RANDALL. But this is not the Senate.

Mr. DUNNELL. It relates to the building for the Bureau of Engraving and Printing. Mr. Frazer was the acting architect.

Mr. RANDALL. I think under our rules this bill should be referred to the Committee on Claims.

The SPEAKER. It evidently belongs to the Committee on Claims.

The bill was referred to the Committee on Claims, and ordered to be printed.

PADUCAH, KENTUCKY, A PORT OF DELIVERY.

Mr. TURNER, of Kentucky, by unanimous consent, presented the following memorial; which was referred to the Committee on Commerce, and ordered to be printed in the RECORD:

To the honorable Senate and House of Representatives, Washington, D. C.:

The citizens of Paducah, through the undersigned committee, appointed by the president of the Paducah Board of Trade, respectfully pray that Paducah, Kentucky, be made a port of delivery, and in support of said prayer beg leave to offer the following statement of facts:

That Paducah, Kentucky, a city of some fifteen thousand inhabitants, is situated on the Ohio River, some fifty miles above Cairo, Illinois, at the confluence of the Tennessee and Ohio Rivers, and but twelve miles below the mouth of the Cumberland River, and is admitted by all river and steamboat men to be the finest harbor between Pittsburgh, Pennsylvania, and New Orleans, Louisiana.

STEAMBOAT INTERESTS.

The number of boats making regular landings at Paducah are 30, as follows: 11 steamers in New Orleans and Cincinnati line, with capacity from 1,300 to 2,000 tons each; 5 steamers in Memphis and Cincinnati line, capacity from 600 to 900 tons each; 7 steamers in Pittsburgh and Saint Louis line, capacity from 900 to 1,700 tons each; 2 steamers in Nashville, Tennessee, and Cairo (Illinois) line, capacity 400 tons each; 2 steamers in Cincinnati and Florence (Alabama) line, capacity from 600 to 750 tons each; 1 steamer in Evansville (Indiana) and Florence (Alabama) line, capacity 500 tons; 1 steamer daily from Paducah to Metropolis, Illinois, capacity 200 tons; 1 steamer from Paducah to Saint Louis, Missouri, capacity 600 tons.

Besides the above there is a daily line of packets plying between this place and Evansville, Indiana; also a daily line from Paducah to Cairo, Illinois, and 1 boat of 400 tons burden, making regular trips between Paducah, Kentucky, and Florence, Alabama; and in addition many tow-boats are constantly landing at this port for stores, fuel, and repairs, and for the purpose of delivering coal and iron, and towing to other ports, lumber, staves, timber, brick, &c. From three to five tow-boats are almost constantly employed in this harbor doing job work. Citizens of Paducah own and are largely interested in seven steamboats and their tow-boats and tugs having a combined capacity of 4,000 tons.

SHIP BUILDING.

Paducah has one of the largest marine ways on the river, with capacity to accommodate almost any number and size of boats, and on account of the advantages and facilities which this port affords, many steamboats from other points come here during the summer and fall for extensive repairs; and in view of this fact it would be more convenient and less expensive both to owners and the Government if these boats could be inspected, licensed, and enrolled here. As it is now, boats are often detained here for days to wait for inspectors and custom-house officials to come from other places. Many owners of boats, who are not residents of Paducah, are anxious that it should be made a port of delivery. Fully seventy-five licensed steamboat officers reside in Paducah, and from three to four hundred other persons employed in the river services make this place their home. We have from three to five boats built here each year, making an average of from 600 to 800 tons per year. A new ship-yard company has just been formed here; grounds and machinery have been purchased, and in a few months we expect to have in full operation a ship-yard with capacity to turn out from ten to fifteen boats each year, with capacity of from 200 to 1,200 tons each.

TOBACCO AND WHISKY TRADE.

In addition to the above we find, upon inquiry and examination of the books of the wholesale liquor dealers of this city, the quantity of foreign or imported spirits brought to this place and sold last year to be 40,000 gallons, customs duties on all of which should be paid at this place, besides a large quantity of other imported goods brought to this place by the hardware, queensware, and wholesale dry goods merchants, which is estimated to amount to $25,000 per annum.

