

The bill, with the amendments of the Senate, was as follows:

[Strike out the words in brackets and insert the words in italics.]

Whereas by the act of Congress entitled "An act to encourage the holding of a world's industrial and cotton centennial exposition in the year 1884," approved February 10, 1883, in the city of New Orleans, under the joint auspices of the United States, the National Cotton Planters' Association of America, and the said city of New Orleans, a world's industrial and cotton centennial exposition is to be held, universal in character, comprehending all arts, manufactures, and products of the soil and mine; and

Whereas by said act Congress declares that such exposition should be national and international in its character; and

Whereas under said act a board of management has been duly constituted and incorporated under the laws of the State of Louisiana, the members of which have been appointed by the President of the United States, upon recommendations made in the manner set forth in said act, and therefore are a duly qualified and commissioned United States board of management, clothed with full and adequate powers to perform any and all acts essential to the proper and necessary management of the affairs of the said World's Industrial and Cotton Centennial Exposition in the manner and form prescribed by said act, and duly authorized by the sanction of the Government of the United States to raise the capital necessary to carry into effect the provisions of said act of February 10, 1883; and

Whereas the President of the United States, in compliance with the terms and requirements of said act, has extended, in the name of the United States, a respectful and cordial invitation to the governments of other nations to be represented and take part in the said international exposition; and

[Whereas many of the governments so invited have accepted such invitations, and are making preparations to embrace the courtesy so extended to them, thereby rendering proper arrangements for the coming ceremonies on the part of the United States a matter of honor and good faith; and]

Whereas the preparations designed by the World's Industrial and Cotton Centennial Exposition, and in part executed by the board of management, are in accordance with the spirit of the act of Congress relating thereto, and are on a scale creditable to the Government and the people of the United States; and

Whereas all of the inducements which were involved and embodied in the request that Congress should grant the necessary aid to secure the success of the Centennial Exposition of Philadelphia are re-enforced by the progress and development of many States and Territories that were unable to avail of the beneficent policy inaugurated by the Government at Philadelphia, but are now desirous of an equal opportunity to display their agricultural, commercial, and industrial resources to the world; and

Whereas the stockholders of the World's Industrial and Cotton Centennial Exposition have furnished to aid in the completion of the said enterprise \$500,000, and have determined to increase the same to \$1,000,000 by a vote of a majority of said stockholders, and are now engaged in obtaining the same, and the said city of New Orleans has, in its corporate capacity, contributed the sum of \$100,000 to secure the success of this national and international undertaking, and it is but just and equitable that the Government whose people are to be universally affected and benefited by the said contributions and donations of these said citizens should lend its aid and credit to the said enterprise in a specific form calculated to enhance its dignity and capacity to accomplish the objects in view, to wit, the development and prosperity of the United States, and also because the results of the centennial celebration of 1876 have illustrated the wisdom of such national action:] Therefore,

*Be it enacted, &c.,* That the sum \$1,000,000 be, and the same is hereby, appropriated, out of any money in the public Treasury not otherwise appropriated, as a loan to the World's Industrial and Cotton Centennial Exposition, to be used and employed by the board of management thereof to augment and enhance the success of the World's Industrial and Cotton Centennial Exposition in such manner as said board of management may determine, and in accordance with the provisions of this act: *Provided,* That the said sum shall be paid by the [Treasurer] Secretary of the Treasury of the United States on the drafts of the president and [treasurer] secretary of the board of management of the World's Industrial and Cotton Centennial Exposition, authorized by order of said board, one-third of the amount immediately after the passage of this act, upon being satisfied that \$500,000 has been contributed and paid in to the said board for the purposes of the exposition by the contributors to and shareholders of the World's Industrial and Cotton Centennial Exposition, and the remainder in four monthly payments thereafter, upon being satisfied that each of the prior payments has been faithfully applied as required by this act, and for this purpose he shall have free access to the accounts and all transactions of said board: *Provided further,* That no greater amount shall be expended or liability or indebtedness of any kind incurred upon buildings, grounds, and preparations than the aggregate sum that may be [secured by subscription] paid in by the subscribers to the capital stock and by donations and the amount of the loan provided herein: *And provided further,* That in the distribution of the amounts that may remain in the treasury of the board of management after the payments of the current expenses of administration the amount of the appropriation hereinbefore made shall be paid in full into the Treasury of the United States before any dividend or percentage of profits or assets shall be paid to the holders of said stock or contributors: *Provided further,* That the Government of the United States shall not, under any circumstances, be liable for any debt or obligation [for] created or incurred by the World's Industrial and Cotton Centennial Exposition, or its board of management, or for any sum whatever in addition to the [foregoing] amount [that may be] appropriated by this act; and that adequate space, to be determined by the President of the United States, for such exhibits as the Government of the United States may see proper to make at said exposition shall be furnished free of all charge by said board: *Provided further,* That no sum shall be paid to the [treasurer of the said exposition until after he and the president of the same] said board of management of said exposition until after the president, secretary, and a majority of the members of said board shall have executed a bond, with good and solvent security, to be approved by the Secretary of the Treasury, in the sum of \$300,000, to sufficiently secure the safe-keeping and the faithful disbursement of the sum hereby appropriated, and for the faithful observance of this act with regard to the limitation of expenditures and liabilities as fixed herein, and for the repayment to the Government of the United States of the surplus of proceeds of said exposition remaining after payment of the current expenses of administration, said repayment in no case to exceed the loan herein appropriated and provided for: *And provided further,* That the receipts of the loan herein made or any part thereof by said board of management shall be a full acceptance of all the trusts, conditions, provisions, and obligations of this act by the said board of management and by the corporation created under the laws of the State of Louisiana, and designated as "The World's Industrial and Cotton Centennial Exposition."

Amend the title so as to read:

An act to make a loan to aid in the celebration of the World's Industrial and Cotton Centennial Exposition.

The SPEAKER. Is there objection to the present consideration of the amendments of the Senate just read?

Mr. HOLMAN. In view of the former action of the House upon this bill, passing it by a very decisive majority, and in view of the fact that these amendments seem to furnish additional guarantees, if any can be

furnished in this case, I do not feel myself called upon to interpose any objection.

Mr. HUNT. The bill is satisfactory in its present shape.

There being no objection, the Senate amendments were taken up and concurred in.

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

The latter motion was agreed to.

#### REIMBURSEMENT TO STATES FOR WAR ADVANCES.

Mr. STORM. I ask unanimous consent to offer for immediate consideration the resolution which I send to the desk.

Mr. WHITE, of Kentucky. Mr. Speaker, unless there is to be some equality of recognition between the two sides, I think we had better adjourn. I therefore move that the House adjourn.

The motion was not agreed to.

The SPEAKER. The Clerk will read the resolution sent to the desk by the gentleman from Pennsylvania [Mr. STORM].

The Clerk read as follows:

*Resolved,* That House bill No. 2463, the same being a bill to provide for reimbursing certain States for sums by them paid for interest on certain advances made to the Government of the United States during the late war, be made a special order for Saturday, the 14th day of June, 1884, and from day to day until disposed of, not to interfere with prior orders or with appropriation bills, revenue bills, or bills reported from the Committee on Public Lands.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. THROCKMORTON. I object.

Mr. HATCH, of Missouri, and Mr. WELLER moved that the House adjourn.

The motion was agreed to; and accordingly (at 5 o'clock p. m.) the House adjourned.

#### PETITIONS, ETC.

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

By Mr. BLAND: Petition of Post No. 135, Grand Army of the Republic, Department of Missouri, relative to pensions, &c.—to the Committee on Invalid Pensions.

By Mr. BOYLE: Petition of George D. Bayard Post, Grand Army of the Republic, for the passage of the pension laws recommended by the Grand Army of the Republic—to the same committee.

By Mr. T. M. BROWNE: Petition of 152 citizens of Rush County, Indiana, asking an appropriation of \$400,000 to aid in maintaining Indian schools—to the Committee on Appropriations.

By Mr. GEORGE: Memorial of Sedgwick Post No. 10, Grand Army of the Republic, relative to pensions—to the Select Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. KASSON: Petition of D. J. Arnold and others, citizens of Iowa, against limiting the power of Congress by constitutional amendment—to the Committee on the Judiciary.

By Mr. McKINLEY: Resolutions of Star Lodge No. 38, A. A. I. and S. W. U. S., Ohio, against the importation of old rails and scrap-iron—to the Committee on Ways and Means.

By Mr. PRICE: Resolutions of A. M. Howard Post, No. 72, Grand Army of the Republic, relative to pensions—to the Committee on Invalid Pensions.

By Mr. RAYMOND: Petition of citizens of Dakota, favoring the general bankruptcy bill recommended by the bankruptcy convention—to the Committee on the Judiciary.

By Mr. STORM: Papers relating to the claim of John Hogan—to the Committee on War Claims.

## HOUSE OF REPRESENTATIVES.

FRIDAY, May 16, 1884.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

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

#### LEAVE OF ABSENCE.

Mr. MANZANARES, by unanimous consent, obtained leave of absence for three days, on account of important business.

#### BRIDGE AT TONAWANDA, N. Y.

Mr. STEVENS. I ask unanimous consent to have taken from the House Calendar for present consideration the bill (H. R. 6761) respecting a bridge at Tonawanda, in the State of New York.

The bill was read, as follows:

*Be it enacted, &c.,* That any bridge erected in pursuance of chapter 279 of the laws of the State of New York of the year 1883, entitled "An act to incorporate the Tonawanda Island Bridge Company for the purpose of constructing and operating a bridge from Tonawanda Island to North Tonawanda," is hereby declared to be a lawful structure: *Provided,* That the height of the lower chord of the draw of said bridge be not less than twenty-three feet above high water: *Provided also,* That said bridge shall not be built or commenced until the plan

and location of the bridge have been submitted to the Secretary of War and by him approved.

SEC. 2. That the right of Congress to alter, amend, or repeal this act is hereby expressly reserved.

There being no objection, the House proceeded to consider the bill. Mr. STEVENS. I move to amend by striking out in lines 9 and 10 the words "Provided, That the height of the lower chord of the draw of said bridge be not less than twenty-three feet above high water," and also by striking out in line 11 the word "also." This amendment is approved by the Committee on Commerce and by the War Department.

The amendment was agreed to.

The bill as amended was ordered to be engrossed for a third reading, was accordingly read the third time, and voted.

Mr. STEVENS 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.

#### FORWARDING OF MAIL MATTER.

Mr. WAKEFIELD, by unanimous consent, reported from the Committee on the Post-Office and Post-Roads with a favorable recommendation of the bill (H. R. 6578) to amend section 3940 of the Revised Statutes, relating to the forwarding of mail matter; which was referred to the House Calendar, and the accompanying report ordered to be printed.

#### BUSINESS OF COMMITTEE ON PACIFIC RAILROADS.

Mr. THOMPSON. I ask unanimous consent that Saturday, June 7, be set apart for the consideration of bills reported from the Committee on Pacific Railroads.

Mr. RICE. I object.

Mr. CASSIDY. The gentleman from Massachusetts [Mr. RICE] will allow me to state that our committee has already a day assigned in the House for its business. We can have it at any time by antagonizing other orders. But we wish a specific day fixed. There is a bewildering amount of figures involved in some of our measures.

Mr. RICE. There have been objections to assigning days for other committees.

Mr. CASSIDY. We already have a day assigned.

Mr. THOMPSON. We have a special and continuing order, made in February last; but on account of the character of the business which we desire to have transacted, involving many statistics, we desire to have a specific day assigned, so that we may prepare ourselves to explain the measures to the House more intelligently and satisfactorily than we might do if we have not a special day assigned. The order we now ask will not interfere with revenue or appropriation bills or with any other special order. We expect to take up in the House the bill amendatory of the Thurman act relating to Pacific railroads.

Mr. RICE. I must object.

#### BRIDGE ACROSS WISCONSIN RIVER, ETC.

Mr. PRICE. I ask unanimous consent to have taken from the House Calendar and put upon its passage the bill (H. R. 6539) to authorize the construction of bridges across the Wisconsin, Chippewa, and Saint Croix Rivers, in the State of Wisconsin. The bill provides simply for building some railroad bridges. Every interest on the streams is satisfied with the measure; the railroads are satisfied, the War Department is satisfied. The bridges are to be constructed entirely under the direction of the War Department. It is a matter about which I think there can be no debate and, if it is properly understood, no objection.

The Clerk read as follows:

A bill (H. R. 6539) to authorize the construction of bridges across the Wisconsin, Chippewa, and Saint Croix Rivers, in the State of Wisconsin.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Winona, Alma and Northern Railway Company, a corporation existing under the laws of the State of Wisconsin, and having authority to build its line of railroad from a point in the State of Illinois, through the State of Wisconsin, to a point in the State of Minnesota, be, and is hereby, authorized to construct and maintain, for the purpose of making a more perfect connection of its said line, the following railroad bridges, to be used by it, its successors or assigns, for railway purposes, over the rivers and at the localities named following, that is to say: Across the Wisconsin River, near the city of Prairie du Chien, Wis., at the most suitable and convenient point, within five miles of the confluence of the Wisconsin with the Mississippi River; across the Chippewa River, within five miles of its confluence with the Mississippi River; and across the Saint Croix River or Lake, at the most suitable and convenient point between the mouth of the Saint Croix River and the town of Hudson, Saint Croix County.

SEC. 2. That any bridge built under this act shall be constructed and built without material interference with the security and convenience of navigation of said rivers, or either of them, beyond what is necessary to carry into effect the rights and privileges hereby granted; and in order to secure a compliance with these conditions the corporation, previous to commencing the construction of the bridge, or of the accessory works in the booms, dikes, or piers designed to secure the best practical channel way for navigation and confine the flow of the water to a permanent channel, and for the guiding of steamboats and rafts safely through the draw-spans at said point, shall submit to the Secretary of War a plan of the bridge and of such accessory works, together with a detailed map of the river at the proposed site of the bridge and for a distance of a mile above and below the site, together with all other information touching said bridge and river and accessory works as may be deemed requisite by the Secretary of War to determine whether the said bridge, when built, will conform to the prescribed conditions of this act; that, as nearly as practicable, the said bridge shall be at right angles to and the piers parallel with the current of said river; and if it be found hereafter that the said bridge or accessory works materially interfere with

the security and convenience of navigation of said river beyond what is necessary to carry into effect the rights and privileges hereby granted, by reason of any defect or failure in the accessory works aforesaid to accomplish the purpose for which they are designed, it shall be the duty of the Secretary of War to require the necessary changes to be made therein in the interest of navigation at the expense of the owners; *Provided*, That as to any bridge built under this act, if the said bridge shall be made with unbroken and continuous spans, it shall not be of less elevation in any case than fifty feet above extreme high-water mark, as understood at the point of location, to the bottom chord of the bridge, nor shall the spans of said bridge be less than two hundred feet in length, and the main span shall be over the main channel of the river and not less than two hundred feet in length; *And provided also*, That if any bridge built under this act shall be constructed as a draw-bridge, the same shall be constructed as a pivot-draw bridge, with a draw over the main channel of the river at an accessible and navigable point, and with spans not less than ten feet above extreme high-water mark at the point of location, and of not less length than stipulated below for the several bridges, namely: Over Lake Saint Croix the draw-span shall not be less than one hundred and sixty feet, and over the Chippewa River the draw-span shall not be less than one hundred and forty feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans shall not be less than one hundred and forty feet; over the Wisconsin River the draw-span shall not be less than one hundred feet on each side of the central or pivot pier of the draw, and the next adjoining span or spans shall be not less than one hundred and twenty-five feet in length, unless otherwise expressly directed by the Secretary of War, and if so directed shall be according to such direction: *Provided also*, That said draw shall be opened promptly upon reasonable signal for the passing of boats; and said company or corporation shall maintain, at its own expense, from sunset till sunrise, such lights or other signals on said bridge as the Light-House Board shall prescribe: *Provided also*, That all railway companies desiring to use said bridge shall have and be entitled to equal rights and privileges in the passage of the same, and in the use of the machinery and fixtures thereof, and of all the approaches thereto, under and upon such terms and conditions as shall be prescribed by the Secretary of War, upon hearing the allegations, and proofs of the parties, in case they shall not agree.

SEC. 3. That the Secretary of War is hereby authorized and directed, upon receiving any such plan and map and other information, and upon being satisfied that a bridge built on such plan and such accessory works and at such locality will conform to the prescribed conditions of this act, to notify the company that he approves the same; and upon receiving such notification the said company may proceed to an erection of said bridge, conforming strictly to the approved plan and location; but until the Secretary of War approve the plan and location of said bridge and accessory works, and notify the company of the same, the bridge shall not be built; and should any change be made in the plan of the bridge or said accessory works during the progress of the work thereon, such change shall be subject likewise to the approval of the Secretary of War.

SEC. 4. That any bridge and accessory works, when built and constructed under this act and according to the terms and limitations thereof, shall be a lawful structure; and said bridge shall be recognized and known as a post-route, upon which also no higher charge shall be made for the transmission over the same of the mails, the troops, and the munitions of war of the United States than the rate per mile paid for the transportations over the railroads or public highways leading to said bridge; and said bridge shall enjoy the rights and privileges of other post-routes in the United States; and Congress reserves the right at any time to regulate by appropriate legislation the charges for freight and passengers over said bridge.

SEC. 5. That the United States shall have the right of way for postal telegraph across said bridge.

SEC. 6. That the right to alter, amend, or repeal this act is hereby expressly reserved; and the right to require any changes in such structure, or its entire removal, at the expense of the owners thereof, whenever Congress shall decide that the public interest requires it, is also expressly reserved.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection. The House Calendar was discharged from the further consideration of the bill, and it was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. PRICE 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.

#### JOSEPH ADAMS.

Mr. CLAY, by unanimous consent, introduced a bill (H. R. 7011) for the relief of Joseph Adams; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

#### TACOMA AND SEATTLE PORTS OF DELIVERY.

Mr. BRENTS. I ask by unanimous consent that the House Calendar be discharged from the further consideration of the bill (H. R. 6763) making the cities of Tacoma and Seattle, in the Puget Sound customs district, in Washington Territory, ports of delivery, for present consideration.

The bill was read.

Mr. BRENTS. I ask the unanimous report of the committee be read.

#### ORDER OF BUSINESS.

Mr. BLAND. I call for the regular order.

The SPEAKER. The regular order is the call of committees for reports of a private nature.

Mr. HOLMAN. I move to dispense with the morning hour for the call of committees.

The SPEAKER. That requires a two-thirds vote.

The motion of Mr. HOLMAN was agreed to (two-thirds voting in favor thereof), and the morning hour was dispensed with.

#### RIVER AND HARBOR BILL.

Mr. WILLIS, from the Committee on Rivers and Harbors, reported, as a substitute for H. R. 6931, a bill (H. R. 7012) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, 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, ordered to be printed.

## ORDER OF BUSINESS.

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

Mr. HOLMAN. Is not the motion to go into the Committee of the Whole House on the state of the Union on the appropriation bill in order?

The SPEAKER. It is; but as this is private-bill day, the motion to go into the Committee of the Whole House on the Private Calendar takes precedence.

Mr. MILLS. We can vote that motion down.

Mr. HOLMAN. Yes, we can vote it down, and then we can go into the Committee of the Whole House on the state of the Union on the appropriation bills.

The House divided; and there were—ayes 42, noes 81.

So Mr. McMILLIN's motion was disagreed to.

## CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. BURNES. I move that the House now resolve itself into Committee of the Whole on the state of the Union for the further consideration of the consular and diplomatic appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House on the state of the Union, Mr. HAMMOND in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the purpose of further considering the bill (H. R. 6770) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1885, and for other purposes. The Clerk will read the pending amendment, moved by the gentleman from Illinois [Mr. CANNON].

The Clerk read as follows:

After line 289 add the following:

"For contingent expenses of United States consulates, such as stationery, book-cases, arms of the United States, seals, presses, and flags, rent, freight, postage, and other necessary miscellaneous matters, \$110,000."

The CHAIRMAN. The committee was dividing, and the tellers will resume their places.

Mr. BURNES and Mr. CANNON resumed their places as tellers.

The committee divided; and the tellers reported—ayes 68, noes 96.

So the amendment was not agreed to.

Mr. CANNON. I offer the amendment that I send to the desk.

The Clerk read as follows:

Strike out lines 227 to 281, inclusive, and insert:

"For the expense of providing stationery, blanks, record, and other books, \$30,000; postage, \$27,000; flags, \$1,000; flag-staffs and fixtures, \$3,000; furniture, \$6,500; statistics, \$6,000; telegrams, \$2,500; services of experts in ascertaining the value of invoices, \$4,500; freight, \$4,000; moving consulates, \$1,000; newspapers and prices-current, \$2,000; books, \$700; Chinese writers, \$2,000; traveling expenses of consuls while engaged on official business, \$5,000; seals and presses, \$2,000; coats of arms of the United States, \$1,000; advertising, \$500; messengers for consulates, \$2,000; publishing death-notices, \$350; other necessary miscellaneous expenses, \$3,000; being a total of \$104,050."

Mr. CANNON. If I can have the attention of the committee and of the gentleman from Missouri for a few moments I desire to state simply that this amendment is offered for the purpose of providing by amendment, since the same has been omitted in the preparation of this bill, for the necessary expenses indicated by the amendment. Under the present bill as reported by this committee there can be no payments of money whatever for postage. Now the amount expended last year for postage amounted to \$26,445 on official matter. I believe it to be the sense of this committee, at least I hope it is the sense of the committee, that that postage shall be paid. The amount expended for telegrams last year was \$2,224. This provides a fund for the payment of telegrams on official business. The amount expended for necessary furniture for consulates last year was \$6,503. It will be seen that this amendment makes provision for that item. The amount expended for freight was in round numbers \$3,000. This provides for that. So also it provides for expert services in ascertaining the value of invoices. In other words, it proposes substantially to provide all these contingent expenses for which no provision is made in this bill, and which experience has shown are absolutely essential in the working of the Department. The objection, as I understand it, of the gentleman from Missouri as expressed on yesterday, at least one of his objections, is obviated by this amendment, for the reason that it makes a specific appropriation for each of these objects. Now, in the very nature of things, it must be apparent that there are certain items which can not be specifically provided for, so that those things for which specific provision can not be made are grouped together or provided for in a clause appended to the amendment which provides \$3,000 for other necessary and miscellaneous expenses.

That is about all I wish to say upon the subject. If these consulates are to be maintained; if these consuls are to transact their business as our representative abroad, they must be provided with the means with which to do it. If they communicate to the Secretary of State so that the President and the Congress shall be provided with information as to what they are doing, they must have the money to pay for their postage. If they send telegrams when our Irish or German fellow-citizens or our native-born citizens, when traveling abroad, get into trouble in foreign countries, or when there is a shipwreck, they should have

means of extending relief or sending information to the Government, and for this purpose there must be money provided to pay telegrams.

Mr. Chairman, if this money is not to be given for that purpose, then it is the part of fairness and the part of statesmanship to come up and meet the issue squarely and fairly and wipe out our whole consular and diplomatic service. And I ask this committee if it is not foolishness to the last degree to provide for a consular and diplomatic service at an expense of a million of dollars and then fail to provide the necessary hundred or two hundred thousand dollars, as the case may be, to enable them to do the work to which they are assigned?

I want to say one word in conclusion. I feel sure that the gentleman from Missouri will recognize the justice of this amendment; and if the itemized amendment is not specific enough I ask him to make the items more specific. From a business standpoint, from a standpoint of just legislation, I ask that the amendment, in substantially this shape or some other shape such as he may suggest, so that it will meet his views and provide for these necessary expenditures, shall be adopted.

[Here the hammer fell.]

Mr. BURNES. Mr. Chairman, it would afford me a great deal of pleasure to accept the suggestions of the gentleman from Illinois if I could do so in justice to myself and in justice to the Committee on Appropriations and in justice to the interests of the country at large.

I desire, sir, to call attention again to the fact that section 1748 of the Revised Statutes authorizes the payment of certain expenses of ministers and consuls. For these items a full appropriation has been made; but in addition to that the gentleman comes and says that there are other items of expenditure that ought to be appropriated for. I answer him by reference to section 1743 of the Revised Statutes, that the salaries of ministers and consuls shall be in full of all personal expenses of whatever name or nature, whether incurred by treaty or statute or instructions of the Department; and also by reference to one more statute, section 1696, which provides that the postage to consuls not under salary shall be paid by the Department.

Now, I say the amount to pay the postage of non-salaried consuls is appropriated by law; and it is only the postage of the salaried consuls. This is the conclusion of law. But I should not press it if it were not for another consideration.

I must now call the attention of the committee to some matters that I would have preferred to have left unsaid and unpublished. Without prejudice against this Department the Appropriations Committee has been impressed by—I may call them—certain official delinquencies to which the attention of the gentlemen representing the other side of this bill has been called. I shall not dwell upon these, but shall be content simply to say, in view of the partial answer made by the distinguished gentlemen from Illinois, both of them, that under the provisions of section 4 of the act of June 11, 1874, not the act of 1856, the Secretary established the following as the maximum amounts of time actually necessary to make the transit from Washington to the following posts. The statement shows the amounts which can be paid for the thirty days and the additional time consumed in traveling from Washington to the diplomatic or consular post.

The Secretary of State has established that in addition to the thirty days to Apia "seventy days shall be allowed" for transit. If you take thirty days and the seventy days, amounting to one hundred days, and reckon the salary at \$3,000, the salary now being paid and the salary paid at the time, you will find there was paid to the consul at Apia \$1,190.23, when he was entitled to but \$821.91. You will find that the time to Cairo is thirty-five days. Add thirty-five to thirty and you have sixty-five days. There is a salary of \$5,000. There are sixty-five days for which he is entitled to \$890.41; and the Department has paid him \$1,657.62. Take Rio de Janeiro. The Department has allowed to make the trip to Washington forty days; add forty to thirty and there are seventy days. The salary is \$6,000 per annum. There have been paid to the consul \$1,565.21, when under the law and the regulations of the Department he was entitled to but \$1,150.68; a difference of \$414.53.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HATCH, of Missouri, was recognized, and yielded his time to Mr. BURNES.

Mr. BURNES. I thank my colleague. Take now the city of Florence. The Secretary of State has allowed twenty-five days. Add twenty-five to thirty and you have fifty-five days. You find that this consul has received nearly twice as much, lacking \$5, as the law and the instructions of the Department entitle him to.

Mr. REED. What consul is that?

Mr. BURNES. The consul at Florence. Go to the city of Rome, where we have a return from a grand consul-general, who receives a salary of \$3,500, with fees returned of \$915. You find him drawing contingent expenses to the amount of \$1,059.12—\$100 more than all the fees of his office—and you find another thing: that to transmit that \$915 from Rome to London—because I presume it was transferred to the financial agent at London; but no matter whether it was transferred to London or transferred to Washington—for exchange on that \$915 this consul-general in the Eternal City charged \$182.24.

I know there are bankers on this floor who understand the rates of exchange. I do not mention these matters for the purpose of impugning the integrity of the Department or of the distinguished gentleman who is at its head. But I mention them for the purpose of arousing

the judgment of this House in behalf of the limitation of these general items of expenditure, which under the discretion of a kind-hearted and generous old gentleman can not be withheld from greedy consuls and greedy ministers.

Mr. Chairman, I have here the whole list, and I ask permission to have it printed as a part of my remarks. It will be information that you can look at at your leisure. This relates only to the consulates that have been abolished or changed or altered; but you will find here such extravagance and apparent irresponsibility with regard to this contingent fund that you will feel as I feel, that it is best to limit this Department to the most careful requirements of the strict letter of the law. I submit these statements with regard to the various posts.

The CHAIRMAN. The gentleman from Missouri asks consent to print as a part of his remarks the statements he has indicated. If there be no objection the request will be granted. The Chair hears none.

The statements referred to by Mr. BUENES are as follows:

Under the provisions of section 4 of the act of June 11, 1874, the Secretary of State established the following as the maximum amount of time actually necessary to make the transit from Washington to the following ports:

To Apia, Friendly and Navigators' Islands, 70 days.	
30 days awaiting instructions, 70 days for reaching destination.....	\$1,190 23
Salary was \$3,000 for 100 days.....	821 91
Overpaid.....	368 32
To Cairo, Egypt, 35 days.	
Cairo:	
30 days awaiting instructions, 35 days for reaching destination.....	1,657 62
Salary was \$5,000 for 65 days.....	890 41
Overpaid.....	767 21
To Rio de Janeiro, Brazil, 40 days.	
Rio de Janeiro:	
Waiting instructions, 30 days; reaching destination, 40 days.....	\$1,565 21
Salary was \$6,000 for 70 days.....	1,150 68
Overpaid.....	414 53
To Florence, Italy, 25 days.	
Florence:	
Waiting instructions, 30 days; reaching destination, 25 days.....	529 87
Salary for 65 days at \$1,500.....	267 12
Overpaid.....	262 75
Rome:	
Salary for consul-general.....	3,500 00
Fees returned.....	915 00
Contingent expenses (three quarters year).....	1,059 12
Loss by exchange.....	182 24
Total.....	5,656 36
Melbourne, Australia (Great Britain):	
Salary of consul-general.....	4,500 00
Allowance for clerk.....	1,000 00
Loss by exchange.....	17 39
Contingent expenses (three quarters year).....	705 62
Total.....	6,223 01
Fees returned, \$1,181.27.	
Montreal, Canada:	
Salary of consul-general.....	4,000 00
Allowance for clerk.....	1,500 00
Contingent expenses.....	1,612 04
Total.....	7,112 04
Fees returned, \$5,589.56.	
St. Petersburg, Russia:	
Salary of consul-general.....	3,000 00
Allowance for clerk.....	800 00
Loss by exchange.....	38 92
Contingent expenses (three quarters year).....	660 33
Total.....	4,499 25
Fees returned, \$446.50 (three quarters year.)	
Long report about Russia's domestic animals, but nothing as to why he can not report his receipts or expenditures or his small amount of fees.	
Constantinople, Turkey:	
Salary of secretary of legation and consul-general.....	\$3,500 00
Contingent expenses.....	824 01
Total.....	4,324 01
Fees returned, \$675.	
Rome, Italy:	
Salary of secretary of legation and consul-general.....	3,500 00
Compensation while waiting instructions.....	203 80
Loss by exchange.....	182 24
Contingent expenses (three quarters year).....	1,059 12
Total.....	4,945 16
Fees returned, \$915.	
Vienna, Austria:	
Salary of secretary of legation and consul-general.....	3,000 00
Allowance for clerks.....	1,500 00
Contingent expenses.....	1,018 28
Total.....	5,518 28
Fees returned, \$8,828.50.	
Halifax, Canada:	
Salary of consul-general.....	3,000 00
Allowance for clerk.....	800 00
Loss by exchange.....	10 13
Contingent expenses.....	403 79
Total.....	4,213 92
Fees returned, \$2,833.09.	

Cairo, Egypt (Ottoman Empire):	
Salary of agent and consul-general.....	5,000 00
Allowance for clerk.....	1,200 00
Contingent expenses, G. P. Pomeroy, consul-general (page 17).....	254 87
Contingent expenses, Comanos, vice-consul-general (page 17).....	129 52
Contingent expenses, (page 18, Fifth Auditor's report).....	2,505 48
Loss by exchange.....	161 11
Compensation while waiting instructions.....	1,657 62
Expenses of interpreters, guards, &c. (page 30).....	500 00
Loss by exchange.....	4 52

Total..... 11,413 12

Fees returned, \$202.50 (three quarters year).  
His report has recently been made for the last quarter year ending June 30, 1883, and swells the annual return to \$359.50.

No relief afforded seamen; no extra wages or arrears of wages collected.

Madrid, Spain:	
Salary secretary of legation and consul-general.....	\$3,000 00
Salary as chargé ad interim, Reed.....	991 88
Contingent expenses, Reed.....	2,241 97
Clerk of legation, Reed.....	564 52
Secretary of legation, Reed.....	651 90
Secretary of legation, Gowan.....	244 56

Total..... 7,694 83

No fees returned; no report of fees collected.  
His "duties are mainly in aid of the minister." (Executive Document No. 121, page 97.)

## CONSULS.

Honolulu, Hawaiian Islands:  
This consul-general is dropped because the minister resident is made consul-general.

Apia, Friendly and Navigator's Islands:	
Salary of consul.....	\$3,000 00
Waiting instructions.....	1,190 23
Loss of exchange.....	433 88
Contingent expenses.....	939 01
Five seamen relieved, at a cost of.....	847 85
Loss by exchange.....	1 94

Total..... 5,912 51

Fees returned, \$98.11.

No extra wages or arrears of wages collected.

Brussels, Belgium:	
Consul.....	3,000 00
The minister resident being consul-general, the consulate at this place is dropped.	

Coaticook, Canada:	
Salary of consul.....	\$2,000 00
Loss by exchange.....	11 90
Contingent expenses.....	332 50

Total..... 2,344 40

Fees returned \$625.50. (See page 35, Fifth Auditor's report.)  
No seamen relieved; no wages or arrears of wages collected. (See his consular tariff report.)

Port Louis, Mauritius (Great Britain):	
Salary of consul.....	\$2,000 00
Contingent expenses (three quarters year).....	327 86
Eight seamen relieved, at cost of.....	183 00

Total..... 2,510 86

Fees returned \$57.11.

No wages collected; no arrears of wages.

Tangier, Barbary States:	
Salary of consul.....	2,000 00
Contingent expenses.....	835 03

Total..... 2,510 03

Fees returned, \$37.99.

No seamen relieved; no wages or arrears collected.

Mahé (Great Britain):	
Salary of consul.....	1,500 00
Loss by exchange.....	86 86
Contingent expenses (three quarters year).....	233 50
Two seamen relieved, at cost of.....	72 00
Exchange.....	7 60

Total..... 1,899 96

Fees returned, \$18.

Copenhagen, Denmark:	
Salary of consul.....	1,500 00
Contingent expenses (three quarters year).....	646 16

Total..... 2,146 16

Fees returned, \$536.

No seamen relieved; no wages or arrears collected.

For not making report for the last quarter of expenses the consul writes us a consular tract on "The temperance movement in Denmark." He failed to write us of the commerce or trade of Denmark, but he gives us the price of a basin of good soup at the temperance lunch-rooms. He admirably describes the rooms, but not the financial transactions of his consulate, in which this Government is interested.

Malta (Great Britain):	
Salary of consul.....	\$1,500 00
Fees returned, \$107.25.	

The above is only a proposition to make Malta a salaried consulate. It is now an unsalaried one, and ought to remain so. The fees for 1882 were \$66.50; for 1883, \$107.25.

Gaspé Basin (Great Britain):	
Salary of consul.....	\$1,000 00
Exchange.....	2 45
Contingent expenses.....	83 33

Total..... 1,085 78

Fees returned, \$15.

Sabanilla:	
Salary of consul.....	1,000 00
Has made no returns from July 1, 1882, to July 1, 1882, not received (page 25).	
Fees returned, \$225.90 (one quarter); is allowed for clerk, one quarter year, \$100.	

Stettin, Germany (Herman Kiefer):			
Salary of consul.....	\$1,000 00		
Exchange.....	36 97		
Contingent expenses (three quarters year).....	58 59		
Total.....	1,095 56		
Fees returned, \$324.50. (Have heard he has never been at his post.) Mozambique, in Eastern Africa (Portugal): Now vacant, and no report.			
St. Paul de Loando, Angola, West Africa (Portugal):			
Commercial agent, salary.....	1,000 00		
Allowance for clerk.....	198 91		
Contingent expenses.....	198 21		
Total.....	1,397 12		
Fees returned, \$9.80.			
Levuka (Great Britain):			
Salary vice-commercial agent.....	1,000 00		
Exchange (three quarters year).....	32 50		
Contingent expenses.....	141 43		
Eight seaman relieved.....	393 10		
Exchange.....	5 25		
Total.....	1,572 28		
Wages collected, \$95.00. Fees returned, \$79.26.			
Gaboon, France:			
Salary of commercial agent.....	1,000 00		
Fees returned \$13.38 (page 28). No returns.			
San Juan del Norte and Punta Arenas, Nicaragua. Central American States:			
Salary of commercial agent.....	\$1,000 00		
No report.			
REDUCTION OF SALARIES.			
Foochow:			
Salary of consul.....	3,500 00		
Contingent expenses (three quarters year).....	770 85		
Prison-keepers.....	300 00		
Interpreters.....	2,000 00		
Marshal.....	600 00		
Total.....	7,170 85		
Fees returned, \$420.65.			
Hankow:			
Salary of consul.....	3,500 00		
Contingent expenses (three quarters year).....	745 49		
Interpreters.....	750 00		
Marshal.....	750 00		
Exchange.....	30 58		
Total.....	5,776 07		
Fees returned, \$716.98.			
Tien-Tsin:			
Salary of consul.....	3,500 00		
Loss by exchange.....	88 45		
Contingent expenses (three quarters year).....	1,084 28		
Sailor's wages.....	123 68		
Interpreter's wages.....	1,500 00		
Marshal.....	1,000 00		
Total.....	7,291 41		
Fees returned, \$369.17.			
Chin-Kiang:			
Salary of consul.....	3,500 00		
Exchange.....	14 98		
Contingent expenses.....	786 90		
Interpreter.....	500 00		
Exchange.....	2 49		
Total.....	4,804 37		
Fees returned, \$425.14.			
Ningpo:			
Salary of consul.....	3,500 00		
Contingent expenses.....	873 64		
Wages of jailors.....	444 59		
Interpreters.....	480 00		
Total.....	5,298 23		
Fees returned, \$94.09.			
Callao, Peru:			
Salary of consul (reduced to \$2,500).....	3,500 00		
Exchange.....	79 82		
Contingent expenses (three quarters year).....	626 43		
Three seamen relieved (cost).....	166 76		
Total.....	4,373 01		
Fees returned, \$503.78.			
Santiago de Cuba, Cuba:			
Salary of consul (reduced to \$2,000).....	2,500 00		
Contingent expenses (three quarters year).....	552 22		
Total.....	3,052 22		
Fees returned, \$916.99.			
Cork:			
Salary.....	2,000 00		
Exchange.....	51 58		
Contingent expenses (three quarters year).....	379 59		
Total.....	2,431 17		
Fees returned, \$503.26.			
Odessa, Russia:			
Salary of consul (reduced to \$1,500).....	2,000 00		
Exchange.....	190 74		
Contingent expenses (three quarters year).....	454 02		
Total.....	2,644 76		
Fees returned, \$291. No seamen relieved; no wages collected.			
Tamatave, Madagascar:			
Salary of consul.....	2,000 00		
Exchange.....	58 73		
Contingent expenses.....	289 44		
One seaman relieved.....	56 24		
Total.....	2,404 41		
Fees returned, \$101.05.			
Beirut, Turkish Dominions:			
Salary of consul.....	2,000 00		
Allowance for clerk.....	600 00		
Contingent expenses (three quarters year).....	589 31		
Exchange.....	36 00		
Total.....	3,225 31		
Fees returned, \$90.			
Hamilton, Canada:			
Salary of consul.....	2,000 00		
Awaiting instructions.....	263 75		
Total.....	2,263 75		
Fees returned, \$1,810.50.			
Bristol, England:			
Salary of consul.....	1,500 00		
Awaiting instructions.....	142 66		
Exchange.....	31 88		
Contingent expenses (three quarters year).....	842 27		
Two seamen relieved.....	56 59		
Total.....	2,573 40		
Fees returned, \$869.60.			
Gibraltar, Spain (Great Britain):			
Salary of consul.....	1,500 00		
Contingent expenses (three quarters year).....	190 22		
Total.....	1,690 22		
Fees returned, \$394.52. No seamen relieved; no wages collected.			
St. Helena (Great Britain):			
Salary of consul.....	1,500 00		
Waiting instructions.....	326 08		
Exchange.....	90 56		
Contingent expenses.....	223 05		
Fourteen seamen relieved.....	367 04		
Total.....	2,506 73		
Fees returned, \$682.43.			
Port Stanley, Fiji Islands (Great Britain):			
Salary of consul.....	1,500 00		
Exchange.....	75 50		
Contingent expenses (three quarters year).....	306 20		
Fifteen seamen relieved.....	1,212 37		
Exchange.....	62 23		
Total.....	3,156 30		
Fees returned, \$89.08. (Is now an unsalaried commercial agency.)			
Clifton (Great Britain):			
Salary of consul.....	1,500 00		
Contingent expenses (three quarters year).....	202 02		
Exchange.....	7 00		
Total.....	1,709 02		
Fees returned, \$756.			
Pictou, Nova Scotia (Great Britain):			
Salary of consul.....	1,500 00		
Contingent expenses.....	176 37		
Twenty-three seamen relieved.....	378 77		
Total.....	2,055 14		
Fees returned, \$197.50.			
Goderich, Canada:			
Salary, commercial agent.....	1,500 00		
Waiting instructions.....	8 15		
Exchange.....	8 35		
Contingent expenses (three quarters year).....	275 06		
Total.....	1,791 56		
Fees returned, \$270. No seamen relieved; no wages collected.			
Southampton, England:			
Salary of consul.....	1,500 00		
Contingent expenses (three quarters year).....	172 95		
Total.....	1,672 95		
Fees returned, \$210. No seamen relieved, &c.			
Ceylon, Ceylon Island (Great Britain):			
Salary of consul.....	1,500 00		
Exchange.....	26 25		
Contingent expenses (three quarters year).....	414 17		
Total.....	1,940 42		
Fees returned, \$589.55.			
Antigua, West Indies (Great Britain):			
Salary of consul.....	1,500 00		
Contingent expenses (one half year).....	407 05		
Total.....	1,907 05		
Fees returned, \$531.24.			
St. Stephen's (Great Britain):			
Salary of consul.....	1,500 00		
Waiting instructions.....	167 12		
Contingent expenses (one half year).....	285 48		
Total.....	1,952 60		
Fees returned, \$360.25. Made a consulate October 3, 1882.			

