SENATE.

SATURDAY, *July* 5, 1884.

The Senate met at 11 o'clock a. m.

Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.

On motion of Mr. SHERMAN, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with.

INTERSTATE COMMERCE.

Mr. CULLOM. I believe the understanding was that I should have the floor immediately after the convening of the session to-day for the purpose of completing the remarks which I was making a while ago.

The PRESIDENT *pro tempore*. The Senator from Illinois asks unanimous consent that the Senate now resume the consideration of the unfinished business of the last sitting, being the bill (S. 2112) to establish a commission to regulate interstate commerce, and for other purposes. Is there objection? The Chair hears no objection, and the bill is before the Senate as in Committee of the Whole.

Mr. CULLOM resumed the floor and concluded the remarks begun by him at yesterday's sitting. His entire speech is as follows:

Mr. CULLOM. Mr. President, I realize the fact that bringing before the Senate a bill of this character at this late day in the session is not perhaps exactly what should be done; in other words, the bill ought to have been considered by the Senate long ago. I fully intended a month ago to insist upon bringing the bill before the Senate for consideration, but, as Senators know, my health gave way for a little while, and I have been detained from the Senate, so that I could not give the bill any attention. I only seek now, so far as I am personally concerned, to detain the Senate for a very few minutes in talking about the bill, and then will submit the question to the Senate as to whether we shall take a vote on the bill now or hereafter.

Mr. President, the question of the supervision or control in some way of the railroads of the country by the National Government is one with which the American people are becoming somewhat familiar. It has been raised in some shape at every session of Congress for several years past. It has been discussed by the public press, by merchants and shippers and farmers and stockholders and officers of the great corporations. It is now claiming a more prominent place than in the past, and demands of us our best judgment in determining what is best for the public interest. In approaching the discussion of this subject permit me to say that I have no desire to deal unjustly or to oppress in any way the railroad corporations whose interests are involved, but rather to preserve them, consistent with the rights of the people from whom their rights are derived. The growth of this great interest is unparalleled—commensurate only with the stupendous advancement of our people as a nation. In 1830 there were but twenty-three miles of railroad in operation in this country. In 1840 the number had increased to 2,818, in 1850 to 9,021, in 1860 to 30,635, in 1870 to 52,914. To-day in round numbers we have 120,000 miles of road, a larger number indeed than all Europe, with a population seven times larger than the United States. The amount received for the transportation of freight and passengers by these corporations in this country is not far from $800,000,000 per annum; and the amount paid out for expenses must be about $550,000,000 yearly, not including the interest paid on their bonds. To operate these roads a million of employés are required. These roads thus from year to year extended run through every State, and I believe through every Territory of the Union, the State I have the honor in part to represent having a greater number of miles than any other State. To construct and operate them the best minds of the country have been employed—men whose services command a much larger compensation than any officers or employés of the Government, excepting alone perhaps the President. Their business extends to all departments of trade and commerce. The manufacturer, the farmer, the merchant, the laboring man, the professional man are each and all directly interested in their operations. There is no interest or business not affected by their operations and management. Commerce is the pulse of a nation, and indicates with unerring throb its vital condition. Agriculture, the foundation of our prosperity, can not prosper if it costs more to market the farmer's products than they are worth. The success of the manufacturer depends upon the facility at his command and the cost of transporting his commodities. The cost of carriage is a direct tax upon the value of the article exchanged, and the wealth of the producer and of the country is diminished or increased in proportion to that cost. We have our lakes, rivers, and canals, and the influence which they exert upon the cost of transportation of our products is all-important, but the carrying trade of the country is very largely in the hands of the railroads. The water ways to some extent dictate the rate, but the railway does the business. The through tonnage over the great Erie Canal in 1852 was five times greater than that on the New York Central and Erie Railroads. In 1854 the tonnage of the railroads had increased 302,000 tons, while that of the canals fell off 142,845 tons; and so the increase and decrease went on relatively until, in 1880, the tonnage of the two railroads had swelled to 19,250,000 tons, while that of the canal was 6,457,665 tons. (See Poor's Manual for 1881.)

The water ways were the first great channels of commerce. On the water the Creator gives free right of way, maintains the road-bed, and furnishes, in part at least, the motive power. It has, therefore, been our policy to improve our rivers and lakes and keep these great natural highways open for public use.

I intend between this and the coming session of Congress to prepare myself to show that it is as important to the business and commercial interests of this country that every water way should be improved where it is necessary to improve it, and that canals should be built where the interests of commerce require them, as it is that we should regulate or have anything to do in connection with the transportation of the commerce of the country upon the railroads. I may say here that I have not been entirely satisfied with the action of the Senate in reference to what is commonly known as the Hennepin Canal. I have felt and still feel that that great proposed national enterprise should have been incorporated in the river and harbor bill, and the work begun at the earliest moment; but the Senate thought otherwise, and it was not done. The Committee on Commerce, however, has reported a bill in favor of the measure, which I hope at the session of Congress in December next to press to its final passage.

I hope to have occasion, Mr. President, to give my views at length in favor of such appropriations as may be necessary to improve our important rivers and to construct canals where trade and commerce demand it as well. I shall not discuss that subject at this time. The demands and exigencies of trade have so grown with our growth as a people that commerce can not be confined to water ways. The railroads of the country are doing by far the most of our carrying trade. The locomotive with its train is adapted to all seasons and countries, and speeds over or through mountains, across rivers, along the plains, wherever there is a passenger to go or a pound of freight to carry. The train stops at our corn-cribs, our barns, our warehouses, our villages, towns, and cities, and takes whatever there is of surplus, and carries it to the markets of the world.