To give you a more specific idea of the commerce of Paducah we present the following statistics of the trade for 1881:

Number of gallons of spirits sold during 1881	725,308
At average cost $2 per gallon	$1,450,616 00
Number hogsheads tobacco sold in Paducah during last six years	110,515
Average number pounds per hogshead, 1,800; total	198,919,000
Average cost, 8 cents per pound	$15,913,520 00
Average number of hogsheads sold each year	18,419
Average number pounds per hogshead, 1,800	33,154,200
Average cost, 8 cents per pound	$2,652,336 00
Rehandling houses in operation last year	15
Number hogsheads rehandled	2,800
Average number pounds per hogshead, 1,800	5,040,000
Average cost, 8 cents per pound	$403,200 00
Number of men employed in the tobacco interests	225
Average cost per man per day, $1.50; total	$337 50
Total cost per year	$105,637 50
The total trade in whisky and tobacco during the year 1881 amounted to	$4,506,152 00
Total mercantile trade, exclusive of whisky and tobacco, during 1881	$6,581,000 00
Total trade for 1881	$11,087,152 00
Wholesale business of 1881 in all branches excepting whisky and tobacco:	
Dry goods	$400,000 00
Groceries	700,000 00
Boots and shoes	250,000 00
Hardware	300,000 00
Saddlery	100,000 00
Queensware	100,000 00
Confections and toys	200,000 00
Drugs	40,000 00
Flour, hay, and provisions	1,125,000 00
Hats and caps	50,000 00
Seeds and agricultural implements	200,000 00
Buggies and wagons	100,000 00
Lumber, lath, and shingles	600,000 00
Spokes and hubs	100,000 00
Barrels, staves, and heading	50,000 00
Leather and hides	100,000 00
Plows	50,000 00
Blinds, doors, and sash	50,000 00
Marble in shape	50,000 90
Furniture	175,000 00
Trunks	10,000 00
Machinery and house-building castings	200,000 00
Brick	50,000 00
Corn-meal	10,000 00
Fruits and vegetables	50,000 00
Salt, 20,000 barrels	25,000 00
Lime and cement, 10,000 barrels	11,000 00
Oils and paints	75,000 00
Boat-building material	75,000 00
Vinegar and pickles	25,000 00
Horse-collars	25,000 00
Skiffs, yawls, and small crafts	5,000 00
Ice	15,000 00
Coal	240,000 00
Coal-oil	25,000 00
	5,581,000 00
Total retail trade in all branches during 1881	1,000,000 00
	6,581,000 00

MANUFACTORIES.

There are 12 factories and 2 founderies in operation, employing 350 men, at an annual cost for labor of	$157,500 00
Four saw-mills, employing 200 men, at an annual cost for labor of	90,000 00
Three grist-mills, employing 72 men, at an annual cost for labor of	32,400 00
Paid annually for labor in manufactories	279,900 00

COMMERCIAL MEN.

Paducah has 100 traveling men on the road representing her business houses at an annual cost of $90,000.

RAILROADS.

We have two railroads running into the city, namely, the Paducah and Elizabethtown, and the Memphis, Paducah and Northern Railroad.

Number of trains arriving and departing daily: Passenger, 4; freight and accommodation, 8; total, 12.

SHIPPING TRANSFER.

Paducah is the place of interchange or reshipment of 150,000 tons of produce and merchandise annually.

BANKING INTERESTS.

American-German National Bank, resources	$303,787 82
First National Bank, resources	363,064 13
City National Bank, resources	522,838 78
Total	1,189,690 73

ESTIMATES OF CUSTOMS RECEIPTS.

We estimate that at least 50,000 gallons of imported spirits will be brought to Paducah and sold during the current year. Placing the duty on the same at an average of 75 cents per gallon, the customs receipts for spirits alone will be	$37,500 00
We estimate that other imported goods brought to this place and sold during the current year, such as dry goods, hardware, queensware, &c., will amount to $35,000. Placing the duty on same at an average of 30 per cent. ad valorem, the customs receipts on same will be	10,500 00
We estimate the receipts from steamboat tonnage, licensing, enrolling, registering vessels, licensing captains, pilots, engineers, mates, and collecting for marine hospital dues for the current year, will amount to	5,000 00
Total estimated receipts for one year	53,000 00

In conclusion your petitioners beg to state that the new Government building in process of construction here will soon be completed, and consequently there will

be no expense in the way of office rents, &c., and that all bonded goods can be stored in the basement of said building without additional cost to the Government.