Nice, France:	
Salary of consul.....	1,500 00
Exchange.....	52 51
Contingent expenses.....	322 94
Total.....	1,875 45
Fees returned, \$368.	
No seamen relieved, &c.	
Barcelona, Spain:	
Salary of consul.....	1,500 00
Exchange.....	5 00
Contingent expenses (three quarters year).....	386 40
Total.....	1,891 40
Fees returned, \$250.70.	
No seamen relieved, &c.	
Fayal, Azores (Portugal):	
Salary of consul.....	1,500 00
Contingent expenses (three quarters year).....	12 02
Total.....	1,512 02
Fees returned, \$514.60.	
(Is allowed to trade.)	
Funchal, Portugal:	
Salary of consul.....	1,500 00
Waiting instructions.....	93 75
Exchange.....	111 99
Contingent expenses (three quarters year).....	464 68
Two seamen relieved.....	9 72
Exchange.....	63
Total.....	2,180 77
Fees returned, \$222.79.	
Jerusalem (Arabia), Turkey:	
Salary of consul.....	1,500 00
Waiting instructions.....	163 40
Exchange.....	125 41
Contingent expenses (three quarters year).....	316 10
Wages of interpreters.....	600 00
Exchange.....	42 00
Total.....	2,746 91
Fees returned, \$24.25.	
No seamen relieved, &c.	

Mr. HITT. I move to strike out the last word.

The criticisms which the gentleman from Missouri has made are upon the details of the accounts of several officers. In order to respond to them fully I should want to examine in detail the accounts of those officers. The inconsistency between the time allowance of a consul going from here to Apia and the amount of money we find charged for transit expenses will perhaps be found explained in the simple fact that that officer was a consul in Germany who was transferred from the post in Europe and allowed the time coming to America to report at Washington and then the thirty days to proceed to this Pacific island. I have not seen the accounts of the consul, but the accounts as rendered to the Department must set out in detail the days occupied in the journey.

Mr. BURNES. Will the gentleman from Illinois allow me to ask him one question in that connection?

Mr. HITT. With pleasure.

Mr. BURNES. If the consul receiving this extra leave had come home from Germany and received pay for coming home from the consulate in Germany it would have been charged to the German consulate and not to the one to which he was subsequently accredited.

Mr. HITT. It might have been, but not necessarily. He is appointed consul to Apia and is ordered from the place where he is found to the place of his new duty, and I suppose his path there was prescribed in the order. I have not examined the accounts, but that is perhaps the explanation. Remember, too, the time allowed to go to Apia is not determined by law, but by order of the Secretary, which in general is the regulation; but if the consul in fact could not get there within seventy days, the Secretary has the power under the law to make the allowance in accordance with the fact and truth; or it may in this case include the account of the returning consul.

In regard to the complaints of the gentleman as to the large amount of money which he thinks was wrongfully received by the consul at Rome for exchange, I may say that it is money which the consul or the other officer of the Government never sees. There is a bank or a financial agency to which his accounts, including salary, are presented for payment, and he is paid the amount of his salary in the money of the country as determined by the tables of the Secretary of the Treasury, a public document; and the financial agent of the Government turns our money into the money of the country where he is. He charges our Government with the loss in exchange or he credits it with the gain. It is a simple question of exchange. Such items are in every account of every consular and diplomatic officer. They are entirely beyond the control of the officer himself; they are questions of banking and finance with which he has nothing to do. The considerable amount which was paid in the case he complains of will be found to be accounted for in the banker's account, which will be seen to cover, not the fees, as the gentleman supposes, which are absorbed and accounted for at the consulate, but all payments to the consulate, including the salary. I have not seen those particular accounts of which I have just heard for the first time, and can not explain their details; but as I can not conceive any motive on the part of the officer to exaggerate the account, as he

can not in any way gain anything in the matter of exchange, I can not credit even a suspicion of any fraudulent intent on his part or that of the Department where he could have received no benefit from it.

The consul at Rio went by way of Europe, and was, I suppose, some time waiting his exequatur after getting to Rio, though it is briefly described in the Auditor's report under the head of instructions and transit.

Mr. CANNON. I want to say a word here, because the gentleman from Missouri [Mr. BURNES] thought proper to refer to my colleague [Mr. HITT] and myself in his last remarks. He claims that although he has made the charges and now makes them again, he has received no explanation or denial from myself or my colleague. I want to say here and now that so far as the gentleman charges the Secretary of State and necessarily the Treasury Department, which audits and controls these accounts, with misfeasance or malfeasance in the expenditures of these moneys, I repel the charge.

Mr. BURNES. I trust the gentleman will allow me to interpose a moment at this point.

Mr. CANNON. Certainly.

Mr. BURNES. I have not said one solitary word that the gentleman can torture into an insinuation against the personal integrity of either the Secretary of State or the Secretary of the Treasury; or, if I have, it was altogether unintentional. I have implicit confidence, and have so stated on this floor, in the integrity and honor of both those Secretaries. But I have not that confidence perhaps in the integrity of the entire *personnel* of those Departments.

Mr. REED. Against whom do you make charges?

Mr. BURNES. I charge nobody. I simply assert a fact, and ask that these figures be met, not by general declamation, but by facts and figures.

Mr. REED. Have you presented these figures to the State Department with the request for an explanation?

Mr. BURNES. I have not presented all of them.

Mr. REED. Which ones have you presented?

Mr. BURNES. I have presented some of the items of this character to the Department and asked for an explanation, which up to this day has not been given to me.

Mr. REED. When did you present them and what particular items were they?

Mr. BURNES. Cairo especially.

Mr. REED. When was that presented?

Mr. BURNES. A month ago, perhaps six weeks.

Mr. REED. I hope you will lay before the House your manner of presentation—the letter in which you requested the explanation.

Mr. BURNES. I will do so with a great deal of pleasure. It will afford me a great deal of pleasure to do so. I say to my friend from Maine [Mr. REED] that in company with my distinguished colleague on the subcommittee, the gentleman from Minnesota [Mr. WASHBURN], I repaired to the Department of State and had a conversation of several hours with the Secretary of State, the First Assistant Secretary, and I believe with the Third Assistant Secretary of State, at all events it was with a gentleman who is deaf, and we had to use a speaking-trumpet to converse with him. We discussed with those three gentlemen this matter of the Apia consul awaiting instructions.

The gentleman wants to know the manner of asking the explanation. The Secretary said: "Mr. Davis, can you explain that matter?" Mr. Davis put his speaking-trumpet to the ear of the Third Secretary of State and asked him if he could explain it. The Third Secretary talked to him in a foreign language, and then Mr. Davis informed me that they would communicate to me an explanation of that transaction in a short time.

Mr. HITT. Did that relate to Cairo?

Mr. BURNES. It related to Apia.

Mr. HITT. I have made some explanation in regard to Apia which I think is a correct explanation, but I have not had any figures before me and hence I could not state all the facts in detail. But I may say in regard to Cairo that that officer was kept by the Egyptian Government two months awaiting exequatur; and it is to be remembered that the expenses there are many of them large and such as are peculiar to that Mohammedan country. There were guards, interpreters, gratuities which are really wages, carriages, and other things which were necessary, and the expenses were greatly increased owing to the war and all the disorder, in which many needed protection, and the emergency required unusual expense, especially telegraphing and special couriers.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. BLOUNT obtained the floor and said: I yield my time to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I only wish to say a word or two further. I have yielded my time (as I was perfectly willing to do) to other gentlemen.

The Committee on Appropriations, which prepared this bill, and of which I am a member, has never, so far as I know, investigated touching the accounts of the State Department. The matter was never called to my attention in committee. There is a Committee on the Expenditures of the State Department. It is the duty of that committee to investigate touching these accounts, and if there has been

wrong-doing, either on the part of the Secretary or any subordinate, to recommend action upon the part of the House.

But what does the gentleman from Missouri seek to do? When I ask an appropriation for postage and telegrams for the whole consular service he proceeds to play cuttle-fish, and goes on to Apia and the consulship at Cairo, and says too much was allowed to the consular officers at these places while they were traveling out or were awaiting orders. That may or not be true. For the purposes of this amendment I do not care whether it is true or not, because the amendment now being considered does not contain any item for the payment of that kind of expenses.

If the methods of administration in the Department of State need to be corrected, correct them by the proper proceedings, but do not come in here and talk about Apia when I talk about official postage, telegrams, and necessary contingent expenses for the whole consular service the world round.

I am not the special champion or defender of the State Department. When anything shall be alleged against it, when charges have been put in black and white and have received a full and fair investigation from a committee of this House, I stand ready to defend that Department, or the Treasury Department, if it ought to be defended; but until such a case is presented I am not called upon, this side of the House is not called upon, nobody else is called upon to rise and make an explanation upon a mere innuendo that dwells in the vague suspicion of the gentleman from Missouri, or, perhaps, of some disappointed and removed ex-consul who has poured into the ears of the gentleman his griefs in the shape of complaints against the Secretary of State and the State Department. All I ask now is that this service be not cut up root and branch by the withholding of just and proper appropriations.

Mr. HISCOCK. I certainly desire to commend the industry of the gentleman from Missouri (Mr. BURNES) in searching out all these delinquencies. I hope that in regard to all branches of the Government, including the legislative department, he will be equally earnest and diligent. When he or any other gentleman undertakes to use on the hustings these discrepancies or assumed irregularities in the accounts of the Secretary of State to show the corruption of Republican administration, I hope he will read to his audience this provision of the Revised Statutes:

SEC. 40. The Secretary of the Senate and Sergeant-at-Arms of the House, respectively, shall deduct from the monthly payments of each Member or Delegate the amount of his salary for each day that he has been absent from the Senate or House, respectively, unless such Member or Delegate assigns as the reason for such absence the sickness of himself or of some member of his family.

I hope the gentleman from Missouri, when in the presence of his constituents he calls to account the Secretary of State, will tell those constituents whether he has ever received as a member of this House one dollar of pay that he was not entitled to under the statute.

Mr. CANNON. I call the gentleman from New York to order. I do not think it is in order for him to break up the horse-race to-day. [Laughter.]

Mr. BLOUNT. It is not time yet for gentlemen to go.

Mr. HISCOCK. I suppose when we come to the legislative appropriation bill the gentleman from Missouri will cut down the fund for the pay of members; will, in the interest of economy, insist that every member of the House who has been absent, except on account of the sickness of himself or some member of his family, shall submit to a proper per diem reduction upon his compensation. I shall be delighted to have the Committee on Appropriations investigate and report upon this question.

Mr. BURNES. If the gentleman will allow me—

Mr. HISCOCK. Certainly.

Mr. BURNES. I will merely say in response to his remarks that I desire to go back to my constituents and say that in perfect justice and fairness to the State Department I assisted in the passage of an appropriation bill which allowed every item that the law allowed, and no more.

Furthermore, I say again it is not fair to charge that I have attempted to impugn by insinuation or direct charge the integrity of either the Secretary of the Treasury or the Secretary of State.

One word more. I wish to say to my friend from New York, so that he may feel easy on the subject, that when I go to my constituents I want to say that if I have taken a little more salary than the strict letter of the law required, I did so simply because I did not want it to appear that I was any better than the majority of the House; that I have only complied with the prevailing custom and taken just what the majority of my fellow-members took, because I was afraid to be better than the generality of the House.

Mr. HISCOCK. That will always be a good excuse in the mouth of a person who is able to make it himself.

Now, what I protest against is bringing into the discussion here not charges, but statements. By a gentleman who is not now present, and therefore I will not name him, a member of the Cabinet was some days since arraigned for delinquencies. No charges were intended; nothing wrong was stated to have been done; the official was paraded as a man of great energy, great sagacity, and great ability; no one had the slightest suspicion that he had ever done anything out of the way; but nevertheless statements were made upon which you could hang an argument

that something was wrong. Now, I certainly accept the statement of the gentleman from Missouri that he intends no charges against the Secretary of State.

[Here the hammer fell.]

Mr. REED. The proposition which is before the committee, Mr. Chairman, is to vote certain items to be expended for the transaction of the public business. Everybody in this House knows that those items cover legitimate expenditure. Everybody knows that it is impossible for the public business to go on except by the expenditure of those items, and nobody knows it better than a practical business man like the gentleman from Missouri [Mr. BURNES]. And he is called upon to answer the proposition of appropriating items by the committee for the public business, and I pronounce here in his presence his answer to be an evasion of the question at issue. He says the law now does not give these items, and yet he knows every appropriation bill, which is the law that covers these matters, for the last twenty-five years has given a contingent fund which does cover these items. Now, how can he look us in the face and make that asseveration? He does it on the same basis that he answers a proposition for postage by the statement that the appropriation for mileage has been exceeded. He gets up here and makes statements which, if the inference he draws from them is correct, certainly does charge somebody in the State Department with malfeasance in office, and yet he gets up here and in the most profuse manner declares such is not the intention. It does seem to me that it would have been more frank to have put it the other way.

These matters undoubtedly will be answered item by item; but whether they are answered or not they have nothing to do with the question of proper appropriations for the public expenditures. If every dollar of the contingent fund of the last year had been embezzled the duty of Congress to appropriate a contingent fund and then to investigate the men who embezzled it and punish them would be the same. No matter whether money in the past has been properly used or not, if the expenditure is a proper one it is the duty of Congress to make an appropriation. And if there has been malfeasance in office it is the duty of the gentleman from Missouri and others who believe with him to take proper steps to punish those who have improperly kept it.

It does seem to me the House owes it to itself to enable the Executive Departments, even if they are of different political faith, to transact the public business, and if they are guilty of bad action in office they will have the support on this side to put down improper practices if they know of them. And the Departments know it as well as the House knows it. The question before the House is not whether any member of the State Department has violated his duty; the question is whether these expenditures are proper for the public business.

What man ever hired a clerk and then required him to pay for telegrams and postage of the business house which hired him? Nobody on the face of the earth ever thought of transacting public business in that way. It does seem to me the gentleman from Missouri can understand that matter as well as anybody else, and he ought to give this House some arguments to show the expenditure for telegrams and postage-stamps and for the other items contained in this amendment are not legitimate expenses of the Government of the United States.

The CHAIRMAN. Discussion on the pending amendment is exhausted.

Mr. BLOUNT. I will withdraw my amendment.

Mr. BLAND. I renew it; and I do it for the purpose, Mr. Chairman, of answering as far as I can the insinuation made by the gentleman from New York and the gentleman from Maine. This side of the House has been brought to task because it is said we are making appropriations on a supposition, or the insinuation rather, that the money may not possibly be honestly expended, and they call our attention to the fact we ought to make appropriations and investigate afterward. The gentleman from Maine assures us if the money is appropriated and there is any dishonesty his side of the House and his party will punish those who are guilty. The past history of that party does not warrant that statement. I remember, Mr. Chairman, when the Post-Office Department, under the management of Mr. Brady, Second Assistant Postmaster-General, demanded an extra appropriation of something over \$2,000,000, if I remember correctly the amount, as a deficiency, and demanded that a Democratic House should make the appropriation or the mail service of the country would cease. We were then told by that side of the House this appropriation ought to be made. We undertook to investigate the matter, and it was difficult to ascertain the facts. They were a little too sharp. They covered up their tracks and we were compelled under duress to make the appropriation; and while the whole country is satisfied this money was stolen by thieves in the Post-Office Department, yet not a single one of the thieves has yet been brought to justice.

And how was it with the Navy Department? We were called upon to make large appropriations for that Department. An investigation afterward showed the money was squandered by somebody, and not one thief has yet been brought to justice by the other side of the House. I know nothing of this appropriation; but I repudiate the idea that when you suspect anything wrong in a Department it is possible to ferret it out or punish the wrong-doer. Experience has shown here

that you can not; and hence all you can do is to cut down the appropriations to the lowest possible figure that will provide the necessary amounts for the public expenditures and leave no room for exceeding them.

Mr. BURNES. I move that the committee rise for the purpose of limiting debate, unless by unanimous consent we can take a vote now.

Mr. CANNON. I think there will be but five minutes longer desired in the discussion of this question on this side.

Mr. BURNES. Then I ask unanimous consent that debate on this paragraph be limited to five minutes, to be occupied by gentlemen in favor of the amendment.

The CHAIRMAN. If there be no objection that will be understood as the order of the committee.

There was no objection.

Mr. REED. Mr. Chairman, I only want a few moments to reply to the suggestions of the gentleman from Missouri [Mr. BLAND] who has just taken his seat. I do not propose now, although I will at some other time, to go fully into the general questions he has started, but shall confine myself to this present question, which is a business proposition, and to the statement he made in relation to it. He says that if money has been improperly expended the only method to remedy the wrong is to cut down the appropriations. Now, if the cutting down of the appropriations had any logical application to the misapplication of any of the money, that argument might have some weight with those who believe in it. But the gentleman from Missouri on my right [Mr. BURNES] in charge of this bill proposes to cut down the appropriation for postage in our diplomatic service because the appropriation for mileage has been misused. I ask how that argument can logically apply? You know that we must have telegraphic and postal communication between the State Department and its subordinates. It is a necessity the existence of which can not be denied, and this amendment provides money for it, the bill having failed to make such provision.

Every man on this side of the House as well as on the other side knows that that appropriation has got to be made, and that you and I have got finally to vote for it. Now, you can not have, it seems to me, any business motive for withholding the appropriation. I ask you then whether it is worth while under such circumstances to refuse money which you know ought to be appropriated, and which you know has got to be appropriated before this bill passes through Congress? And if you think by reciting to the people of this country a bead-roll of items of this character, made up without any foundation in business sense and supported by no argument, then you will permit me to say that you pay to the people of the United States a left-handed compliment which in due time they will return to you. That is all I desired to say.

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Illinois.

The question was taken; the committee divided, and there were—ayes 68, noes 71.

Mr. HITT. I call for tellers.

Mr. CANNON. No quorum has voted.

The CHAIRMAN. The point of order being made that no quorum has voted, the Chair will appoint tellers.

Mr. CANNON and Mr. BURNES were appointed tellers.

The committee again divided; and the tellers reported—ayes 82, noes 84.

So the amendment was not agreed to.

The Clerk read as follows:

For the expense of a prison and prison-keeper at the consulate-general in Bangkok, Siam, \$1,000.

For the actual expense of renting a prison at Shanghai for American convicts in China, \$750; and for the wages of a keeper of such prison, \$800.

For the actual expense of renting a prison in Kanagawa for American convicts in Japan, \$600; and for the wages of a keeper of such prison, \$800.

For the purpose of paying the keepers of prisoners in China, Japan, Siam, and Turkey, the sum of \$5,000: *Provided*, That no more than 75 cents per day for the keeping and feeding of each prisoner, while actually confined, shall be allowed or paid to any such keeper; and such payment shall cover all expenses attending the keeping, feeding, and care of any such prisoner.

Mr. CANNON. I move to strike out from lines 290 to 306, inclusive, and insert what I send to the desk.

The CHAIRMAN. The Chair will state that the Clerk had read the section ending with line 306.

Mr. CANNON. My motion is to strike out from line 290 to and including line 306.

The CHAIRMAN. The amendment will be read.

The Clerk read as follows:

Strike out lines 290 to 306, inclusive, and insert:

"For rent of prisons for American convicts in Siam and Turkey, and for wages of keepers of the same, \$2,000.

"For rent of prison for American convicts in China, \$1,500.

"For wages of keepers, care of offenders, and expenses in China, \$9,500.

"For rent of prison for American convicts in Japan, \$750.

"For wages of keepers, care of offenders, and expenses in Japan, \$5,000.

"For rent of court-house and jail, with grounds, appurtenant, at Yeddo, or such other place in Japan as shall be designated, \$3,850."

Mr. BURNES. I have not the bill before me, sir, but it occurs to me that this paragraph has been passed over. The clerk of the committee who is keeping the record of the proceedings on the bill is not

present, but it seems to me that we have passed over certain sections of the bill already which are proposed to be amended by this paragraph.

Mr. CANNON. This is offered at the conclusion of the paragraph just read as an amendment to that paragraph and the three preceding.

The CHAIRMAN. The Clerk, the Chair will state, had read four paragraphs of the bill. Thereupon the gentleman from Illinois suggested an amendment to the first three sections and a part of the fourth section, moving to strike out all of the four sections and insert that which has been read in lieu of them.

Mr. BURNES. I apprehend it would be improper for the amendment to be considered as regards the first three paragraphs which it proposes to strike out.

Mr. CANNON. I will say to my colleague on the committee the gentleman from Missouri in the consideration of this bill, cut up as it is, the practice has been, as he well knows, to offer a substitute for two or three paragraphs as one amendment; and I supposed that practice still obtained.

Mr. BURNES. I am not aware of the practice the gentleman refers to, but I desire to throw myself on the knowledge of the Chair. As a matter of course the gentleman from Illinois will remember he notified us we could not go on yesterday evening, and I do not know that I feel inclined to yield to him any point this morning.

The CHAIRMAN. The Chair will state this was done several times yesterday during the consideration of the bill. Still, under the rule, each paragraph is before the committee separately for amendment, and it is only by unanimous consent that any paragraph which has been passed over can be returned to. It is only now strictly in order to move to strike out the last paragraph which was read. The Chair inquires of the gentleman from Illinois whether he desires to ask the committee that the amendment in its present form shall be entertained by unanimous consent?

Mr. CANNON. I suppose the gentleman from Missouri [Mr. BURNES] has notified the committee that unanimous consent can not be had. And I will state further again to the gentleman from Missouri, that there may be no question about it, that I supposed from yesterday's proceeding on two or three occasions there would be no objection to reading the two or three paragraphs and then saving time by moving to strike out the whole and inserting the amendment proposed, because the amendment covers the whole subject-matter. Resting upon that supposition from the practice that had obtained before, I refrained from offering the amendment to save time until the whole paragraph had been read. But if it is the sense of my colleague to make the point of order that as to three of the paragraphs the amendment comes too late, that is his privilege.

Mr. STORM. I object to going back to the paragraphs which have been passed over. I was watching for the purpose of making the point of order if necessary, but supposed that the amendment which was offered related only to the last paragraph read by the Clerk.

Mr. HOLMAN. I think with the understanding that the subject will be disposed of at once without consumption of time the objection will not be insisted on.

Mr. STORM. I withdraw the objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. STORM] withdraws his objection. The Chair is not informed whether there is any other objection.

Mr. BURNES. The gentleman from Illinois [Mr. CANNON] can never beat us in liberality. If he really desires that the objection shall be waived to including in his amendment the paragraphs which have been passed from, I feel that I can not deny him that favor.

Mr. CANNON. I do not put it on the ground of favor—

Mr. BURNES. Well, I will say courtesy.

Mr. CANNON. I put it on the ground of the practice which has been followed in the consideration of this bill. Nor am I here to assent—although I do not intend to speak at any great length—to have any limitation put upon me in the discussion of this matter save such as the rules of the committee and of the House put upon me.

Now, Mr. Chairman, I will make my speech about this matter, as I proposed to do when I rose, and I will occupy but a minute; because it does not suit my pleasure to speak longer than a minute, and for no other reason whatever.

The total of appropriations to sustain these prisoners and feed the prisoners under our system of consular courts in the Oriental countries this year is \$22,600. The appropriation proposed by this bill is \$8,950; a decrease of \$13,650. This Government has entered into solemn treaties with the Oriental countries, under which our consuls hold courts to try men for crime and dispose of property where our citizens and the citizens of the Oriental countries are litigants. To make the courts effective you have got to have power to enforce their decrees and judgments. This takes away that power. If it is the sense of a Democratic House to absolutely turn loose the lawless in foreign lands where it is our right to protect our people against them, so be it; take the responsibility and do it. I call for a vote.

Mr. BURNES. I might very well leave this question to the committee without any remark. But there has been so much said about cutting down expenditures without regard to rhyme or reason that I propose to defend it for a moment.



It is in appearance rather than in fact that this appropriation is reduced. That is to say, if the reports that we have had with regard to the expense in China and Japan are reliable, then the appropriation is not reduced; and those who maintain that it is reduced must take a position against the action of the Department.

We have here made an appropriation for these consular courts, and we have made ample provision for these consular prisons. But the trouble is that we have struck one blow at reform. Instead of allowing the jailer to go out upon his own motion and purchase supplies to run a boarding-house for the benefit of himself, and it may be of the Government officers and guests of the Government officers living at the port, we have simply made an appropriation for the purpose of paying him so much per diem for keeping the prisoners in the jail. I need not go into detail and I know there are Republican gentlemen in this House who have the same information that outrageous abuses have occurred in China and perhaps in Japan in regard to the expenses of maintaining those consular prisons. And now instead of authorizing our agents there to maintain a large establishment for the purpose of supplying the prisoners with food, we furnish the prison-house and the prison-keeper and we make him at his own expense feed prisoners for so much per diem. That is the only change we have made.

One word more. The greatest consular scandal that has ever grown out of the consular service in this country is connected with the consulate at Shanghai. Many of you know more about it than I do. I tell you that the scandal is not yet at an end. In saying this I mean no reflection upon the present administration of the State Department, because it may be that the hands of the Secretary of State are tied by the machinations of a foreign consul at that place, so that he has to do what he is doing. But this committee will perhaps be amazed when told that China furnished the ground to the United States as a compliment to our flag; that the ground was accepted by the consul for the benefit of one of his friends around the corner, to put it in no plainer language, and that friend built a house upon it, made an imaginary line and divided the building into apartments for a post-office, court-house, jail, consular office, &c. Then a lease for a term of years was made, and that lease has not yet expired, by which nearly double the amount that ought to have been expended for this purpose was expended in behalf of the owner of that property, who, as I am informed, is but another name for the former consul at that port.

I mention these things, and why? Because, to its credit I say it, the present State Department, realizing the danger in which it stood and in which it stands, has ordered our minister to China to make a thorough investigation of all these subjects, and I have no doubt that our Secretary of State intends to make a full and fair investigation. When he makes his report if anything is lacking we can give it. But at present we can never relieve this Government from the stain placed upon it by a man who bears an honorable name until we strike at this item of appropriation in the manner in which this bill does.

Mr. CANNON. I here and now deny and call for the proof of any abuse in the expenditure of keeping prisons and prisoners during the present fiscal year or the last fiscal year. I here and now deny that there is any abuse whatever in the expenditure of this twenty-odd thousand dollars now given under the law for this purpose. I here and now affirm that every dollar of that amount is necessary to maintain these prisons and the prisoners at the consular ports all around the world where we have treaties. And I call upon the gentleman from Missouri [Mr. BURNES] to give us item by item wherein the full amount is unnecessary. As to what scandals may have existed in former years in connection with a consulate I do not know. Some years ago it was claimed that there were abuses touching the consulate at Shanghai. That consul is not now in office and has not been for years. In the administration of the one hundred and odd thousand office-holders under this Government I have no doubt that some time or other some one or more of them may prove to be bad men; it would be strange if such was not the case. If there are bad men among them then impeach them; if there are bad men then expose them.

But when my friend from Missouri, on this simple business proposition, gets up here and undertakes again to play cuttle-fish, and instead of arguing the amendment which I have offered wanders off about old straw, travels over old ground that was traveled over by my colleague from Illinois [Mr. SPRINGER] long years before the gentleman from Missouri [Mr. BURNES] had the honor to be a member of this House, I apprehend that he is neither logical, strong, nor satisfactory in his attack.

Mr. BURNES. I have the figures here, which I can give in answer to the gentleman if he desires.

Many MEMBERS. Vote! Vote!

The question was taken upon the amendment of Mr. CANNON, and it was not agreed to.

The Clerk read the following:

For relief and protection of American seamen in foreign countries, \$40,000.

Mr. HITT. I move to amend the paragraph just read by striking out \$40,000 and inserting \$50,000.

The sum of \$50,000 is what has been heretofore appropriated in order that the Government might be prepared for emergencies which

require the merciful intervention of the Government to save the lives of our seamen and protect them throughout the world. It may be that all of that amount will not be needed. Sometimes far less than that amount is used; but at other times much more is required. Five years ago \$70,000 was required at a single consulate when the great whaling fleet of the Northern Pacific Ocean was wrecked.

It is a fund of precaution; it is a fund of protection, a fund of mercy. The usual amount, \$50,000, is deemed by the Department and has been deemed by Congress heretofore as not too large. I therefore move this amendment in order that the law may stand as it now is. The changes which will be produced in our law by the shipping bill, if it passes, will make every dollar of this necessary.

Mr. BURNES. One moment. I am not willing that the remarks of the gentleman from Illinois [Mr. CANNON] should go without any reply, after he has so vociferously denied the statements I have made, without offering any proof to sustain his denial, although with the Department of State and its officers to assist him it was easy for him to give facts and figures rather than mere declamation.

Now, the consul-general in China returned \$5,449.12; he received a salary of \$5,000 a year; he is allowed for clerk-hire, \$2,000; for contingent expenses, \$1,693; for rent of jail, \$1,116; for wages of keeper of jail, \$3,049; for marshal for consular court, \$1,000; for interpreters, \$1,939.92; making a total of from \$14,000 to \$15,000. I will not now do more than simply call attention to these figures to show the extraordinary expenditures of that consulate.

One word in regard to the paragraph under consideration and the amendment offered by the gentleman from Illinois [Mr. HITT]. The Department of State expended last year for this purpose \$30,000, and no more. It may be that we can not now determine exactly how much will be needed for next year. The gentleman from Illinois [Mr. CANNON] in the exuberance of his fancy the other day seemed to think that he could determine by weather-signs exactly how many storms would occur, and that \$50,000 would be necessary for aiding seamen. It may be so; but, if so, he is the weather prophet, and we are not the Wigginses of the House.

But, sir, as \$30,000 was expended for this purpose last year, and as we propose to allow in this bill \$40,000, \$10,000 more than the expenditure of last year for the same purpose, I submit that our appropriation is ample, and that to appropriate more would be to do what our friend from Colorado [Mr. BELFORD] opposes so bitterly, that is, to load up the Treasury with a superabundance of money.

Mr. ADAMS, of Illinois. I wish to ask the gentleman in charge of this bill whether this appropriation for relief and protection includes the bringing home of shipwrecked sailors from foreign ports to this country.

Mr. BURNES. No, sir.

Mr. ADAMS, of Illinois. Is there a special appropriation for that purpose in some other part of the bill?

Mr. BURNES. There was an estimate; there is no appropriation.

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

The Clerk read as follows:

For expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American citizens from shipwreck, \$4,500.

Mr. HITT. I submit the amendment which I send to the desk.

The Clerk read as follows:

Insert after line 320 the following:

"To meet the necessary expenses attendant upon the execution of the neutrality act, to be expended under the direction of the President, pursuant to the requirement of section 291 of the Revised Statutes, \$10,000, or so much thereof as may be necessary."

Mr. HITT. Mr. Chairman, this provision is one familiar to the experienced members of this body, to those who have had to deal with questions concerning our foreign relations. This is a fund placed at the disposal of the Department to be disbursed when necessary in order to prevent violations of our duty of preserving neutrality between our people and foreign nations.

This money has been employed chiefly in ascertaining and preventing attempted descents upon regions adjacent to the United States where there has been disturbance brewing, the disturbances being fomented from places within the United States. There is at this moment such an expedition disturbing the peace of a colony of Spain near by us, and this at the very time that our minister is engaged in negotiating with Spain and our Government is making a strenuous endeavor to secure from that power substantial advantages for our commerce. Our State Department has in fact within a few months secured a considerable relaxation of the harsh terms that were imposed upon our trade with the island of Cuba, conditions which have been oppressive to American citizens and which we are all anxious to see made more liberal and more conducive to our export trade.

This is a carefully audited expenditure, which never has been permitted to be published in the ordinary way by the press, but every detail of which is open to the examination of those who, like committees of this House, are properly authorized to see it, when it is shown to them in official confidence. For many years it has been the usage for

Congress to make this provision; and this amendment is now proposed in pursuance of that policy.

The amendment of Mr. HITT was not agreed to.

Mr. MCCOID. I ask unanimous consent to offer an amendment to a part of the bill which has been passed.

Mr. SPRINGER. Let the amendment be read subject to objection.

The Clerk read as follows:

After the word "Belgium," in line 208, insert "Che Foo, China;" and in line 209 strike out "\$34,000" and insert "\$35,000."

The CHAIRMAN. Is there objection to the consideration of this amendment?

Mr. BURNES. I think there can be no objection to the proposition.

Mr. RANDALL. If the gentleman from Missouri does not object, I do not.

Mr. MCCOID. I ask that the amendment be adopted.

There being no objection, the amendment was considered and adopted.

The Clerk read as follows:

For the purpose of enabling the President to provide at the public expense all such stationery, blanks, record, and other books, seals, presses, flags, and signs as he shall think necessary for the several legations in the transaction of their business, \$15,500.

Mr. KING. I move to strike out the paragraph just read and insert the provision which I send to the desk.

The Clerk read as follows:

For contingent expenses of foreign intercourse proper and of all the missions abroad, \$85,000.

Mr. KING. Mr. Chairman, if I can have the ear of the gentleman in charge of this measure and of the committee, I think I can show by the record that there is a discrepancy between the appropriation made for the purposes in the pending paragraph and the appropriations made by previous Congress for similar purposes which is somewhat confounding.

If we intend to continue our consular service, sufficient provision must be made for it, and I take it that previous Houses—Democratic Houses—so understood this question. I read from the Statutes at Large, volume 20, embracing the acts of the second session of the Forty-fifth Congress, for this identical purpose, as will be seen:

For contingent expenses of United States consulates, such as stationery, book-cases, arms of the United States, seals, presses, and flags, rent, freight, postage, and other necessary matters, including loss by exchange, \$115,000.

At the third session of the same Congress, a Democratic House made, in the same language, for the same purpose for which this bill proposes to appropriate the meager sum of \$15,000, an appropriation of \$135,000. In the next Congress, the House being again Democratic, I find there was in the first session an appropriation for this same purpose in the same terms, of \$125,000; and in the session that followed an appropriation of the same amount.

No excess is reported by the Secretary of State in either instance. I find in the last Congress—last session—that the sum of \$85,000 was appropriated, and according to the report of the Secretary of State \$79,133 has been expended so far, leaving a balance of \$5,867 on hand. But there are outstanding accounts estimated to the extent of \$10,000, which will bring the total amount expended the present fiscal year to \$90,000.

I beg the House to be patient until the Clerk can read a telegram which I received from the State Department yesterday on this subject.

The Clerk read as follows:

DEPARTMENT OF STATE, May 15.

To Hon. J. FLOYD KING:

Central America: Only salaried posts are Ruatan, in Honduras, \$1,000, and San Juan, in Nicaragua, \$1,000. The others are all compensated by fees. So Government must depend upon a citizen of the town or a United States citizen who happens to be temporarily there on other and private business. There is a minister accredited to all the States of Central America, but the lack of mail and telegraphic communication, or of means of traveling from one post to another, except by occasional coast steamers and upon mules through the country, makes it extremely difficult for him. There are nine principal consular officers in Central America, seven of whom are compensated by fees. Some of the offices can not be kept filled because of the insufficient compensation. The present bill contemplates a consul at the capital of each Central American State, but the salary of \$1,500 is inadequate, as the consul must pay his traveling expenses to his post, his personal expenses there, and certain Government expenses, such as postage, telegraphing, &c., for which no provision is made in the bill. We should provide these countries with most of the manufactures they consume and with a large amount of food products. Consular officers, Americans, with a single interest to the good of the United States, are necessary to develop this trade. In South America we have in Ecuador only one representative, a fifteen-hundred-dollar consul at Guayaquil. The bill proposes a secretary of legation at Quito at \$1,500.

It is improbable that an American citizen would go there for that compensation, paying numerous Government contingent expenses out of his own pocket. In Bolivia, if this bill pass, we shall have a secretary of legation at \$1,500 and some feed consuls. The fees amount to nothing. In Chili there are only two salaried consular officers, one at Valparaiso receiving \$3,000, and one at Talcahuano receiving \$1,000. Valparaiso is the seaport of Santiago, and principal commercial place in Chili. Talcahuano is an important port for our shipping, especially whaling vessels. In the Argentine Republic the only salaried consular officer is at Buenos Ayres. In Brazil there are five salaried consular officers—the consul-general at Rio at \$6,000, consul at Rio Grande do Sul at \$1,000, one at Pernambuco \$2,000, one at Pará \$1,500, one at Bahia \$1,500. Except at Rio and possibly at Pernambuco these salaries are insufficient. All these places are seaport towns and should import very largely from the United States. In Venezuela there are three paid consulates, La Guayra, and Puerto Cabello, each \$1,500, and Maracaibo \$2,000. In Colombia there is a salaried consulate at Panama and another at Aspinwall. The others are fee officers, and except Barranquilla, the fees are insufficient to attract any one from the United States not engaged in private business. In Peru there is one salaried consulate at Callao. The present bill abolishes the mission to Bolivia by giving the minister to Chili jurisdiction

over it, and gives the minister to Peru jurisdiction over Ecuador, which leaves the missions as follows: Minister each in Venezuela, Brazil, Argentine Republic, and Colombia, a minister to Peru and Ecuador, and a minister to Chili and Bolivia.

The bill provides nothing for traveling expenses of these ministers, and leaves their postage, telegraphing, &c., to be paid by them. Ecuador, population more than a million; Venezuela, population about 2,000,000; La Guayra, 7,000; Puerto Cabello, 9,000; Maracaibo, 21,000, have important trade relations with United States. Colombia, about three millions; Panama, \$111,000; Aspinwall, \$25,000; Bogota, \$50,000, &c. Peru, population about 2,500,000; Callao, \$1,000; Iquique, feed consulate, population 16,000; exports about \$3,000,000 to United States; trade with United States principally in nitrates. Brazil, population about 10,000,000; Bahia, 129,000; Pará, 35,000; Pernambuco, 841,000; Rio Grande do Sul, 20,000; Rio de Janeiro, 300,000; Santos, 9,800; large exports to the United States; all should have large imports from the United States. Chili, population, 2,075,000; Valparaiso, 97,000; Talcahuano, 2,400. Argentine Republic, population about 2,000,000; Buenos Ayres, about 180,000. The exports from Buenos Ayres alone to the United States amounted last year to about \$3,000,000. We should supply them with manufactured articles. Guatemala, population 1,190; but one full consulate, that an unsalaried one, at Guatemala City, the population of which is 45,000; Honduras, population 350,000; Salvador, population 435,000. The above figures are approximate but substantially correct; population probably larger than stated. The salary of \$1,500 for a consul inadequate at most any post; it is the salary of a copying clerk, not that of a man familiar with commercial and international law and intrusted with large responsibility.

JOHN DAVIS.

[During the reading of the above telegram Mr. KING's time having expired, Mr. BLANCHARD took the floor and yielded him his time.]

Mr. HISCOCK. I ask to be recognized, and will yield my five minutes to the gentleman from Louisiana.

Mr. KING. Mr. Chairman, when I came to the clause in this bill which appropriates \$15,500 for this purpose I really did not think the committee were in earnest. The impression made on my mind was that if they were in earnest it was intended to strike the service down, and if that were the case I wondered why the committee did not throw this whole appropriation out.

Now, we have heard a great deal of brass buttons and toadyism. It may all be true; if it is, no one will condemn it more severely than myself. I believe in the simple austerity of the American character, and if American ministers abroad have in any way aped the old forms of effete civilizations, of tyranny, and white slavery, I for one would be for taking from the guilty one the authority this Government has invested him with. What we want, sir, is commerce. Nations advance in the lines either of religious civilization or military civilization or the civilization of commerce. We have chosen the latter.

The CHAIRMAN. The gentleman's time has expired.

Mr. BURNES. The other side have occupied fifteen minutes on this proposition; and as the whole subject was once discussed, but on another amendment, I now move the committee rise for the purpose of closing debate.

Mr. KEIFER. I think that is not necessary, as the committee will agree by unanimous consent to close debate at this time.

Mr. BURNES. If that be the agreement I have no objection.

The CHAIRMAN. The Chair hears no objection, and debate is closed on the pending amendment.

Mr. KING's amendment was not agreed to.

The Clerk proceeded with the reading of the bill, and read the following:

For printing and distributing the publications by the Department of State of the consular and other commercial reports, including circular letters to chambers of commerce, \$20,000: *Provided*, That no part of such reports discussing partisan, political, religious, or mere moral questions shall be published.

Mr. KASSON. I ask the gentleman from Missouri [Mr. BURNES] to explain exactly what that proviso means. For the present I will reserve the point of order.

Mr. BURNES. I will explain to my friend from Iowa that this bill appropriates the same amount which was appropriated last year for this purpose.

Mr. KASSON. I understand that, but what is meant by the limitation in the proviso that no part of such reports discussing partisan, political, religious, or mere moral questions shall be published.

Mr. BURNES. That limitation has been attached to the appropriation for the reason that we will have a great many more copies for distribution among our constituents if we exclude from publication mere essays in consular reports on prohibition, protective tariff, free trade, and every other imaginable question. What we want are facts and not essays on theoretical positions.

Mr. KASSON. I feared that was the intention. I know our consuls give us a great deal of information, which is very interesting to the people, of the condition of countries where they are located. Incidentally they speak of movements involving sometimes religious wars. It adds to the interest and knowledge of our people of what is going on abroad. On the tariff question they are obliged to report under the rules of the Department facts relating to the condition of manufactures, rates of duties, and effects of rates of duties.

Mr. BURNES. We do not object to their reporting facts, but we do object to the publication of labored defenses of one theory or another in reference to political, religious, and moral questions.

Mr. KASSON. It is impossible to separate them. I do not see how it can be done. No one objects, so far as I know.

The CHAIRMAN. The Chair understands the gentleman from Iowa rises to a point of order, and he will state his point of order.

Mr. KASSON. This is entirely new legislation, not coming within the rule, as I apprehend, sir.

The CHAIRMAN. The Chair will state to the gentleman from Iowa that he has not information before him as to the terms of the present law.

Mr. KASSON. It is merely a law making appropriations for the collection, preparation, and publication of the reports transmitted to this Government from our foreign representatives.

I may be permitted to remark incidentally that it is a law in the preparation of which I took a great deal of interest and urged upon Mr. Everts, then Secretary of State, the advisability of frequent bulletins for the information of the country. I was impressed with the importance of obtaining information concerning the business interests, the commerce, tariff, agriculture, and other matters of interest to our people in connection with the countries to which our representatives may be sent, and the law was adopted when that gentleman was in power as head of the Department. I urged upon him, as I have said, the necessity of providing that these reports should be made at frequent intervals, and hence the system of monthly reports was established, which have proved to be of great value—information touching not only the subjects to which I have referred but religious-political movements, as well as facts touching the tariff.

Now, the provision of this bill as it stands here would be a great embarrassment in the preparation of these reports in the matter of determining what comes within the restrictions of this provision and what would be proper under the terms of the law. I hope my friend from Missouri, therefore, will allow these reports to come in as they have been coming, without any restriction upon them which would necessarily involve difficulty in construction and delay in the preparation of the reports. I do not think it is within the rule, sir; but I am looking at the bill without making a special point more than is necessary, believing that a mere statement of the case would induce the gentleman to withdraw it. I reserved, however, the point of order, because I think it subject to it, but for the present will only call the attention of the gentleman from Missouri to the difficulty I apprehend if this proviso shall stand.

The CHAIRMAN. The gentleman from Iowa will recognize the difficulty that the Chair would have in deciding a point of order that is not made.

Mr. KASSON. The point of order is made that this is new legislation which changes existing law. The present law authorizes the transmission of reports embracing statistics of agriculture, commerce, tariff, manufacturing, the effect of local laws upon them, and such matters of general interest, all of which are published now under existing law. This seeks to exclude certain matters now authorized from the reports, and I call the attention of the Chairman to it.

Mr. RANDALL. There is no objection to the publication of all the facts relating to the subject of tariffs of foreign countries or reports which are in any way connected with the commerce, agriculture, or industries of any character or which will probably enable us to secure commerce between ourselves and such countries. But it has come to the notice of the Committee on Appropriations that a portion of these gentlemen have entered upon a discussion of subjects that do not pertain, as we think, to the duties of their offices or come within the purposes for which that law was passed. Such, for instance, I might cite an essay on temperance, which has been forwarded; another furnishes an essay upon protection and free trade, and others have been sent upon these and kindred subjects.

The Committee on Appropriations do not desire in any manner to restrict the accumulation of statistics or the publication of facts connected with subjects of general interest in this country; but we think it unwise to permit the funds appropriated for the purpose of gathering statistics of general interest to the public to be used in the preparation of essays on the subject of protection or free trade, or the subject of temperance or on religious subjects. That is the reason the restriction was made.

The effect will be, as stated by the gentleman from Missouri, to give for the sum of money appropriated in this bill, which is the same as that of last year, a larger number of these publications that would be of general interest.

Mr. KASSON. Does not the gentleman from Pennsylvania agree with me as to the difficulty that would arise in the construction of the language used here?

That no part of such reports discussing partisan, political, religious, or mere moral questions shall be published.

Mr. RANDALL. The word "partisan," I think, would so confine the language used there as that they might discuss a question of great public policy of the Government perhaps, but not in its relation to this country as far as affects our—I hardly like to call that a local question [laughter]—upon our tariff or duties here.

Mr. KASSON. But the gentleman from Pennsylvania will see that this provision added to this section of the bill would be a very difficult one to construe. What would come within its restrictions in the reports already submitted?

Mr. RANDALL. A statement of all of the facts in connection with such subjects is what we desire to obtain, and the money is given for

that purpose. But it occurred to the committee that we could enlarge the facts as far as they relate to commerce and the general trade of the countries—which are the main points we desired to reach—better by a provision of this character than otherwise, because we do not desire mere essays upon subjects not of direct or general interest.

Mr. REED. The difficulty, though, would be in the construction of it.

Mr. KASSON. It would be in my judgment exceedingly impracticable to carry into execution. It imposes limitations upon the present law which will be difficult to enforce. It would create confusion in these reports as to discriminating between what they are authorized to publish and what they are not authorized under this provision to report.

Mr. HISCOCK. I would like to ask the gentleman from Pennsylvania in what respect, if any, the consuls have exceeded the duties imposed upon them by section 1752 of the Revised Statutes?

Mr. RANDALL. Read the statutes.

Mr. HISCOCK. It is in the following words:

SEC. 1752. The President is authorized to prescribe such regulations, and make and issue such orders and instructions, not inconsistent with the Constitution or any law of the United States, in relation to the duties of all diplomatic and consular officers, the transaction of their business, the rendering of accounts and returns, the payment of compensation, the safe-keeping of the archives and public property in the hands of all such officers, the communication of information, and the procurement and transmission of the products of the arts, sciences, manufactures, agriculture, and commerce, from time to time, as he may think conducive to the public interests. It shall be the duty of all such officers to conform to such regulations, orders, and instructions.

Mr. RANDALL. I do not believe the President has ever given any instructions which would require consular officers to write essays on temperance.

Mr. HISCOCK. The language of the section is:

The communication of information and the procurement and transmission of the products of the arts, sciences, manufactures, agriculture, and commerce from time to time as he may think conducive to the public interests.

Mr. KASSON. I will read the last line of the section, because it touches the point of order:

It shall be the duty of all such officers to conform to such regulations, orders, and instructions.

These officers are now executing the instructions they have received. This proviso says they shall not do so, or at least that what they report shall not be published.

Mr. KEIFER. I desire to be heard for a moment on the point of order. I understand the proviso is not so much a regulation of what the consuls shall do in making their reports as it is an inhibition against the publication of their reports by the State Department. The consuls will still be at liberty to make such reports as the State Department shall require them to make, or as they may choose to make in the absence of any regulation on the part of the State Department. But I think the clause is subject to the point of order. Under existing laws these consular and other commercial reports may be printed. Now, the proviso perhaps may be said to be germane to the paragraph of the bill, but it does not come within the third clause of Rule XXI. Assuming that it is germane to the subject-matter of the bill, the adoption of the proviso will not "retrench expenditures by the reduction of the number and salary of the officers of the United States," or "by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill."

If this clause should be stricken out on the point of order or otherwise the amount of money would still stand as covered by the bill and the expenditure would be exactly the same, so that it does not come within either of these clauses that I have referred to in paragraph 3 of Rule XXI. It is unquestionably new legislation. It is not merely the changing of existing law, but it is absolutely new legislation, and it is upon an appropriation bill, and therefore subject to the point of order, as I understand. Everything that changes existing law is entirely new legislation. This can not come within any one of the clauses I have read from the rule, and hence I think the point of order made by the gentleman from Iowa is well taken. I should not insist upon it if I did not think the proviso in the bill was one that was likely to lead to a great deal of trouble and do no good.

Mr. TOWNSHEND. I ask the gentleman from Ohio if the proviso will not retrench expenditures?

Mr. KEIFER. I shall be glad if the gentleman from Illinois will state how it will do so.

Mr. TOWNSHEND. It will reduce the size of the communications, and economize the time of the consuls in various ways.

Mr. KEIFER. But the proviso does not seek to regulate the consuls in making their reports. It regulates only what shall be the character of the reports published by the State Department.

Mr. KASSON. The books published may be still as large.

Mr. BURNES. The proviso limits the expenditure.

Mr. KEIFER. The proviso does not limit the expenditure. The \$20,000 are still appropriated.

Mr. BURNES. But \$15,000 may be sufficient to publish these reports if all this is taken away from them.

Mr. KEIFER. But the gentleman from Missouri gives \$20,000 absolutely for the purposes of this expenditure. The same amount is ap-

propriated and left to be expended, and as has been said by the gentleman from Iowa [Mr. KASSON], the volume may be just as large, because if the consuls know remarks on these matters will not be published they will write at greater length on other subjects.

The CHAIRMAN. In the opinion of the Chair the point of order, as well as the Chair understands it, is not well taken. If the printing and circulating of certain documents cost anything, the proviso that certain reports shall not be printed for distribution would seem to decrease expenditure. Nor is the Chair advised that there is any existing law which this in any way changes. The point of order is, therefore, overruled.

Mr. PARKER. I desire to offer a small amendment. In line 350 the word "mere," before the word "moral," if grammatical, is vague, uncertain, and apparently unnecessary. I hope the gentleman from Missouri will not consider the suggestion as disrespectful.

Mr. BURNES. Not at all, sir.

Mr. PARKER. Then I move to amend by striking out the word "mere."

Mr. KASSON. I think it will be better to move to strike out the whole proviso.

The CHAIRMAN. The question would first be on the amendment to perfect the text. Does the gentleman from New York insist on his amendment?

Mr. PARKER. Yes, sir.

Mr. BURNES. It is a sort of qualification of the word "moral;" but I do not care about the word being retained.

The amendment was agreed to.

Mr. KASSON. I really do not think it is wise for us to prohibit all allusions to moral and religious questions in these reports. Such allusions doubtless occur incidentally, and I suppose these matters are never discussed in an obnoxious sense. I move to strike out the proviso.

The question being taken on Mr. KASSON's motion, there were—ayes 36, noes 50.

So (further count not being called for) the motion to strike out was not agreed to.

Mr. KASSON. We have got it now so that these consuls shall not say anything that is religious or moral. I think we ought to prohibit them from saying anything irreligious or immoral. [Laughter.] I suggest to the gentleman from Missouri an amendment to that effect.

Mr. REED. Oh! that is not necessary.

Mr. BURNES. I think, if insisted upon, it might be a very appropriate amendment.

The Clerk resumed the reading of the bill and read the following paragraph:

For defraying the expenses of transporting the remains of ministers and consuls of the United States to their former homes in this country for interment, where such ministers or consuls may die abroad while in discharge of their official duties, \$10,000.

Mr. KING. I move to strike out the paragraph just read.

I take it the committee means this as a grim joke to provide for dead men, when they do not provide for the living. Still I can scarcely believe the majority of this House mean to perpetrate a practical joke on the country in the form of a measure that carries nothing in it for the maintenance of the consular service to which we must look for the advancement of our commercial relations with the world. Why, sir, immediately below the city of New Orleans there are the South American and Central American States and the islands of the Caribbean that have a foreign commerce nearly as large as the foreign commerce of this great Republic, and we do not receive 1 per cent. of it. And why? It is because the people of those various countries do not actually know us. The English, the Germans, the French have their ministers and consuls there, and those consuls are the instruments by which the commerce of those several countries has been directed to England and to Europe. Consuls are but the advanced guard of commerce, the skirmish line; or, to speak in more peaceful phrase, they are the pioneers of commerce. Yet you propose to compel our consuls in those countries to return home or remain out there and starve. I do not believe that this side of the House is conscious of the injustice it is perpetrating in this regard at this time.

Yesterday, at the very closing hour of the day's session, by unanimous consent, a measure was passed by this House loaning \$1,000,000 to the Cotton Centennial Exposition to be held at the city of New Orleans. Was that for a mere show? No, sir; it was in serious earnestness, for the purpose of promoting the commerce of this great country. Yet we are now told that the very countries which we expect to send articles to be displayed at this world's fair, the greatest ever held on this continent, and to which we should look for enlarging our commercial advantages, are to have no agents from us among them as our official representatives; for such practically must be the result of passing this bill in its present form.

The question was taken upon the motion to strike out by a *viva voce* vote, and the chairman announced that the noes appeared to have it.

Mr. KING. I call for a division. I want to see how many there are here who are willing to vote for a joke like this.

Mr. REED. I think we should do something for the dead, if we do not do anything for the living.

The question was again taken; and upon a division there were—ayes 22, noes 55.

So (no further count being called for) the motion to strike out was not agreed to.

The Clerk resumed and concluded the reading of the bill.

Mr. BURNES. I now move that the committee rise and report the bill and amendments to the House with a favorable recommendation.

Mr. KEIFER. I suggest to the gentleman that he had better move to lay the bill aside to be reported favorably to the House, and allow the Committee of the Whole to proceed with the consideration of the Army appropriation bill.

Mr. BURNES. I will accept the suggestion, and modify my motion accordingly.

The motion as modified was agreed to; and the bill as amended was laid aside to be reported favorably to the House.

#### ARMY APPROPRIATION BILL.

The next appropriation bill upon the Calendar was the bill (H. R. 6861) making appropriations for the support of the Army for the fiscal year ending June 30, 1885, and for other purposes.

Mr. FORNEY. I ask unanimous consent that the first and formal reading of the bill be dispensed with.

There was no objection.

Mr. FORNEY. I desire to make a very brief statement relative to this bill. It is very similar to the Army appropriation bill passed last year, with very little change. This bill appropriates for the support of the Army for the next fiscal year \$24,244,250. The bill of last year appropriated the sum of \$24,682,250. The difference between the amount appropriated by the bill under consideration and the amount appropriated by the bill for the present fiscal year is \$437,800.

Some new legislation is proposed in this bill, but that new legislation is in the interest of economy and at the same time to make the Army more efficient. I can also say there is no new legislation in this bill except what has been recommended by those officers having charge of the departments of the Army affected by the proposed changes. We also feel authorized to say that in the main the officers of the Army agree to the changes which are proposed.

Nearly one-half of the amount appropriated by this bill is under the head of the Pay Department, \$11,935,000. This bill proposes a slight change of the law in regard to the Pay Department, that hereafter any paymaster of the rank of major who has served in the United States Army as a commissioned officer may, upon his own application, or by direction of the President, be placed on the retired-list of the Army until the Pay Department shall be reduced to twenty-eight members. That is about all the change proposed in the law relating to the Pay Department.

There is a change of law proposed in relation to the Quartermaster's Department. The number of draught animals is reduced to 6,000, and the purchase of supplies is hereafter to be made by contract. The Secretary of War is also authorized to appoint one hundred quartermaster-sergeants from the enlisted men of the Army whose character and education shall fit them to take charge of public property and to act as clerks and assistants to post and other quartermasters.

It has been the custom heretofore to appropriate about \$200,000 annually to the Quartermaster's Department for the purchase of cavalry horses, those horses to be purchased in open market. Hereafter such purchases are to be made by contract.

There is also another change in the Quartermaster's Department relative to the extra-duty pay of enlisted men. The law as it now stands allows for 35 cents a day, and the change of law here proposed will allow 50 cents a day for mechanics, artisans, and school-teachers, and 35 cents a day to other extra-duty men who now receive 20 cents a day.

Several other changes are proposed, and when the consideration of the bill under the five-minute rule shall be reached, if any gentleman desires explanation of them the committee will be pleased to give such information as we have. I have nothing more to say, I believe, in explanation of the bill.

Mr. KEIFER. Mr. Chairman, it is not my purpose to dwell at any length upon the provisions of the pending bill. I am pleased to find in this measure very little to criticise. There are a few new features, which in my judgment are wisely proposed, and so far as I know no objection is made to them by any of the officers of the Government. I have heard none from the War Department. With one possible exception, to which I will refer before I am through, I understand the Appropriations Committee, with additional light and upon further reflection, agrees to a change.

This bill proposes to appropriate \$24,244,450 for the support of the Army. The Army of the United States, in proportion to the number of our people and in proportion to the grave duties and responsibilities falling upon it, is a very small one. I am glad to say that I think it is sufficient for the present, taking the condition of the whole country into consideration.

But I have always been of the opinion that the rank and file of the Army should be increased. I think the time is not far distant when it will be found wise and necessary to increase it; in other words, it

will be found very important to this Government to be prepared in a more essential sense than it is for war. When I speak of preparation for war I do not mean that we are now liable to have war, but I mean that by proper preparation we may prevent war.

We fall into the idea that we are living in a civilized age—in a period of history when wars are not very frequent. Yet it is worth remembering that our annals are in no small degree bloody. The policy originally inaugurated by this Government, when it was called into being among the nations of the earth—the policy consistently and persistently pursued by our first President, George Washington, and by all the leading statesmen of our country, that we should keep out of foreign complications, has undoubtedly been wise and should be adhered to throughout our history. But, notwithstanding this, it is a startling fact that, excluding all Indian wars, this country, during the first hundred years of its existence, has been at war on the average one year in six.

Now, I am not of those who believe in wars; but I believe our policy should be to pursue such a course as will prevent war. During the last few years I have noticed, in connection with our Indian wars, that they have always been brought about at such exposed points upon our frontier as led the Indians to believe they could with some success, at least for a time, wage a war upon our settlements. I cite this simply as an evidence that it is important we should be prepared to defend ourselves as a nation at all times and at every exposed point.

I do not say this in criticism of the present bill. This bill proposes to keep up the organization of the Army as it has been for a number of years, and I think as fully as it was provided for in the last and preceding Congresses.

Under existing law the organization of the Army can only embrace 25,000 enlisted men. The active force of our Army (the General of the Army being now retired) includes one Lieutenant-General, three major-generals, six brigadier-generals, and ten officers with the rank of brigadier-general at the heads of different departments, such as the Adjutant-General's Department, the Inspector-General's Department, the Pay, Engineer, Ordnance, Judge-Advocate-General's, Medical, Subsistence, and Quartermaster's Departments, also the Signal Corps, making sixteen in all. The present organization of the Army under existing law, which this bill does not propose to change, would make it possible to have in the service, excluding the officers and cadets at the Military Academy, 27,660. The total number in the Army, according to the report of June 30, 1883, was 25,478, including officers, non-commissioned officers, and private soldiers. This number it is not proposed to interfere with.

Turning aside a little and referring to the peculiar organization of the Army, which is commonly understood to be an army of officers, made up of men who are graduates of the Military Academy, which has been in existence since the year 1800 I believe, I wish to say that while we have and have had many distinguished officers who have been graduates of the Military Academy, the number of West Point graduates in our Army is much smaller than the number of those from civil life.

By the latest report I have the total number of officers in the Army was 2,130, of which number nine hundred and twenty-four were graduates of the Military Academy, and 1,206 non-graduates. In other words, 1,206 of our commissioned officers have been selected from civil life. In another form of statement, only about three out of seven of our officers are graduates of the Military Academy. Of the officers upon the retired-list—four hundred and twenty-seven in all—only one hundred and twenty-eight are graduates of the Military Academy, while two hundred and ninety-nine were selected from civil life. Many of them, it is true, came in through their service in the late war.

The Army consists of ten regiments of cavalry, each regiment composed under present regulations of forty-three officers, one hundred and ninety-seven non-commissioned officers, and six hundred private soldiers, the total for a complete cavalry regiment under the present organization being eight hundred and forty. Of artillery there are five regiments, each regiment embracing fifty-six officers, one hundred and seventy-seven non-commissioned officers, and three hundred and fifty-eight private soldiers, making five hundred and ninety-one. There are twenty-five infantry regiments, there being in each of these regiments thirty-five officers, one hundred and forty-five non-commissioned officers, and three hundred and sixty private soldiers. These numbers have been fixed in order to carry out the present policy of limiting the Army in its rank and file to twenty-five thousand men. There are of course unattached non-commissioned officers, enlisted men, and Indian scouts; also officers and cadets of the Military Academy.

This is all I desire to say on the subject of the organization of the Army, except that our Army in its organization, in its appointments, in its able and distinguished officers, compares favorably with any army of the civilized world.

In my judgment it is the best army for its size that was ever organized.

The gentleman from Alabama [Mr. FORNEY] who has charge of this bill on the floor has called attention to a few of its new provisions which are of a permanent character. The proposition to reduce by retiring paymasters of the rank of major I think is a wise one, and I believe

we shall have, when these officers are cut down to the number limited by the bill, sufficient, to wit, twenty-five paymasters with the rank of major. This does not affect the Paymaster-General nor the two assistant paymasters-general, but simply reduces the total number of officers in that department to twenty-eight.

One provision of the bill which is new is this: that hereafter the sales of subsistence supplies to officers and enlisted men shall be made at cost price only. It is suggested that is not new. It is new at least at present. At one time it was the policy to sell to officers and enlisted men entitled to purchase subsistence supplies at cost. Under the present law and regulations they are required to pay 10 per cent. above cost. This clause fixes the mode of determining the cost and fixes it safely, so the Government loses nothing and does not speculate upon officers and enlisted men. There is also a wise provision as to fuel for officers serving in the West, where fuel is scarce and dear.

The provision of the bill for the reduction of the large number of draught animals, such as mules and horses, is a wise one. Formerly we had to draw Government supplies over long distance to remote posts on the frontier. Now the railroad has penetrated nearer to the posts and in many instances absolutely to the post where supplies are to be taken, and the number of draught animals can properly be reduced. And so far as the reduction is made here it is made with the express consent of the Quartermaster-General of the Army and the other officers in the War Department concerned in it.

There is a provision in the bill for the transportation of stores which goes to this extent, that wherever private parties are employed in the transportation of stores for the Army it shall be done by contract after due legal advertisement. Under army regulations there is a provision fixing what is due legal advertisement. Private parties can not make contracts for transportation of stores if this should become the law without doing it in competition with others after due notice given in the way provided by army regulations.

The provision of the bill authorizing appointments, upon recommendation of the Quartermaster-General, of post quartermaster-sergeants is a new one. This clause authorizes not to exceed one hundred post quartermaster-sergeants. There are I believe one hundred and fourteen army posts. The bill does not authorize the appointing of post quartermaster-sergeants for each post. It was believed by the Quartermaster-General and others who were consulted that one hundred would be the maximum that would be needed. These men are to be selected from those who serve four years in the Army. They are to be selected on proper examination and appointed by the Secretary of War upon proper recommendation of the Quartermaster-General. Their appointment will not increase the number of the Army at all. They belong to the Army establishment and are within the limitations of the number which shall constitute the Army. They are to perform the duties of clerks and assistants to post and other quartermasters. They are to be competent persons, and in a measure it is a reward for good conduct. It is a promotion of great value to these persons.

It is believed by the committee this will reduce the expenditures of the Government. It is believed you can cut down the amount appropriated for clerk-hire. The appropriation for clerk-hire (and we pay \$75 to \$150 per month to each one) is cut down by this bill. We cut down the former appropriation for clerk-hire \$55,000, and the increase in pay for these post quartermaster-sergeants is not more than \$35,000. So there will be a saving in that respect. It was thought wise to increase the amount to be paid to artisans, mechanics, and school-teachers from 35 to 50 cents, and for clerks, teamsters, and laborers from 20 to 35 cents for extra duty. It often happens that men detailed from the Army, skilled mechanics or artisans, or other persons competent to do skilled work and to perform important duties such as may be connected with the erection of barracks and other public buildings, are required to work alongside of civilians who get in the West \$2.50, and many more than that, per day.

We pay detailed men \$13 per month, and under existing law only pay them 35 cents a day for the same amount of work the civilian working alongside of them gets as high as \$2.50 per day for. This has often led to dissatisfaction and sometimes to desertions. It is believed by Army officers and the Committee on Appropriations necessary to increase it from 35 to 50 cents. I do not think there was any exception to the belief that it would be wise to add a little to this extra-duty pay for this class of persons. As I have said, it was therefore increased from 35 to 50 cents a day. In the other class the increase was from 20 to 35 cents a day. It is a small increase, but a valuable one.

There is a provision in this bill that requires the Quartermaster-General and officers acting under his instructions, wherever stationed, to receive, transport, and be responsible for all property turned over to them or any one of them by the officers or agents of any Government survey for transmission to the National Museum, or to the civil or naval Departments of the Government in Washington or elsewhere, and under the regulations governing the transportation of army supplies. This is simply a convenience by utilizing army transportation where there are officers of the Quartermaster's Department stationed who are prepared to look after the transportation of such articles. It was thought well to put in this clause, so that the agents or officers of the Government surveys should have transported whatever valuable specimens or

articles they discover to the city of Washington, and the cost is to be repaid to the Quartermaster-General's Department. So that it is not a tax upon that department at all, but only a convenience to those persons who may discover such things in our Western Territories in securing the transmission of them to Washington.

I desire to call attention to another matter. There is a provision in this bill requiring that all officers who are assigned to duty in the Commissary or Quartermaster's Departments, and who are authorized to disburse public moneys, shall be required to give bonds in such sums as may be fixed by the Secretary of War. At a proper time, if some other person does not make a motion to that effect or a point of order against that provision of the bill, I shall try to have this clause stricken from the bill. I do not believe it to be a wise provision, although I say that I am quite as much responsible for its being now in the bill as any other person connected with the Committee on Appropriations. I speak of it, therefore, not for any purpose of criticising the action of the committee for having put it in. I know as a matter of fact that in the Treasury Department, and especially in the Third Auditor's Office, there has been frequent complaint or a great deal of complaint about paying over money to non-bonded officers. But, in my judgment, this provision if retained in this bill will only embarrass the service by requiring captains and lieutenants and others who may be assigned to the duty of paying out money in the Army to give bond for the faithful performance of that service and the execution of the trust. They ought not to be required to do so because of the difficulty of complying with the requirements, and they often have but small sums of money to disburse, and there has been so far but little loss occasioned by their handling public funds.

There has been but one recent instance that I know of which was cited of an officer of the Army—and it should be stated to the credit of the Army—who without law proved to be a defaulter, and in that case the sum was not large, while the circumstances leading to his fleeing the country are suggested to have arisen from causes not relating to his defalcation but from other complications that he did not desire to meet and not connected in any manner with his service in the Army. I do not believe for my part that it is practicable to require lieutenants—for instance, upon the frontier—who are by their superior officers assigned to the duty of handling public funds or distributing moneys in small amounts, to give bond.

They are often far away from their friends and from all who know anything about them and who would be able to go upon their bond, and consequently they would be compelled to rely upon their fellow-officers. It would be exceedingly embarrassing in most cases to compel them to have to appeal to their associates to go upon their bonds. I think there is no danger which warrants us in departing from a rule which has been unobjectionable in the past, and I think we may safely adhere to what has been the practice of the Government ever since there was an army. Some officers are bonded officers, of course, in the very nature of things; but there are many officers assigned to duty who are not required to give bond. I think that this clause is entirely unnecessary, and unless we come to a point where we propose by legislation to require all officers who disburse public moneys to be bonded officers, we should not make officers assigned to duty in the Commissary and Quartermaster's Departments exceptional cases.

Before this Congress adjourns we may pass a bill, the river and harbor bill, which will provide for an appropriation of about \$12,000,000, all of which will have to be disbursed by our engineer officers of the Army and without bond under the present state of the law. We have but little money comparatively disbursed through the Quartermaster's and Commissary Departments that comes into the hands of non-bonded officers. I hope this clause will be stricken out, and I think the committee will agree with me upon that point. We may with great security rely upon the integrity and high honor of the commissioned officers of the United States Army.

There is another provision with reference to the Medical Department intended to settle the rank in accordance with the date of commission or appointment, which I shall speak of at the time when we reach that part of the bill if question is made upon it. The provision is not new, but necessary only to make clear what I think is the present law on a fair construction.

Now, begging the pardon of the committee for taking up so much of its time, I yield the floor to the gentleman from Alabama.

Mr. FORNEY. Now, Mr. Chairman, I ask unanimous consent that general debate be considered as closed, and that we proceed to consider the bill by paragraphs under the five-minute rule.

There was no objection, and it was ordered accordingly.

The Clerk read as follows:

For expenses of recruiting and transportation of recruits from rendezvous to depot, \$110,000. And no money appropriated by this act shall be paid for recruiting the Army beyond the number of 25,000 enlisted men, including Indian scouts and hospital-stewards; and thereafter there shall be no more than 25,000 enlisted men in the Army at any one time, unless otherwise authorized by law.

Mr. STEELE. I wish to offer a proviso to this clause amending section 1119 of the Revised Statutes, to provide that the enlistments hereafter shall be for a term of three years.

Mr. KEIFER. I reserve the point of order upon that.

Mr. TOWNSHEND. Let it be read.

The CHAIRMAN. The gentleman will send his amendment to the desk.

The Clerk read as follows:

At the end of line 16 add:

"Provided, That section 1119 of the Revised Statutes be amended so as to read 'All enlistments in the Army shall be for three years.'"

Mr. FORNEY. I make the point of order on the amendment.

Mr. KEIFER. While insisting on the point of order, I have no objection to the gentleman from Indiana [Mr. STEELE] being heard.

Mr. STEELE. What is the point of order?

Mr. FORNEY. The point of order I make is that the amendment changes existing law and is not in the direction of economy.

Mr. STEELE. I desire to be heard on the point of order. Under the present law the enlistments are for five years. As a result of that, about one-fifth of the Army desert every year. Boys induced to leave their homes and enlist go out to the frontier and find the new situation different from what they expect, and the result is that, having five years before them, they desert and return to their homes. This increases the expense by the necessity of having men to enlist to take their places. I believe it would be in the direction of economy to have the enlistments take place for three years, because men will stay the three years out in four cases out of five, when they would not stay their time out in three cases out of five when the enlistment is for five years.

I think it would be in the line of economy in another direction. Where men have staid as long as three years in the Army more of them will be in the service at the end of the term and more will be disposed to re-enlist, so that the length of service will be greater for the soldiers generally than if you leave the term of enlistment at five years as it now is.

I have been out on the plains myself, and I talked to many of the officers last fall on this subject, and I find it is the universal opinion among the officers that it would be in the direction of economy if you had the term of service three years instead of five.

Mr. KEIFER. I think it is very obvious the point of order is well taken. It would require a very strained argument indeed to work out the theory of the gentleman from Indiana; that is, that this would reduce expenditures to the Government. Certainly it would require more frequent enlistment, and it is always expensive to the Government to repeat the enlistment and the mustering-out, the transportation to the field, and the transportation home when the men are mustered out.

Mr. STEELE. Does the gentleman not know there are a great many more desertions when the term is five years than there would be if it were only three years?

Mr. KEIFER. I do not know that to be the fact. The term has always been five years. And I find on examination of this question of desertion that much of it is on the part of men who enlist in the Army under peculiar circumstances. A large percentage of those who enlist, according to the statement in the Adjutant-General's report, are men who want to go West. They go as far as you take them, which they would do if enlisted for three years, the same as when enlisted for five; and then when they get West they desert. There are other causes, doubtless, for desertion. But I submit you can not decide the point of order on the proportion of what would be the number of deserters with a term of enlistment of three years as compared with a term of enlistment of five years. And on the face of the proposition it certainly does not retrench expenditures.

Mr. TOWNSHEND. It is clear that the amendment changes existing law. It is equally clear that it does not retrench expenditures; and therefore it is out of order.

The CHAIRMAN. The point of order is sustained.

The Clerk resumed the reading of the bill, and read the following paragraph:

Pay Department:

For pay of the Army: For one Lieutenant-General; three major-generals; fifteen brigadier-generals; twenty-three aids-de-camp, in addition to pay in the line; one military secretary, in addition to pay in the line; sixty-six colonels; eighty-five lieutenant-colonels; two hundred and forty-one majors; three hundred and eleven captains (mounted); three hundred and one captains (not mounted); thirty-four chaplains; fourteen storekeepers; forty adjutants; forty regimental quartermasters; adjutant and quartermaster of Engineer Battalion, in addition to pay in the line; two hundred and eighteen first lieutenants (mounted); three hundred and fifty first lieutenants (not mounted); one hundred and forty-five second lieutenants (mounted); three hundred second lieutenants (not mounted); one hundred and eighty acting commissaries of subsistence, in addition to pay in line; officer in charge of public buildings and grounds in Washington; officer in command of the military prison at Fort Leavenworth, Kans., \$1,000; officers of foot regiments while on duty which requires them to be mounted; additional pay to officers for length of service, to be paid with their current monthly pay; pay to enlisted men for length of service, payable with their current monthly pay; retired officers; for the payment of any such officers as may be in service, either upon the active or retired list, during the year ending June 30, 1885, in excess of the numbers for each class provided for in this act; enlisted men of all grades, not exceeding 25,000 men; the allowances for travel, retained pay, and clothing not drawn, payable to enlisted men on discharge; two retired ordnance-sergeants; and for interest on deposits of enlisted men; for mileage of officers of the Army for travel, over shortest usually traveled routes, not to exceed \$160,000; for miscellaneous expenses, to wit: Hire of not exceeding seventy-five contract surgeons and one hundred and sixty hospital matrons; extra-duty pay to enlisted men for service in hospitals; pay of fifty paymasters' clerks, at the rate of \$1,400 each per annum, and fourteen veterinary surgeons; hire of paymasters' messengers not to exceed \$15,000; post

quartermaster-sergeants; cost of telegrams on official business received and sent by officers of the Army; compensation of citizen clerks and witnesses attending upon courts-martial, military commissions, and courts of inquiry; for reimbursement of traveling expenses of paymasters' clerks actually paid; and for commutation of quarters to commissioned officers on duty without troops at places where there are no public quarters; in all, \$11,935,000. *Provided*, That hereafter any paymaster of the rank of major who has served twenty years in the United States Army as a commissioned officer may, upon his own application or by direction of the President, be placed upon the retired-list of the Army, until the Pay Department shall be reduced to twenty-eight members, as follows: One Paymaster-General, with the rank of brigadier-general; one assistant paymaster-general, with the rank of colonel; one deputy paymaster-general, with the rank of lieutenant-colonel, and twenty-five paymasters, with the rank of major; and no more appointments of paymasters shall be made in the Pay Department until the number shall be reduced below twenty-five majors, and thereafter the number of officers in the Pay Department shall not exceed twenty-eight officers.

Mr. FORNEY. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 41, before the word "officer," insert the words "additional pay to;" so that it will read "additional pay to officer in charge of public buildings and grounds in Washington."

And in line 43, before the word "officers," insert the words "additional pay to;" so that it will read "additional pay to officers of foot regiments while on duty which requires them to be mounted."

Mr. KEIFER. I have no objection to the amendment; but I desire to ask the gentleman from Alabama a question in that connection. As I understand, it is proposed to give additional pay to the officer in charge of the public buildings and grounds in Washington?

Mr. FORNEY. The law already provides for it. The amount is \$1,000.

Mr. KEIFER. Immediately after that line is this one:

Officer in command of the military prison at Fort Leavenworth, Kans., \$1,000.

Is that amount meant to apply to the officer mentioned above?

Mr. FORNEY. The committee have instructed me to move to strike that out. I will do so by a subsequent amendment.

Mr. KEIFER. I have no objection to the amendment at present proposed.

The amendment was agreed to.

Mr. FORNEY. I now offer the amendment which I send to the desk.

The Clerk read as follows:

In lines 42 and 43 strike out the words "officer in command of the military prison at Fort Leavenworth, Kans."

Mr. FORNEY. I offer that amendment on the ground that we do not know why this officer should have \$1,000 extra. He is a United States officer there and receives now, I think, about \$3,600. This proposes to give him \$1,000 more. I do not know why he should have the additional \$1,000.

A MEMBER. What is his rank?

Mr. FORNEY. I believe his rank is that of captain.

Mr. KEIFER. If his rank is that of captain he does not get \$3,600, but \$1,800, I think.

Mr. FORNEY. He is the captain assigned there and receives whatever is the pay of a captain. I do not know any reason why \$1,000 extra should be given him.

Mr. KEIFER. I understand the gentleman to say that this officer is a captain in rank. I have not had my attention especially called to this, though we went over the matter in considering the bill and it was left in this way. I think it was the subject of some discussion when adopted. This much I am quite confident of, that this \$1,000 was appropriated for in previous years.

Mr. FORNEY. It was appropriated for last year only.

Mr. KEIFER. Not until last year?

Mr. FORNEY. No, sir.

Mr. KEIFER. My impression was that this appropriation was made for a number of years past. But if the gentleman has examined as to that point, that terminates the controversy.

Mr. FORNEY. I understand it was adopted by a Senate amendment last year and we concurred in the Senate amendment. If any good reason can be given why this officer should have the \$1,000 additional, I am willing for my part that he should have it.

Mr. KEIFER. I know that the gentleman from Alabama [Mr. FORNEY] is very fair and liberal and always willing to do whatever is right, and therefore there can not be any controversy with him on this matter, certainly not on any partisan ground.

This appropriation of an additional thousand dollars was in the bill of last year. I know that the military prison at Fort Leavenworth, Kans., is the only one in the Western portion of our country, the only one where the officer is required to discharge this peculiar kind of service—a service that is not only of a responsible character, but one entirely unusual and exceptional in connection with the Army. Doubtless this officer is responsible for a large amount of property and of funds to be disbursed in maintaining the inmates of this military prison.

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

Mr. KEIFER. In one moment. This officer has very many duties that are entirely outside of the ordinary duties of an officer of the Army. If it be true that this officer is of the rank of captain only, then his pay would be only \$2,800 a year even should this provision be left in the bill.

Mr. TOWNSHEND. I would ask the gentleman from Ohio [Mr. KEIFER] if the captains who are now forced to go out upon the frontier and endure the hardships and privations there would not prefer to perform this service at Fort Leavenworth without any additional pay?

Mr. KEIFER. I can not answer that question one way or the other; but I doubt very much whether they would prefer this service instead of being with their troops. The War Department has selected a competent and useful man for this place, and there is undoubtedly some good reason for giving him this additional pay.

Mr. McMILLIN. Why not have the reason given? We ought not to make an appropriation on a supposition merely, but the reason for it should be given.

Mr. KEIFER. I have been trying to give it, if the gentleman had listened to what I said.

Mr. STEELE. I think this additional pay was given upon the recommendation of the board of officers who visit that institution every year, the board consisting of the Adjutant-General and two other officers of the Army. At the last session of Congress they came before the Military Committee of this House and represented that this officer was peculiarly fitted for this position, and that, while receiving only the pay of a captain, his expenses there at Leavenworth on account of the important position he holds there are very great.

It is said that he is about the only man in the Army—that is the representation of the board—who can take hold of that institution and manage it as successfully as he has managed it. The Committee on Military Affairs unanimously reported in favor of agreeing to the recommendation of the board of visitors to that institution, and the compensation was increased at the last session of Congress by the amount here proposed.

Mr. McMILLIN. What duties did you find he had to perform which justified the giving him this additional pay?

Mr. STEELE. I am only stating the representations made to the Committee on Military Affairs by the board of visitors and others.

Mr. McMILLIN. They ought to have given reasons for it.

Mr. STEELE. If the gentleman will get the records of the last Congress I have no doubt he will find them minutely given; I am not able to give them now. That institution as now managed is a self-sustaining institution, which it never was under the management of anybody else.

Mr. DAVIS, of Illinois. In addition to what has been said by the gentleman from Indiana [Mr. STEELE] I desire to say that this military prison is conducted a great deal as many of our State prisons are conducted. This officer has not only charge of a large number of men but has charge of a great amount of material. As the gentleman from Indiana has stated, he is peculiarly fitted for this position.

It was stated at the last session of Congress before the Committee on Military Affairs that this officer was the only man in the service who possessed these special qualifications. The board of visitors not only recommended that his pay should be increased, but they also recommended that his rank should be increased to that of lieutenant-colonel. Upon consultation with the General of the Army at that time, General Sherman, we learned that he did not desire the rank to be increased, stating that it would conflict with the proper discipline, but recommended that the pay of this officer should be increased to that of colonel, saying that there was no colonel in the Army who had greater responsibilities than this officer has.

Mr. PERKINS. I desire to say to the Committee of the Whole that I know something personally of this officer and of this prison. This officer was put in command of the prison when it was a great expense to the Government. He is a man peculiarly well qualified for this place—a competent mechanic, as well as a practical business man and an excellent executive officer. Under his administration that prison has grown to its present proportions and is now self-sustaining. It is manufacturing clothing, it is manufacturing boots and shoes, it is manufacturing harness and other equipments and many implements needed in the service. The prisoners there are now made useful while serving out their terms of punishment.

As has been suggested here, it is in consequence of this that the recommendation for additional pay was made. If I remember correctly there are nearly five hundred men confined in that prison. It has grown to be, perhaps, the largest military prison in the country, and it is necessary that a man possessing peculiar qualifications should be continued in charge there.

This man has demonstrated his capacity. He has demonstrated the value of his work by the improvement of discipline, making the establishment, as I have suggested, self-sustaining, and furnishing to the different branches of the service the wearing apparel and equipments necessary for their comfort and efficiency.

It is doubtful whether there is another man in the service who can take this place and accomplish for the Government and for the prisoners as much as this man is accomplishing. For that reason it is very appropriate indeed that this increased compensation should be given him.

The question being taken on the amendment of Mr. FORNEY, it was agreed to; there being—ayes 60, noes 41.

Mr. FORNEY. I move to amend by inserting, in line 69, after the

word "paid," the words "by them;" so as to make the clause read "for reimbursement of traveling expenses of paymaster's clerks actually paid by them." This amendment is designed simply to correct an oversight.

The amendment was agreed to.

Mr. BROWNE, of Indiana. I notice that by this paragraph of the bill the Pay Corps is to be reduced to twenty-eight officers in all—one Paymaster-General, with the rank of brigadier-general; one assistant paymaster-general, with the rank of colonel; one deputy paymaster-general, with the rank of lieutenant-colonel, and twenty-five paymasters, with the rank of major. I suggest to the gentleman in charge of this bill whether it would not be well to reduce the rank of the assistant paymaster-general and the deputy paymaster-general to that of major. In other words, why should the rank be increased—

Mr. FORNEY. We do not increase it; it is the law.

Mr. BROWNE, of Indiana. But you have diminished the number of paymasters. Under the present law I believe the number is forty.

Mr. FORNEY. Yes, sir.

Mr. BROWNE, of Indiana. I think the reduction proposed by the committee in this bill is altogether proper. At the beginning of this session I introduced a bill to reduce the Pay Corps—

The CHAIRMAN. Does the gentleman from Indiana [Mr. BROWNE] propose an amendment?

Mr. BROWNE, of Indiana. Yes, sir. I move to amend by striking out "colonel," in line 80, and inserting "major," and by striking out "lieutenant-colonel," in line 81, and inserting "major." I was about to say—

Mr. KEIFER. Let the amendment be read.

The Clerk read as follows:

In line 80, strike out "colonel" and insert "major;" in line 81, strike out "lieutenant-colonel" and insert "major;" so as to read: "One assistant paymaster-general, with the rank of major; one deputy paymaster-general, with the rank of major."

Mr. EATON. What does my friend from Indiana propose to do as to the twenty-five paymasters with the rank of major? Does he leave that provision stand?

Mr. BROWNE, of Indiana. I was intending to suggest a reduction of those twenty-five paymasters to the rank of captain.

Mr. KEIFER. I hope my friend will not do that.

Mr. EZRA B. TAYLOR. I make a point of order on the proposed amendment that it changes the present law without reducing expenditures.

Mr. FORNEY. I do not think we ought to go into this matter at the present time.

The CHAIRMAN. What has the gentleman from Indiana [Mr. BROWNE] to say upon the point of order?

Mr. EZRA B. TAYLOR. I withdraw the point of order.

Mr. LYMAN. I renew it.

Mr. BROWNE, of Indiana. What is the point of order?

Mr. LYMAN. The amendment changes existing law, as I understand.

Mr. BROWNE, of Indiana. It does change existing law, but it is in the direction of economy. It reduces the compensation of these officers to that belonging to the rank of major. I await the decision of the Chair upon the point of order.

Mr. LYMAN. I withdraw the point.

Mr. BROWNE, of Indiana. I was about to say that at the beginning of this session I introduced a bill reducing the Pay Corps in number and rank, I believe, as provided in this bill. Since that time I have had a conference with the Paymaster-General, who believes in the first place that the Pay Corps might, without affecting its efficiency, be reduced to twenty-five officers instead of twenty-eight, as here proposed. I understood him also to say that there might with propriety be a reduction in the rank of the paymasters. With what I know of the Pay Corps and the duties it has to perform I see no reason why there should be any additional rank allowed to the assistant paymaster-general and the deputy paymaster-general. Their duties are not so onerous nor their responsibilities so great as those of a paymaster who goes to the field and distributes the money among the troops. I simply make these remarks by way of suggestion.