Respectfully submitted.

GEO. C. THOMPSON,
J. R. PURYEAR,
J. C. COBB,
W. F PAXTON,
Committee.

Filed and approved March 23, 1882.

C. H. RIEKE, JR.,
President Paducah Board of Trade.

ANN W. MULVEY.

Mr. JONES, of New Jersey, by unanimous consent, introduced a bill (H. R. No. 5681) granting an increase of pension to Mrs. Ann W. Mulvey; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LOAN OF TENTS.

Mr. PEELLE. Mr. Speaker, I ask by unanimous consent to take from the Speaker's table joint resolution (S. R. No. 42) granting the State of Indiana the use of tents on the occasion of encampment of State troops to be held in said State during the year 1882, for the purpose of putting it on its passage at this time. It simply provides, as will be seen by the reading of the resolution, for the use of tents by the Government for this encampment.

There was no objection; and the joint resolution was taken from the Speaker's table, and read a first and second time.

The resolution is as follows:

Resolved, &c., That the Secretary of War be, and he is hereby, authorized to furnish to the adjutant-general of the State of Indiana such number of tents as may be needed for an encampment of the State troops of Indiana to be held in said State during the year 1882: *Provided*, That the said tents can be furnished without detriment to the service, and that the same shall be returned in like good order as when received; and all expense of transporting the same back and forth shall be paid by said State of Indiana.

The joint resolution was ordered to a third reading, and it was accordingly read the third time, and passed.

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

The latter motion was agreed to.

LEAVE TO PRINT ASKED.

Mr. SPRINGER. I ask, Mr. Speaker, for unanimous consent to print some remarks on the Chinese bill.

Mr. KASSON. I understand the gentleman from Illinois asks to print some remarks on the vetoed Chinese bill. To that I object. If he wishes to print remarks on the other Chinese bill, I do not object.

Mr. SPRINGER. I wish to speak on the vetoed bill.

Mr. KASSON. I object to that, because that ought to be answered when spoken. The veto has never been here.

Mr. SPRINGER. The gentleman seems to be afraid of discussion of that veto.

NAVAL HOSPITAL, ANNAPOLIS.

Mr. TALBOTT, by unanimous consent, from the Committee on Naval Affairs, submitted a report in reference to the naval hospital building at Annapolis, Maryland; which was referred to the Committee on Appropriations, and ordered to be printed.

COMPLETION OF UNFINISHED IRON-CLADS.

Mr. TALBOTT also, by unanimous consent, from the same committee, reported a resolution in regard to an appropriation for completing certain unfinished iron-clads; which was referred to the Committee on Appropriations, and ordered to be printed.

BAYSE N. WESTCOTT.

Mr. TALBOTT also, by unanimous consent, from the same committee, reported back the bill (H. R. No. 3543) for the relief of Bayse N. Westcott; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

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

Mr. TALBOTT. I move that when the House adjourns to-day it adjourn to meet on Monday next. To-morrow is Good Friday.

Mr. ROBINSON, of Massachusetts. It will be impossible to pass that motion without a quorum, and we have no quorum present.

Mr. TALBOTT. We will have a quorum then.

Mr. ROBINSON, of Massachusetts. I am glad you give us notice.

Mr. TALBOTT. To-morrow is Good Friday, and we ought not to sit on that day.

Mr. TALBOTT's motion was disagreed to.

LEAVE OF ABSENCE.

Mr. BURROWS, of Michigan, by unanimous consent, was granted leave of absence for two days.

Mr. STEELE's motion to adjourn was agreed to; and accordingly (at five o'clock and thirty minutes p. m.) the House adjourned.

PETITIONS, ETC.

The following petitions and other papers were laid on the Clerk's desk, under the rule, and referred as follows:

By Mr. BOWMAN: The petition of Henry C. Spaulding, for extension of patent for metallic cartridges—to the Committee on Patents.

By Mr. BRUMM: The petition of Rev. M. P. O'Brien, Hon. John F. Welsh, and 183 others, citizens of Pennsylvania, asking for the speedy trial or release of the American citizens held in English prisons—to the Committee on Foreign Affairs.