Before the war, if I am correctly advised, the members of the Pay Corps ranked only as captains mounted, receiving as compensation about \$2,000 a year. I think it is well known that the paymasters' clerks do the principal part of the business—almost everything except assuming the responsibility.

Mr. FORNEY. This is a matter which ought to be considered and reported upon by the Committee on Military Affairs, which properly has charge of the subject. The Committee on Appropriations simply reports the appropriations.

Mr. BROWNE, of Indiana. My object is attained in having called attention to this matter. I am glad that the Committee on Appropriations has decided to reduce the Pay Corps. A short time ago this corps numbered fifty-five. A reduction to twenty-eight brings it to something like working order.

[Here the hammer fell.]

Mr. BROWNE, of Indiana. I withdraw my amendment.

Mr. STEELE. In line 84 I move to strike out the word "below" and insert the word "to;" so that it will read:

And no more appointments of paymasters shall be made in the Pay Department until the number shall be reduced to twenty-five majors, and thereafter the number of officers in the Pay Department shall not exceed twenty-eight officers.

I also move the following proviso—

Mr. KEIFER. Let us dispose of one at a time. I think the gentleman's amendment is based on a misapprehension.

Mr. STEELE. The amendment provides that no more appointments of paymasters shall be made in the Pay Department until the number shall be reduced to twenty-five majors, and thereafter the number of officers in the Pay Department shall not exceed twenty-eight.

Mr. KEIFER. If amended as proposed we would commence making appointments when we reached twenty-five. The object is to have the number remain at twenty-five.

Mr. STEELE. I withdraw my amendment and offer the following:

Mr. KEIFER. The bill is exactly right.

Mr. RANDALL. The language is exactly right.

Mr. STEELE. Read my amendment.

The Clerk read as follows:

Add at the end of line 86:  
"Provided, That the officers retired under the provisions of this act shall be in addition to the number now authorized by law."

Mr. KEIFER. I think that is right.

Mr. STEELE. I hope there will be no objection to it. The law now provides there shall be only four hundred officers on the Army retired-list.

Mr. KEIFER. There are four hundred and thirty-one now.

Mr. STEELE. That is because of special provision. The law fixes the number at four hundred, but special enactments have increased the number to four hundred and thirty-one. You can not place a single one of these officers upon the retired-list until the number is reduced to four hundred.

Mr. KEIFER. I think that is right.

Mr. FORNEY. I make the point of order it changes existing law and does not retrench expenditures.

Mr. STEELE. How are you going to carry out the provision of law there shall be four hundred and no more on the retired-list? You say these men shall go on the retired-list. How are you going to get them there? You can not do it without increasing the number beyond four hundred.

Mr. FORNEY. That is a matter for your Committee on Military Affairs to consider.

Mr. STEELE. But you are making the law on this bill.

Mr. FORNEY. The bill is in the line of economy.

Mr. STEELE. This is not in the direction of economy.

Mr. FORNEY. O, yes, it is.

Mr. STEELE. You put them in a position where you can not put them on the retired-list.

Mr. FORNEY. Oh, yes, we can.

Mr. STEELE. By this bill your object is to get them there.

The CHAIRMAN. Does the gentleman from Alabama insist upon his point of order?

Mr. FORNEY. I do.

Mr. KEIFER. I think that amendment should be adopted.

Mr. STEELE. If you wish to get them on the retired-list you can not do so now under the law until after the death of some of those now there.

Mr. FORNEY. It increases the retired-list.

Mr. STEELE. It decreases the active-list, and therefore decreases expenses by 25 per cent.

The CHAIRMAN. The amendment changes existing law, and does not on its face show affirmatively retrenchment of expenditure. It is therefore ruled out.

Mr. STEELE. I wish to be heard on the point of order. It does decrease expenditure.

The CHAIRMAN. Does the gentleman take an appeal from the decision of the Chair?

Mr. STEELE. I do not wish to detain the committee, and therefore will not take an appeal from the decision of the Chair.

The Clerk read as follows:

Subsistence of the Army: For rations for 25,000 enlisted men, 1,505 civil employes, 75 contract surgeons, 160 hospital matrons, 200 military convicts, 1,000 prisoners of war (including such Indian prisoners as are captured but whose subsistence is not otherwise appropriated for by Congress), and for additional half-rations for 120 sergeants and corporals of ordnance, a total of not exceeding 10,220,000 rations, estimated at 20 cents each; for difference between the cost of the ration and commutation thereof at rates prescribed by the Secretary of War for the following enlisted men, namely, those detailed for clerical and messenger duty at headquarters of the Army and at headquarters of divisions, departments, districts, and general recruiting service, and for various duties at military posts and stations, those traveling on detached duty where it is impracticable to carry cooked or travel-rations, and those ordered to participate in department, division, and army rifle-practice; for difference between the cost of the ration and the cost of cooked rations for enlisted men and recruits at recruiting stations; cost in excess of ordinary rations of hot coffee and canned food or travel-ration for troops traveling, when it is impracticable to cook rations; for subsistence of Indians visiting military posts and of Indians employed without pay as guides and scouts; in all, \$1,900,000, of which amount \$300,000 shall be available from and after the passage of this act for the purchase of stores



necessary to be transported to distant posts in advance of the 30th of June, 1885: *Provided*, That hereafter all sales of subsistence supplies to officers and enlisted men shall be made at cost price only; and the cost price of each article shall be understood in all cases of such sales to be the invoice price of the last lot of that article received by the officer making the sale prior to the first day of the month in which the sale is made. And not more than \$105,000 of the money appropriated by this paragraph shall be applied to the payment of civilian employes in the Subsistence Department of the Army.

Mr. FORNEY. In line 106, I move to strike out the word "practice" and in lieu thereof to insert the word "competition."

The amendment was agreed to.

The Clerk read as follows:

Quartermaster's Department: For the regular supplies of the Quartermaster's Department, consisting of stoves for heating and cooking; of fuel and lights for enlisted men, guards, hospitals, storehouses, and offices, and for sale to officers; of forage in kind for the horses, mules, and oxen of the Quartermaster's Department at the several posts and stations and with the armies in the field; for the horses of the several regiments of cavalry, the batteries of artillery, and such companies of infantry and scouts as may be mounted, and for the authorized number of officers' horses, including bedding for the animals; of straw for soldiers' bedding; and of stationery, including blank-books, for the Quartermaster's Department, certificates for discharged soldiers, blank forms for the Quartermaster's Department, and for printing of division and department orders and reports, \$2,900,000: *Provided*, That hereafter all purchases of regular and miscellaneous supplies for the Army furnished by the Quartermaster's Department for immediate use shall be made by the officers of that department, under direction of the Secretary of War, at the places nearest the points where they are needed, the conditions of cost and quality being equal; but when time shall permit, purchases shall be made at the regularly established depots of the Army; *Provided also*, That all purchases of said supplies shall be made by contract, after public notice of not less than ten days, for small amounts for immediate use, and of not less than from thirty to sixty days whenever, in the opinion of the Secretary of War, the circumstances of the case and conditions of the service shall warrant such extension of time. The award in every case shall be made to the lowest responsible bidder for the best and most suitable article, the right being reserved to reject any and all bids. The Quartermaster-General shall report all purchases of supplies furnished by his department, with their cost price and place of delivery, annually to Congress: *Provided further*, That in time of peace the number of draught and pack animals in the Quartermaster's Department of the Army shall not exceed 6,000, and that all transportation of stores by private parties for the Army shall be done by contract, after due legal advertisement: *Provided also*, That fuel in kind may be issued to officers of the Army when on duty at any military post or station west of the Mississippi, not to exceed the allowance fixed by the present regulations of the Army: *Provided further*, That the Secretary of War is authorized to appoint, on the recommendation of the Quartermaster-General, as many post quartermaster-sergeants, not to exceed one hundred, as he may deem necessary for the interests of the service, said sergeants to be selected by examination from the most competent enlisted men of the Army who have served at least four years, and whose character and education shall fit them to take charge of public property and to act as clerks and assistants to post and other quartermasters. Said post quartermaster-sergeants shall, so far as practicable, perform the duties of storekeepers and clerks, in lieu of citizen employes. The pay of post quartermaster-sergeants shall be \$40 per month and the allowances of an ordnance-sergeant.

Mr. DAVIS, of Illinois. I make the point of order against that paragraph, beginning in line 159, that it is new legislation, and does not decrease expenditure.

Mr. FORNEY. Let us first perfect the section by making a few amendments.

Mr. DAVIS, of Illinois. All right.

Mr. FORNEY. I offer the following amendment in behalf of the committee.

The Clerk read as follows:

In line 140, after the word "the," insert the words "Pay and;" so that it will read:

"Blank forms for the Pay and Quartermaster's Department."

The amendment was agreed to.

Mr. FORNEY. Also, in line 151, the following.

The Clerk read as follows:

After the word "supplies," insert "except in cases of emergencies, which must be at once reported to the Secretary of War for his approval."

The amendment was agreed to.

Mr. FORNEY. Again, in line 162.

The Clerk read as follows:

Before the word "Congress" insert the words "Secretary of War for transmission to."

The amendment was agreed to.

Mr. FORNEY. Again, in line 167, the committee recommend the adoption of this amendment.

The Clerk read as follows:

After the word "advertisement" insert the words "except in case of the storage of goods;" so that it will read:  
"And all transportation of stores by private parties for the Army shall be done by contract, after due legal advertisement, except in case of the storage of goods."

Mr. KEIFER. What is the object of that?

Mr. FORNEY. For instance, in cases of hauling goods to the depot to be placed in storage. This is generally but a small item, and to advertise it would cost as much as the service itself is worth.

Mr. KEIFER. Had not the gentleman better make it broader, by covering a single article for instance. It might be that a single article, a box of some kind of supplies, would have to be transported for a long distance to some frontier fort.

Mr. FORNEY. I will state to the gentleman that this meets the approval of the Quartermaster-General.

The amendment was agreed to.

The CHAIRMAN. The gentleman from Illinois, as the Chair understands, desires to make a point of order upon this section.

Mr. DAVIS, of Illinois. I do not raise the point of order now because of the amendments which have been made, and which cover substantially the point I had intended to make, and since as amended the section complies with the custom in the department. But I desire to make a motion to strike out that portion of the paragraph as amended, beginning with line 159 and ending with line 162—the following words:

The Quartermaster-General shall report all purchases of supplies furnished by his department, with their cost price and place of delivery, annually to the Secretary of War for transmission to Congress.

My objection to this paragraph is that you will find in this bill on page 9 that the Quartermaster-General is required to report to Congress annually all purchases and contracts for horses and mules and military supplies for the Army purchased by his department.

I have no objection to that. But you find on page 12 of the bill another paragraph providing that hereafter all purchases and contracts of every kind made by the Quartermaster's Department shall be annually reported to Congress. The law provides that these reports shall be made to the Secretary of War, and the Secretary of War sends them to Congress. Under the provisions of this bill you would require an itemized statement of all purchases made by the quartermasters under contract to be made to the Secretary of War and by him to Congress, which would necessitate a large and bulky volume, covering the cost price of all supplies and of every item purchased by the Department. The several quartermasters making purchases under contract through all parts of the country would have to report to the Quartermaster-General, which reports would be consolidated and laid before the Secretary of War; and I hold that it would be a useless and unnecessary expense to publish all of these items, as this bill contemplates.

Mr. FORNEY. What check can there be upon the quartermaster?

Mr. DAVIS, of Illinois. The quartermaster lays a detailed statement of his purchases as derived from the purchasing quartermasters before the Secretary of War; that is provided by the law. The Secretary of War must transmit to Congress his statements covering all of these purchases, but does not enter into the little items of account such as the price of every lariat or picket-pin that he purchases throughout the country, and all of this information being compiled and published as required here would be an unnecessary expense and be of no possible use except possibly in case some investigation is made into the affairs of the department. It is therefore a useless expenditure, and I move to strike out that provision.

The amendment was not agreed to.

The Clerk read as follows:

For incidental expenses, to wit: For postage; extra pay to soldiers employed under the direction of the Quartermaster's Department in the erection of barracks, quarters, and storehouses, and as clerks for post quartermasters at military posts; in the construction of roads, and other constant labor, for periods of not less than ten days, including those employed as clerks and messengers at division and department headquarters; expenses of expresses to and from the frontier posts and armies in the field; of escorts to paymasters and other disbursing officers, and to trains where military escort can not be furnished; expenses of the interment of officers killed in action, or who die when on duty in the field, or at military posts, or when traveling under orders, and of non-commissioned officers and soldiers; authorized office furniture; hire of laborers in the Quartermaster's Department, including the hire of interpreters, spies, and guides for the Army; compensation of clerks to officers of the Quartermaster's Department; for the apprehension, securing, and delivering of deserters, and the expenses incident to their pursuit; and for the following expenditures, required for the several regiments of cavalry, the batteries of light artillery, and such companies of infantry and scouts as may be mounted, and for the trains, to wit, hire of veterinary surgeons, medicine for horses and mules, picket-ropes, and for shoeing the horses and mules; also, generally, the proper and authorized expenses for the movement and operations of the Army not expressly assigned to any other department, \$675,000: *Provided*, That \$250,000 of this sum, or so much of it as shall be necessary, shall be set aside for the payment of enlisted men on extra duty at constant labor of more than ten days, at the rate of 50 cents per day for mechanics, artisans, and school-teachers, and 35 cents per day for clerks, teamsters, and laborers.

Mr. FORNEY. By direction of the committee I submit the following verbal amendments: In line 234 strike out the word "more" and in lieu thereof insert the words "not less;" after the word "days," in the same line, insert the words "and such extra-duty pay, hereafter shall be;" and in line 236 strike out the word "and;" and after the word "laborers" insert the words "and others."

The amendments were agreed to.

The Clerk read as follows:

For transportation of the Army, including baggage of the troops, when moving either by land or water; of clothing and camp and garrison equipage from the depots of Philadelphia and Jeffersonville to the several posts and Army depots and from those depots to the troops in the field; of horse equipments and of subsistence stores from the places of purchase and from the places of delivery, under contract, to such places as the circumstances of the service may require them to be sent; of ordnance, ordnance stores, and small-arms from the foundries and armories to the arsenals, fortifications, frontier posts, and army depots; freights, wharfage, tolls, and ferriages; the purchase and hire of horses, mules, oxen, and harness, and the purchase and repair of wagons, carts, and drays, and of ships and other sea-going vessels and boats required for the transportation of supplies and for garrison purposes; for drayage and cartage at the several posts; hire of teamsters; pay of enlisted men on extra duty; driving teams or repairing means of transportation; transportation of funds for the pay and other disbursing departments; the expenses of sailing public transports on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific for procuring water at such posts as, from their situation, require it to be brought from a distance; and for clearing roads, and for removing obstructions from roads, harbors, and rivers, to the extent which may be required for the actual operations of the troops in the field, \$3,000,000: *Provided*, That the whole number of civilian employes, including agents, superintendents, mechanics, packers,

teamsters, trainmasters, &c., paid from this appropriation for transportation, shall not at any one time hereafter exceed 1,000, nor shall any of said employes be graded for salary above fourth-class clerks of the Army Regulations; and the grade of sixth-class clerk in the Quartermaster's Department is hereby abolished: *Provided further*, That hereafter all purchases of horses, mules, or oxen, wagons, carts, drays, ships and other sea-going vessels, also all other means of transportation, shall be made by the Quartermaster's Department, by contract, after due legal advertisement; and hereafter all purchases and contracts of every kind made by the Quartermaster's Department shall be annually reported to Congress: *Provided also*, That hereafter the Quartermaster-General and his officers, under his instructions, wherever stationed, shall receive, transport, and be responsible for all property turned over to them, or any one of them, by the officers or agents of any Government survey, for the National Museum, or for the civil or naval Departments of the Government, in Washington or elsewhere, under the regulations governing the transportation of army supplies, the amount paid for such transportation to be refunded or paid by the bureau to which such property or stores pertain.

Mr. FORNEY. There is a mistake which should be corrected in this section. In line 254 the semicolon should be stricken out.

The CHAIRMAN. Without objection, that will be done.

There was no objection.

The Clerk read as follows:

For barracks and quarters for troops, storehouses for the safe-keeping of military stores, for offices, and for grounds for camp and summer cantonments, and for temporary buildings at frontier stations; for the construction of temporary buildings and stables; for commutation of quarters for general-service men, and for repairing public buildings at established posts, \$700,000: *Provided*, That no expenditure exceeding \$500 shall be made upon any building or military post without the approval of the Secretary of War for the same, upon detailed estimates of the Quartermaster's Department, and the erection, construction, and repairs of all buildings and other public structures in the Quartermaster's Department shall, so far as may be practicable, be made by contract, after due legal advertisement: *Provided further*, That not more than \$1,500,000 of the sums appropriated by this act shall be paid out for the services of civilian employes in the Quartermaster's Department; and that no employe paid therefrom shall receive as salary more than \$150 per month, unless the same shall be specially fixed by law: *And provided further*, That the office or employment of forage and wagon master is abolished: *And provided further*, That hereafter all officers who are assigned to duty in the Quartermaster's and Commissary Departments, and who are authorized to disburse public money, shall be required to give bond in such sum as may be fixed by the Secretary of War.

Mr. FORNEY. Mr. Chairman, I move to strike out the last proviso, beginning with line 338.

Mr. KEIFER. I think the best way is to make the point of order upon it. It is new legislation, and does not reduce expenditures.

Mr. FORNEY. I am in favor of striking out.

The CHAIRMAN. Is there objection to striking out?

Mr. KEIFER. I make the point of order because in the event of a failure of the motion to strike out the words it might then be too late.

The CHAIRMAN. If there be no objection the Chair will sustain the point of order.

Mr. FORNEY. That is all right.

The point of order being sustained, the proviso was stricken out of the bill.

The Clerk resumed the reading of the bill, and read the following paragraph:

For manufacture of arms at national armories, \$400,000: *Provided*, That not more than \$50,000 of this amount may be expended by the Secretary of War in the manufacture or purchase of magazine-guns selected by the board of officers heretofore appointed by the Secretary of War: *Provided*, That not more than \$55,000 of the money appropriated for the Ordnance Department, in all its branches, shall be applied to the payment of civilian employes in said Department.

Mr. FORNEY. I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 441 strike out the word "employes" and insert the word "clerks;" so that it will read:

"*Provided*, That not more than \$65,000 of the money appropriated for the Ordnance Department, in all its branches, shall be applied to the payment of civilian clerks in said department.

Mr. KEIFER. Is that intended to limit the payment to clerks alone?

Mr. FORNEY. The word "employes" would embrace the men who are making the arms, and work would have to be stopped in about a month. By inserting the word "clerks" the payments to them are limited to \$65,000.

Mr. KEIFER. But should not the proviso extend beyond clerks?

Mr. FORNEY. No, sir.

The amendment was agreed to.

Mr. FORNEY. I also offer the amendment which I send to the desk.

The Clerk read as follows:

Strike out the first proviso of the paragraph, namely, the following:

"*Provided*, That not more than \$50,000 of this amount may be expended by the Secretary of War in the manufacture or purchase of magazine-guns selected by the board of officers heretofore appointed by the Secretary of War."

Mr. KEIFER. I should like to hear the gentleman from Alabama upon that amendment.

Mr. FORNEY. The proviso is in the bill, and I was instructed by the Committee on Appropriations to move to strike it out.

Mr. KEIFER. That is the proviso as to the \$50,000 to be expended in the manufacture or purchase of magazine-guns?

Mr. FORNEY. I am following out the instructions of the committee.

Mr. KEIFER. I am willing that proviso should be stricken out.

Mr. EATON. I do not quite understand the proposition of my friend from Alabama. If I understand it, it is to strike out this proviso:

*Provided*, That not more than \$50,000 of this amount may be expended by the Secretary of War in the manufacture or purchase of magazine-guns selected by the board of officers heretofore appointed by the Secretary of War.

Mr. FORNEY. Now we propose that the whole amount, \$400,000, shall be expended for the manufacture of arms, without this restriction.

Mr. KEIFER. They may take for this purpose whatever amount they choose.

Mr. EATON. In other words, there can be no arms such as those that are made at the national armories which can be purchased under this bill. Is that wise?

Mr. KEIFER. This proviso allows \$50,000 to be used for that purpose. If the proviso is stricken out there is no limitation. If it is left in, it is a limitation that \$50,000 only may be expended for the purchase of magazine-guns.

Mr. FORNEY. We do not propose to make any guns there ourselves except the guns authorized by law.

Mr. EATON. And you do not propose to purchase any elsewhere?

Mr. RANDALL. Not till they are tested. There are seven hundred guns of the Hotchkiss make.

Mr. FORNEY. I will read the letter received from General Benét, Chief of Ordnance, on that subject, if the gentleman from Connecticut desires it.

Mr. EATON. I had supposed that the Ordnance Department were desirous of purchasing a certain amount of magazine-guns that are not made at the national armory.

Mr. FORNEY. That is what we have already done. We have already purchased them. And the Chief of Ordnance says—I will read his letter:

ORDNANCE OFFICE, WAR DEPARTMENT,  
Washington, D. C., April 30, 1884.

DEAR SIR: In compliance with your verbal request of this date, as to the manufacture of arms at the national armory, I have to state as follows:

In the Army appropriation bill approved 6th June, 1872 (volume 17 Statutes at Large, page 261) a board of officers was provided for, to select a breech-loading system for muskets and carbines, which, when adopted, "shall be the only one to be used by the Ordnance Department in the manufacture of muskets and carbines for the military service." The board recommended the Springfield breech-loading system, which was adopted by the Secretary of War. Section 1672 Revised Statutes embodies the above.

In the Army appropriation bill approved February 24, 1881, in the item for manufacture of arms at the national armory, \$300,000, it is "*Provided*, That not more than \$50,000 of this amount may be expended by the Secretary of War in the manufacture or purchase of magazine-guns, to be selected by a board of officers to be appointed by the Secretary of War." On the 21st March, 1881, a board was appointed to meet July 5, 1881, and of which Colonel Brooke, Fifth Infantry, was president, "to examine and consider all the magazine-guns that may be brought before it, and to recommend such (one or more) of these guns as, in its judgment, are suitable for the military service." The board made its report in September, 1882, and recommended three guns—the Lee, the Chaffee-Reece, and the Hotchkiss—as in the opinion of the board "suitable for the military service." The Secretary of War approved of my recommendation that a sufficient number of the three guns be provided for a fair and exhaustive trial in the hands of troops.

In the endeavor to provide these three guns it was found that the Winchester Arms Company had the plant to make the Hotchkiss, and that the Remingtons were prepared to make the Lee, and that the guns could be contracted for at fair prices. This was not so with the Chaffee-Reece; the one before the board had been made by hand, and no private factory had the tools for its manufacture. Examination showed that some unused machines and tools at the National Armory could be utilized, and that the guns could be made there much cheaper than by private parties. As the law above quoted of February 24, 1881, authorized the "manufacture," the Secretary of War approved of my recommendation to have the Chaffee-Reece guns intended for trial made at the Springfield armory. These guns, about seven hundred, will be completed and ready for issue to the troops about the 1st July next, and their merits, and the merits of the Lee and Hotchkiss, as determined by field service, can not be reported on and known for a year or more to come, and therefore the legislative modification of section 1672, Revised Statutes, at this time seems to me premature.

Respectfully, your obedient servant,

S. V. BENÉT,  
Brig. Gen., Chief of Ordnance.

HON. W. H. FORNEY,  
House of Representatives, Washington, D. C.

We have got enough of those guns, and I do not think it necessary to continue this proviso.

Mr. RANDALL. The whole of the \$400,000 here will go to the manufacture of Springfield guns.

The amendment was adopted.

The Clerk read the following paragraph:

United States testing-machine: For caring for, preserving, using, and operating the United States testing-machine at the Watertown arsenal, \$10,000: *Provided*, That the tests of iron and steel and other materials for industrial purposes shall be continued during the next fiscal year, and report thereof shall be made to Congress: *And provided further*, That in making tests for private citizens the officer in charge may require payment in advance, and may use the funds so received in making such private tests, making full report thereof to the Chief of Ordnance; and the Chief of Ordnance shall give attention to such programme of tests as may be submitted by the American Society of Civil Engineers, and the record of such tests shall be furnished said society, to be by them published at their own expense.

Mr. McMILLIN. I ask whether it is the purpose of this clause to provide that the officers in charge of the testing-machine shall report to Congress the result of the tests made for private individuals? If so, I do not think that is at all necessary.

Mr. KASSON. It is equally necessary with the other.

The CHAIRMAN. There is no question pending before the committee.

Mr. HOLMAN. The gentleman can move to strike out that proviso.

Mr. McMILLIN. I move to strike out the last word. I made the inquiry with a view to ascertain whether it is the purpose to compile and print the reports of tests made for private individuals.

Mr. RANDALL. If these tests are to be made surely the results ought to be printed, so that all persons interested should have knowledge of the operation of this testing-machine.

Mr. McMILLIN. In that connection I will be pardoned for saying, in order to call the attention of the committee to it for such action as may be deemed proper, that the compensation given to the Government for the use of that machine does not cover such expenses as are required even for the publication of the documents supplied to members.

Mr. RANDALL. If the tests are to go on at all the whole country ought to know what is the result of those tests.

Mr. TOWNSHEND. What advantage will it be to the country to know the result of the test in unimportant instances, as, for example, in the construction of a new bridge across the Mississippi River?

Mr. RANDALL. It might be a matter of great importance in regard to the safety of the lives of our citizens.

Mr. McMILLIN. I only desired to call the attention of the committee to the subject. We are not enforcing, with regard to this machine, the law we apply to every other department of the Government—that is, to require that individuals using the Government property shall pay the cost of using and 10 per cent. additional to cover what is supposed to be the wear and tear. We appropriate only \$10,000 for preserving and using this machine. The income is merely nominal. It wears out with great rapidity. I think the committee should hereafter, if not now, report some provision requiring parties using the machine to pay for its use on the principle I have stated.

Mr. FORNEY. They pay for the use of it now.

Mr. McMILLIN. They pay merely a nominal sum. And there is a bill now pending to pay a claim of \$200,000 to the party who constructed the machine. I withdraw the *pro forma* amendment.

Mr. KASSON. I renew the amendment for the purpose of saying a single word. This is a subject upon which various communications have come to me from engineers and others totally disinterested in private enterprises. The only objection I can see to this provision is the small amount appropriated by it.

The persons who have addressed me uniformly say that the safety of life in mass as well as in individuals depends largely upon the information which is gained by the processes of this very testing-machine. They deem it important that all the information possible shall be procured as to the elasticity and durability of the materials employed in the construction of bridges, boilers, and everything pertaining to the industries and interests of the people. They say that the most important results are being gained from the information derived in this way, and that the information, whether it comes from private tests or public tests, is equally important to them. That I imagine is the reason that no distinction is made as to the character of the information to be published. It is not intended to verify this man's manufacture or that, but to verify the durability and trustworthy qualities of the materials which they test.

I assure the Committee of the Whole that in that respect we can not overestimate the important results of this testing-machine. I only regret that the amount of the appropriation is not \$30,000 or \$40,000 instead of \$10,000, for the importance of the matter is inestimable.

Mr. McMILLIN. I would suggest to the gentleman from Iowa that \$10,000 is supposed to be the amount necessary to keep this machine in repair. That is the object of this appropriation, and that only.

Mr. KASSON. If that is all, then the amount here named may be enough.

Mr. McMILLIN. That is the amount that has been appropriated for several years.

Mr. KASSON. I withdraw the amendment.

The Clerk resumed and concluded the reading of the bill.

Mr. FORNEY. I move that the bill as amended be laid aside to be reported favorably to the House.

The motion was agreed to.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. FOLLETT. I move that the Committee of the Whole now proceed to the consideration of the bill (H. R. 6656) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1885, and for other purposes.

Mr. KEIFER. I suggest that we had better not enter upon the consideration of that bill to-day. The yeas and nays must be taken upon the two bills we have already passed in committee, and that will take up all the time that is left.

Mr. RANDALL. It is not designed to call the yeas and nays to-day on either of the other appropriation bills, but simply to report them to the House at, say, a quarter to 5 o'clock, call the previous question on them, and take the yeas and nays on their passage to-morrow morning. For some cause or other there does not appear to be a quorum present just at this time. If there is a quorum, then we can go on with the business this afternoon.

The CHAIRMAN. The question is on the motion of the gentleman from Ohio [Mr. FOLLETT] that the Committee of the Whole now proceed to the consideration of the District of Columbia appropriation bill.

The question was taken; and upon a division there were—ayes 83; noes 5.

Mr. WHITE, of Kentucky. I make the point that no quorum has voted.

Mr. REED [to Mr. WHITE]. Do not make that point.

The CHAIRMAN. If the point is made that no quorum has voted the Chair will order tellers.

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

The CHAIRMAN. The gentleman will state it.

Mr. DUNN. I desire to know why it is necessary to submit to the vote of the Committee of the Whole the question of the consideration of this bill at this time? Is not the District appropriation bill the next appropriation bill in order?

The CHAIRMAN. It is; and unless objection be made to it it will be taken up for consideration. But the Chair understood that objection was made, and therefore submitted the question to the committee.

Mr. KEIFER. My suggestion was not in the nature of an objection, but rather an inquiry.

The CHAIRMAN. The Chair understood there was objection, and the motion having been made, the Chair submitted it to the committee.

Mr. KEIFER. If there was objection to the consideration of the bill, then under the rule the committee should have risen and reported the objection to the House.

The CHAIRMAN. That is all true; the question was submitted to the committee informally.

Mr. KEIFER. Let the Clerk go on with the reading of the bill.

The CHAIRMAN. The Chair will ask whether there is objection to the consideration at this time of the District of Columbia appropriation bill?

Mr. WHITE, of Kentucky. I object. I think we had better go on in the regular way.

Mr. RANDALL. This is the regular way.

Mr. WHITE, of Kentucky. The regular way is to dispose of a bill under consideration, regardless of what is going on at the races. If there is not a quorum here there ought to be a quorum present.

The CHAIRMAN. The Chair thinks it is perfectly regular to lay aside in committee any bill the consideration of which has been completed, and to take up any other bill in its order.

Mr. WHITE, of Kentucky. I will not object if no one else does.

There being no objection, the Committee of the Whole proceeded to the consideration of the bill (H. R. 6656) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1885, and for other purposes.

Mr. FOLLETT. I ask unanimous consent that the first and formal reading of the bill be dispensed with.

There was no objection.

Mr. FOLLETT. Mr. Chairman, the fact that one half of the money expended for the District of Columbia is paid out of the national Treasury, and the other half raised by taxation upon the property, real and personal, in the District, is now well understood by members on this floor. The reason of that rule it is not necessary now to consider. It is the law; and of the expenditures provided for in this bill one half will be paid by the Government of the United States, and the other half will be collected by taxation upon the property of the District.

The bill now before the Committee of the Whole has been prepared with the view of applying the taxation of the District of Columbia and a like amount out of the Treasury of the United States to the expenditures of the District government, to the improvement of the streets and alleys, and to the completion of the sewerage system of this city. By a bill passed in this House on Monday last provision has been made (if that bill should be passed by the other branch of Congress) for the immediate completion of the sewerage system of the District. The necessity for the completion of this sewerage system is well understood by every one having in view the sanitary condition of the city, and I know from personal examination that this system, when carried out, will be complete and will be constructed with a view to permanency.

The flexible appropriation of this bill is the appropriation for the improvement of streets. Whatever could be taken from other objects left so much more for the streets, and whatever was added to the other appropriations necessarily diminished the amount for the improvement of streets.

The government of the District of Columbia, so far as the payment of officers is concerned, as any one who examines this bill and understands the salaries paid in other cities will see, is an economical government. The employes of the fire department, the police department, and in the public schools—the three departments for which the largest appropriations have been made—are all paid salaries which in comparison with those paid in cities of like size in other parts of the country will be found to be low. While these salaries in some instances are not specifically given, in others they are.

Personally I would have liked very much to make an increase, believing an increase should be made in the compensation of some of these employes of the District government, especially the fire department. I have examined this department, having visited all the fire stations,

and I believe it to be, from the head to the lowest employé, one of the most complete fire departments to be found in any city of the country. The chief of the department ranks, I know, among the firemen of the country as one of the most skillful and efficient men that can be found in this line of employment in any city.

The privates of this department have heretofore received, and, as the committee have not deemed it advisable in this bill to commence any increase of salaries, will receive under the bill, only \$60 per month. I know of no other city of like size in the United States where firemen are not to-day receiving at least \$75 per month.

But we have in this bill made a provision for a fireman's relief fund, which has not heretofore been provided for. That is to say, we add, if you please, to that extent to the compensation of the firemen, setting apart \$1 per month for the firemen's relief fund. The necessity for such a fund has been made apparent since this session of Congress commenced by the disablement of some two or three of the employés of this department in their efforts to extinguish a fire. One or two men now retained in the department are compensated, not for the services they are rendering, but for the purpose of enabling them to live in the line of duty in which they have been disabled. The committee agree that there ought to be provision made by which a man who has been disabled in the performance of his duty as a fireman can be retired from the service and compensation allowed for his future support. In this I am satisfied the committee will be seconded by Congress, which has recognized for years past that a man who has been disabled in the line of duty, especially in the employment of the Government, should be provided for in some way. The Government of the United States makes such provision by pensions. The government of the District of Columbia has no power to provide in that way; and therefore we have sought to establish a relief fund by which compensation may be paid in such cases.

Mr. BLOUNT. The gentleman will allow me to ask whether this relief fund is to be created by a deduction of \$1 a month from the salary of each of these firemen?

Mr. FOLLETT. It is thought that will be sufficient. The money is to be set apart as a trust fund, is to be held by the commissioners of the District as a trust fund, to be used only for this purpose.

Mr. COBB. Do you increase the pay of the officers?

Mr. FOLLETT. We have increased it just enough to provide for this fund.

Mr. BLOUNT. I understood the gentleman to say that one dollar a month was taken from the allowance of sixty dollars.

Mr. FOLLETT. That was the provision of the bill as originally reported. I ought to say there are some amendments which have been agreed upon by the committee; but to avoid expense the bill has not been reprinted, notice having been given that these amendments will be offered as the bill is considered by paragraphs. The provision to which I have referred for this relief fund does not stand in the printed bill as finally agreed upon by the committee; but an amendment embodying the views of the committee will be offered. The bill as now printed, without raising the compensation of the firemen, provides for a deduction of \$1 a month. This the committee on further consideration thought unjust; and therefore we have agreed upon an amendment providing that \$1 a month shall be added to the pay for the purpose of being applied to this relief fund.

Mr. BLOUNT. Making the pay actually \$61 a month.

Mr. FOLLETT. It will be actually \$61 a month.

Mr. EATON. Some of the firemen of the District who have spoken to me in regard to this matter have complained that, according to their understanding of the bill, the privates receiving \$60 a month are obliged to pay just as much toward this relief fund as an officer receiving \$100 or \$120. They have stated further that they have already a relief fund of their own; that they are their own insurers; and that this is a matter which, in their opinion, should properly be left to the firemen themselves.

Mr. BLOUNT. This is a sort of firemen's insurance fund?

Mr. RANDALL. A hospital fund.

Mr. EATON. In my own State this fund is not provided by the public, but the firemen have a fund of their own. I think this is a matter which ought to be examined closely, although the amendment of which my friend from Ohio [Mr. FOLLETT] speaks may prove to be entirely satisfactory.

Mr. FOLLETT. When the bill comes to be read by paragraphs the amendment will be suggested, and if not complete can be made so. The intention of the committee was that the compensation of these firemen should not be reduced, and at the same time that provision should be made for the fireman's relief fund, so there should be \$1 or the equivalent of \$1 to each of these firemen appropriated in addition to what was heretofore paid for the fireman's relief fund.

There is another branch of the government of the District, the police department, which has been increased somewhat. We believe the necessities of the growing condition of the city require it should be increased.

We have also provided in this bill for the erection of another fire-station house. There is a large part of the city, the northwestern portion, which is at least a mile to a mile and a half from any fire-engine, the nearest fire-engine to that part of the city being on K street. Another station was needed there in case of a fire in that part of the

city. The bill therefore provides for the erection of another fire-station. We have not increased the number of firemen for this new station-house because there are men now in the employ of the Government deemed to be sufficient to man that building when erected.

The educational branch of the city government, one I am satisfied every member of Congress will take special notice of, I am happy to say, not merely from inquiries made by myself, but rather on information I have received from others, is in a good condition. There is a condition of things here I would be glad to see changed in connection with public schools if I thought it prudent or if the committee thought it prudent to do so, and that is they have here two superintendents of public schools, one of them a colored man and the other a white man, one receiving compensation at the rate of \$2,750 a year and the other, I believe, at \$2,250, or \$500 less. I am convinced if we could eliminate entirely all prejudice that one superintendent, one head, would really be better than two. But there are about one-third of the children attending these schools of the colored race and they would not be satisfied, or at least the management of the schools in the city think they would not, unless they had a superintendent of their own color. It is not thought advisable there should be anything tending in the least degree to detract from the efficiency of the common schools of the city and of the District. Yet I believe it is only a question of time when the wisdom of Congress and of the government of the city and District will come to the conclusion that one efficient head is better than two. That time has not yet come, and therefore we have made no recommendation on that point.

The teachers of this city are compensated at a lower rate than in most of the cities of the country. The principal of the high school receives but \$1,800 a year. He is a graduate of Harvard College and is thoroughly efficient and competent for the performance of the duties of his position. And I know that the schools of the city in their management and in their efficiency will compare favorably with the schools of any other part of the country.

There is an indebtedness upon the city that requires for the sinking fund and payment of interest over \$1,200,000 a year. How this indebtedness arose, what was its origin, is familiar to every member of Congress. The debt exists. The action of this committee, and I believe it will be the action of every Committee on Appropriations, has been to see there is no addition made to the indebtedness of the city, to restrict its expenditures strictly within the limits of the amount of money collected by the District for the purpose of meeting those expenses. If we had now to be applied to improvement desired in the city, to be applied to the streets and to sewerage in the city, the amount which goes to the liquidation of the debt in the amount of the sinking fund and interest, it would add nearly one-third of the entire amount collected. In other words, the amount collected by taxation for this year will be in the neighborhood of \$1,900,000, and a like amount from the Treasury of the United States would make in the aggregate about \$3,800,000; but over \$1,200,000 of the entire amount is taken out for the payment of interest and for the purpose of the sinking fund. If that amount could be had, then, instead of having \$240,000 or \$260,000 only for making new streets, new pavements, and other improvements asked for by the people in various portions of the city, we would have this amount to add to it, and in a short time Washington would be supplied with streets to the satisfaction of everybody.

There is one thing I find, and I have no doubt that every member of Congress has heard of it, and that is that there is considerable jealousy existing between the different parts of the city as to where the money appropriated for street improvements shall be expended. The people upon the Hill, the northeast, and the southeast all believe that a greater proportion of the money has been expended in the northwestern portion of the city than ought to have been expended. But I have gone through and made a careful comparison of the amount of money collected from taxation on property of residents in the northwest, and I find that in proportion to the amount of taxation paid by them they are receiving less than they are actually entitled to for the streets in that part of the city. So that I see no need of any conflict arising or that any complaint should be made by the residents of any part of the city against the commissioners of the District or those having charge of these expenditures for the places where the expenditures are being made or to be made.

I believe that is all I desire to say in the opening of this discussion. When the bill is read by sections and is subject to amendment we will then have an opportunity of considering, item by item, every portion of the bill, and if there be objection made, or if in the estimation of any member the amount appropriated be too small or too large, of course it can be better considered there and suggestions offered than under a general discussion of the bill.

Mr. BLOUNT. Will the gentleman allow me to ask him a question, which he can answer now or when we reach that portion of the bill to which I shall refer. I would like to know the amount received from water revenues?

Mr. FOLLETT. The amount received from water revenues?

Mr. RANDALL. One hundred and eighty-six thousand six hundred and ninety-eight dollars.

Mr. BLOUNT. No; I think not that much.

Mr. RANDALL. I understood you to say the amount of the receipts for the water department?

Mr. BLOUNT. Yes, sir.

Mr. FOLLETT. The estimated receipts are \$118,000. The different items are printed in the report accompanying the bill. I will read them:

The estimated unexpended balance of water receipts, June 30, 1884, is \$48,398; the estimated receipts from the water-main tax is \$16,000; the estimated receipts from water-rents, \$118,000; the estimated receipts from water-taps, \$2,100; and the estimated receipts from water permits, \$2,200.

Mr. BLOUNT. What is the total?

Mr. FOLLETT. The total is, as stated by the gentleman from Pennsylvania, \$186,698, of which \$48,398 is the estimated unexpended balance at the close of the present fiscal year.

Mr. BLOUNT. May I ask if that goes to reducing the debt created for the purpose of constructing the additional water-works?

Mr. FOLLETT. We have a provision made for that in the pending bill.

Mr. RANDALL. I will state to the gentleman from Georgia that we create a sinking fund for the purpose of providing for that debt. There is by law no sinking fund for the one and a half millions of dollars that the Government advanced for the building of the new aqueduct; and in this bill we have provided for one. So that the Government will have a sinking fund raised on the part of the District of Columbia to meet the \$750,000 advanced.

Mr. BLOUNT. That is all I wanted to get at.

Mr. FOLLETT. I now ask unanimous consent that the bill be read by sections for debate and amendment under the five-minute rule.

There was no objection, and it was ordered accordingly.

The Clerk read as follows:

#### GENERAL EXPENSES.

For salaries and contingent expenses:

For executive office: For two commissioners, at \$5,000 each; one engineer commissioner, \$924 (to make salary \$5,000); one secretary, \$2,160; one clerk, \$1,500; one clerk, \$1,400; one clerk, \$1,200; one messenger, \$600; one driver, \$480; for contingent expenses, including printing, books, stationery, and other necessary items, in the discretion of the commissioners, \$2,000; in all, \$20,264.

Mr. JONES, of Wisconsin. I move a formal amendment for the purpose of asking the gentleman in charge of the bill a question. I notice that provision is made here, as well as in various other sections of the bill, for certain contingent expenses. In this paragraph, for instance, \$2,000 is provided, and further on in the bill \$500 for contingent expenses in the attorney's office. What I wish to ask is if the committee have considered whether such expenses as these can not be managed in some other manner. Four thousand dollars would seem to be a pretty good salary for the attorney. What necessity, then, arises for making an additional appropriation of \$500 to meet contingent expenses in his office? I ask this generally, as it relates to various sections of the bill.

Mr. FOLLETT. In answer to the gentleman from Wisconsin, there are a great many expenses connected in one way or another with the various departments of the city government, the commissioners' office, the engineer's office, the office of the attorney, and other departments, that we can not provide for specifically in advance. For instance, take the case of the expenditures in the attorney's office. Expenses may arise there, contingencies which can not be anticipated or appropriated for specifically in advance, so that we put in an aggregate sum to meet what we suppose will be the requirements. These different departments are required in every instance to furnish a voucher showing that it was an expense connected with the management of their department, which has to be approved by the Comptroller of the Treasury before it is paid; but if it be paid without his approval it is paid at the risk of the party paying it. There are in this as in other bills, of necessity, provisions made for contingencies or emergencies which can not be anticipated.

Mr. JONES, of Wisconsin. I withdraw the *pro forma* amendment. The Clerk read the following paragraph:

For auditor's office: For one auditor, \$3,000; one book-keeper, \$1,800; one clerk, \$1,600; three clerks, at \$1,400 each; two clerks, at \$1,200 each; one messenger, \$600; for contingent expenses, including books, stationery, and other necessary items, \$300; in all, \$13,900.

Mr. WILSON, of West Virginia. I move to strike out the last word for the purpose of addressing an inquiry to the gentleman in charge of this bill. There is an appropriation recommended here of \$13,900 for the auditor's office. Last year the appropriation was \$15,200, which included an item of \$2,500 for temporary clerk-hire in the auditor's office, to enable the Auditor among other things to bring up and audit the books of the collector of taxes. That item is omitted from the appropriation this year. Under certain investigations made by the Committee on the District of Columbia, responsive to a resolution offered in this House relative to the management of the financial department of the District of Columbia, it would appear that that appropriation is needed more probably than it was last year. The fact appears that for some ten or a dozen years past there has been no audit of the books of the collector of taxes of the District of Columbia. In that time many millions of dollars have been collected in the way of taxes and disbursed, and there has been no systematic or regular audit of the books in the office of the collector of taxes. It seems to me to be an anomaly, and I think it would occur to any one as improper that such large sums of money should be collected and disbursed without some system by which there should be a regular and systematic audit of the books of the office through which these large sums pass.

The Committee on the District of Columbia, reporting in answer to the resolution I have referred to, brought that matter to the attention of the House and recommended that that item should be continued in the appropriation bill of the present year, and that the auditor should be instructed to go forward as rapidly as was consistent with accuracy in auditing the books of the collector of taxes and bringing the audit down to the present time.

Mr. FOLLETT. Mr. Chairman, the appropriations for the auditor's office are increased this year by one clerk at \$1,200 over the regular appropriation for last year. There was an appropriation last year of \$2,500 for temporary clerk-hire. That made practicable the employment of two clerks. This year the committee have given permanently one clerk, making the force of that office one auditor, one book-keeper, one clerk at \$1,600, three clerks at \$1,400 each, two clerks at \$1,200 each. In other words, in addition to the auditor and book-keeper there are six clerks for that office, a force which the committee thought sufficient to enable them not only to bring up the work but to continue the proper conduct of the business of the office.

Mr. WILSON, of West Virginia. Last year the appropriation was \$15,200. The appropriation recommended here is \$13,900.

Mr. FOLLETT. The appropriation last year was \$12,700, with \$2,500 additional for temporary clerk-hire.

The CHAIRMAN. Does the gentleman from West Virginia withdraw his *pro forma* amendment?

Mr. WILSON, of West Virginia. Yes, sir.

The Clerk read the following paragraph:

For engineer's office: One chief clerk, \$1,900; three clerks, at \$1,600 each; one clerk, at \$1,400; two clerks, at \$1,200 each; four clerks, at \$900 each; one computing engineer, \$2,400; one inspector of buildings, \$2,400; one assistant inspector of buildings, \$1,000; one chemist and inspector of asphalt and cement, \$2,400; one inspector of gas and meters, who shall pay into the Treasury of the United States all fees collected by him, \$2,000; one superintendent of streets, \$2,000; one superintendent of roads, \$1,400; one superintendent of plumbing, \$1,800; one superintendent of lamps, \$900; superintendent of parking, \$1,200; one assistant superintendent of parking, \$700; one assistant engineer, \$1,600; two assistant engineers, at \$1,500 each; one draughtsman, \$1,200; three rodmen, at \$780 each; three axmen, at \$650 each; three inspectors of streets, sewers, and buildings, at \$1,200 each; three market-masters, at \$1,200 each; one market-master, at \$900; one harbor-master, at \$1,200; *Provided*, That the fees collected by said harbor-master shall be paid into the Treasury of the United States; one janitor, \$700; five messengers, at \$480 each; three watchmen, at \$480 each; two laborers, at \$360 each; contingent expenses, including rent of property-yards, books, stationery, binding, and preservation of records in the engineer's and surveyor's offices; printing, transportation (six vehicles, six animals, saddlery, forage, and repairs), and other necessary items and services, \$5,000; in all, \$61,950; *Provided*, That overseers or inspectors temporarily required in connection with sewer, street, or road work, or the construction or repair of buildings, done under contracts authorized by appropriations, shall be paid out of the sums appropriated for the work, and for the time actually engaged thereon; and the commissioners of the District, in their annual reports to Congress, shall report the number of such overseers and inspectors, and their work, and the sums paid to each, and out of what appropriation.

Mr. FOLLETT. By instruction of the committee, I offer the amendment which I send to the desk.

The Clerk read as follows:

On page 4, line 75, strike out the words "chemist and;" so that it will read "one inspector of asphalt and cement, \$2,400."

The amendment was adopted.

Mr. FOLLETT. I am also instructed by the committee to offer the amendment which I send to the desk.

The Clerk read as follows:

On page 5, line 103, after the word "animals," insert the words "care of same;" so as that it will read: "six vehicles, six animals, care of same, saddlery, forage, and repairs."

The amendment was adopted.

The Clerk resumed the reading of the bill, and read the following paragraph:

Washington Aqueduct:

For engineering, maintenance, and general repairs, \$20,000; and hereafter the lessees of the Alexandria Canal shall keep in good repair at least two spans of the Aqueduct Bridge, so that no leakage or wastage of water shall occur.

Mr. WARNER, of Ohio. I desire to ask my colleague in charge of this bill a question as to this item of \$20,000 for this aqueduct.

Mr. FOLLETT. I will state to my colleague that this is the water-works aqueduct, which is kept in repair by the District government. This is the same appropriation as was made last year.

Mr. WARNER, of Ohio. Is this the canal aqueduct which crosses the bridge?

Mr. FOLLETT. Oh, no.

Mr. WARNER, of Ohio. If not, I am satisfied.

The Clerk resumed the reading of the bill, and read the following paragraph:

For maintaining institutions of charity, reformatories, and prisons:

For Washington Asylum: For one commissioner and attendant, \$1,200; one matron, \$600; one visiting physician, \$1,080; one resident physician, \$480; one engineer, \$600; one assistant engineer, \$300; one overseer, \$800; one clerk, \$600; one baker, \$420; five overseers, at \$600 each; four watchmen, at \$365 each; one blacksmith, \$120; one hostler, \$60; one cook, at \$120; two cooks, at \$60 each; five nurses, at \$60 each; for contingent expenses, including improvements, provisions, fuel, forage, lumber, shoes, clothing, hardware, dry goods, medicines, and other necessary items, \$35,000; repairs to almshouse, including new blinds, painting, and putting in gas-pipe and fixtures, and moving and refitting stable, \$2,500; dump-cars, iron rails, ties, switches, joints, and spikes, to construct 2,500 feet of movable track for the purpose of grading streets and avenues in the eastern portion of the city, and for filling in marshes adjoining the asylum grounds, \$2,350; in all, \$52,010.

Mr. FOLLETT. By instructions of the committee I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 162, after the word "dollars" where it last occurs, insert "one ambulance, \$60;" and in line 176 strike out "\$52,010" and insert "\$52,070."

The amendment was adopted.

The Clerk read the following paragraph:

For Reform School: For one superintendent, \$1,500; assistant superintendent, \$900; four teachers, \$3,000; matron of school, \$600; two matrons of family, \$360; farmer, \$480; superintendent of chair shop, \$540; shoemaker, \$300; baker, \$300; engineer, \$330; tailor, \$240; seamstress, \$144; two dining-room servants, at \$144 each; chambermaid, \$144; laundress, \$144; florist, \$240; cook, \$300; watchmen, not exceeding five in number, \$1,080; in all, \$10,836.

Mr. FOLLETT. By direction of the committee I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 183 strike out the words "five hundred and forty dollars" and insert "\$500." In line 185 strike out "\$240" and insert "\$300." In lines 192 and 193 strike out "\$10,896" and insert in lieu thereof "\$10,916."

The amendment was adopted.

The Clerk read the following paragraph:

For subsistence, including groceries, flour, meats, dry goods, leather, gas, coal, hardware, woodenware, table-ware, furniture, farm implements and seed, harness and repairs, fertilizers, stationery and books, plumbing, painting, and glazing, medicines and medical attention, purchase of stock, fencing, and other necessary expenditures, all in the discretion of the commissioners, over and above the income from the farm and school, \$20,000; and an itemized account of said income shall be submitted to the commissioners quarterly.

Mr. FOLLETT. By instructions of the committee I offer the amendment which I send to the desk.

The Clerk read as follows:

In line 200 strike out the word "commissioners" and insert "board of trustees." In line 201 strike out "\$20,000" and insert "\$22,000." In line 203, before the word "the," insert "and approved by;" so that it will read; "and an itemized account of said income shall be submitted to and approved by the commissioners quarterly."

The amendments were agreed to.

The Clerk resumed the reading of the bill, and read the following:

For street lamps: For illuminating material and lighting, extinguishing, repairing, and cleaning lamps on avenues, streets, and alleys, and for purchasing and erecting new lamp-posts, \$95,380: *Provided*, That no more than \$22 per annum for each street lamp shall be paid for gas, lighting, extinguishing, repairing, and cleaning under any expenditure provided for in this act; and the commissioners of the District of Columbia are authorized to substitute other illuminating material for the same or less price, and to use so much of the sum hereby appropriated as may be necessary for that purpose: *Provided further*, That the commissioners of the District of Columbia shall not be authorized to make any contract for gas or other illuminating material, in accordance with the provisions of this paragraph, for any longer period than one year.

Mr. FOLLETT. By instructions of the Committee on Appropriations, I move to amend the paragraph just read by inserting after the word "act," in the first proviso, the words "and said lamps shall burn not less than 2,600 hours per annum."

The amendment was agreed to.

The Clerk read the following:

For Metropolitan police:

For one major and superintendent, \$2,600; one captain, \$1,800; one property clerk, \$1,800; one clerk, \$1,500; one clerk, \$900; four surgeons for the police and fire departments, at \$480 each; for additional compensation to privates detailed from time to time for special service in the detection and prevention of crime, \$1,440, or so much thereof as may be necessary; ten lieutenants, at \$1,320 dollars each; twenty sergeants, at \$1,140 dollars each; ninety privates, class 1, at \$900 each; one hundred and forty privates, class 2, at \$1,080 each; seventeen station-keepers, at \$720 each; eight laborers, at \$420 dollars each; one messenger, \$700; one messenger, \$500; one major and superintendent, mounted, \$240; one captain, mounted, \$240; twenty lieutenants, sergeants, and privates, mounted, at \$240 each; one driver, \$300; one ambulance driver, \$480; one assistant to driver, \$300; rent of sixth and seventh precinct station-houses, substation at Uniontown, and police headquarters, \$3,020; for fuel, \$2,000; erection of stable in first precinct, \$3,000; purchase of site and erection of new station in sixth precinct, \$15,000; repairs to station-houses, \$1,200; miscellaneous and contingent expenses, including stationery, books, telegraphing, photographs, printing and binding, gas, ice, washing, meals for prisoners, furniture and repairs to same, police equipments and repairs to same, beds and bed-clothing, insignia of office, horses, harness, and forage, repairs to van and ambulance, and expenses incurred in prevention and detection of crime, and other necessary items, \$9,500; in all, \$337,040.

Mr. WHITE, of Kentucky. I move to amend the paragraph just read by adding to it the proviso which I send to the Clerk's desk.

The Clerk read as follows:

*Provided*, That no person shall manufacture, sell, or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine, and beer.

Mr. FOLLETT. I make the point of order on that amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. FOLLETT. It is new legislation, and not germane to the subject-matter of the paragraph under consideration.

Mr. WHITE, of Kentucky. I ask for the reading of the rule as to what is germane to a bill. I think I shall be able to show that this amendment, if adopted, will reduce expenditures, and therefore will be germane to the bill.

The CHAIRMAN. The Chair is willing to hear the gentleman from Kentucky on the point of order.

Mr. WHITE, of Kentucky. I ask for the reading of clause 3 of Rule XXI.

The Clerk read as follows:

No appropriation shall be reported in any general appropriation bill, or be in order as an amendment thereto, for any expenditure not previously authorized by law, unless in continuation of appropriations for such public works and objects as are already in progress. Nor shall any provision in any such bill or

amendment thereto changing existing law be in order, except such as, being germane to the subject-matter of the bill, shall retrench expenditures by the reduction of the number and salary of the officers of the United States, by the reduction of the compensation of any person paid out of the Treasury of the United States, or by the reduction of amounts of money covered by the bill: *Provided*, That it shall be in order further to amend such bill upon the report of the committee having jurisdiction of the subject-matter of such amendment, which amendment, being germane to the subject-matter of the bill, shall retrench expenditures.

Mr. WHITE, of Kentucky. I will modify my amendment so as to reduce the amount appropriated by this paragraph from \$337,040 to \$137,040, and then to add the proviso which has been read. The reason I contend that this amendment is in order is that it will retrench expenditures by a reduction of the number and salaries of officers of the United States and the compensation of persons paid out of the Treasury of the United States, and it will also reduce expenditures generally, as I shall be able to show in the discussion of the amendment.

Mr. BLOUNT. I desire to reserve all points of order on the amendment of the gentleman from Kentucky.

Mr. WHITE, of Kentucky. The point of order has already been made by the gentleman from Ohio [Mr. FOLLETT].

Mr. BLOUNT. That point of order was upon the amendment as first offered. The gentleman has now modified his amendment, and I desire to reserve the point of order on the amendment as modified.

Mr. WHITE, of Kentucky. I think that is about all I desire to say in support of my amendment being in order. I think in the discussion of that amendment I will be able to show that it will reduce expenditures by reducing the number of the officers and the salaries of the officers required in the District of Columbia. Inasmuch as the Government of the United States must pay one-half of the expenses of maintaining the government of this District, it is a very important matter that we should reduce the expenditures as far as possible, to say nothing about the moral aspect of the subject.

The gentleman from Ohio [Mr. FOLLETT] also raises the point of order that this is new legislation. There is now much new legislation in this bill—legislation not usual in such a bill. I think the gentleman will not contend that the clause in the paragraph relating to lighting the city, providing that the contract for gas shall not be for a time exceeding one year, is usual legislation. It is rather legislation in anticipation of the use of electric lights, or of something which may possibly make it inadvisable to contract for gas for two or three years at a time. Therefore the committee has put in the bill a provision that the commissioners shall not make a contract for gas for more than one year.

I also want to put into this bill a provision which will reduce the expenditures by removing the cause of expenditures. If you will look at the report of the commissioners of the District you will find that only \$34,000 is received from licenses for the sale of intoxicating liquors in this city, while we are asked to appropriate for the police of the city the enormous sum of \$337,040.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WHITE, of Kentucky. I did not know there was a limit to the time for debate upon a point of order.

The CHAIRMAN. Debate upon a point of order is at the pleasure of the Chair, and the Chair does not desire to hear debate longer than five minutes. It is very clear to the Chair that the amendment is out of order.

The Clerk read as follows:

#### FOR THE FIRE DEPARTMENT.

For one chief engineer, \$1,800; one fire marshal, \$1,000; one clerk, \$900; two foremen acting as assistant engineers, at \$1,200 each; six foremen, at \$1,000 each; six engineers, at \$1,000 each; six firemen, at \$800 each; two tillermen, at \$800 each; eight hostlers, at \$800 each; fifty-four privates, at \$720 each; three watchmen, at \$720 each; one veterinary surgeon, \$300; repairs to engine-houses, \$750; for fuel, \$2,000; purchase of horses, \$2,500; forage, \$6,000; hose \$2,000; repairs to apparatus, \$4,000; exchanging three Amoskeag engines, \$9,000; contingent expenses, including office-rent, horseshoeing, furniture, washing, oil, medical and stable supplies, harness, blacksmithing, labor, gas, and other necessary items, \$7,500; purchase of site and erection of new engine-house, \$10,000; in all, \$115,990: *Provided*, That \$1 per month out of the appropriation for each man in the fire department shall be retained by the commissioners as a firemen's relief fund, and used for the relief of any fireman who by accident, while in actual performance of duty, shall become so permanently disabled as to be discharged from service therefor, and in case of his death, leaving a widow, or children under 16 years of age, for their relief: *Provided further*, That such relief shall not exceed for any one fireman or his family the sum of \$40 per month.

Mr. FOLLETT. I move to amend by striking out in line 340 the words "out of the appropriation" and inserting in lieu thereof "additional pay;" also by striking out in line 341 the words "retained by" and inserting the words "paid to."

Mr. EATON. I would like to hear the proviso as it will stand if amended.

The Clerk read as follows:

*Provided*, That \$1 per month additional pay for each man in the fire department shall be paid to the commissioners as a firemen's relief fund, &c.

The amendment was agreed to.

The Clerk read as follows:

#### Courts:

For the police court: For one judge, \$3,000; one clerk, \$1,800; one deputy clerk, \$1,000; two bailiffs, at \$3 per day each; one messenger, \$900; one door-keeper, \$540; United States marshal's fees, \$1,400; contingent expenses, including compensation of a justice of the peace acting as judge of the police court during the absence of said judge, not exceeding \$300; books, stationery, fuel, ice, gas, witness fees, and other necessary items, \$3,000; for judicial expenses, \$2,500; in all, \$16,018.

Mr. FOLLETT. I move to amend by inserting in line 365, after the

words "one clerk, \$1,800," the words "and hereafter the salary of said clerk shall be \$1,800 per annum."

The amendment was agreed to.  
The Clerk read as follows:

For teachers: For five hundred and fifty-five teachers, to be employed at a rate of compensation not to exceed the rate provided by the present schedule of salaries, and at an average salary not to exceed \$670, \$371,850.

Mr. WHITE, of Kentucky. Mr. Chairman, I move to amend by striking out "\$670" and inserting "\$750," and by making a corresponding increase in the aggregate appropriation in this paragraph.

Mr. RANDALL. The pay of these teachers has been increased \$5; and provision has been made for thirty additional teachers.

Mr. WHITE, of Kentucky. But an increase of only five dollars, with \$150,000,000 of surplus in the Treasury, is not at all commensurate with the demand made upon us to advance the cause of education in this District.

Mr. Chairman, the increase which I propose amounts to \$44,400 in the aggregate, and when distributed among the five hundred and fifty-five teachers in the District of Columbia amounts to only \$80 each. Why, sir, a messenger in the Pension Office gets \$840 per annum, and these little pages on this floor receive \$75 a month during the session of Congress; and shall we higgler about a fair and reasonable increase of the salaries of the faithful instructors of the youth in this city, but who you will find by reference to the last annual report of the commissioners of the District of Columbia come from every section of our common country?

On page 12 the commissioners say:

Many families are locating in Washington with a view of giving their children an education, and there are now borne upon the rolls of the public schools the names of children from every section of the country. It is very evident, by the record of the places of birth submitted by the parents, that the money appropriated for maintaining our public-school system really benefits the several States and Territories of the Union as well as the District of Columbia.

We have just now appropriated \$16,018 for the police court and \$337,040 for the Metropolitan police, besides \$62,906 for the Washington Asylum and Reform School; in all, \$415,964 for what may chiefly be attributed to the evils resulting from the use of intoxicating liquors as a beverage; while we content ourselves with the meager appropriation recommended by the cool, calculating Committee on Appropriations for the teachers, who are for the most part women, engaged in the most honorable of all the professions.

It is worth while to note the fact that for every teacher in the District of Columbia there are two places here where intoxicating liquors are sold.

I submit a letter from the president of the board of commissioners of the District of Columbia, as follows:

OFFICE OF THE COMMISSIONERS, DISTRICT OF COLUMBIA,  
Washington, March 29, 1884.

SIR: In reply to your inquiries respecting the number of licenses issued to wholesale and retail liquor dealers in the District of Columbia and the amount of revenue derived therefrom, the commissioners have the honor to state that the total number of bar-room (retail) licenses issued during the present license year to date is 562, and the total number of wholesale liquor licenses to date is 535, making in all 1,097.

The amount received for the bar-room licenses to date is \$56,016.71, and the amount for wholesale liquor licenses to date \$13,558.07.

Very respectfully,

J. B. EDMONDS, President.

Hon. JOHN D. WHITE, Member of Congress.

Besides the 1,097 regular wholesale and retail liquor dealers there are about 120 sacred institutions known as drug stores, which keep open "every day and Sunday too" in the District of Columbia.

Last year there were 15,607 arrests in the District of Columbia, of which number there were 11,367 arrested for offenses against the person. There were 55 sent to the reform school; 235 placed under bonds to keep the peace; 896 were sent to jail; 1,255 were sent to the work-house, and so on.

For intoxication alone there were 3,752 arrested, and for disorderly conduct 529.

On page 15 of the report for 1883 by the major and superintendent of police I find the nativity of those arrested classified as follows:

Nativity of those arrested classified.

	Number.
United States, white	6,913
United States, colored	6,661
Ireland	1,085
Germany	690
England	135
Scotland	34
France	31
Italy	26
Sweden	19
Canada	15
Russia	12
Switzerland	9
Persia	9
China	5
Denmark	4
Wales	3
Greece	2
Spain	2
Poland	2
Cuba	1
	15,607

The population of the District of Columbia in 1870 was as follows: Washington, 109,199; Georgetown, 11,334—total, 120,533; and in 1880 was as follows: Washington, 147,293; Georgetown, 12,578; Hillsdale Village, 672; Giesborough, 201—total, 160,744.

It is sad to think that here at the capital of the nation, during the last fiscal year, for every ten persons in the District of Columbia there was one person arrested, and that more than one-fourth of the number arrested were under the influence of intoxicating liquor.

On pages 13 and 14 of the report for 1883 by the major and superintendent of police I find the offenses classified as follows:

Offenses.	Males.	Females.	Total.
<b>AGAINST THE PERSON.</b>			
Affray	178	42	220
Assault	248	100	348
Assault and battery	1,218	351	1,569
Assault and battery with intent to kill	51	6	57
Assaulting policeman	31	2	33
Attempted rape	3		3
Accessory to rape	1		1
Accessory to murder	1		1
Bigamy	1		1
Backing policy	7		7
Criminal libel	2		2
Carrying concealed weapons	119	2	121
Contempt of court	89	30	119
Creating a nuisance	3		3
Disorderly conduct	1,155	439	1,594
Deserters	41		41
Fugitives from parents	36	12	48
Fugitives from reform school	14		14
Fugitives from industrial school	2		2
Fugitives from justice	52	3	55
Fast riding or driving	40	3	43
Fighting in the streets	78	14	92
Gift enterprise	1		1
Incorrigibility	27		27
Infanticide		1	1
Indecent exposure of the person	105	6	111
Insanity	58	12	70
Intoxication	3,518	294	3,752
Intoxication and disorderly	431	98	529
Interfering with policemen	8		8
Keeping disorderly house	7	8	15
Keeping bawdy house	7	25	32
Keeping gambling house	13		13
Keeping policy shop	38	4	42
Loud and boisterous	52	34	86
Miscellaneous misdemeanors	75	9	84
Murder	10	1	11
Mayhem	1		1
Picking pockets	5		5
Perjury	3		3
Profanity	497	169	666
Passing counterfeit money	5		5
Refusing to assist an officer	1		1
Rape	8		8
Rioting	1		1
Resisting officer	11		11
Refusing to pay hack-hire	23		23
Raising United States currency	2		2
Selling lottery tickets	14		14
Threats of violence	327	165	492
United States witnesses	174	55	229
Vagrancy	464	279	743
Writing policy	5		5
<b>Total offenses against the person</b>	<b>9,261</b>	<b>2,106</b>	<b>11,367</b>
<b>AGAINST PROPERTY.</b>			
Arson		1	1
Attempted arson	2		2
Attempted burglary	2		2
Attempted theft	2		2
Burglary	48	2	50
Buying stolen goods	2	1	3
Cruelty to animals	90	3	93
Destroying private property	72	4	76
Destroying public property	28	2	30
Embezzlement	19	1	20
Forceful entry	2	2	4
Forgery	9		9
Fraud	2		2
Grand larceny	86	25	111
Gambling	14		14
Grave robbery	1		1
Highway robbery	1		1
Housebreaking	48	2	50
Malicious mischief	27	5	32
Obtaining goods or money by false pretenses	23	2	25
Petit larceny	752	182	934
Robbery	8	1	9
Receiving stolen goods	19	11	30
Suspicion	580	65	645
Trespass	145	10	155
Violation of United States postal law	1	1	2
Violation of United States internal-revenue law	4		4
Violation of District ordinances	1,733	200	1,933
<b>Total offenses against property</b>	<b>3,720</b>	<b>520</b>	<b>4,240</b>

As I have shown by a letter from Mr. J. B. Edmonds, president of the board of commissioners for the District of Columbia, the amount received for bar-room licenses and wholesale liquor licenses is about \$70,000 per annum; whereas by the report of the superintendent of police, page 32, I find that the estimate of expenses for the Metropolitan

police alone for the fiscal year ending June 30, 1885, is \$334,600, as follows:

*Estimate of expenses for Metropolitan police for fiscal year 1885.*

One major and superintendent.....	\$2,600
One captain and inspector.....	1,800
One captain and night inspector.....	1,500
One property clerk.....	1,800
One clerk.....	1,500
One clerk.....	900
Four surgeons, at \$450.....	1,800
Special service, prevention and detection of crime.....	1,440
Nine lieutenants, at \$1,340.....	12,060
Twenty-seven sergeants at \$1,140.....	30,780
Eighty privates, class 1, at \$900.....	72,000
One hundred and thirty-five privates, class 2, at \$1,080.....	145,800
Seventeen station-keepers, at \$720.....	12,240
Eight laborers, at \$420.....	3,360
One messenger.....	700
One messenger.....	500
One major and superintendent, mounted.....	240
One captain and inspector, mounted.....	240
Twenty lieutenants, sergeants, and privates, mounted, at \$240.....	4,800
One driver.....	420
One ambulance driver.....	600
One assistant driver.....	300
Rent, sixth and seventh precinct stations, substation at Uniontown and police headquarters.....	3,020
Fuel.....	2,000
Repairs to stations.....	1,200
Miscellaneous and contingent expenses, including stationery, books, telegraphing, photographs, printing, binding, gas, ice, washing, meals for prisoners, furniture and repair to same, beds and bed-clothing, insignia of office, horses, police equipments and repairs to same, harness, forage, repairs to van and ambulance, and expenses incurred in prevention and detection of crime.....	10,000
New stable for the accommodation of van and ambulance and horses belonging to same.....	3,000
New station for sixth precinct.....	15,000
For transportation of paupers.....	3,000
Total.....	334,600

When we know, as every intelligent man must know, that the injurious effects from the use as a beverage of intoxicating liquors are universally admitted, and that spirituous liquors are powerful instruments for evil and corruption in our elections, and that the unbridled traffic in spirituous liquors promotes contentions, riots, ignorance, and poverty, and that the iniquity of alcoholism is visited through the parent "upon the third and fourth generations," and that the effects of alcoholism are filling our prisons, houses of correction, and institutions of charity with criminals and sufferers and covering the land with woe and misery, I confess that a feeling of mortification akin to indignation comes over me when I think of the cool manner in which my amendment, offered a few moments ago, to prohibit the manufacture and sale of intoxicating liquors within the District of Columbia, was ruled out on a point of order, and a chuckle of delight was heard to echo through the Hall of this House in the Capitol of the nation.

Mr. Chairman, do you not know that during the last ten years this country has produced the enormous quantity of 740,000,000 gallons of distilled spirits alone, and that all but 70,000,000 gallons of that quantity have been consumed in the United States? Is it any wonder that Hon. WILLIAM T. PRICE, in House Report No. 1107, after a most careful investigation of the alcoholic liquor traffic, is led to the following conclusions?

It is established by official reports that there were manufactured during the fiscal year ending June 30, 1883, of distilled spirits 65,678,696 gallons. In its production there were consumed 18,644,787 bushels of grain. During the same period there were manufactured of fermented liquors 17,757,892 barrels.

The total amount of revenue paid to the Government the last fiscal year on distilled spirits was \$74,368,775.20, and upon fermented liquors \$16,900,615.81.

There were of retail dealers in distilled spirits, who paid a special tax as such, 168,770; of wholesale dealers, 4,241.

Of retail dealers in fermented liquors, 8,006; of wholesale dealers, 2,168—an aggregate of 183,203 persons directly engaged in the liquor traffic.

It is computed that the cost to the consumers of the liquors sold by the 176,776 retail liquor dealers the last fiscal year was about \$850,000,000.

In an able article in the New York Tribune, September 27, 1882, the sum is put down at \$800,000,000. The writer says:

"It does no good to sneer at the agitation in regard to the liquor traffic.

"The subject is too important to be laughed down.

"Aside from the law-defying it has elicited, aside from all its moral and religious aspects, the question, considered purely as one of dollars and cents in its effects upon the national prosperity and wealth, is one of the most important that can be named.

"Directly and indirectly this country spends in the liquor traffic every year a sum exceeding half the national debt. The cost to the country of this traffic, direct and indirect, is greater than the profits of all its capital not invested in real estate. It costs every year more than our whole civil service, our Army, our Navy, our Congress, including the river and harbor and the pension bills, our wasteful local governments, and all national, State, county, and local debts, besides all the schools in the country. In fact, this country pays more for liquors than for every function of every kind of government.

"How is that question to be put aside with a sneer?

"There is certainly paid for drink more than \$800,000,000, and the entire sum raised by taxes of all kinds—national, State, county, city, town, and school-district—is stated on the authority of the Census Bureau to be not more than about \$700,000,000."

Among the petitioners for the passage of this bill (for a commission on the alcoholic liquor traffic) the belief is entertained that this enormous traffic is detrimental to the public welfare; that large as is the amount of revenue paid to the National Government by the distillers, brewers, and liquor dealers, the loss is infinitely greater to the tax-payers of the country from the expenditures occasioned by the liquor traffic.

That it is the cause of at least 90 per cent. of all the crime existing.

That it is the cause of three-fourths of all the pauperism in the country.

That it causes the existence of 600,000 drunkards.

That 100,000 annually die or are disabled from its effects.  
 That 9,338 are annually made insane from the use of intoxicants.  
 That the number of days' work lost to the country annually by reason of this traffic, at \$1 per day, is not less than a quarter of a million of dollars.  
 That by the laws of heredity the cases of insanity are increasing with terrible rapidity.  
 That it creates 120,000 widows and orphans annually.  
 That it causes 50,000 murders annually.  
 Judge Park said that 99 per cent. of all crime was produced by it.  
 That 100,000 are annually sent to jail for drunkenness.  
 Are these charges true or nearly true?  
 If you admit their truth, you can not deny that some remedy should be applied, if you desire to see this a happy people or a prosperous nation.

During the discussion of the bill for the extension of the bonded period for the 64,000,000 gallons of bourbon and rye whiskies then in bond, it was stated on this floor by a gentleman from Ohio that one-tenth of all the property in Cincinnati was invested in the whisky business.

In the State of Kentucky the whisky in bond alone is now estimated to be worth over \$150,000,000, while all the public buildings in Washington have cost but \$51,346,468, as follows:

*Statement of the cost of public buildings in the District of Columbia on 30th of June, 1883, exclusive of the grounds.*

[Compiled by Mr. R. A. Fish.]

WASHINGTON.	
Columbia Hospital.....	\$40,000
Old engine-house.....	2,000
Winder's and adjacent building.....	245,000
Department of Justice.....	197,779
Frame building used by Surgeon-General.....	1,500
Bureau Engraving and Printing.....	366,930
Engine-house, square 293.....	3,000
Stable, Post-Office Department.....	400
Medical Museum.....	88,000
Post-Office Department.....	2,151,500
Storehouse Congressional stable.....	1,200
Congressional stable.....	800
Government Printing Office.....	296,000
Architect's office.....	1,500
Engine-house, square 683.....	69,500
United States Marine Barracks.....	339,637
United States Naval Hospital.....	116,035
President's house and conservatory.....	735,580
President's stable.....	28,500
United States Treasury building.....	7,158,454
State, War, and Navy buildings.....	7,628,925
Agricultural buildings, hot-house, &c.....	501,825
Smithsonian Institution.....	492,651
National Museum.....	250,000
Armory building.....	45,702
Washington Monument.....	794,163
United States Observatory.....	255,264
Arsenal buildings.....	270,324
Patent Office building.....	3,245,778
City Hall.....	275,132
Pension Office building.....	\$137,000
New jail.....	525,550
Army and Navy powder magazine.....	15,000
United States navy yard.....	3,615,808
United States Capitol.....	15,599,656
United States aqueduct.....	3,847,547
Water pipes and plugs.....	172,276
WEST WASHINGTON.	
Engineer's office, aqueduct.....	3,000
Custom-house and post-office.....	59,767
COUNTY.	
New Naval Observatory.....	10,000
Battle Cemetery.....	1,000
United States Military Asylum.....	350,000
Columbian Institution for Deaf and Dumb.....	751,000
Reform School.....	271,056
Government Hospital for the Insane.....	1,513,112
United States Navy magazine.....	91,597
Total.....	51,546,468

It is time to call a halt. The country looks to Congress to begin reform in the District of Columbia; 350,000 voters in Ohio have taken a firm stand, and the politicians of that State have learned that a Republican candidate for governor can not carry water on both shoulders.

Iowa has taken the lead and shown to the world that the Republican party in that State has gained more strength since it declared for "free homes" against "free saloons," and enforces laws to the effect that "no person shall manufacture, sell, or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine, and beer."

At a mass-meeting held at London, in the eighth Congressional district, Kentucky, March 11, 1884, the following resolutions were adopted:

The committee appointed to draught resolutions returned the following, which was adopted unanimously:

"Resolved, That we unanimously indorse the action of our members and senators in the Kentucky Legislature in regard to the suppression of the liquor traffic throughout the State, and more especially in this and adjoining counties, and urgently request that the bill now pending prohibiting the sale of spirituous liquors in less quantities than twenty gallons in the counties of Laurel, Rockcastle, Jackson, Clay, and Owsley be made a law."

W. L. Brown presented the following resolutions:

"1. Resolved, That we are in favor of the passage of all laws tending to prohibit the sale of spirituous, vinous, and malt liquors in our county.

"2. Resolved, That we indorse the course of our members in Congress who opposed the extension of the bonded period of the whisky now in bond.

"3. Resolved, That we are in favor of the repeal of all concealed weapon laws, and recommend the passage of a law making it a penitentiary offense to draw or attempt to draw a deadly weapon, except in self-defense.

"4. Resolved, That we favor a law putting a heavy tax or penalty on the sale of pistols, unlawful knives, and pistol-cartridges.

"5. Resolved, That we favor the passage of the above laws because they will



have a tendency to improve society, morality, and good order, will relieve our court dockets, stop a heavy tax on the people, clear our prisons, invite immigration, and develop the hidden resources of our State."

Adopted.

George Faris offered the following resolution:

"Resolved, That our Representatives and Senators in Congress be requested to pass a law prohibiting the issuing of license by the revenue officers of the United States to any person to vend spirituous liquors, ale, beer, or wine, or any intoxicating liquors or mixture thereof in any town, county, or municipality where local option or any prohibitory liquor law exists in any State of the Union."

Adopted.

There being no other business the meeting adjourned.

D. R. BROCK, Chairman.  
C. W. JONES, Secretary.

Be it said to the honor of the grand old Commonwealth of Kentucky that before the adjournment on the 12th instant of the General Assembly of that State, by special acts it became "unlawful for any person to sell, directly or indirectly, any spirituous, vinous, or malt liquors, ale, wine, or beer, or a mixture thereof, or of either," in Laurel, Rock Castle, Jackson, Owsley, Clay, besides nine other counties in Southeastern Kentucky. Local-option laws are rapidly confining the sale of alcoholic liquors to the large towns and cities in the State.

We owe it to the 56,000,000 of people of the United States to have as good government in the District of Columbia as there is in the State of Iowa. We can only do so by closing up the saloons here and paying liberal salaries to the teachers who have the training of the youth.

This question, like that of slavery in 1856, is in politics and it is not to be sneered away. It is a live issue. If any man doubts it he will be permitted to become a converted Thomas after the November election. There are no less than 1,000,000 voters in the United States who believe in the principles involved in the prohibition victory in Iowa. They are so distributed from Maine to California, from North Carolina to Oregon, as to make themselves felt in the fall elections, and you may be assured that they are not sleeping.

The amendment of Mr. WHITE, of Kentucky, was not agreed to.

Mr. FOLLETT. I move that the committee rise in order that the hour for the recess may be extended, so that the consideration of this District appropriation bill in Committee of the Whole may be concluded.

The motion was agreed to.

The committee accordingly rose; and Mr. McMILLIN having taken the chair as Speaker *pro tempore*, Mr. HAMMOND reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 6656) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1885, and for other purposes, had come to no resolution thereon.

Mr. RANDALL. I ask unanimous consent that the hour for the recess be extended so as to allow the Committee of the Whole to conclude the consideration of the District of Columbia appropriation bill.

There being no objection, it was so ordered.

#### HOOR OF MEETING AT EVENING SESSIONS.

Mr. MATSON. I ask unanimous consent that the order heretofore made for Friday night sessions be so far modified that the House after the recess shall reassemble at 8 o'clock instead of half past 7.

The SPEAKER *pro tempore*. If there be no objection the order will be so modified. The Chair hears no objection.

#### OHIO ELECTION CONTEST—WALLACE VS. M'KINLEY.

Mr. TURNER, of Georgia. I desire to give notice that on Monday morning next I shall endeavor to call up and have considered the contested-election case of Wallace vs. McKinley, from the State of Ohio.

#### DISTRICT OF COLUMBIA APPROPRIATION BILL.

Mr. FOLLETT. I move that the House resolve itself into Committee of the Whole to resume the consideration of the District of Columbia appropriation bill.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole (Mr. HAMMOND in the chair) and resumed the consideration of the bill (H. R. 6656) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1885, and for other purposes.

The Clerk read as follows:

That no payment shall be made of any certificate issued by the late board of audit of the District of Columbia under authority of the act approved June 20, 1874, that shall not be presented for payment within one year from the date of the approval of this act; and it shall be the duty of the commissioners of the District of Columbia to cause notice to be given to the holders of said certificates to make presentation within the time fixed, by publication in two newspapers published in the city of Washington each once a week for three successive weeks immediately following the approval of this act, and once a week for three successive weeks immediately preceding the date of expiration of the time fixed herein within which payment may be made.

Mr. BLOUNT. I desire to inquire whether there has been any limitation heretofore with reference to the presentation of these certificates?

Mr. FOLLETT. It is intended now to fix a limitation for the purpose of closing up the business.

Mr. BLOUNT. Has the District been paying them regularly?

Mr. FOLLETT. Yes, sir. The law was passed several years ago. The object now is to get them all in.

The Clerk resumed and concluded the reading of the bill.

Mr. FOLLETT. I move that this bill be laid aside to be reported with the amendments to the House.

The motion was agreed to.

Mr. FOLLETT. I now move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and Mr. McMILLIN having resumed the chair as Speaker *pro tempore*, Mr. HAMMOND reported that the Committee of the Whole House on the state of the Union had had under consideration the bill (H. R. 6770) making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1885, and for other purposes; the bill (H. R. 6861) making appropriations for the support of the Army for the fiscal year ending June 30, 1885, and for other purposes; and the bill (H. R. 6656) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1885, and for other purposes, and had directed him to report back the same with sundry amendments and with a recommendation that the bills be passed with the amendments.

#### PRINTING OF AGRICULTURAL REPORT.

Mr. HATCH, of Missouri, by unanimous consent, introduced a joint resolution (H. Res. 251) providing for printing the annual report of the Commissioner of Agriculture for the year 1884; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

#### GENERAL APPROPRIATION BILLS.

Mr. RANDALL. I desire to ask that the previous question be considered as ordered upon the three appropriation bills just reported from the Committee of the Whole with amendments.

Mr. REED. I suggest to the gentleman that if the previous question should now be ordered it will be necessary to go on and conclude these bills to-morrow, which would interfere with the business assigned for that day.

Mr. RANDALL. It is not my intention to ask for a vote on these bills until Monday.

Mr. REED. I submit that it would be well not to have the previous question ordered. There will be no attempt to interfere with the vote upon the bills on Monday.

Mr. RANDALL. My wish is that the vote shall not be taken on these bills until Monday, so that the Judiciary Committee may have the whole day to-morrow.

Mr. REED. The purpose of the gentleman from Pennsylvania in regard to these appropriation bills will not be interfered with at all.

Mr. RANDALL. If I can have that assurance—

The SPEAKER *pro tempore*. Does the gentleman from Pennsylvania withdraw his proposition?

Mr. RANDALL. Even if the previous question should be ordered, it is not my intention to call for a vote on the bills until Monday.

Mr. REED. If it can be made by unanimous consent the vote shall not be called until Monday, I will be satisfied with that.

Mr. HOLMAN. I hope that agreement will not be made.

Mr. RANDALL. Then I do not demand the previous question.

#### ORDER OF BUSINESS.

Mr. WELLER. I ask unanimous consent to introduce a joint resolution for present consideration authorizing the Secretary of the Treasury to invest the lawful money deposited in the Treasury in trust by national banking associations for the retirement of their circulating notes, and for other purposes.

Mr. COX, of North Carolina. Is not the House compelled to take a recess at 5 o'clock?

The SPEAKER *pro tempore*. The House by unanimous consent extended that time so as to complete action in committee on the appropriation bills.

Mr. COX, of North Carolina. And that has been done.

The SPEAKER *pro tempore*. It has. Does the gentleman demand the regular order?

Mr. COX, of North Carolina. I do.