By Mr. CANDLER: The petition of D. Humphreys Stoner and others, for the passage of the French spoliation claims bill—to the same committee.

By Mr. DAVIDSON: The petition of the master and wardens of Escambia Lodge No. 15, A. F. and A. M., of Pensacola, Florida, asking the grant of a certain tract of land in that city—to the Committee on Public Buildings and Grounds.

By Mr. DEZENDORF: Papers relating to the claim of the Norfolk County Ferry Company—to the Committee on Claims.

By Mr. ERRETT: The resolutions adopted by the Davitt Branch Land League of Pittsburgh, Pennsylvania, urging a speedy and fair trial of American citizens incarcerated in English prisons—to the Committee on Foreign Affairs.

Also, the resolutions of the same organization, in favor of the election of General James S. Negley as a manager of home for disabled soldiers—to the Committee on Military Affairs.

Also, the resolutions of Post No. 115, Grand Army of the Republic, of Pittsburgh, Pennsylvania, praying that a pension be granted to Thomas E. Wilson—to the Committee on Invalid Pensions.

Also, the resolutions of the same organization, protesting against the passage of the bill granting pensions to prisoners of war—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. HENDERSON: The petition of Hon. S. N. Wheelock and 22 others, citizens of Illinois, praying that a pension be granted to Daniel Williams, a soldier of the war of 1812—to the Committee on Pensions.

By Mr. HISCOCK: The petition of Mrs. Ann Brooks, widow of Ira D. Brooks, late a private in Company F, Seventy-sixth New York Volunteers, for a pension—to the Committee on Invalid Pensions.

By Mr. MORSE: The petition of merchants of Boston, Massachusetts, praying for the passage of the Lowell bill to establish a uniform system of bankruptcy throughout the United States—to the Committee on the Judiciary.

By Mr. G. D. ROBINSON: The petition of H. A. Barton and others, of Berkshire County, Massachusetts, for the regulation of the tax on whisky—to the Committee on Ways and Means.

Br. Mr. SCRANTON: The petition of Federal officers in the city of Scranton, Pennsylvania, for the passage of the bill for the erection of public buildings in said city—to the Committee on Public Buildings and Grounds.

By Mr. A. HERR SMITH: The petition of I. Stirk & Company, for a reduction of the tax on cigars—to the Committee on Ways and Means.

Also, the petition of C. Heinitsh, for the repeal of the tax on proprietary articles—to the same committee.

By Mr. STEELE: The letter of J. W. Steele relating to the extension of a mail-route—to the Committee on the Post-Office and Post-Roads.

By Mr. VANCE: Papers relating to the claim of Jesse M. Corn—to the Committee on War Claims.

Also, the petition of J. W. Bowman and others, for the establishment of a post-route—to the Committee on the Post-Office and Post-Roads.

By Mr. WILLIS: The petition of John E. Green, president of board of trade, and other citizens of Louisville, Kentucky, for an appropriation for the improvement of the Vicksburgh Harbor—to the Committee on Commerce.

Also, the joint resolution of the Legislature of Kentucky, for the relief of William Preston and the Texas Association, and the establishment of their rights under the acts of annexation admitting the State of Texas into the Union—to the Committee on the Judiciary.

HOUSE OF REPRESENTATIVES.

FRIDAY, *April* 7, 1882.

The House met at twelve o'clock m. Prayer by the Chaplain, Rev. F. D. POWER.

The Journal of yesterday was read and approved.

IMPROVEMENT OF THE MISSISSIPPI RIVER.

Mr. ELLIS. I ask unanimous consent at this time to submit the following memorial, and ask that it be printed in the RECORD and referred to the Committee on the Levees and Improvements of the Mississippi River. I do not desire it to be read.

There was no objection, and it was ordered accordingly.

The memorial is as follows:

NEW ORLEANS, *April* 4, 1882.

Hon. B. F. JONAS,
United States Senate, Washington:

Please present the following petition, original by mail.

THOS. L. AIREY, *President.*

To the honorable Senate and House of Representatives, Washington, D. C.:

The undersigned, representatives of the commercial interests of New Orleans,