Mr. WELLER. Then I will only ask that my joint resolution shall be printed in the RECORD. Nobody will object to that.

The proposed joint resolution is as follows:

Joint resolution authorizing the Secretary of the Treasury to invest the lawful money deposited in the Treasury in trust by national banking associations for the retirement of their circulating notes, and for other purposes.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury be, and is hereby, authorized, out of any lawful money deposited by national banks for the purpose of retiring their circulation, under the provisions of section 4 of the act of July 20, 1874, and of sections 5222 and 5230 of the Revised Statutes of the United States, and of section 6 of the act of July 12, 1882, to purchase, at not exceeding the par value thereof, under such regulations as he may prescribe not inconsistent therewith, any bonds of the United States now outstanding; the bonds so purchased to be held in trust and used as security for the payment of the circulating notes of the banks which have or may deposit lawful money for such redemption and payment: *Provided, however,* Whenever the circulating notes of national banking associations, for the retirement of which lawful money has been deposited, are presented to the Treasury for redemption, the

Secretary of the Treasury shall use any available moneys in the Treasury for the redemption thereof, and to that extent the bonds so held shall be canceled and destroyed together with the interest thereon: *And further provided*, All of the interest accruing on said bonds or any of them shall be canceled as it matures: *And further provided*, That all of said bonds and the interest thereon shall by the Secretary of the Treasury be canceled and destroyed whenever it shall appear to him that the outstanding notes of said banking associations are destroyed or lost, the intent being that the Government shall redeem by lawfully-money payment all such notes so provided for and also to cancel all of said bonds and interests thereon accruing as stated hereinbefore.

## LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted in the following cases:

To Mr. CUTCHEON, for two weeks, on account of important business.

To Mr. LORE, for ten days, on account of important business.

Mr. MATSON. I call for the regular order.

The SPEAKER *pro tempore*. In obedience to the order of the House the recess will now be taken.

And then (at 5 o'clock and 10 minutes p. m.) the House took a recess until 8 o'clock p. m.

## EVENING SESSION.

The recess having expired, the House, at 8 o'clock p. m., was called to order by Mr. McMILLIN, as Speaker *pro tempore*, who directed the reading of the following communication:

SPEAKER'S ROOM, HOUSE OF REPRESENTATIVES,  
Washington, D. C., May 16, 1884.

Hon. J. B. CLARK,  
Clerk House of Representatives:

I hereby designate Hon. BENTON McMILLIN to preside as Speaker *pro tempore* during the session this evening.

Respectfully,

J. G. CARLISE, Speaker.

The SPEAKER *pro tempore*. The Clerk will read the order under which the House meets to-night.

The Clerk read as follows:

*Ordered*, That until the further order of this House, on each Friday the House will take a recess at 5 o'clock until 8 p. m., at which evening session bills on the Private Calendar reported from the Committee on Pensions and the Committee on Invalid Pensions shall be considered.

Mr. MATSON. I move that the House do now resolve itself into Committee of the Whole House on the Private Calendar under the order just read.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole House, Mr. HATCH, of Missouri, in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of the Private Calendar under the special order just read. The Clerk will report the first bill.

WALTER H. CROW.

The first business on the Private Calendar was the bill (H. R. 6084) to restore the name of Walter H. Crow to the pension-roll.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to restore the name of Walter H. Crow, late a sergeant of Company K, Thirty-third Indiana Volunteers, to the pension-roll.

Mr. MATSON. I ask unanimous consent that the reading of the report be dispensed with in that case. It was discussed at some length the other night, and I move to amend the bill, to meet the objections of the gentleman from Alabama, who is not yet present, by adding the words "from and after the passage of this act."

The CHAIRMAN. The Chair is informed that there is an amendment pending to the bill, offered by the gentleman from Alabama on the last evening when the House considered the Private Calendar, which the Clerk will report.

The Clerk read as follows:

Add at the end of the bill: "and pay him a pension from and after the passage of this act."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

LAURA J. GODDARD.

The next business on the Private Calendar was the bill (H. R. 5544) for the relief of Laura J. Goddard.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Laura J. Goddard, widow of Elisha M. Goddard, formerly a private in Company C, Sixth Regiment Vermont Volunteers, and pay her a pension from and after the passage of this act.

The report (by Mr. BAGLEY) was read, as follows:

Elisha M. Goddard, husband of the petitioner, was mustered into the service of the United States as a private in Company C, Sixth Regiment Vermont Volunteers, October 15, 1861, and was discharged October 31, 1862.

On the 16th day of April, 1862, he received a gunshot wound of both legs at a place called Lee's Mills, in the State of Virginia. For his disability he first received a pension of \$6 per month, which was subsequently increased to \$8. The justice of his claim was therefore recognized by the Pension Bureau. He died August 25, 1881.

The widow filed her application on the 3d of April, 1882. The Pension Office rejected it in the following words:

"The claimant's allegation that the soldier died from the results of the dis-

ability for which he was discharged, and for which he was subsequently pensioned, is not sustained; the condition and nature of the gunshot wounds of the right thigh and left knee do not indicate that they were in any manner the cause of the soldier's fatal disease, consumption. The claim is therefore rejected."

The evidence upon which this decision is based is found in the brief accompanying the case, and is copied *verbatim*, as follows:

"Dr. Henry W. Lawrence, of Ballston Spa, N. Y., testifies that he attended the soldier during about fifteen months and in his last illness; he died August 25, 1881, of consumption, the remote or exciting cause being a gunshot wound causing general debility; that the soldier's disease was not caused or aggravated by bad habits.

"Dr. H. W. Lawrence, in an additional affidavit, states that he prescribed for the soldier about fifteen months; at that time the wound was not discharging. The soldier was in the advanced stages of consumption, the disease having progressed more rapidly after wounds healed. The general debility, caused by the wounds, superinduced the pulmonary disease.

"Dr. Benjamin W. Noxon testifies that he attended the soldier for about six years; his condition was weak, and his general health bad; he suffered more or less from his wounds, and his days were much shortened by reason of said wounds and exposure in the Army.

"In an additional affidavit Dr. Noxon states that the soldier died of pulmonary consumption, induced by the wound on his hip-joint. This wound greatly affected his health and strength, producing weakness and debility, resulting in the lung disease. That the wound closed some time before death, and after this discharge ceased the lung disease became more prominent."

Office record gives professional standing good and credibility good of these physicians.

"Aaron Goddard testifies that the soldier came to Cohoes after his discharge. He had been severely wounded by a ball through his hips and the lower part of his body; also one through his leg, near the knee; had to use crutches for several years, and his constitution seemed to be broken down. He was quite feeble and unable to perform manual labor, and gradually grew worse till he died. The soldier's disability was not prolonged or aggravated by immoral conduct or intemperance. The physicians who first treated him when he returned are now dead.

"Daniel Chambers testifies that he knew the soldier intimately for the past twelve years. He was in feeble health, occasioned by wounds in the hip; was unable to perform much labor; it troubled him to stoop or lift anything; he kept dwindling away, and died of consumption August 25, 1881. Soldier's habits were good."

Notwithstanding the conclusion of the pension examiners, with the foregoing evidence before them (the affiants accepted by the office as reputable persons) your committee must decide that the soldier's death was the result of the wounds received in the service, and that his widow should be pensioned. They, therefore, recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLES P. MAHAN.

The next business on the Private Calendar was the bill (H. R. 3728) granting a pension to Charles P. Mahan.

The bill was read, as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Charles P. Mahan, late of Company G, One hundred and forty-sixth Regiment, New York Volunteers.

The report (by Mr. BAGLEY) was read, as follows:

Claimant enlisted August 30, 1862, and served as private in Company G, One hundred and forty-sixth New York Volunteers, until July 16, 1865, when he was honorably discharged. He filed application for pension April 3, 1879, alleging that he was injured on the 13th of May, 1864, at Chancellorsville, by a stampede of horses, being knocked down and trampled upon, bruising his leg; afterward a bunch appeared upon the leg and this continued to increase until removed by surgeon on the 25th day of November, 1878, weighing ten pounds.

Jerome Seance, a comrade of claimant, knew him in the service; was present when the stampede occurred, May 13, 1864; did not see the injury inflicted, but saw claimant immediately afterward; he complained then of injury; said he was trampled upon; camped with claimant; saw his leg, it was inflamed and swollen. Comrades Goodfellow and Contuntie knew claimant in service; knew he was injured at stampede; did not see injury inflicted, heard of it within a day or two, and knew generally that injury was to thigh, and of the character herein described.

Several neighbors of claimant, residing in the same village with him, knew him from time of his return from the war up to the time the tumor was removed from the thigh in November, 1878; saw him very frequently; knew he was lame when he returned; heard him say it was caused by injury received in a stampede at Chancellorsville in May, 1864, and knew he was disabled from performing manual labor.

Colonel Brown, of the Fifty-seventh Regiment, New York, resides in the same village with claimant; has known him since his discharge; knew of his lameness and its continuance up to the time of surgical operation; his father was one of the operators; heard claimant describe injury; knew that by reason of injury claimant was disabled from performing manual service.

All the witnesses unite in saying that claimant is respectable, worthy, and truthful.

Upon this evidence and personal examination of claimant, the examining surgeon, on the 11th day of August, 1880, reported that, in his opinion, the claimant was permanently incapacitated for manual labor, and that the disability was permanent.

April 8, 1882, the case was referred by Pension Department as follows, namely: "Respectfully referred to W. R. Wood, medical referee, with the request that he state whether, in his opinion, the tumor resulted from the alleged injury, and, if not, whether claimant has been disabled since discharged by reason of said injury or results, the origin of which are not definitely shown."

J. W. MINER.

"APRIL 8, 1882."

To which the following reply was made to Judge Walker:

"Respectfully returned to Judge Walker. If it is shown to your satisfaction that claimant received an injury in the location of the tumor on right leg, we will have to admit it (the tumor) as the result of said injury."

"W. R. WOOD, Medical Referee.

"APRIL 18, 1882."

The claim was rejected by the Department February 17, 1883, in the following language:

"Rejected, because claimant can not prove that the injury or tumor was caused while in the service."

Your committee are of the opinion that the evidence of injury is complete. The claimant himself is a worthy and truthful man; the comrades have no interest, and although they did not see the injury inflicted, they were present, and establish the fact that the stampede did occur; they heard the claimant describe the injury immediately after it occurred. One of them saw the limb; it was inflamed and swollen. The neighbors describe the appearance after his

return. The character of the injury, accompanied as it was with results, after a lapse of fourteen years, repels the idea of the claim being a subterfuge or pretense. Wherefore we report favorably, and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JAMES M'ANNY.

The next business on the Private Calendar was the bill (H. R. 2394) granting a pension to James McAnny.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James McAnny, late quartermaster-sergeant of Company C, First Regiment New Jersey Cavalry.

The report (by Mr. BAGLEY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2394) granting a pension to James McAnny, having considered the same, submit the following report:

In the petitioner's declaration for a pension he states that he entered the service of the United States on the 27th day of July, 1861, in Company C, of the First Regiment New York Cavalry, and was honorably discharged at Camp Bayard, Virginia, on the 12th day of January, 1863. This statement is confirmed by the certificate of discharge.

The claimant alleges that while on a scouting expedition near Culpeper Court-House, in the State of Virginia, he was injured by his horse being shot and falling on him, which broke several of his ribs and hurt his lungs, and that at the same time and place he received a gunshot wound in left leg, and that he was treated in hospital at Washington, and also at Chester Hospital, in the town of Chester, Pa.

The records in the Adjutant-General's office show that he was with his company in July and August, 1862; sick and absent September and October, 1862; present for duty November and December, 1862; present, sick, January, 1863, and discharged January 12, 1863, on account of disability. Regular return, July, 1862, reports him among "absent enlisted men;" cause not stated. No evidence of wounds on company roll. From the 28th of July to the 8th of August the company (with the regiment) was in the advance of Pope's Army of Virginia, performing scout and picket duty between Culpeper Court-House and the Rapidan.

The certificate of discharge, signed by F. V. Dayton, assistant surgeon, says that, having examined James McAnny, finds him incapable of performing the duties of a soldier because of tuberculosis, with great disability, rendering him entirely unfit for duty.

D. B. Ingersoll, examining surgeon, under date of December 23, 1878, says, that the soldier is totally disabled, and that, judging from the evidence, it is his belief that the disability did originate in the service, and that he finds that the seventh and eighth ribs on left side have been broken, and they now press upon the lung and prevent its expansion.

As to the applicant's condition prior and subsequent to enlistment, John Moore swears, under date of June 12, 1878:

"That he has been well and intimately acquainted with the claimant for thirty years; associated with him frequently before and since the war, and knows of his own personal knowledge that he was a stout, healthy man before he enlisted, and free from any disease of lung or injury to leg. Had he not been so, affiant would certainly have known it. Claimant came home from the Army sick with lung disease, which has affected him ever since. Understood that he was injured by his horse while in the Army."

Peter J. Woolston makes statement under oath substantially as above.

John E. Carey, M. D., testifies that he has "treated McAnny more or less since 1871 for consumption of left lung, which appears more affected than the right lung. He has been unable to work at times since I first examined him. He is a temperate man in regard to all things, so far as I know."

The claim was deemed inadmissible by the Pension Office because the claimant could not produce the evidence of officers or comrades or of treatment in the service.

Judging by the claimant's own statement under oath, he did receive the injuries from which he is now suffering in the service and the line of duty, and as he has proven by credible witnesses that he was sound and healthy when he entered the service, and seriously disabled when he left, your committee conclude that he is deserving of a pension, and recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY A. GRIFFITH.

The next business on the Private Calendar was the bill (H. R. 1046) granting a pension to Mary A. Griffith.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and is hereby, directed and required to place the name of Mrs. Mary A. Griffith, mother of William D. Griffith, late a private in Company F, One hundred and fifty-first Regiment New York Volunteers, on the pension-roll, at the rate of \$8 per month; said pension to commence on the 1st day of January, A. D. 1867, and to continue during her widowhood; and in the event of the marriage or death of the said Mary A. Griffith such pension shall cease.

The report (by Mr. BAGLEY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1046) granting a pension to Mary A. Griffith, having considered the same, beg leave to make the following report:

The papers in this case show that William D. Griffin was mustered into the service of the United States as a private on the 28th day of September, 1862, at Lockport, N. Y., in Company F, One hundred and fifty-first Regiment New York Volunteers, and that he was killed at the battle of Monocacy, at Monocacy Junction, in the State of Maryland, on July 9, 1864. The Adjutant-General's report says:

"Missing since July 9, 1864; supposed to be taken prisoner; but prisoners taken at that time and since paroled report him killed July 9, 1864."

He left a widow but no children. The papers indicate that the widow received a pension. She has since remarried, which debar her from the pension. It seems that the mother of the petitioner, Mrs. Mary Griffin, applied for a pension prior to the marriage of the widow, as the jacket containing the mother's affidavit bears this indorsement, "Rejected; widow in receipt of pension, August 26, 1865." Under the law the mother can not receive a pension through the action of the Pension Office, as section 4707 of the pension laws provides that where a soldier dies who is entitled to an invalid pension, leaving a wife or children, no other relative or relatives shall be entitled to receive a pension, notwithstanding such relative may have been dependent upon him for support prior to his death. The inference then is that should the widow die or remarry, leaving no children, by her first marriage, under sixteen years of age, the right

to a pension, resulting from the soldier, terminates *in toto*, and no title to any party remains.

The question then is, has this mother a moral or equitable right to support from the Government, to be determined by the following affidavits, which show conclusively that she was dependent upon her son for a maintenance.

James Duncan and Richard Winthrop, jr., swear "that they have been well and intimately acquainted with her (Mary Griffin) and her deceased son, her husband, and with all the circumstances of the family for the past ten years. That she has not now, nor has she had since deponents' acquaintance with her, any property whatever, except the necessary household furniture and wearing apparel. The said William D. Griffin resided at home with his mother up to the time of his enlistment. That he was a cooper by trade and worked at his trade in the city of Lockport for ten years prior to his enlistment, and was not married until after his enlistment. That Griffin's father, for three or four years prior to his death, was unable, on account of disease and infirmity, to labor but very little, and could not contribute to the support of his wife. That during this time, and after the father's death, until his enlistment he resided at home, and contributed to the support of his mother and the family all of his wages, purchasing the fuel, provisions, clothing, and the other necessities. The deponents are of the opinion that the amount contributed for the family was \$150 per year, that they know she was dependent upon her son as stated, and that she is now needy and dependent. That she has a son 19 years of age, and a daughter 12 years old, who is sickly, and needs much care. That they know William D. Griffin left a widow, who has since his death married one William Leroy."

The mother, in her affidavit, says:

That she has not now, nor has she had since the death of her husband, any property whatever excepting necessary furniture and wearing apparel. That her son William lived at home with her prior to enlistment, and that he materially contributed to her support by giving her his wages, supplying her with food, clothing, and other necessities. That her son was not married until after his enlistment, and that she is needy and dependent, and prays for a pension for her support.

The committee are of the opinion that William D. Griffin did support his mother, and that in his death her loss is irreparable. She is now 72 years old, and is in needy circumstances. As the law precludes her getting relief through the regular channel of the Pension Office, the committee think a special act should pass for her benefit, and therefore recommend the adoption of the bill accompanying, with the following amendments: Strike out the word "Griffith" wherever it occurs in line 5, and insert "Griffin." Strike out all in the bill after the word "pension-roll" in line 7, and insert "subject to the limitations and provisions of the pension laws." Amend the title by striking out "Mary A. Griffith," and insert "Mary A. Griffin."

The amendments reported by the committee were agreed to.

Mr. HERR. I would like to ask the chairman of the committee if there are any precedents for this; or whether any special acts have been passed in cases where the widow or children have been entitled to a pension, and where the children have passed the age and the widow has died or remarried, where the pension has reverted to any person who under the law would not have been entitled to it if the widow was living or had not married?

Mr. MATSON. I will take pleasure in answering the gentleman from Michigan by saying that there has been a precedent established at this session of Congress for one instance. There was a bill passed the House of a precisely similar character to this during this session. I think it was the case of some person from the State of Iowa.

Mr. HERR. I have no recollection of any such cases.

Mr. MATSON. The case to which I allude was a case where on the death of a soldier the pension had terminated, or where the widow had remarried, and the mother just as in this case, being a person wholly dependent, was the beneficiary. Congress revived the pension by giving it to the dependent mother.

Mr. HERR. I did not gather from the reading of the report when this soldier was married.

Mr. MATSON. He married after enlistment; perhaps after his discharge; I am not positive.

Mr. PETERS. No; during his term of service.

Mr. MATSON. At the time of his enlistment there is no question that the mother was dependent upon him, and is even more dependent now than before. She is without property and quite old.

In this case the soldier after his enlistment married. While in the service he was sick or died from disease, I have forgotten which. But at all events he died in the service. His wife remarried leaving no children. When she remarried the pension terminated. This proposes to revive the right of a pension in the dependent mother.

Mr. HERR. I can see that the mother has strong equities in the case; but it seems to me that it throws open the doors to a large class of cases. I have not known of instances of this kind before, though there may have been some. I may be mistaken as to there being a large class of claims of this character. From the statements of gentlemen around me it is thought that there may not be very many.

Mr. MATSON. So far as the precedents are concerned, I have in my mind a very distinct recollection of a case which I think I am safe in saying was precisely like this. So far as the danger of establishing such a precedent is concerned I think there is not much.

This is a case which presents some extreme features. The woman is very old. She was dependent on her son at the time of his enlistment, more than twenty years ago, and has grown more helpless and dependent since; and I do not apprehend there is danger of any great drain upon the Treasury because of many cases of this kind in which we may be called upon to give relief.

Mr. LAIRD. I should like to ask the chairman of the Committee on Invalid Pensions one question. The report states as a matter of law or of construction from the law that during the life of any person entitled in the first instance to a pension, whatever may be the claims of the mother or father of the deceased soldier, they can not receive any

assistance from the Government. Is that a matter of construction placed on the law by the committee, or is that the law itself?

Mr. MATSON. From some confusion in the Hall I did not exactly understand the gentleman's question.

Mr. LAIRD. My question is this: If the widow received a pension can the mother or father under any circumstances receive one?

Mr. MATSON. They can not. There can be but one pension given.

Mr. LAIRD. That is as the law stands?

Mr. MATSON. That is the law.

Mr. LAIRD. It is not a question of the construction of the law by the committee?

Mr. MATSON. No, sir; that is the law.

Mr. PETERS. I was in hopes that some one else would propound the question I am about to put, because I confess I dislike to do so. I see the report states this lady has a son 19 years old. Now, is there evidence showing that this son is unable to contribute to the support of his mother?

Mr. MATSON. My recollection of the report, I will say in answer to the gentleman from Kansas, is that this son, who is 19 years old, is in feeble health and in his mother's charge.

Mr. PETERS. The report states it in this way: That she has a son 19 years of age and a daughter 12 years of age, who is sickly. There is no reference made to the condition of the son.

Mr. MATSON. I see I was mistaken in the answer I gave to the gentleman. I only know the facts from having heard the report read. As to the particular details of the case I am not informed. Perhaps I was so at the time it was being considered in the committee, but if so I have forgotten them. Neither the gentleman who introduced the bill, the gentleman from New York [Mr. STEVENS], nor the gentleman who reported it [Mr. BAGLEY] is present, and I can not myself give the gentleman from Kansas an answer to his question. If there is any serious objection to the bill or a desire for further information on the part of members, I ask that it be passed over informally.

Mr. HEWITT, of Alabama. I think the bill had better be passed over. But I wish to state the case referred to by the gentleman from Indiana [Mr. MATSON] was not altogether like this one. In that case the widow never did apply for a pension at all.

Mr. MATSON. She waived her right.

Mr. HEWITT, of Alabama. And no pension at all was ever granted to the widow.

The CHAIRMAN. The gentleman from Indiana [Mr. MATSON] asks unanimous consent that the bill be passed over informally.

Mr. CULLEN. I do not think there is any necessity for passing the bill over. My recollection from the discussion in the committee is that there is a great deal of merit in this case, perhaps more than there is in the average of cases that come before this committee. That this old lady is dependent and in indigent circumstances is not disputed; and that nobody else is drawing the pension on account of this soldier is also undisputed. The widow in remarrying waived her right to that pension. As to this 19-year-old boy there is nothing to show that he is in any condition to support or even contribute largely to the support of his aged mother, now 72 years of age.

It appears to me, in view of all the surroundings in this case, that the bill ought to pass. I therefore move that the bill be laid aside to be reported to the House with a favorable recommendation.

The CHAIRMAN. The question is on the motion of the gentleman from Illinois [Mr. CULLEN] that the bill be laid aside to be reported to the House with a favorable recommendation.

Mr. HEWITT, of Alabama. Before that question is put I desire to say that there is nothing in the report going to show that this 19-year-old boy is not an able-bodied young man; and there is no statement in the report that he is not working for his mother and contributing to her support. I think if the young man was in a condition physically that he could not work for his mother the report would have been very apt to have stated it. In fact, we have a right to presume it would have stated it from the circumstance that it does state that the daughter is in bad health. Stating that fact as to the daughter, certainly if the boy had been in bad health it would have stated that. The mother in this case is not entitled to a pension under the law. That is admitted by all. The law grants a pension to the widow, and here for a number of years the widow drew the pension; but when she remarried no one under the law was entitled to the pension.

Now if we are going to pass a special act in every such case as this, and when the widow remarries grant a pension to the mother because she was dependent, I think that had better be done by a general act so as to apply the rule to all alike.

I think it is due to all dependent mothers of soldiers that we should not select certain particular cases outside of the law and grant pensions to them, but we ought to treat all alike. It would be a very easy matter to frame a general law to cover all such cases, and if this Congress is ready for such a law as that we ought to say so and not be continually passing special bills granting relief to particular persons. I am opposed to any special legislation where a general law can be framed to cover the cases.

There are some cases that you can not reach by general legislation, and if any remedy is to be provided it is necessary to pass special acts

for the purpose. But this is not such a case. A general law can be framed to grant to dependent mothers of soldiers the pensions which terminate when the widows remarry or the children arrive at the age of 16. There is no reason why special bills should be passed by Congress in such cases. Hence I think that this bill ought not to pass.

Mr. CULLEN. The gentleman from Alabama has stated this case very fairly and very frankly. But this bill is now before the House because under a strict construction of the law the Pension Office can not grant a pension in this case. That is the fact in reference to every special pension bill that is introduced into this House. These special cases come here simply because a literal and strict construction of the law will not authorize the Commissioner of Pensions to grant pensions in such cases.

We are here to take the equity view of the case, and if, all things considered, we think the case is a deserving one it is our duty to grant relief by special act. If we are to be governed by the stubborn and strict construction of the law, then every one of these special cases is out of order. From the knowledge I have of pension cases, I think that this is one of more than average merit on the equity side. I have no feeling in this matter other than the feeling I have for all unfortunate persons of this kind.

The CHAIRMAN. The question is upon laying aside the bill as amended to be reported favorably to the House.

The question was taken; and it was so ordered.

FRANCES HASENZAHL.

The next business on the Private Calendar was the bill (H. R. 4828) for the relief of Frances Hasenzahl.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to restate the pension of Frances Hasenzahl, widow of Christopher Hasenzahl, formerly a member of Company C, Thirteenth Regiment New York State Volunteers, at \$8 per month, commencing at the death of her said husband, deducting therefrom the amount that has already been paid.

The Committee on Pensions recommend that the bill be amended by striking out the words "restate the pension" and inserting in lieu thereof the words "place on the pension-roll the name;" also, strike out, at the end of the bill, all after the words "New York State Volunteers."

The report (by Mr. BAGLEY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4828) for the relief of Frances Hasenzahl, having considered the same, beg leave to submit the following report:

Christopher Hasenzahl, husband of Frances Hasenzahl, the petitioner, enlisted in the service May 14, 1861, as a private in Company C, Thirteenth Regiment New York Volunteers, and was discharged May 12, 1863. He received a shell wound in head at the battle of Manassas, August 30, 1862, and was sent to hospital. About one week after his return to his company (in December, 1862) he was attacked with an epileptic fit, resulting from said wound, and was subject to them until his death, which occurred July 27, 1879. He was pensioned at \$8 per month, and the original invalid pension paper says, "approved for epilepsy, the result of a gunshot wound of head."

The widow filed her application for pension November 20, 1879, but it was rejected June 16, 1883. Cause of rejection not stated. That he died from the cause for which he was pensioned is very plain from the evidence of the physician who attended him.

Dr. John Hanensten testifies that he is a regular practicing physician of thirty-five years' standing; that he has been the family physician of Christopher Hasenzahl for the past fourteen years; that he has prescribed for him during the time in cases of epileptic fits; that the immediate cause of his death was, in all probability, the frequency of the epilepsy, from attacks occurring as often as from one to four times during a night; that he attended him the last time on the 27th day of July, 1879, and found him with symptoms of congestion of the brain, developing into inflammation and consequent disorganization of that structure, and in the absence of any other cause adequate to produce these symptoms, he is forced to the conclusion that epilepsy produced his death.

The committee think there is no question as to the merit of this case, or a reasonable doubt that the man died from the cause for which he was pensioned, or that his death was the result of wounds received in the service. The widow has four children under 16 years of age. She is entitled to a pension, and the committee recommend the passage of the bill with the following amendments: Strike out, in line 4, the words "restate the pension" after the word "to," and insert the words "place on the pension-roll the name," and strike out all after the word "volunteers," in line 7.

The amendments reported from the Committee on Invalid Pensions were agreed to.

The question was upon ordering the bill as amended to be laid aside to be reported favorably to the House.

Mr. PERKINS. I would inquire of the chairman of the Committee on Invalid Pensions who introduced this bill.

Mr. MATSON. It was introduced by the gentleman from New York, Mr. ROGERS.

Mr. PERKINS. I think we will be doing this applicant an injustice by passing this bill. If I understood the report correctly as read, this pension can be secured at the Pension Office from the date of the death of the husband. It seems that the husband was granted a pension on the ground of epilepsy resulting from a wound received in the service, and there is no question from the evidence that he died from that injury. If the matter is pressed upon the Pension Bureau it seems to me there can be no doubt that the pension can be obtained there.

Mr. MATSON. I think the passage of this bill would not prevent the adjudication of the claim at the Pension Office.

Mr. HEWITT, of Alabama. From the reading of the bill as introduced, it would appear that the gentleman introducing the bill had the

idea that this woman was on the pension-roll, and the object of the bill is to rerate the pension.

Mr. MATSON. That is a mistake.

Mr. HEWITT, of Alabama. She has never had a pension?

Mr. MATSON. She has not.

The bill as amended was then laid aside to be reported favorably to the House.

ROSE ANN GALBRAITH.

The next business on the Private Calendar was the bill (H. R. 4818) for the relief of Rose Ann Galbraith.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Rose Ann Galbraith, widow of John Galbraith, late a private in Company G, Seventh Regiment of Infantry, United States Army, and pay her a pension at the rate of \$3 a month from and after the 12th day of December, 1872.

The Committee on Invalid Pensions recommend that the bill be amended by inserting after the words "place on the pension-roll" the words "subject to the provisions and limitations of the pension laws;" also by striking out at the end of the bill all after the words "United States Army."

The report (by Mr. BAGLEY) was read, as follows:

The committee on Invalid Pensions, to whom was referred the bill (H. R. 4818) for the relief of Rose Ann Galbraith, having considered the same, beg leave to make the following report:

John Galbraith, husband of the petitioner, enlisted in the service of the United States on the 11th day of January, 1855, and was assigned to Company G, Seventh Regiment United States Infantry. He is reported discharged November 11, 1850, at Camp Floyd, Utah, by re-enlistment in same company. The company was broken up and transferred to Company I, Seventh United States Infantry March 1, 1863.

Adjutant-General reports him deserted from furlough March 25, 1863; no apprehension and no record of death, and his furlough is not reported as sick furlough. The soldier died December 12, 1872. Widow filed application for pension June 6, 1878. This was rejected on the ground of desertion. It is shown that about the date at which he is charged with desertion he was at home prostrated with sickness. The claimant alleges her husband contracted consumption and came home sick and died of said disease.

The evidence to establish contraction of disease in service is not professional, but is that of an officer of the soldier's company, and is as follows:

Joseph H. Potter, being sworn, says:

"That he was captain of Company G, Seventh Regiment of Infantry, United States Regulars, at the inception of the disability of John Galbraith, who was a private of said company at that time; that he well remembers said Galbraith; that on or about the 4th day of July, 1862, while in the line of service, doing duty at Fort Fillmore New Mexico, guarding the fort, and subject to great exposure, he contracted inflammatory disease, which settled in his bones; he suffered very much indeed."

The evidence of the home physicians proves that the disease was progressive, and that it terminated in death, and that the time when he was treated on furlough corresponds with the date of the charge of desertion.

C. M. Zeh, M. D., says:

"I am a regular physician and surgeon, and have been engaged in active practice since October, 1848. Knew John Galbraith well previous to his entering the service of the United States as a soldier, and knew him to be a man in sound health. Was called to see him in the winter of 1863, soon after his return from the service, and found him entirely disabled, suffering from a disease of the lungs, which he informed me was the result of an attack of pneumonia from which he suffered while in the service and which was produced by cold from exposure and fatigue. His disease when he returned was of the nature of chronic pneumonia, and later of a tubercular character, which caused his death in December, 1872. I saw him from time to time from his return to Newark till his death and treated him as an indigent patient. Have no doubt that the disease of which he died was contracted while in the service of the Government."

James Elliott, M. D., being sworn, says:

"That he was well acquainted with John Galbraith, deceased, who was a corporal of Company G, Seventh Regiment United States Regular Infantry. That he was called to attend and prescribe for said Galbraith immediately after Charles M. Zeh, M. D., stopped attending him. That he continued his attendance until the day prior to his death. That the day preceding his death this deponent saw him. That said Galbraith's death was caused by phthisis, contracted by exposure while a soldier in the United States service, and that he died at 85 High street, Newark, N. J., December 12, 1872."

The committee think that the evidence establishes the fact that the soldier was regularly in the United States service, and that he contracted his disease while in said service. It also seems very plain that the charge of desertion arose from the soldier's being at home sick and not able to return to his company, and that he was treated as an indigent patient by the physician. They have come to the conclusion that the widow is entitled to a pension, and that she needs it for her support; and they therefore recommend the passage of the bill with the following amendments: Insert after the word "pension-roll," in line 4, the words "subject to the provisions and limitations of the pension laws," and strike out all after the word "Army," in line 7.

The amendments reported from the Committee on Invalid Pensions were agreed to.

The question was upon laying aside the bill as amended to be reported favorably to the House.

Mr. HEWITT, of Alabama. I did not catch distinctly the first part of the report as read. Did this soldier have leave of absence?

Mr. MATSON. I presume not.

Mr. HEWITT, of Alabama. Then how did he get home?

Mr. MATSON. The report does not state whether he was on leave or not.

Mr. PETERS. The report states that he was home on furlough.

Mr. MATSON. It seems that the company to which he belonged was broken up and transferred to Company I, Seventh United States Infantry. At the date when he was charged with desertion he was at home prostrated with sickness.

Mr. PETERS. The next paragraph of the report states that, and he is reported as "deserted from furlough."

Mr. MATSON. He had evidently been furloughed.

Mr. HEWITT, of Alabama. I would like to ask a further question.

Mr. MATSON. Very well.

Mr. HEWITT, of Alabama. Did this soldier ever return to his command?

Mr. MATSON. I presume not, because he was evidently very sick.

Mr. HEWITT, of Alabama. How long did he live afterward?

Mr. MATSON. He lived eight or nine years.

Mr. HEWITT, of Alabama. He lived eight or nine years and never returned to his command?

Mr. MATSON. I can not state about that. It appears that he enlisted in 1855 and re-enlisted in 1859. I apprehend that his term of service had perhaps about expired when he was taken sick. He had been in the service then for a great many years.

Mr. HEWITT, of Alabama. I do not think we ought to pension the widow of a soldier who has deserted the service, who appears to be a deserter, without a fuller statement of the facts than we have here. It might be very true that at the time when he is marked as a deserter he was sick at home on furlough. But if he recovered from that sickness so as to be enabled to return to his command, it was his duty to have returned and obtained his discharge regularly from the service.

If he had done so he might have had this blot which rests upon his name removed. But there is no evidence that this soldier continued in a condition which rendered him unable to return to the service. So far as appears he may have recovered sufficiently to do so. I know enough about the service—about soldiers going home on furloughs—

Mr. MATSON. If the gentleman will allow me—

Mr. HEWITT, of Alabama. Certainly.

Mr. MATSON. I discover from a more careful reading of the report that it shows this man was continuously treated by physicians from the time he returned home until he died. Certainly there is an excuse for his not returning to his command. He had been attacked with severe disease of the lungs. Dr. Zeh treated him for a long time, and immediately after Dr. Zeh stopped treating him Dr. Elliott began the treatment, which was continued until the man's death. The first physician began to treat him as soon as he returned home.

Mr. PETERS. There is another fact to be considered. The report states that the company to which this man belonged was broken up and transferred. This might account for the fact that he never returned to his company.

The bill was laid aside to be reported to the House with a favorable recommendation.

MARGARET MADDEN.

The next business on the Private Calendar was the bill (H. R. 4178) granting a pension to Margaret Madden.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior is authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret Madden, of Long Island City, in the county of Queens, in the State of New York, widow of Christopher Madden, late a private in Company B of the Eighty-fourth Regiment New York Volunteers, and to pay her a pension at the rate of \$8 per month, and the allowance provided for minor children under 16 years of age, from and after the 10th day of August, A. D. 1866, the date of the death of her said husband.

The report (by Mr. BAGLEY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4178) granting a pension to Margaret Madden, having considered the same, submit the following report:

Christopher Madden was a private in Company B, Eighty-fourth Regiment New York Volunteers, and received a gunshot wound of the leg which shattered the bone. This fact and his condition were clearly proven, and he was granted a pension of \$8 per month. He died on the 10th day of August, 1866, at Brooklyn, N. Y., and the certificate of the board of health alleges that he died of cholera.

Soon after his death the widow, Margaret Madden, the petitioner, entered her claim for pension, but it was rejected on the ground that the cause of death, cholera, was not due to wounds received in the service.

Only one witness is brought forward to prove the contrary, that witness being the physician who attended the soldier from the time of his discharge from the Army till his death, and he swears positively that the wounds received were without question the cause of death. The following are the affidavits referred to:

Dr. Charles T. Chase testifies—

"That he is a practicing physician and surgeon, and resides in the city of Brooklyn, N. Y.; that he was well acquainted with Christopher Madden, late a private in Company B, of the Eighty-fourth Regiment of New York Volunteers, for the twenty years next preceding his death, and was his family physician for many years; that he attended and treated him from the time he returned home after his discharge from the Army to the time of his death; that he was suffering from a gunshot wound in the left leg just below the knee-joint; the tibia bone was badly shattered and splintered, which resulted in necrosis of that bone; there was great suppuration and a constant discharge, and occasional discharge of pieces of dead bone up to the time of his death. His health and system were destroyed by long-continued pain and the discharge from the wounded leg. He died in Brooklyn on the 10th day of August, 1866. His death resulted from a loss of vital power and a gradual breaking down of the whole system, caused by the long-continued suffering and pain produced by the wound in his leg."

In another affidavit made by the same physician, in addition to the statement substantially as the foregoing, he says:

"There can be no doubt as to the death of deceased having been hastened by constant and continued discharge of matter and pieces of bone from the leg, the tendency of which was to undermine the constitution and waste the vital powers of life."

Again, the same affiant says:

"That the death resulted from 'necrosis of bones of leg,' caused by gunshot wound received during the late war, and not from cholera or any other cause than that above stated, and that it is impossible for him, deponent, to understand how the information could have been given to the board of health that death

was the result of cholera. The mistake might possibly have originated from the fact that cholera was quite prevalent at the time of said Christopher Madden's death."

The physician is of reputable character, and has practiced for many years. He seems to be very positive as to his facts and conclusions. Evidently there was a mistake made as to the cause of Madden's death. The evidence of cholera coming so directly from an official source, probably influenced the Pension Office adversely to the widow's claim. Your committee, however, think the attending physician, who had cared for the patient for years, ought to be the judge, and believe him competent to decide. So believing, they unhesitatingly recommend the passage of the bill with this amendment: Strike out from the bill all after the word "volunteers" in line 8.

The amendment reported by the committee was read, as follows: Strike out at the end of the bill all after the word "volunteers."

The CHAIRMAN. The question is on agreeing to the amendment reported by the Committee on Invalid Pensions.

Mr. LAIRD. Mr. Chairman, before this amendment is voted on, I wish to say a word. Of course we understand it is now the policy of Congress in granting pensions these in cases to refuse to allow the pension to take effect from the time the disability was incurred, or in the case of a widow from the time of the death of her husband. But, sir, if a person is entitled to a pension to-night on account of certain facts which are presented to the consideration of Congress, that person is entitled to the pension from the time those facts began to run. I want to enter my protest against the method of dealing with these people.

If it is competent for Congress to readjust the equities in regard to grants of land, and bestow millions of acres or millions of dollars upon A, B, C, or D, the corporate suitors before this court of the people, I submit that, if in the application of a rule of law you to-night bestow a pension on this claimant, you should make that pension coextensive with the facts, and allow the pension to extend back to such time as will do absolute justice to the claimant.

Mr. MATSON. In reply to the gentleman from Nebraska [Mr. LAIRD] I wish to say that this question of allowing pensions granted under special acts to date back has been discussed time and again. The difficulty is that Congress long ago established the rule that pensions granted by special acts should operate only from the date of the passage of the act. To begin now to date back such pensions would, I submit to the gentleman, do injustice as between the different persons receiving these pensions. But in order that the gentleman may be satisfied with this proposition, I will state to him that the Committee on Invalid Pensions has directed a bill to be reported—I am not sure but that it has been reported—establishing a general law on this subject, so that all who receive pensions by special act may receive them from the date of the disability, or from the death of the soldier.

The CHAIRMAN. The question is on agreeing to the amendment reported by the Committee on Invalid Pensions.

Mr. WOLFORD. Before the vote is taken upon that question I wish to say a word. I am and have been dissatisfied in the particular pointed out by the gentleman from Nebraska [Mr. LAIRD], with the injustice that is being done to every widow receiving a pension by special act. I tried to make myself understood on this subject the other night; but now the chairman of the Committee on Invalid Pensions [Mr. MATSON] has stated that the reason for perpetrating this injustice is because years ago the Congress of the United States did wrong. That is the meaning of his statement, otherwise he would not be in favor of a general bill which he says his committee has agreed to report.

In these matters Congress is sovereign; it has the right to do what is right. It is bound not to follow but to disregard any precedent which is wrong or unjust. Are we, representing the great people of the United States, to follow former Congresses in doing what was wrong? There would, in my humble judgment, be propriety in saying that as a past Congress has done right we ought to follow in its wake. But when Congress in the past has done wrong, are we, in Heaven's name, to say, "We, representing the people and speaking for the people, are going to do wrong forever because a Congress years ago did wrong?" Is any member justified in saying, "Unless I can procure the passage of a general law I will do wrong in every case that comes here because a former Congress has done wrong?"

I enter my protest against such a doctrine as that, a doctrine which would teach us to follow forever bad examples and never to follow good ones. I do not believe in following the bad examples of any man or any Congress. The good examples of any man or any Congress ought to be followed. Virtue exalts a nation, but wrong and iniquity are a disgrace to any people.

Mr. WARNER, of Ohio. I rise to correct an erroneous impression as to the application of the law in this case. This widow would be entitled to her pension from the date of the death of her husband if she could furnish evidence to the Pension Office that the death was the result of the disability for which he was pensioned. The object, as I understand, of the special act is to relieve that difficulty.

Now, we assume in passing a special act the widow is not entitled to a pension under the general law. Under a special act it is for Congress to say when that pension shall begin. The chairman of the committee has already said that by passing a bill like this you do not cut off the right of the widow to prosecute her claim at the Pension Office, and get her pension from date of the death of her husband. I my-

self am in favor of a general law that will continue the pension the husband was receiving to the widow during her life or widowhood. I think there is a defect there in the general law. I think the House is right in all cases where it affords relief by special act in commencing that relief from the date of the act. If there are any rights they are not cut off, but exist to be prosecuted under the general law.

Mr. HEWITT, of Alabama. The passage of a special act putting a widow or soldier on the pension-roll does not preclude the widow or soldier from prosecuting his or her claim under the general law. If this widow filed her claim prior to the time the arrears of pension were debarred under the general law the passing of this act does not preclude her from prosecuting that claim under the general law, providing she can prove what is necessary to prove under the law to put her on the pension-roll. She comes here though and asks us that we shall grant her a special favor—a matter of grace and not a matter of right. I believe no soldier or widow can come to Congress and demand as matter of right any special legislation in his or her favor. The soldier who was wounded, or the widow of the soldier who died from wounds, or who was killed in the service, has a right to a pension under the general law, and as a matter of right can demand it. It is a legal claim under the law to-day, and if it can be proved they have a claim it is the duty of the Commissioner to grant it under the law. But no soldier or widow has the right to demand as a matter of right any special act in his or her behalf. Hence, sir, there is a broad distinction.

Mr. WOLFORD. Will the gentleman from Alabama permit me to ask him a question?

Mr. HEWITT, of Alabama. Yes, sir.

Mr. WOLFORD. I should like the gentleman from Alabama to tell me in this case whether it is a question of the claimant demanding a right or of Congress doing what is right and proper under the circumstances? It is Congress here that is passing this law, and I should like to know whether Congress is right in refusing her a pension if she has a case which entitles her to it? It seems to me to be a question whether Congress is doing right in refusing it to her.

Mr. HEWITT, of Alabama. Congress has done all that any soldier or widow of a soldier has the right to demand at its hands. We have passed a general act which I approve and which I believe ought to be in the interest of soldiers and the widows of soldiers. I will say further, sir, that I do not believe in the administration of the law; I do not believe soldiers and the widows of soldiers always get justice from the Pension Office. You must remember, however, before you blame the Commissioner of Pensions or the Pension Office, that it is necessary they shall watch closely all these applications for pension. There is a duty they owe to honest and good soldiers and to the tax-payers of this country to see that no fraudulent claim is granted. As these claims are proved by *ex parte* evidence, by witnesses who are not cross-examined, by affidavits drawn by the attorneys of the applicants without cross-examination on the part of the Government, you see how easy it is for fraudulent claimants to get on the pension-rolls.

Mr. JOSEPH D. TAYLOR. Is the gentleman opposed to the passage of this bill?

Mr. HEWITT, of Alabama. I am not opposed to the passage of the bill, but I am discussing a question raised by others and not by myself. [Cries of "Vote!"] I will talk a little while longer. I have the floor and intend to hold it a little longer. I do not intend, so far as I am concerned, it shall go out that I am in favor, and I do not believe any one of you would be in favor, of passing a general law where you have to put soldiers, or the widows of soldiers, on the pension-rolls by special act, that the pension in those cases shall relate back to the time of the discharge of the soldier.

Mr. PETERS. Will the gentleman from Alabama allow me to ask him a question?

Mr. HEWITT, of Alabama. Yes, sir.

Mr. PETERS. I wish to call your attention to one feature of this case that seems to have been overlooked in the discussion. There is involved in this case a question of fact which was decided a certain way by the Pension Department, and that was as to whether the death of this soldier was the result of wounds or sickness. The Pension Department, upon evidence before it, decided that his death was caused by cholera, and this is in the nature of an appeal from the decision of the Pension Department. I ask the gentleman from Alabama, then, looking at all the facts and evidence here set forth in the report, whether he would not reasonably come to the conclusion that death was caused by wounds rather than by the cholera, and whether he would not therefore support the appeal rather than the decision of the Department?

Mr. HEWITT, of Alabama. I will answer the gentleman from Kansas by saying that if this witness had been examined and cross-examined and all of the facts elicited upon both sides of the question, and he was a credible witness, and the facts had been elicited as I have said on a full cross-examination, I would say undoubtedly that the soldier died from the wounds that he received and not from the cholera.

Mr. WOLFORD. Well, the report says so, does it not?

Mr. HEWITT, of Alabama. But I hold further that the Pension Bureau has better facilities for examining testimony and determining questions of this kind than any committee of Congress can possibly have, and therefore that it is unsafe except in cases where the testi-

mony is very conclusive to overrule a decision of the Department upon such a point.

Mr. HERR. Mr. Chairman, I dislike to occupy the time of the committee, but I want to take a moment only to enter my earnest protest against the opinion, every once in a while expressed here, that there is a lot of fraudulent cases of pensions gotten through in this country by some action in the Pension Department. I wish to say that after a very careful study of the matter for five years on this subject—and I have stated it before among the people—I believe that there are twenty soldiers in the United States that ought to be pensioned, and who can not get their pensions because they can not make the technical proof required by the law, where there is one or near one who gets what he ought not to have from the Pension Department.

Mr. WOLFORD. That is my experience exactly.

Mr. HERR. And I believe we ought to treat cases of this character leniently in every respect, and give them the full benefit of the doubt. I believe the law ought to be so that when a man can show his enlistment that ought to be sufficient, and the Government ought to be estopped from denying that the man was not sound when he went into the service. In fact it ought to be fixed by law exactly to the contrary, and the man ought not to be required to prove anything of the kind. The fact of his enlistment ought to be ample proof.

Mr. WOLFORD. I certainly agree with you.

Mr. HERR. I would go even further than that and pass a law giving every disabled soldier to-day—no matter where he got his disability, if he was totally disabled—a pension and put him on the pension-roll at once, without further proof except the mere fact that he was a soldier. But we hear this declaration made constantly that the Pension Department is granting pensions that ought not to be given.

Mr. MATSON. If the gentleman from Michigan will yield to me for a moment, as I want to save the time of the committee and proceed with the consideration of other cases, I will take the liberty of stating to him that the Committee on Invalid Pensions will report a bill which will meet his views exactly. I make this statement with a view of getting a vote at once upon this bill.

Mr. HERR. I admit that this is talking against business, and I regret to have to do it. But if the gentleman from Alabama will keep his seat for the rest of the evening I will. [Laughter.]

The CHAIRMAN. The question is on agreeing to the amendment reported by the committee.

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

P. W. BRADBURY.

The next business on the Private Calendar was the bill (H. R. 875) granting a pension to P. W. Bradbury.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be authorized to place the name of P. W. Bradbury, of Saint Louis, Mo., and formerly connected with the command of General John C. Frémont as a scout, on the pension-list, at the rate of \$20 a month.

The report (by Mr. FVAN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 875) granting a pension to Dr. P. W. Bradbury, of Saint Louis, Mo., submit the following report:

It appears from the evidence of Maj. Gen. John C. Frémont that while he was in command of the Department of Western Virginia, in 1862, Dr. P. W. Bradbury served as a scout under his command; that during his service he was frequently assigned to special duty, which he performed bravely and faithfully; that in the execution of his duty he received a serious injury, from which he has not recovered, and which, together with the hardships of the service in which he was engaged, has prevented him from gaining a competence in the practice of his profession.

J. C. Hardaway swears that he had personal knowledge of the facts set forth in the petition of Dr. P. W. Bradbury, and was with him in West Virginia at the time mentioned in his petition, when his injuries were received in the line of duty; that the nature of the service involved great hardship and risk, and called for skill, judgment, and bravery of the highest order.

Dr. Bradbury, in his petition, states that in May, 1862, while engaged in the discharge of his duty as a scout, he suffered an injury to his shoulder under the following circumstances: The detachment had halted to feed, and he was left on guard over the horses at a log stable in which they were placed; he went up into the loft to look for feed; it was at night, and dark; the floor of the loft was made of round poles; he slipped and fell upon his right shoulder, receiving thereby an injury which became permanent; for five days and nights thereafter he was in the saddle nearly all the time, as the enemy obliged him to keep moving; that he has never been well since, although before that time he had enjoyed excellent health. He says that he has spent much money in trying to recover his health; that he is growing steadily worse all the time, and is unable to attend to the duties of his profession.

William Henly testifies that he served with Dr. Bradbury as a scout in Western Virginia in 1862, under the command of Maj. Gen. Frémont, and was with him on the trip during which he received the injury; that they were within the enemy's lines and had to keep in the saddle for five days and nights, and knows of Dr. Bradbury receiving the injury in the manner in which he states it. Henly was captain in the service and aid-de-camp to General Frank P. Blair, commanding the Seventeenth Army Corps.

C. C. Carpenter testifies that he was chief of scouts under the command of General Frémont in 1862; that he regarded Dr. Bradbury as one of the best scouts in the service; that he was with him at the time he received the injury and knows the facts stated by him in his petition to be true; that they were fearfully exposed during that trip; that they were outside of their own lines for five days and nights, and nearly the whole time in the saddle; that he has known him since, and believes he has never recovered from the injury; that he served well in the most dangerous branch of the service, and that his claim is a just one.

There is also evidence of physicians showing the condition of Dr. Bradbury and the effect of the injury received. Your committee think he ought to be put on the pension-roll at \$20 per month, and report a bill to that effect and recommend its passage, and that the bill be amended by striking out all after the words "pension-list," in sixth line, and adding the words "at the rate of \$20 per month."

Mr. WARNER, of Ohio. Mr. Chairman, I regret that the committee have departed in this case, as I think they have, from the rule which I understand to have been adopted of leaving the question of rating in each case of special pensions to the Department. I think that is important. I do not think that Congress ought to undertake to rate the pension, but that having provided for a pension they should leave the rating to the Department, to be governed by the same rules and in the same way that the other pensions are determined. Let the rating be determined in the same way that pensions are determined under the general law. In no other way can we have anything like uniformity in the ratings. Whether this man is entitled to \$20 or \$15 or \$30 I do not pretend to say or know, but I do not think a committee of this House or the House itself ought to undertake in any case to determine that, but after having granted the pension should then leave it, so far as the rating is concerned, to the medical board, which is certainly a much more capable body to determine that question than this.

Mr. MATSON. Will the gentleman from Ohio allow me to interrupt him for the purpose of saving time? It is absolutely necessary, as we understand the law, to fix the rating in this particular case, for there is no rating for a scout.

Mr. WARNER, of Ohio. No rating for a scout?

Mr. MATSON. No, sir.

Mr. WARNER, of Ohio. Then he was not a commissioned officer?

Mr. MATSON. No.

Mr. WARNER, of Ohio. I understood that he was. Under the circumstances, then, in view of that explanation, I have no objection to the bill.

The amendment reported by the committee was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

OCTAVIA A. NEWHALL.

The next business on the Private Calendar was the bill (H. R. 5330) granting a pension to Octavia A. Newhall.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Octavia A. Newhall, widow of Everett Newhall, late a private in the Fifth Regiment of Massachusetts Volunteers, Company F.

The report (by Mr. LOVERING) was read, as follows:

Octavia A. Newhall is the widow of Everett Newhall, late a corporal of Company F, Fifth Massachusetts Infantry. He enlisted September 22, 1862, and was discharged July 2, 1863. He contracted swamp or malarial fever during his term of service at New Berne, N. C., from the effects of which he never recovered. He died November 26, 1882, of blood-poisoning. He was in robust health at and prior to his enlistment, as shown by the evidence in the case, and it is also shown that he never enjoyed good health after his return. Although much broken in health and enfeebled, he was able in these years to do light wood-work or turning, at which employment, in 1882, he cut one of his fingers with a circular saw, making amputation necessary. Aside from the pain at the time nothing more serious was thought of. His blood being in a poor and impoverished condition, from the effects of malaria contracted in the service, as shown by his never thereafter having been free from attacks of chills and fever, blood-poisoning ensued of a most serious character. He was removed to the Massachusetts General Hospital for treatment, where he died in great agony and pain. The evidence in this case is as follows:

Dr. William Ingalls, late surgeon of Fifth Massachusetts Regiment, says he remembers soldier as one of five who were especially sick and helpless on trip from New Berne to Boston, but has no further record in the case.

Charles Currier says he was the captain of soldier's company; that about April 1, 1863, he was taken sick with malarial fever and remained sick until July 3, 1863, when the company returned to Massachusetts. Soldier had to be carried on a stretcher from hospital to boat, and that he was in perfect health at enlistment.

Comrades Tay and Oliver, members of soldier's company, say he was a well, strong man at and prior to his enlistment; that he contracted swamp fever in North Carolina, while in line of duty, from the effects of which he never afterwards recovered.

Daniel W. Lawrence, treasurer Medford Savings Bank, states that from 1850 to the time of his enlistment soldier was a strong, robust man. Next saw him in hospital at New Berne, N. C., entirely broken down in health, from the effects of which he never afterwards recovered.

William Lawrence states he had known soldier for years, and he was a strong, robust man prior to enlistment. After returning from service he was always poor in health and much disabled for work by malarial attacks.

Thomas Bisbee, soldier's employer, states: He was not in good health and was unable to earn the wages of a robust man, and could not, owing to his disease, earn sufficient to properly support his family.

Dr. Martin, of Medford, Mass., states: Known soldier for fourteen years; had treated him for chills and fever, which soldier informed him he had had ever since he was in the Army. Soldier died of blood poisoning. Affiant further states that soldier never fully recovered from malaria contracted in the Army.

Dr. George W. West says Newhall came under his care at the Massachusetts General Hospital in September, 1882, at which time his appearance indicated poor health, a general anæmic character. He complained of poor health dating back to service in the Army. That in spite of all that was done his hand grew worse, a severe abscess forming with pus running up his arm. His death was due to his poor condition at the time of his injury.

His widow applied for a pension. Her claim was rejected on the ground that "origin of fatal injury was after discharge."

Your committee are of opinion that the facts show a certain condition which under the circumstances contributed to, if not induced, his death; that his blood was in an unhealthy condition at the time of the injury to his finger, occasioned by the malarial poison which he had absorbed into his system at the time of his

service in the Army, and which had so undermined and weakened his constitution that it induced the unfavorable condition which resulted in his death.

The committee therefore recommend the passage of the accompanying bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

BETSEY A. MOWER.

The next business on the Private Calendar was the bill (H. R. 137) for the relief of Betsey A. Mower.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Betsey A. Mower, and rate her pension at \$50 per month.

The following amendment was reported by the Committee on Invalid Pensions:

Add at the end of the bill the following: "which shall be in lieu of the pension she now receives."

The report (by Mr. LOVERING) was read, as follows:

This claim was favorably reported to the Forty-seventh Congress, which report is as follows, and is adopted by your committee:

Betsy A. Mower is the widow of the late Maj. Gen. Joseph A. Mower, who died January 6, 1870, while in command of the Department of Louisiana.

General Mower was commissioned second lieutenant, United States Army, June 18, 1855. At the outbreak of the late war he held the rank of first lieutenant in said service, and for gallant and meritorious service he was rapidly promoted until August 12, 1864, he attained the rank of major-general. He was in many battles, and was distinguished for his great courage and efficiency. His military record furnished by the War Department is too long to incorporate in this report; but for long, continuous, and efficient service of high rank and fidelity to the Government in time of need he had but few, if any, superiors.

It appears that, since the death of her husband, the claimant has received a pension of \$30 per month. It is also alleged that she is in reduced circumstances, and that the above amount is insufficient to support herself and dependent children.

In view of the distinguished military services of the claimant's husband, and of her necessitous circumstances, your committee recommend that her pension be increased to \$50 per month, and that the bill pass, amended by adding the words "which shall be in lieu of the pension she now receives."

The amendment reported by the committee was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ELIZABETH A. BARBOUR.

The next business on the Private Calendar was the bill (H. R. 3694) granting a pension to Elizabeth A. Barbour.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he hereby is, authorized and directed to place the name of Elizabeth A. Barbour, widow of James E. Barbour, late hospital-steward of the Twenty-first Regiment of Connecticut Volunteers, on the pension-roll, subject to the provisions of the laws relating to pensions.

The following amendment was reported by the Committee on Invalid Pensions:

Strike out the words "of the laws relating to pensions" and insert "and limitations of the pension laws."

The Clerk commenced to read the report. Before he had concluded the reading,

Mr. STEELE said: I ask that the reading of the remainder of the report be dispensed with. I think the case is made out by what has already been read. At the same time I ask that the whole of the report be printed in the RECORD.

There was no objection; and it was so ordered.

The report (by Mr. LOVERING) in full is as follows:

This bill was introduced in the Senate of the United States at its present session, and was referred to the Committee on Pensions, from which the following favorable report was made by Hon. Mr. BLAIR, and which, after an examination of all the facts, this committee adopt as its own, namely:

The claimant, Elizabeth A. Barbour, is the widow of James E. Barbour, late hospital steward of the Twenty-first Regiment of Connecticut Volunteers. He enlisted August 8, 1862; was discharged May 6, 1863, and died December 7, 1879. The soldier never filed any application for a pension, but the widow filed one in her own name May 14, 1881, which was rejected by the Pension Office on the ground that the cause of soldier's death was not due to or connected with the service.

It appears of record that Barbour was sent to the general hospital in Washington, February 8, 1863, with typhoid fever; was furloughed March 20, 1863; returned April 29, 1863, and was discharged a week later "by reason of promotion to assistant surgeon United States Navy." It also appears of record that he served as such assistant surgeon from May 31, 1863, to March 12, 1864. This is the extent of the record evidence.

Dr. William Soule, formerly surgeon of Barbour's regiment, testifies as follows: "I was acquainted with James E. Barbour, hospital steward. He was an active and faithful steward, and so competent in dispensing and prescribing medicines that when my first assistant was disabled and short of help I was compelled to put upon Barbour many additional duties, until he became exhausted and contracted a severe fever, which brought him very low and necessitated his removal to hospital near Aquia Creek. He contracted this fever in the month of January, 1863; and when I left the service, February 24, he had not recovered. I saw him after he was able to come to Connecticut on sick leave, about the last of March, 1863, I think, and was convinced that his physical constitution had suffered more than is ordinary from fever, so much so that there was just cause to fear he would never recover his former state of health."

The claimant alleges soldier contracted fever near Fredericksburg, Va., and was sent to hospital near Aquia Creek in December, 1862. This is corroborated by two comrades, who say:

"He was taken sick about December, 1862, with fever, the result of overexertion, and was entirely disabled from duty."

As to his condition after leaving the service, the affidavit of Mrs. Sarah M. Fitch states:

"Dr. James E. Barbour, upon his return from the service of the United States in 1864, I think in the early summer, came immediately to my house and re-

mained there until January, 1865. He then went to Norwalk, six miles distant, where I saw him frequently until shortly before his death. When he came to my house he was very feeble and unable to exert himself. He was entirely unable to perform any manual labor. He then and always claimed he was very sick while in the service, came near dying, and that his weakness was the result of that sickness. I do not now remember just what disease he had, but he was generally debilitated and obliged to exercise the greatest caution in respect to exerting himself. He always attended my family from that time until his death. In March, 1865, I sent for him to attend my daughter, who was very ill, and he at that time remained at my house a week because he was not able to go to Norwalk and return. He appeared to me to be troubled in the same way during all the time from his return to his death, and he had no other acute disease that I know of but a wearing out of the system."

This is corroborated by another witness, at whose house he was a frequent visitor, who also states:

"Immediately after his return he was very feeble, utterly unable to perform any manual labor at all, and continued to be weak and feeble till his death; his system was broken down."

Dr. William A. Lockwood, of Norwalk, knew Barbour and treated him. He states he first discovered organic disease of heart in 1867; that he also suffered from rheumatism, and his constitution seemed to be impaired and weakened; that he suffered from extreme debility, with periodical prostration. Dr. Lynes, who treated him before that, is dead.

The soldier died in Italy, and the Italian physician states his heart was a long time affected; that death was the consequence of a serious ulceration of the liver; that commencement of softening of the brain hastened the end, and that he died from general consumption and infection.

Upon this showing the Pension Bureau rejected the claim on the ground that there was no reasonable pathological connection between the fever in the service and any of the diseases of which he died. The Commissioner of Pensions, however, in a letter, under date of December 14, 1883, which has been filed with this committee, states as follows:

"Inasmuch as his physical energies were impaired by the service, and his ability to accumulate property for the care of his family were decreased thereby, it may be that the equities of the case are such as to commend the case of the widow to the favorable consideration of Congress."

The affidavit of A. H. Byington, clerk of the Senate Committee on Patents, who was a neighbor of the soldier, has been filed, in which he states that he knew him as a young man of robust health before entering the service; saw him many times at the front in the Army of the Potomac, at which time Barbour attributed his severe illness to overwork and exposure; and that he saw him frequently after his return home, after which time he was constantly under medical care. He states that from his own medical knowledge and intimate acquaintance with Barbour, and from the statements frequently made to him by Dr. Lynes, that he can positively affirm that he was a perfectly sound man on entering the service, and that he never saw a well day subsequent to his discharge.

Your committee are of the opinion that it has been fairly established that this claimant's husband entered the service of the United States a sound and healthy young man, and that he left it in a debilitated and broken-down condition, as a result of such service; that this gradually grew worse until he died in a foreign country, where he had been sent by the charity of friends in hope of relief. They are not, therefore, disposed to insist upon a technical pathological connection being proved between the disease of record in the service and the several immediate causes of death. Letters and statements of credible persons, going to show that this is a meritorious claim, and is so considered by the community in which the soldier resided, are before the committee; and in view of all the facts it is recommended that the bill do pass, with the following amendment:

"Strike out all after the word 'provisions,' in the seventh line, and insert the words 'and limitations of the pension laws.'"

Mr. MATSON. I ask unanimous consent that the bill (S. 689) which is now on the Calendar, and which is identical with this bill as proposed to be amended by the committee, be taken up in lieu of the House bill, and that the House bill be laid aside to be reported with the recommendation that it be laid on the table.

There being no objection, the bill (S. 689) granting a pension to Elizabeth A. Barbour was laid aside to be reported to the House with the recommendation that it do pass, and the bill H. R. 3694 was laid aside to be reported to the House with the recommendation that it be laid on the table.

ANN CORNELIA LANMAN.

The next business on the Private Calendar was the bill (H. R. 1813) granting an increase of pension to Ann Cornelia Lanman.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ann Cornelia Lanman, and pay her a pension of \$50 a month from and after the passage of this act, in lieu of the pension now received by her.

The Clerk commenced to read the report.

Mr. HEWITT, of Alabama. I ask that the reading of the remainder of the report be dispensed with. This is one of the class of cases on which we have been passing favorably heretofore. Not one of them has ever been refused.

Mr. STEELE. It passed the Forty-seventh Congress and has passed the Senate.

The CHAIRMAN. If there be no objection the further reading of the report will be dispensed with and it will be printed in full in the RECORD.

There was no objection.

The report (by Mr. LOVERING) is as follows:

This bill was reported favorably upon in the Forty-seventh Congress from the Senate Committee on Pensions, which report we adopt as our own:

Admiral Lanman entered the naval service of the United States as a midshipman January 1, 1825, and passed through all the grades of the service up to rear-admiral. He served during the late war, and distinguished himself at the attack on Fort Fisher under Admiral Porter. Admiral Lanman was officially recognized for gallant service throughout the war. In 1869 he was promoted to be a rear-admiral and placed in command of the South Atlantic fleet, where he served three years. On his return from this command he was placed on the retired-list.

On the 20th of February, 1874, he received a telegram from Secretary of Navy Robeson to report at Washington, D. C., as a witness. The order was received by him at 5 o'clock in the afternoon, and he left for Washington the same even-



ing. On that journey he contracted a very severe cold, and when he reached home he was scarcely able to walk. He immediately took to his bed, and grew worse until the 13th of March, 1874, when he died. The physician who attended him in his last sickness swears that he died of pneumonia, contracted during his journey to Washington as above stated.

The evidence shows that Rear-Admiral Lanman left a widow, the present claimant, and two minor children, to wit, Alice Blanche and Rosalie Decatur, aged, respectively, 12 and 14.

A pension of \$30 a month was granted to Mrs. Lanman by special act of Congress. This was the pension allowed by law at that time in the cases of the widows of admirals, so that the special act gave Mrs. Lanman the full benefit of the law at that time. Now she petitions Congress to increase the pension allowed her to \$50 per month, on the ground that her present pension is inadequate to the support of herself and her children.

In connection with this petition for an increase of pension, it is pertinent to inquire into the equity which has governed the committee's action in similar cases.

By the pension law, as it existed prior to the act of July 14, 1862, the pensions granted to officers of the Navy, and to their widows and minor children, in case of death, were made equal to the half-monthly pay of such officers, such pay as existed in 1835, which forms the basis upon which such pensions were granted. These pensions were payable from the interest of the naval pension fund. By this law rear-admirals, their widows, &c., received a pension of \$50 a month.

The act of July 14, 1862, established pensions for the Army and Navy according to rank, making Navy pensions correspond with Army pensions. By this act of July 14, 1862, the pension granted to rear-admirals was reduced to \$30 a month. The act of July 14, 1862, was construed as affecting only pensions which should be granted after the passage of said act.

Section 3 of the act of July 25, 1866, provided—  
"That the provisions of an act entitled 'An act to grant pensions,' approved July 14, 1862, and of the acts supplementary thereto and amendatory thereof, are hereby, so far as applicable, extended to the pensioners under previous laws, except Revolutionary pensions."

In applying this act no reduction of the naval pensions previously granted was made.

Section 13 of the act of July 27, 1868, provided—

"That the third section of 'An act increasing the pensions of widows and orphans, and for other purposes,' approved July 25, 1866, shall be so construed as to place all pensioners whose right thereto accrued subsequently to the war of the Revolution and prior to the 4th of March, 1861, on the same footing as to rate of pension from and after the passage of said act as those who have been pensioned under acts passed since said 4th day of March, 1861, and the widows of Revolutionary soldiers and sailors now receiving a less sum shall hereafter be paid at the rate of \$8 per month."

Under this act, upon the decision of the Secretary of the Interior, naval pensions already granted were reduced to the rates provided in the act of July 14, 1862, such reduction taking effect from the last half-yearly payment made prior to February 10, 1870, the date of the decision.

This decision gave rise to the passage of the act approved June 9, 1880, entitled "An act to restore pensions in certain cases," which provides—

"That section 3 of an act entitled 'An act increasing the pension of widows and orphans, and for other purposes,' approved July 25, 1866, and section 13 of an act entitled 'An act relating to pensions,' approved July 27, 1868, and section 4712 of the Revised Statutes shall not operate to reduce the rate of any pension, which had actually been allowed, to the commissioned, non-commissioned, or petty officers of the Navy, or their widows, or minor children prior to the 25th day of July, 1866; and the Secretary of the Interior is hereby directed to restore all such pensioners as have already been so reduced to the rate originally granted and allowed, to take effect from the date of such reduction."

Under this act such pensioners as had been reduced under the decision rendered by the Secretary of the Interior, February 10, 1870, were restored to their original rate of pension.

All those widows, &c., of rear-admirals who have applied for a pension since the rendering of the decision of the Secretary of the Interior, February 10, 1870, have only been granted a pension of \$30 per month, which presents the inconsistency of a portion of rear-admirals' widows receiving \$50, while the balance are pensioned at \$30 a month without difference of rank, merit, or long service. Since the restoration of this class of pensions to \$50 per month by the act of June 9, 1880, the widows who are allowed but \$30 per month at the Pension Office under the act of July 14, 1862, have from time to time applied to Congress for an increase of pension from \$30 to \$50, and for original pensions of \$50 per month, and such increase, or original granting of pensions at \$50 per month, has frequently occurred during the present session of Congress. (See Mr. Teller's report, Elizabeth Wirt Goldsborough; Mr. Jackson's report, Louisa Bainbridge Hoff; Mr. Platt's report, Rebecca Reynolds; Mr. Platt's report, Elizabeth H. Spotts.)

Some of these cases are for long and meritorious services, and for original pension; others for an increase from the \$30 allowed by the Pension Office to \$50. In the report of the case of Admiral Goldsborough, where it is not alleged that he died of any disease contracted in the line of duty, or even in the service, the concluding clause in the Goldsborough case is as follows:

"Such a record of service, in the opinion of the committee, justifies the payment to his widow of the same pension allowed in other cases by special act of Congress to the widows of other officers of the Navy of similar rank. The committee therefore recommend that Senate bill 743 be passed."

That concluding clause is open to but one conclusion, to wit, that Mrs. Goldsborough's pension was a gratuity pension for the long and meritorious services of her husband.

Regarding any objection being raised to the granting of a pension to Rear-Admiral Lanman's widow on the ground that he was on the retired-list, it is proper to say that Admiral Goldsborough was retired in 1874 and died in 1879, and Admiral Hoff was retired in 1869 and died in 1878. Therefore they were both on the retired-list at the time of their death.

Now, the widow of Rear-Admiral Lanman is entitled to a pension to a greater extent than the widow of an admiral whose only claim was long and meritorious services, as her husband died directly from a malady contracted in obeying an order of the Secretary of the Navy, and within a few days after contracting the disease.

The \$30 pension granted by special act was acceptable to Mrs. Lanman until others of no greater merit were increased to \$50. The inconsistency of her receiving but \$30 became apparent, and no reason prevailing why her case should be an exceptional one, she thought it proper to ask Congress by a special act to remove this inconsistency.

Inasmuch as the Forty-sixth Congress thought proper to increase certain cases of the widows of admirals to \$50 (see Lelia E. McCauley, p. 609, Stats. at Large, 1879-'81, and Ann M. Paulding, 608, Stats. at Large, 1879-'81), and have frequently seen fit since to grant the same pension in similar cases, your committee can see no good reason why Mrs. Lanman should not receive a like pension, and therefore report a bill to that effect, and recommend its passage.

Mr. WAIT. I desire to ask the chairman of the Committee on Invalid Pensions whether the Senate bill in this case has passed this session.

Mr. MATSON. It may have passed the Senate, but is not on our

Calendar. It may be on the Speaker's table, but we have no power to act upon it under the order of the House unless it be on the Calendar.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

REBECCA WALCOTT.

The next business on the Private Calendar was the bill (H. R. 2987) granting a pension to Rebecca Walcott.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Rebecca Walcott, mother of James A. Walcott, late a corporal of Company E, Second Vermont Volunteers.

The following amendments were reported by the Committee on Invalid Pensions:

In line 4, strike out the words "place on," and insert in lieu thereof the words "restore to."

Amend the title so as to read: "A bill restoring Rebecca Walcott to the pension-roll."

The report (by Mr. LOVERING) was read, as follows:

Rebecca Walcott is the mother of James A. Walcott, corporal Company E, Second Vermont Volunteers, who enlisted at the breaking out of the war of the rebellion; in December, 1863, he re-enlisted into the same regiment as a veteran volunteer, serving until August 21, 1864, at which time he was killed in action at Charlestown, Va., his total service at the time he was killed being three years three months. Rebecca Walcott was placed upon the pension-roll as a dependent mother, at \$8 per month, from August 24, 1864, payment on which was continued to April 25, 1870, at which time she was dropped from the roll on charge of "non-dependence on the son." The circumstances which led to the dropping of Mrs. Walcott from the roll were as follows:

James Walcott, father of James A. and husband of Rebecca, paid Jason L. Fowler, a son-in-law, in February, 1866—who being without means and desiring to purchase a farm—the sum of \$2,000, of which he was then possessed, in consideration of which Walcott took a bond, secured by a second mortgage on the Fowler farm, therein binding himself for the life-support of Walcott and his wife, the price paid for the farm being \$4,000—a war price. Fowler, being unfortunate, could not keep up his payments. The first mortgage was foreclosed and the farm was sold at less than the face of the first mortgage, and Fowler was ousted, losing the \$2,000 borrowed of Walcott besides other money which he had paid in toward the debt. James Walcott, the father, died in 1872, leaving Mrs. Walcott entirely alone and dependent.

Fowler, having in the mean time become discouraged at his losses, and having no trade, was in such condition that he could not earn a support for his wife and three children, and of necessity Mrs. Walcott could not be supported by him, and is now in her seventy-ninth year, left to her own resources. She applied for reinstatement on the pension-roll, filing new evidence as to her condition of dependence. Her claim was rejected, the reasons given being "papers recently filed do not change status." Mrs. Walcott bitterly feels in her old age the need of a son who, had he lived—but whose life she gave to her country—would have been her prop and natural supporter in her declining years. Your committee, in view of all the circumstances, the extreme age and present absolute dependence of Mrs. Walcott, do therefore recommend the passage of the accompanying bill with an amendment:

Strike out, in the fourth line, the words "to place on," and substitute therefor the words "restore to;" and amend the title of the bill so it shall read "A bill restoring Rebecca Walcott to the pension-roll."

The amendments recommended by the committee were adopted.

Mr. HEWITT, of Alabama. I desire to move another amendment. It seems this lady was dropped from the roll some ten years ago. If she is restored by this special act the law may be so construed as to entitle her to a pension from the time she was dropped, so as to give her arrears of pension. As we have uniformly refused to give arrears of pension in other cases, I think it should not be done in this case. I move to amend by adding the words "and pay her a pension from and after the passage of this act."

Mr. WOLFORD. I want the Clerk to again read from the report the statement as to how old this lady is; and when that is read I think the gentleman from Alabama will withdraw his amendment.

Mr. STEELE. She is in her seventy-ninth year.

Mr. WOLFORD. She ought to have her pension from the time she was dropped from the roll.

Mr. HOUK. I apprehend the bill will have the effect of giving this old lady her pension back to the time she was dropped from the roll. But I desire to say that it is just what this Congress ought to be willing to do. If she was wrongfully dropped she ought to be restored. She ought to have her rights and ought to be placed on the roll with the right to recover every dollar she would have received if she had not been dropped from it.

Mr. HEWITT, of Alabama. I beg to say to the gentleman from Tennessee that this report does not go upon the idea that she was wrongfully dropped. The report does not say that. But it says, owing to her age and extreme dependence now we are in favor of restoring her to the pension-roll.

Mr. HOUK. I ask the gentleman from Alabama to withdraw his amendment and we will pass the bill. I think the gentleman ought to comply with his contract with the gentleman from Michigan. [Laughter.]

The CHAIRMAN. The question is on the amendment proposed by the gentleman from Alabama.

The amendment was not agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

FANNIE S. BEAUMONT.

The next business on the Private Calendar was the bill (H. R. 747) granting a pension to Fannie S. Beaumont.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Fannie S. Beaumont, widow of John C. Beaumont, late an admiral in the Navy of the United States, and pay her a pension at the rate of \$50 per month; said pension to be in lieu of that she now receives.

The report (by Mr. LOVERING) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 747) granting a pension to Fannie C. Beaumont, have considered the same, and respectfully submit the following report, which report was made by a majority of the Senate Committee on Pensions in the Forty-seventh Congress:

The claimant is the widow of the late Rear-Admiral John C. Beaumont, who died August 2, 1882, after an active service of nearly fifty-four years.

In view of the long and distinguished services of Rear-Admiral Beaumont, and also in view of the fact that in many instances the pensions of widows of rear-admirals have been increased to \$50 by special acts, your committee recommend the passage of the bill.

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

CLARK ROBERTS.

The next business on the Private Calendar was the bill (H. R. 1894) granting a pension to Clark Roberts.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of Clark Roberts, who was lately the surgeon of the One hundred and first Regiment of Illinois Volunteer Infantry.

The Committee on Invalid Pensions recommend that the bill be amended by adding the words "subject to the provisions and limitations of the pension laws."

The report (by Mr. CULLEN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1894) granting a pension to Clark Roberts, having considered the evidence in the case, beg leave to report:

That during the month of April, 1862, Clark Roberts was a practicing physician at Winchester, Scott County, Illinois. That immediately after the battle of Shiloh, April 6 and 7, 1862, by direction of Richard Yates, then governor of Illinois, Dr. Roberts accompanied a number of surgeons, in charge of Dr. Brainard, of Chicago, Ill., to Shiloh, to care for the sick and wounded Federal soldiers of the Army encamped in that vicinity, where he rendered faithful and efficient service in his professional treatment of the large number of suffering soldiers. That by reason of the incessant labor and exposure he was attacked with influenza of great severity, which "invaded the throat, posterior Noris and Eustachian tubes to the middle ear;" that he was treated by Dr. Brainard for said affection. That he so far recovered as to be able to return home, where he was confined to his room for several days, when he regained his health sufficiently to attend to his professional services, but the disease left him a constant roaring sound in the head, from which he never recovered.

That on the 18th of December, 1862, he was mustered into the military service of the United States as surgeon of the One hundred and first Regiment Illinois Volunteers, and served with his regiment during the operation of the army in front of Vicksburg and Chattanooga. During said service he was frequently attacked with fever nephralgia, and by reason of his failing health was finally compelled to and did resign, on the 28th day of March, 1864.

Alonzo M. Kinber, assistant surgeon One hundred and first Regiment Illinois Volunteer Infantry, in a certificate upon which the resignation of Dr. Roberts was grounded, says:

"I do hereby certify that I have carefully examined said officer and find him unfit for active field service by reason of his age (being near 59 years old) and its consequent infirmities. His hearing has been and is still failing him, greatly to his inconvenience as an officer in the service. He is suffering from chronic inflammation of the ureters, produced and kept up by the occasional passage of renal calculi. He is also suffering at this time from an intermitting form of fever, which, in connection with his other ailment, must, in my opinion, result in permanent disability or premature demise, unless prevented by a withdrawal from the service and a return to the quiet of civil life. This certificate is given with the approval of Surgeon Mathews, One hundred and forty-third Regiment New York Infantry, and Assistant Surgeon Myers, Eighty-second Ohio Infantry, after personal examination of said officer."

David Prince, M. D., says he knew claimant prior to enlistment, and he was in good health and had good hearing.

Charles H. Fox, colonel One hundred and first Illinois Volunteers, says when regiment was stationed at Union City, Tenn., in July, August, and September, 1863, Dr. Clark Roberts came to him for duty as surgeon, and at that time he was slightly deaf; said his deafness had been contracted in the service at or near Vicksburg; deafness increased upon him during December, 1863, so he was hardly able to perform his duty as surgeon; therefore he resigned his commission.

John Moses, private secretary to Governor Yates, says, as soon as the news of the battle of Pittsburg Landing, or Shiloh, reached Springfield, Ill., he was ordered by the governor to appoint surgeons and nurses to repair to the battlefield and attend sick and wounded soldiers from Illinois. He telegraphed to Dr. Clark Roberts, Winchester, Ill., to be one of the surgeons; he accepted and accompanied the party; has known claimant for over thirty years; first heard of claimant's deafness about the close of the war.

As to condition of claimant's health since his discharge, Dr. David Prince says:

"His condition has been uneasiness and tenderness, following throat disease, acquired at time of battle of Shiloh, followed by a perpetual roaring head when not drowned by other noise of an external origin."

On December 6, 1881, Dr. Clark Roberts was examined by Drs. Grinstead, Baxter, and Graham, United States examining board of surgeons, of Washington city, and report as follows:

"We find that he is entirely deaf in left ear. The tympanum is lacerated and the meatus narrowed. The left drum is sound, but thickened and slightly cupped; can not be made to hear in left ear, but when the tone of voice is elevated to four times the volume of ordinary conversation he can hear with the right. He can be said to be severely deaf. If his deafness originated in the service he is entitled to three-fourths."

It is shown that Dr. Brainard, who treated claimant for his disability at Shiloh, is now dead.

The claim was rejected April 17, 1882, by the Pension Office, on the ground that the disability was contracted prior to enlistment in the military service of the United States.

Your committee are clearly of the opinion that the evidence in this case shows that the disability is due to the military service of Dr. Roberts as a volunteer surgeon, and that his subsequent military service tended to increase his dis-

ability so incurred, and therefore recommend the passage of the accompanying bill with the following amendment: Add "subject to the provisions and limitations of the pension laws."

The amendment reported from the Committee on Invalid Pensions was adopted.

The bill as amended was laid aside to be reported favorably to the House.

MARTHA H. STRIBLING.

The next business on the Private Calendar was the bill (H. R. 2869) for increase of pension of Martha H. Stribling, widow of Cornelius K. Stribling, late a rear-admiral in the United States Navy.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to cause the pension of Martha H. Stribling, widow of Cornelius K. Stribling, late a rear-admiral in the United States Navy, now on the pension-roll of the United States, to be increased, and to pay her a pension at the rate of \$50 per month, commencing from the 17th day of January, 1880.

The Committee on Invalid Pensions recommend that the bill be amended by striking out the words "commencing from the 17th day of January, 1880," and inserting in lieu thereof the words "from and after the passage of this act."

The report (by Mr. CULLEN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2869) for increase of pension of Martha H. Stribling, having had the same under consideration, respectfully report as follows:

Martha H. Stribling is the widow of the late Rear-Admiral Cornelius K. Stribling, who died at Martinsburg, W. Va., January 17, 1880. She now receives a pension of \$30 a month, that being the allowance under the general law. The claim for increase is based on the long and distinguished service of Rear-Admiral Stribling, embracing a period of sixty-seven years, which service is briefly stated in the following official order of Hon. R. W. Thompson, at the time Secretary of the Navy.

[General order.]

NAVY DEPARTMENT, Washington, January 19, 1880.

It is with feelings of deep regret that the Secretary of the Navy announces to the Navy and the Marine Corps the death, at Martinsburg, W. Va., on the 17th instant, of Rear-Admiral Cornelius K. Stribling, the senior officer on the retired-list of the Navy.

The career of this officer was distinguished in many respects. He was born in South Carolina, September 22, 1796, and was, therefore, in the eighty-fourth year of his age at the time of his death. His entry into the Navy as a midshipman was on the 18th day of June, 1812, the date of the declaration of war by the United States against Great Britain, and as long as that war lasted his youthful energies were devoted to the defense of the flag under which he had been appointed to serve. He also participated in the Algerine captures by the squadron of Commodore Stephen Decatur. April 1, 1818, he was promoted to a lieutenant, and in 1823, while in command of a barge, he captured the piratical schooner Pilot, after a running fight, off the coast of Cuba.

He was commissioned a commander January 28, 1840, and a captain August 1, 1853, and was attached to the line-of-battle ship Ohio, on the Pacific station, during a period of the Mexican war. From 1851 to 1853 he was superintendent of the Naval Academy at Annapolis, and contributed largely to the improvement of that institution. From 1859 to 1861 he commanded our naval force on the Asiatic station, returning from which he found the late rebellion in progress. Although a native of South Carolina he remained loyal and true to the Union.

Under the operation of the act of December 21, 1861, he was, by reason of long service, placed on the retired-list, and was promoted to a commodore on that list August 2, 1862. But he was soon afterward called into active service, and appointed to command the navy-yard at Philadelphia, and in 1864-'65 he commanded the East Gulf blockading squadron. August 6, 1866, he was promoted to a rear-admiral on the retired-list.

He held various important commands ashore, and served in every capacity which falls within the province of an officer of the Navy. His service at sea was over twenty-six years, and that ashore nearly twenty-two years.

Rear-Admiral Stribling was always conspicuous for his correct deportment and Christian qualities, endeavoring by his example and teachings to exalt the moral standing of the officers and enlisted men of the Navy. His record of over sixty-seven years of service was without blemish, and may be pointed to as one worthy of the emulation of the younger officers of the Navy who are just ripening into usefulness. With these highly commendable qualities he possessed fine judgment and excellent ability.

In respect to his memory it is hereby ordered that, on the day after the receipt hereof, the flags of the navy-yards and stations and vessels in commission be displayed at half-mast from sunrise to sunset, and thirteen minute-guns be fired at noon from the navy-yards and stations, flag-ships, and vessels acting singly.

R. W. THOMPSON,  
Secretary of the Navy.

A favorable report by the Committee on Pensions of the Senate in the Forty-sixth Congress, third session, concludes as follows:

"Your committee is impressed with the fact that from the long, faithful, and distinguished services rendered to his country by the deceased husband of the petitioner, extending, as that service did, through a period of sixty-seven years, she is fairly and equitably entitled to a pension at the hands of the United States Government, and as no provision of the general law meets her case, a special act is necessary. We therefore report favorably upon her claim, and recommend the passage of bill 4866, 'granting a pension to Martha H. Stribling,' as amended by your committee."

In view of the long and distinguished service of Rear-Admiral Stribling, that service covering his entire mature life, and the further fact that he was one of the few distinguished naval officers of Southern birth who continued true to the cause and flag of his country during the civil war, your committee would recommend the passage of the bill, amended, however, as follows:

Strike out all after the word "month," in line 8, and insert "from and after the passage of this act."

The amendment reported from the Committee on Invalid Pensions was agreed to.

Mr. CULLEN. The bill should be further amended by changing the name from Martha H. Stribling to Martha P. Stribling.

The amendment was agreed to.

Mr. CULLEN. I desire to call attention to an error near the close of the report. It says that a favorable report was made by the Com-

mittee on Pensions of the Senate in the Forty-sixth Congress. That is an error; it should be "the Committee on Pensions of the House."

The bill as amended was laid aside to be reported favorably to the House.

JACOB MILLER.

The next business on the Private Calendar was the bill (H. R. 4417) granting an increase of pension to Jacob Miller.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to increase the pension of Jacob Miller, late a private in Company K, Ninth Indiana Volunteer Infantry, from \$30 to \$50 a month, from and after the passage of this act.

The Committee on Invalid Pensions recommend that the bill be amended so as to make the pension \$45 a month instead of \$50 a month.

The report (by Mr. CULLEN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4417) granting an increase of pension to Jacob Miller, having had the same under consideration, respectfully present the following report:

Jacob Miller enlisted as a private in Company K, Ninth Regiment Indiana Volunteers, August 27, 1861, and was discharged from the service September 17, 1864, in consequence of disability caused by a gunshot wound in the forehead, at the battle of Chickamauga, September 19, 1863. He was in hospital at New Albany, Ind., where he was treated, and the fragments of ball finally extracted. Dr. Mears, pension surgeon, reports, September 17, 1864, —

"That the ball entered the forehead just between the eyebrows, fracturing the external plate of the skull, lodging in left frontal sinus; extracted June 18, 1864. The immediate effect was the loss of sight of left eye, which is still blind. Disability three-fourths."

Owing to the fact that the ball which penetrated the frontal bone was not extracted for the period of nine months, the wound became a running sore, and is now chronic and incurable. The sight of the right eye is also impaired. There are numerous surgical certificates on file showing the desperate character of the injury, and there is no hope of recovery. It is evident that his condition is growing worse from year to year, and the proof shows that he is suffering from loss of memory, which is noticed in the incoherency of his conversation. It is not improbable that his mind is giving way, and that imbecility will result from the injury.

The claimant can perform but little manual labor of any kind, and none whatever that requires stooping. A very disagreeable odor constantly arises from the running sore, and, for the comfort of others, he is obliged to isolate himself from his own family most of the time. Miller's record as a soldier is good. He suffered this terrible wound on the field of battle in the line of duty. He has a wife and two children to support. He is now drawing a pension of \$30 a month, it having been increased from time to time from \$6 to \$30. That is the highest rate which he can receive under the general law for the disability.

Your committee are of the opinion, taking the whole case in view, and especially the desperate and disagreeable character of the injury, impairing both body and mind, that his pension should be increased, and would recommend the passage of the bill with the following amendment:

Strike out "fifty," in line 6, and insert "forty-five;" so that it will read "forty-five dollars a month."

The amendment reported from the Committee on Invalid Pensions was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

SARAH A. BECKTEL.

The next business on the Private Calendar was the bill (H. R. 3591) for the relief of Sarah A. Becktel.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Sarah A. Becktel, widow of Isaac Becktel, late of Company B, Twenty-sixth Ohio Regiment, and Company E, Third Ohio Cavalry, and pay her a pension at the rate of — dollars per month from the — day of —, 188—.

The Committee on Invalid Pensions recommend that the bill be amended by striking out all after the words "Third Ohio Cavalry."

The report (by Mr. CULLEN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3591) for the relief of Sarah A. Becktel, having had the same under consideration, respectfully report as follows:

Isaac Becktel enlisted June 8, 1861, in Company D, Twenty-sixth Regiment Ohio Volunteers, at Olivesburg, Ohio, for three years. In January and February, 1862, he was in hospital at Bardstown, Ky. On March 26, 1862, he was discharged for disability, the surgeon's certificate stating that hernia was one of the causes.

On November 1, 1863, Isaac Becktel again enlisted as a private in Company E, Third Ohio Cavalry, at Mansfield, Ohio, for three years. He was mustered out with his company August 4, 1865.

For a considerable time during both enlistments Becktel was detailed as post blacksmith, and in that capacity rendered valuable services. The claim for a pension in the Pension Office is based on disability in the form of hernia during the period of last enlistment, accrued while shoeing an unruly horse at the military post near Vicksburg, in 1864. The Pension Office, finding that Becktel was discharged from his first enlistment in consequence of disability from hernia, as well as other causes, assumes that said disability existed at the time of second enlistment, and therefore rejects the widow's claim on that ground.

The testimony is very clear that Becktel was a strong, able-bodied man at the time of his first enlistment; that he had never been known to be seriously ill or to require medical treatment. The widow and children also testify that at the time of second enlistment he was strong and capable of doing any work in or about a blacksmith-shop; neighbors and friends testify to the same state of facts. The proof is clear that after his return from the service in 1865 he was suffering from hernia and was obliged to wear a truss constantly.

Obadiah Prentiss, M. D., the family physician of Becktel's family, testifies that in 1854 and 1855 Becktel was a strong, healthy man and free from hernia; that he was called to his bedside in 1872, just before his death; that he found hernia or rupture, which appeared hard and irreducible, and which caused his death. The testimony is strong and clear that hernia was the cause of death, and the Pension Office concedes that to be the fact.

Your committee are satisfied that the cause of death accrued in the military service and in the line of duty, and while conceding that the Pension Office was justified in rejecting the claim under a strict construction of the law, are of the opinion that the widow has equitable claims, and therefore recommend the pas-

sage of the bill, striking out, however, all after the word "cavalry," in the seventh line of the bill.

The amendment recommended by the Committee on Invalid Pensions was agreed to.

Mr. NEECE. Ought not the amount of pension to be named in the bill?

Mr. MATSON. Not necessarily. I think, however, that the bill should be further amended by adding the words "subject to the provisions and limitations of the pension laws," and I move that amendment.

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

GEORGE A. MARSHALL.

The next business on the Private Calendar was the bill (H. R. 3537) granting a pension to George A. Marshall.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of George A. Marshall, who in the war with Mexico was a member of Company C, Fourth Regiment Kentucky Volunteers.

The report (by Mr. STEELE) was as follows:

The Committee on Pensions, having had under consideration House bill 3527, have carefully considered the same, and find that George A. Marshall, for whom the bill proposes relief, was a soldier of the Mexican war; that he was sound when he entered the service; that he was afflicted with piles and asthma on his return, and that he is now and has been so afflicted nearly all of the time since his return.

Your committee therefore recommend the bill do pass.

In support of these views are appended papers 1, 2, 3, 4, 5, 6, 7, 8, and 9, which are made a part of this report.

No. 1.

STATE OF MISSOURI,  
County of Clay, ss:

W. H. Gorin, M. D., being duly sworn according to law, deposes and says that he was for the period of thirty-one years, and still is, a resident of Missouri City, in Clay County, Missouri, and that during all of said time he was, and still is, a practicing physician; that for twenty years last past he has personally known George A. Marshall, a resident of said Missouri City; and that during the years of 1859, 1860, and 1861 he personally attended on said George A. Marshall, and treated him medically for the piles and asthma, with which he was then and still is suffering, and from the effects of which said diseases he was and is yet disabled to perform manual labor. W. H. Gorin further states that he has no interest in the prosecution of said George A. Marshall's claim for pension.

W. H. GORIN, M. D.

Subscribed and sworn to before me this 8th day of February, A. D. 1883; and I hereby certify that I have no interest in the prosecution of said Marshall's claim for pension.

[SEAL.]

L. B. SUBLETT,  
Notary Public.

(My term of office expires January 25, 1887.)

STATE OF MISSOURI,  
County of Clay, ss:

I, Luke W. Burris, clerk of the county court in and for said county, do hereby certify that L. B. Sublett, whose genuine signature appears to the within certificate, was at the time of signing the same a duly commissioned and qualified notary public under the laws of the State of Missouri.

In testimony whereof I have hereunto set my hand and affixed the seal of my office as clerk of the county court for the county aforesaid this 10th day of February, A. D. 1883.

L. W. BURRIS, Clerk.

No. 2.

MISSOURI CITY, CLAY COUNTY, MISSOURI, April 28, 1883.

I first became acquainted with George A. Marshall in the year 1859; was with him during the late civil war in this State. I never knew him to take any part against the Government of the United States; look on him as a loyal citizen. I was on duty in Ray and Clay for several months; was at the residence of George A. Marshall. He always told me he was in the Mexican war from Kentucky. I enlisted 5th of August, 1861; was commissioned in July, 1862; was honorably discharged, which our old muster-rolls will show. I have no interest in this claim, no way, shape, nor manner.

WILLIAM N. PERKINS,

Late Second Lieutenant, Company K, M. S. M. Cav. Vols.

Sworn to and subscribed before me this 28th day of April, 1883.

[SEAL.]

L. B. SUBLETT,  
Notary Public.

(Term of office expires January 25, 1887.)

No. 3.

PROOF OF LOYALTY.

We, the undersigned, citizens of Clay County, State of Missouri, do hereby certify, as upon oath, that during the late war of the rebellion we were each well and personally acquainted with George A. Marshall, who was then a citizen of the above-named county and State, and that, to the best of our knowledge and belief, he was on the 1st day of March, 1861, and thenceforward to the end of the war, loyal to the Government of the United States.

We further state that we have no interest in any claim in which this certificate is to be used as evidence.

WILLIAM N. PERKINS.

JOHN FRITZLER.

I do hereby certify that I am an officer of the United States; that I have carefully examined the above certificate and the signatures thereto, and that each of said signers is a man of good character and worthy of belief.

I further certify that I am acquainted with George A. Marshall, and believe him to have been loyal to the United States during the late war.

Witness my hand and stamp of office this 28th day of April, 1883.

[Office stamp.]

ROBERT F. CASEY,

Postmaster at Missouri City, Clay County, Missouri.

No. 4.

STATE OF MISSOURI,  
County of Clay, ss:

Lewis G. Hopkins, of the County of Clay and State of Missouri, being duly sworn according to law, deposes and says that he has been personally acquainted

with George A. Marshall, of said Clay County, Missouri, for the period of twelve years last past, and that during all of said time said George A. Marshall was, and still is, afflicted with the piles and asthma, from the effects of which said diseases he was, and still is, as he verily believes, disabled to perform manual labor. Lewis G. Hopkins further declares that he has no interest in the prosecution of said George A. Marshall's claim for pension.

LEWIS G. HOPKINS.

Subscribed and sworn to before me this 7th day of February, A. D. 1883; and I further certify that I have no interest in George A. Marshall's claim for pension.

[SEAL.]

L. W. BURRIS,

Clerk County Court, Clay County, State of Missouri.

No. 5.

STATE OF MISSOURI,  
County of Andrew, ss:

Dr. Frank Wakefield, being duly sworn, upon his oath says that in April, 1857, he resided in the city of Savannah, Mo., and was then and there a practicing physician, and during said month of April, 1857, George A. Marshall applied to him for treatment of the asthma, and that he then and there examined said George A. Marshall, and found him affected with asthma, for which disease he, said Dr. Frank Wakefield, prescribed, and treated medically for several weeks him, the said George A. Marshall.

Dr. Frank Wakefield further says that he has no interest in the prosecution of George A. Marshall's claim for pension. I have no notes to refer to, but think the above statements are correct.

M. F. WAKEFIELD, M. D.

Subscribed and sworn to before me this — day of January, A. D. 1883.

M. F. WAKEFIELD, M. D.

Subscribed and sworn to before me, a circuit clerk in and for the County of Andrew, in the State of Missouri, this 17th day of January, A. D. 1882.

[SEAL.]

J. C. CROOKS, Clerk.

Per THOS. H. ENSOR, D. C.

No. 6.

STATE OF KENTUCKY,  
County of Nelson:

Before me, R. W. Barnes, a justice of the peace within and for the county of Nelson aforesaid, personally came Richard Constantine, who is personally known to me to be a good and lawful citizen of the county of Nelson and State of Kentucky aforesaid, and who, being duly sworn according to law, upon his oath says, that prior to and during the war with Mexico he was personally well acquainted with George A. Marshall, who was a private in Company C, Fourth Regiment Kentucky Volunteers; that said George A. Marshall, when he enlisted as a soldier, was sound and healthy, and that during the war and in the Republic of Mexico the said George A. Marshall was afflicted with piles and asthma. This was in the years 1847 and 1848. And this deponent says that the above facts he knows to be true; and, further, this deponent says that he is not directly or indirectly interested in the prosecution of this claim.

R. CONSTANTINE.

Sworn to and subscribed before me, a justice of the peace within and for the county and State aforesaid; and I hereby certify that I am not interested in the prosecution of this claim, directly or indirectly. This 3d day of August, 1883.

R. W. BARNES,  
Justice of the Peace N. C.

STATE OF KENTUCKY,  
County of Nelson, set:

I, William H. Rowan, clerk of the county court in and for the county and State aforesaid, do certify that R. W. Barnes is a justice of the peace, duly commissioned and qualified, and that his signature is genuine, and that he is and ought to be entitled to full faith and credit for all his official actions.

[SEAL.]

WM. H. ROWAN, Clk. Nel. Co. Ct.

No. 7.

James B. Houston and Lucretia A. Houston, of Mattoon, Cole County, Illinois, late of Nelson County, Kentucky, being by me duly sworn, upon their oaths say, that they personally knew George A. Marshall, formerly of Nelson County, Kentucky, for a period of four years first preceding his enlistment in the service of the United States against Mexico, in the year 1847, during which time he boarded with them, and that said George A. Marshall during all of said time was physically healthy and free of any disease.

Said James B. Houston and Lucretia A. Houston further state under oath that George A. Marshall aforesaid returned to their house in Nelson County, Kentucky, on the — day of July, 1848, at which time he, said Marshall, was afflicted with the piles and a disease of the throat or lungs commonly called asthma, from the effects of which disease he was disabled to perform manual labor for a period of six years, being the remainder of the time when he resided with them.

JAMES B. HOUSTON.

LUCRETIA A. HOUSTON.

Subscribed and sworn to before me this 16th day of January, A. D. 1883; and I hereby certify that I have no interest in the prosecution of the claim for pension of the aforesaid Geo. A. Marshall.

[SEAL.]

W. H. K. PILE, Notary Public.

No. 8.

STATE OF MISSOURI,  
County of Vernon:

Thomas Morton Campbell, being duly sworn by me, upon his oath says, that he personally knew George A. Marshall before the Mexican war, and during the services in the war in the years 1847 and 1848, and to his knowledge he contracted the disease known as piles and phthisic (or asthma) during the services in the war with Mexico, and that he knew him to have those diseases while on the march from Vera Cruz to Mexico City.

THOMAS MORTON CAMPBELL.

(Belonged to Company I, Marcus R. Harden captain, Fourth Regiment Kentucky Volunteers.)

[SEAL.]

Subscribed and sworn to before me this the 9th day of August, 1883.

JASPER MCCRARY,

Justice of the Peace in Clear Creek Township.

STATE OF MISSOURI,  
County of Vernon, ss:

OFFICE OF THE CLERK OF THE COUNTY COURT.

I hereby certify that Jasper McCrary, before whom the foregoing affidavit was made, and who has thereunto subscribed his name, was at the time of so doing a justice of the peace in and for the county aforesaid, duly commissioned and sworn, and that his signature thereto is genuine.

In testimony whereof I have hereunto set my hand and affixed the seal of my office as clerk of the county court for the county aforesaid this 9th day of August, 1883.

[SEAL.]

A. CUMMUS, Clerk.

S. V. WORTH, D. C.

No. 9.

EXAMINING SURGEON'S CERTIFICATE.

(Old war.)

[Name of claimant, George Marshall, private, Company C, Fourth Regiment Kentucky Volunteers, Mexican war. Examining surgeon's address, Kansas City, Jackson County, Missouri. Date of examination, May 2, 1883.]

We hereby certify that we have carefully examined this applicant, who claims that while in the service of the United States, at or near a place named (old) Mexico, and while in the line of duty, on or about the — day of fall 1847, he incurred piles and asthma, and that in consequence thereof he is totally disabled for earning his subsistence by manual labor.

He states that he is 54 years of age, that he weighs one hundred and forty pounds, and that he is 5 feet 8 inches in height.

His pulse-rate per minute is eighty-four, his respiration eighteen, and his temperature ninety-eight and one-half.

The examination reveals the following facts: Piles, external (annular), two inches across; congestion of the rectum (rate half); increased resonance of the entire lungs; vesicular murmur increased; expiration prolonged (rate half).

From the condition and history of the claimant, it is our opinion the disability was incurred in the service as claimed, and that it is not aggravated or protracted by vicious habits.

We find the disability as above described to entitle him to total rating.

F. COOLEY,  
S. D. BOWKER,  
JOHN THORNE,  
Examining Surgeons.

The bill was laid aside to be reported favorably to the House.

FRANCES M'NEIL POTTER.

The next business on the Private Calendar was the bill (H. R. 4822) for the relief of Frances McNeil Potter.

The bill was read, as follows:

*Be it enacted, &c.*, That from and after the passage of this act Frances McNeil Potter, whose name is now borne on the pension-roll at \$20 per month, shall be paid in lieu thereof the sum of \$40 per month.

The Committee on Pensions recommend that the bill be amended so as to make the pension granted thereby \$30 per month instead of \$40 per month.

The report (by Mr. YORK) was read, as follows:

The Committee on Pensions, to whom was referred House bill 4822, have considered the same, and report as follows:

Frances McNeil Potter is a daughter of General John McNeil, United States Army; that John McNeil, of New Hampshire, was appointed a captain of infantry March 12, 1812, and had charge of the troops at Concord, and subsequently at Plattsburg, where he was charged also with the supervision of the drilling of the new soldiers. In August, 1813, he was promoted to the rank of major, and marched to Burlington, in command of a regiment.

In July, 1814, he served in Brown's division, in Sacket's Harbor, until he was ordered with his regiment, in July, to the frontier at Niagara. During an attack by the enemy Colonel Campbell, of the Eleventh Regiment, fell, and the command of the regiment devolved upon Major McNeil.

The action of this officer at this battle, known in history as the battle of Chippewa, was supposed by his superior officers to have had a determining influence in securing the success of the American Army.

General Scott, in his report, said: "The self-possession of Major McNeil under fire was unequalled," and "the flank movement of the gallant McNeil in this important battle turned the fortunes of the day and gave victory to the American troops."

General Jesup declares:

"I followed the Eleventh Regiment with my command over the bridge. I had ample opportunity of witnessing the conduct of Major McNeil. He formed his regiment under fire of the enemy with the accuracy of a parade. He promptly availed himself of every advantage presented, and he wielded his force with great coolness and judgment, and on his own responsibility and without orders made the decisive movement at Chippewa."

General Scott, in his report to General Brown, said:

"Major McNeil deserves everything which conspicuous skill and gallantry can win from a grateful country."

He subsequently commanded the Eleventh Regiment at the battle of Lundy's Lane, and in this engagement he not only exhibited the military tact, judgment, and bravery that had been exhibited in the battle of Chippewa, but was severely wounded and rendered a cripple for life. He subsequently served in 1824 on the Indian frontier.

His death, which occurred in Washington, February, 1850, was commemorated appropriately by the action of both Houses of Congress, which were then in session, eulogies being delivered upon him by Mr. Herbert, of the House, and Mr. Hale in the Senate.

This officer was for merit and gallantry in the service promoted from a captaincy to the rank of brevet brigadier-general, and not only devoted his time to the service of the country through a long series of years, but finally succumbed to the effect of wounds received and diseases contracted in the service. And your committee are of the opinion that the gallant service of the father to his country entitles his daughter to consideration from his grateful countrymen.

And your committee recommend that House bill 4822 do pass with the following amendment:

Strike out the word "forty," in the fifth line, and insert the word "thirty."

The question was upon the amendment recommended by the Committee on Pensions.

Mr. WOLFORD. I am satisfied now, as I always have been, that the great services of this officer should be deemed sufficient to give his daughter a pension of \$40 a month instead of \$30 a month. I do not want to make any argument upon it, but simply to say that if there is any case of merit in the world this is one.

The question was taken by a *viva voce* vote upon agreeing to the amendment, and the chairman announced that the ayes appeared to have it.

Mr. WOLFORD. I call for a division.

The committee divided; and there were—ayes 14, noes 8.

So (no further count being called for) the amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

BEN MORGAN.

The next business on the Private Calendar was the bill (H. R. 1256) increasing the pension of Ben Morgan.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Ben Morgan, late colonel of the Seventy-fifth Regiment Ohio Volunteers, on the pension-roll at the rate of \$72 per month, in lieu of his pension of \$30 per month.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 1256) increasing the pension of Ben Morgan, have had the same under consideration, and beg leave to submit the following report:

The records of the War Department show that claimant was mustered in as lieutenant-colonel of the Seventy-fifth Ohio Volunteers June 18, 1863, and was mustered out March 15, 1865. On the 1st of July, 1863, while engaged in battle, at Gettysburg, he was severely wounded by a musket-ball through the left lung. The ball entered near the apex of the left scapula and passed out midway between the axilla and left nipple. For this wound Colonel Morgan was pensioned at \$30 per month, for total disability, by certificate issued March 20, 1869. In addition to the serious disability from the wound, Colonel Morgan is suffering from almost total deafness of both ears, caused by exposure in Confederate prisons from August 17, 1864, to March, 1865, having been captured at Gainesville, Fla., on the former date. The first examination by a surgeon, in 1869, showed that the hearing of the left ear had then been destroyed. Medical examination in 1873 shows that the other ear became affected, and that at times he loses the use of his voice.

The board of examining surgeons at Dayton, Ohio, under date of February 13, 1884, certify that Colonel Morgan is very deaf in both ears, can not hear ordinary sounds, or even very loud conversation, except when spoken loudly to in the ear. He carries with him and constantly uses an ear-trumpet, which somewhat aids him in hearing. Neuralgia and rheumatism, undoubtedly caused by the wound of shoulder and chest, add greatly to his disabilities, and not only is he entirely incapacitated for business, but, according to the evidence filed in support of his claim for increase, requires much aid of another person, particularly outside of his house.

The claim for increase has been rejected by the Pension Office because it is not shown that the combined disabilities have resulted in such total helplessness as to entitle him under the general law to the next higher rate to that now paid him for the wound alone.

The degree of deafness shown in this case, were it the only disability to consider, would entitle Colonel Morgan to a rate of total in rank, or \$30 per month, but as the law does not permit of compounding disabilities of high grades, except the same have reached such a degree of helplessness as to require the constant aid and attendance of another person, the relief asked for can only be obtained by special legislation.

The claimant, now well advanced in years, was a gallant officer, and in line of duty received injuries which, as shown, have robbed him of the ability to procure subsistence through efforts on his part.

The committee are therefore of opinion that his pension should be increased, and recommend the passage of the accompanying bill, amended, however, by striking out the words "seventy-two," in line 6, and inserting instead the words "forty-five."

The amendment reported by the Committee on Invalid Pensions was read, as follows:

Strike out \$72 and insert \$45.

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

ALBERT BRANT.

The next business on the Private Calendar was the bill (H. R. 3382) granting a pension to Albert Brant.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, at \$20 per month, the name of Albert Brant, late a private in Company A, Fourth Regiment Ohio Volunteer Cavalry.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3382) granting a pension to Albert Brant, have had the same under consideration, and beg leave to submit the following report:

Albert Brant enlisted in Company A, Fourth Ohio Cavalry, September 10, 1861, and was mustered out November 25, 1864. He not only served faithfully, but performed extraordinary service, as appears from the certificates of Hugh Ewing, late major-general United States Volunteers, and George Crook, now brigadier-general United States Army, as scout and dispatch-carrier. In company with one Wickfield, he was directed by General Crook to take a very important dispatch from Paint Rock, on the Tennessee River, to General Sherman, then supposed to be making his way up said river. The task was successfully accomplished, after a trip of one hundred and seventy miles, in skiff, on foot, and mule-back, through the enemy's country, after many hardships and many narrow escapes from capture. From this trip and the subsequent campaign following the battle of Mission Ridge he became completely broken down, but after a few weeks of medical treatment recovered sufficiently to go on duty, and continued with his command until April 3, 1864, when he was admitted to hospital for treatment for abscess of left axilla, where he remained until the 22d of said month. The record also shows that he was under treatment for diarrhea from August 29 to October 19, 1864.

Brant applied for pension on account of abscess of right side under arm, caused from wearing heavy belts, and ulcerated bowels, the result of diarrhea contracted in service. The claim is legally established, but was rejected because in the opinion of the medical officers of the Pension Office there is now no disability from diarrhea, and there has been no pensionable disability from abscess near right axilla. This opinion is based upon the certificate of the Cincinnati examining board of surgeons, dated April 25, 1883. An examination had May 24, 1882, showed three-fourths disability from chronic diarrhea.

Dr. Condon, claimant's family physician, testifies that he has treated Brant frequently for diarrhea since his discharge, but can not recollect the number of times he prescribed for him. The case is one in which the disease frequently recurs. A number of claimant's neighbors also testify that Brant is not an able-bodied man because of trouble in his bowels, enabling him to perform light labor only for a short time. Has not been able since his discharge from service to do the work of a full hand.

From the medical as well as the lay evidence, heretofore referred to, the committee are clearly of opinion that, notwithstanding the judgment of the Pension Office to the contrary, Brant is disabled from disease contracted during his long and faithful service in a degree sufficient to entitle him to relief, and therefore report favorably on the bill, with the recommendation that it do pass, amended,

however, by striking out the word "twenty," in line 4, and insert instead the word "eight."

The amendment reported from the Committee on Invalid Pensions was read, as follows:

Strike out "\$20" and insert "\$8."

The amendment was agreed to.

The bill as amended was laid aside to be reported favorably to the House.

JAMES RODEN.

The next business on the Private Calendar was the bill (H. R. 2543) granting a pension to James Roden.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James Roden, late of Company A, Twenty-sixth Regiment Connecticut Volunteer Infantry.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, having in charge bill H. R. 2543, respectfully report:

James Roden was enrolled a private in Company A, Twenty-sixth Regiment Connecticut Volunteer Infantry, on the 3d day of September, 1862, and was mustered out with his company August 17, 1863. On the 10th day of October, 1863, he again enlisted in the Eight Regiment of Connecticut Infantry, and was discharged at Fort Trumbull, Conn., February 20, 1864, by reason of varicose veins and ulcers, which unfitted him entirely for the duties of a soldier.

He is now 64 years of age, is almost totally deaf, and nearly blind. The disability for which he was discharged from the Army has increased with advancing years. His last medical examination, conducted July 19, 1882, by Doctors J. S. Beck, J. M. Weaver, and A. S. Dunlap, at Dayton, Ohio, reads as follows:

"James Roden, who is an applicant for an invalid pension, is almost totally blind and deaf. In our opinion the said Roden is totally incapacitated for obtaining his subsistence. Judging from his present condition and from the evidence before us, it is our belief that the said disability did originate in the service and in the line of duty. The claimant is 62 years of age. There is a partial cataract in both eyes, making vision quite deficient; he can not read ordinary print. He is almost totally deaf, so that you can not make him hear without screaming in his ears. We rate his disease of eyes at one-half, and deafness at one-half."

The Pension Department rejected this claim on July 18, 1883, because he was unable to obtain evidence from comrades as to his condition while in the Army, and the only testimony which he has of his condition at that time is that of the assistant surgeon of his regiment, Isaac G. Porter, who, under date of the 20th of February, 1864, at Fort Trumbull, Conn., says:

"I certify that I have carefully examined the said James Roden and find him incapable of performing the duties of a soldier because of varicose veins and varicose ulcer, with general debility."

Your committee, in views of all the facts, think this a meritorious case, and recommend the passage of the bill.

The bill was laid aside to be reported favorably to the House.

HUGH RYAN.

The next business on the Private Calendar was the bill (H. R. 2537) granting a pension to Hugh Ryan.

The bill was read, as follows:

*Be it enacted, &c.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension-laws, the name of Hugh Ryan, late assistant surgeon of the Thirty-fourth Regiment of Kentucky Volunteer Infantry.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2537) granting a pension to Dr. Hugh Ryan, respectfully report:

Dr. Hugh Ryan was assistant surgeon of the Thirty-fourth Regiment of Kentucky Volunteer Infantry. The claim for a pension is chronic rheumatism, contracted while a soldier in the service of the United States. Dr. Ryan was commissioned in the service of the United States on or about the 5th day of March, in the year 1863, and his resignation was accepted March 17, 1864, on account of physical disability.

The Pension Department rejected this claim for pension December 29, 1871, on the ground that he was not disabled from disease contracted in the service and in the line of duty; it being held that the disability was chargeable to intemperate habits, which are alleged against him by an examining surgeon of the Pension Office.

The proof in this case is clear that Dr. Hugh Ryan was a sound and healthy man at the time of entering the service, as evidenced by the following affidavits.

Under date of October 1, 1871, G. W. Ronald, M. D., ex-surgeon of the Thirty-fourth Regiment Kentucky Infantry, testifies:

"I am well acquainted with the claimant, Dr. Hugh Ryan; he was my hospital steward in 1862, and during that time I found him to be diligent, honest, and sober, and in every way attentive to his duties."

"He was promoted to assistant surgeon, Thirty-fourth Kentucky Infantry, while under my charge. He was a sound, healthy man, to the best of my knowledge and belief, previous to entering the United States Army."

Also, the following, under date of October 14, 1871, at Old Deposit, Jefferson County, Kentucky.

"We, the undersigned, being personally acquainted with Dr. Hugh Ryan, late assistant surgeon Thirty-fourth Kentucky Volunteer Infantry, do hereby certify that, to the best of our knowledge, he was a sound, healthy man previous to entering the service, and that his disease was contracted in the service of the United States Army from exposure incident to said service."

Signed by R. T. Smith, sr.; George Gorlick; J. G. Knighton; Eli P. Farmer, late captain Company K, Thirty-fourth Regiment Kentucky Infantry; Milton Callaghan, major Thirty-fourth Regiment Kentucky Infantry; John Armstrong, first lieutenant Thirty-fourth Regiment Kentucky Infantry; Sebley Harney, late colonel Thirty-fourth Regiment Kentucky Infantry; Joseph Turner; R. T. Smith, jr.

Other affidavits are on file to the same effect as the above.

It is equally well established that Dr. Ryan contracted chronic rheumatism while in the service which incapacitated him from performing his duties as a physician.

Dr. G. W. Ronald, late surgeon of the Thirty-fourth Regiment Kentucky Volunteer Infantry, testifies in addition to the above-quoted affidavits:

"I have examined said claimant and find him suffering from chronic rheumatic corditis and incapable of performing his duties as a physician."

Captain Pickering, of Company I, Thirty-fourth Kentucky Volunteer Infantry, under date of the 6th of July, 1869, testifies as follows:

"I have been acquainted with the claimant, Dr. Hugh Ryan, for about seven years. The first knowledge I had of the sickness of the said Dr. Hugh Ryan was while his command was at Cumberland Gap, in the State of Tennessee, on or about the 1st day of March, 1864. This disease was contracted while in the service, and I believe from the exposure of camp life."

G. W. Miles, clerk of the county court in Jefferson County, Kentucky, under date of October 24, 1870, states:

"I knew Dr. Hugh Ryan to be a sound, healthy man previous to his entering the United States service, and I firmly believe that the claimant contracted his disease in the service of the United States. I am a practicing physician of twenty-five years' standing, and have no interest in the claim of Dr. Ryan."

The testimony shows clearly that Dr. Ryan was attacked with rheumatism at Cumberland Gap in the latter part of the year 1863, where he was confined to his quarters for two months prior to the acceptance of his resignation. Since then he has been a constant sufferer from this complaint.

The evidence upon which the rejection of the claim was based is, in the opinion of this committee, not of such a character as to controvert the positive proof that the claimant did contract disability because of his military service, and therefore recommend that the bill do pass.

The bill was laid aside to be reported favorably to the House.

MICHAEL MACK.

The next business on the Private Calendar was the bill (H. R. 2536) granting a pension to Michael Mack.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Michael Mack, late a private in Company A, Twenty-seventh Regiment Ohio Volunteer Infantry; also late a private in Company G, first battalion Eighteenth Regiment United States Infantry.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, to which was referred the bill (H. R. 2536) granting a pension to Michael Mack, respectfully reports:

Michael Mack was a private in Company G, first battalion of Eighteenth United States Infantry and Twenty-seventh Regiment Ohio Volunteer Infantry.

It appears that the claimant enlisted as a private in Company A, Twenty-seventh Regiment Ohio Volunteer Infantry, on July 17, 1861, and was discharged therefrom December 22, 1861, and enlisted January 10, 1862, in Company G, first battalion Eighteenth United States Infantry, and was finally discharged from the service June 13, 1862. He filed a claim for pension September 17, 1866, alleging disability from varicose veins of left leg, contracted in the service. His claim was finally rejected in May, 1882, on the ground that the disability existed before he enlisted.

The claimant is now nearly 70 years of age. He is totally disabled from performing manual labor of any kind. In an affidavit made by the claimant he says:

"My disability is varicose veins of the left leg between the knee and ankle. The disability was caused by hard marches in the year 1863."

Nelson L. Lutz, late captain in the Twenty-seventh Regiment Ohio Volunteer Infantry, makes affidavit:

"I am well acquainted with Michael Mack. I became acquainted with him at Circleville, Pickaway County, Ohio, previous to his enlistment in Company A, Twenty-seventh Ohio Volunteer Infantry, and he was at that time a sound, healthy man, and, so far as human observation goes, I believed him to be free from any disability whatever. When I enlisted him he was working in the harvest field and able to perform any kind of hard labor."

Duncan McKenzie testifies:

"I am intimately acquainted with Michael Mack; knew him four years previous to his enlistment in the late war. He always appeared to be a man of sound health. His work much of the time was ditching, which requires a man with no physical defects. From my acquaintance with him I regarded him in every way sound previous to enlistment."

Dr. Thomas W. Jones, a citizen of Columbus, Ohio, says:

"I knew Michael Mack prior to enlistment, and had him in my employ as a ditcher upon my farm for several weeks, and knew him to be at that time an extraordinarily robust and able-bodied man, doing as much work as any man I ever employed. I have every reason to believe him to have been a sound man at that time, and I think if he had not been so I would have known it."

Dr. T. W. Jones, of South Bloomfield, Ohio, under date of November 8, 1873, says that he had known the claimant prior to his enlistment in 1861, and to his positive knowledge Mack was a sound and healthy man, performing labor for a long time at various times which required the best of physical and muscular force. Considered him then as of exceptional good health and constitution.

Others likewise testify to claimant's soundness and good health before he enlisted.

It is not denied, but admitted, by the Pension Office that the alleged disease existed while the claimant was in the service, but the office accepts the records showing the existence thereof prior to enlistment, and therefore rejects the claim.

The fact being established beyond a doubt that the Government accepted of claimant's services twice, and that since his final discharge he has been almost totally disabled, and the further fact that the disability existed while in the service being admitted, your committee is clearly of opinion that the relief asked for should be granted, and therefore recommends the passage of the accompanying bill.

The bill was laid aside to be reported favorably to the House.

SALLIE INGHAM.

The next business on the Private Calendar was the bill (H. R. 4238) granting a pension to Sallie Ingham.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sallie Ingham, formerly Sallie Frary, mother of Justin Frary, late a private in Company I, One hundred and first Regiment Ohio Volunteer Infantry.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 4238) granting a pension to Sallie Ingham, would respectfully report:

That the claimant, Sallie Ingham, is a resident of Tiffin, Seneca County, Ohio. She was twice married. Her first husband, Mr. Frary, died many years ago, leaving the claimant, his widow, and two sons and two daughters. The sons are dead. The daughters survive and have families.

One son, Justin Frary, in 1862 enlisted as a private soldier in Company I, One hundred and first Regiment Ohio Volunteer Infantry.

At the time of his enlistment, and prior and subsequent thereto, he maintained his mother, and was her only dependence. He was taken prisoner at the battle of Chickamauga, and died in a Confederate hospital at Danville, Va., in December, 1863. The claimant drew a pension of \$90 per year until July, 1869, when she intermarried with Mr. Ingham.

Mr. Ingham died in April, 1870. He left the claimant, Mr. Ingham, a small amount of property. This maintained her until about a year ago, when it was all exhausted.

Mrs. Ingham is without any means. Her age is about 75 years. She is a pioneer mother in Northwestern Ohio, is a lady of high character, and held in great esteem.

Having forfeited her pension by reason of her second marriage she now asks its restoration, and the committee recommend the passage of the bill.

The bill was laid aside to be reported favorably to the House.

GEORGE W. KISER.

The next business on the Private Calendar was the bill (H. R. 2539) granting a pension to George W. Kiser.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of George W. Kiser, late a private in Company A, Twenty-sixth Regiment Ohio Volunteer Infantry.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, having in charge the bill H. R. 2539, and having examined all the testimony in the case, submit the following report:

The claimant, George W. Kiser, enlisted June 10, 1861, and was discharged for disability December 21, 1862. The claim is that, during a campaign in West Virginia in October, 1861, he contracted rheumatism, and at Bowling Green, Ky., in April, 1862, he dislocated his left ankle, and contracted piles.

The claim was rejected by the Pension Department June 22, 1883, on the ground that claimant has not been disabled since discharge, in a pensionable degree, by reason of alleged rheumatism, piles, and dislocated left ankle. The report of the Adjutant-General, under date of November 20, 1881, says that, in July and August, 1862, claimant was detailed from the service to drive ambulance on account of being lame.

The company return for December, 1861, shows him furloughed from December 18, 1861, to January 7, 1862, on account of sickness.

John H. James, captain commanding his company, of the Twenty-sixth Regiment Ohio Volunteer Infantry, on the date of December 21, 1862, says:

"Kiser suffers from an old injury to his foot; the foot is greatly swollen and inflamed, causing lameness, which constantly throws him back on a march and renders him unfit for military service in the field."

Andrew Sabine, assistant surgeon Twentieth-sixth Ohio Volunteer Infantry, at same date, says:

"I certify that I have carefully examined the said George W. Kiser, of Capt. John H. James's company, and find him incapable of performing the duties of a soldier because of lameness."

On the same date he received his discharge, signed by William H. Squire, commanding the regiment.

Benjamin Franklin, of the National Military Home, Montgomery County, Ohio, testifies that—

"Kiser was a neighbor, and that he was acquainted with him ten years before the war, and he was sound, healthy, and robust at the time of enlistment."

Henry Shutto, of Hamilton, Ohio, testifies to having been "acquainted with claimant before the war, and knows him to have been an able-bodied man at the date of his enlistment."

Alexander M. Hall, of Hamilton, Ohio, says "he was an able-bodied man at the date of enlistment."

Benjamin Franklin, a comrade, testifies at a later date that—

"Claimant contracted rheumatism in February, 1862, and while in the service and in line of duty, and that he also injured his ankle very badly while on a march. He also testifies that he saw claimant in the year 1866, and found him suffering from rheumatism and swelled ankle, and appeared greatly broken down."

Joseph H. Coster, of Dayton, Ohio, says he—

"Saw claimant in the early part of the year 1864, and he was greatly broken down and suffering from rheumatism and was very lame."

Alexander M. Hall testifies that—

"Since Kiser came home from the service he has been unable to do any kind of manual labor by reason of rheumatism and piles."

R. L. Lusham, M. D., under date of June 11, 1883, states—

"I treated him in the spring of 1863, soon after his discharge from service, for lumbago or rheumatism of the back. He made a slow recovery from the first attack."

"Since then up to the time of his going to the Soldier's Home he has had periodical attacks of the same disease."

"By referring to my book I find in 1866 I treated him for specific rheumatism. He has also in addition to above been afflicted with piles."

In view of the fact that George W. Kiser was in the service over one year and a half and then discharged for a disability, which has existed ever since, unfitting him for the performance of manual labor, and also the testimony, which seems to be respectable in character and abundant, that he was a sound and healthy man at the time of entering the service, your committee recommend the passage of the bill.

The bill was laid aside to be reported favorably to the House.

WILLIAM BOLWORK.

The next business on the Private Calendar was the bill (H. R. 3749) granting a pension to William Bolwork.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of William Bolwork, late a private in Company K, Thirteenth Regiment Ohio Volunteer Infantry.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, having in charge bill H. R. 3749, respectfully report:

William Bolwork enlisted in June, 1861, as a private in Company K, Thirteenth Regiment Ohio Volunteer Infantry, and was discharged July 7, 1863. He claims a pension for loss of left eye and left hand, also injury to right eye and right shoulder and severely injured testicles. It appears in the testimony that claimant was captured at the battle of Stone River, Tennessee, was taken to Libby Prison, and remained there about two months, was then paroled and sent to Parole Camp, Annapolis, Md., where he remained about a month, and was then sent to Camp Chase, Ohio.

His claim was rejected April 14, 1882, on the ground that he was not in the line of duty when injury occurred to his eye and arm, and that his other disabilities