The locomotive is indeed a power in the land, the most willing, able, yet autocratic, subject of our trade and commerce. While the people generally are willing to acknowledge their indebtedness to railroads for what they have done in the development of the country and in aid of commerce, it can not be denied that complaints have arisen against their management; complaints of oppressive charges and of unjust discriminations against persons and places are heard from all parts of the country; rates are given to some persons which are denied others under the same circumstances; that a greater sum is frequently charged for carrying the same quantity of freight a less than a greater distance. They have it in their power, if unrestrained, to enhance the prosperity of one portion of the country at the expense of another. They may so discriminate in their rates against a particular town or locality as to drive trade away from it to a more favored locality. They may by giving low rates encourage manufacturers at any given point, and by raising the rates break up the business and transfer the trade to some other point. Corporations have no souls and very short memories. A change of officers works a change of favorites. The mill that has been favored by one management, when the change comes must look elsewhere for its grist. The town that has been built up by the establishment of shops and factories suddenly finds the men employed in the shops transferred to some other town; the new railroad management turn their backs upon it, and it is left to languish and die.

These, Mr. President, and others that might be mentioned are serious evils which call loudly for a remedy. Many of the States have provided against these evils by legislative enactments—and twenty-two of the States have passed laws for the appointment of railroad commissioners—and in providing in some way for the supervision and control of railroads, in some instances fixing rates, and in all cases, I believe, providing against unjust discrimination and extortion. In my own State the commissioners are authorized by law to establish maximum rates for every railroad within its borders. There have of course been some friction and disputes between the corporations and the commissioners. The law under which the commission acts has been contested in all the courts, until its final favorable adjudication in the Supreme Court of the United States. The roads in Illinois to-day are generally working in harmony with the commission, and the people are, I think, generally satisfied with the result attained. The practice of extortion and unjust discrimination has been in a large measure corrected, and the corporations have in no way been injured by complying with the law and the tariffs of rates given them by the commissioners.

I doubt not that the experience of the people in other States where supervision by commissions has been authorized has been equally satisfactory. But, Mr. President, State commissions have no control over interstate commerce. The commerce of this country which is carried on between the States can not under the Constitution be controlled by States or State boards. The transportation companies, whether railroad companies or otherwise, which may carry the products of the country from State to State, or from State to Territory, or from one side of this continent to the other, may only be controlled in their operation in such work by the national Government. Our imports, amounting to many millions of dollars in value, do not remain in the ports of New York and Boston and of other seaport cities; they are carried to the West and South; and so of manufactures. They reach out across

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the States, wherever a market may be found. The question therefore comes to us: "Shall we afford relief to the people and provide laws for their protection against oppression and unjust discrimination by these powerful transportation companies, or shall we ignore the people's demands?" These are times in which competition is in a large degree destroyed by combinations. The danger to the people to-day is from these combinations, which become great monopolies. The enormous power which combined capital gives to those who control it makes it aggressive, impudent, and dangerous.

The Constitution says that "Congress has the power to regulate commerce with foreign nations and among the several States." Under this provision of the fundamental law the right is claimed, and I think not disputed, to pass laws for the supervision of interstate commerce.

Mr. Madison, in the convention which framed the Constitution, said "that he was more and more convinced that the regulation of commerce was in its nature indivisible and ought to be wholly under one authority." Mr. Sherman said, "The power of the United States to regulate trade being supreme can control interferences of the State regulations when such interferences happen; so that there is no danger to be apprehended from a concurrent jurisdiction."

In the case of Gibbon *vs.* Ogden, 9 Wheaton, the court says that the power to regulate commerce extends to every species of commercial intercourse between the United States and foreign nations and among the several States. It does not stop at the external boundary of a State, but it does not extend to a commerce which is completely external. It is the power to regulate that is to prescribe the rule by which commerce is to be governed. This power like all others vested in Congress is complete in itself and may be exercised to its utmost extent and acknowledges no limitations other than are prescribed by the Constitution.

In the case of Groves *vs.* Slaughter, 15 Peters, 449, the court says that the power of Congress to regulate commerce among the several States is exclusive of any interference by the States.

Mr. President, I shall not detain the Senate by a general discussion of the subject any further, but shall defer it until the coming session if this bill shall not be disposed of at the present one. I shall hope, however, that the Senate will feel disposed to pass the bill, and I desire to say that the bill which is now before the Senate, which I had the honor to report from the Committee on Railroads, had very careful consideration. There have been, perhaps, twenty or thirty bills on the subject introduced into the two branches of the Congress of the United States during this session, and some at previous sessions. All these bills have been very carefully considered, and I think the bill which I had the honor to report and which is now under consideration contains the best portions of the several bills that have been produced and introduced in the Congress of the United States. My judgment is that it is a bill which will protect the interests of the people and will at the same time not oppress the railroad corporations of the country.

With these few remarks, and then with a statement of what the provisions of the bill are specifically, I shall relieve the Senate.

Section 1 creates the interstate commerce commission, to be composed of five commissioners appointed by the President for terms of five years, the term of one commissioner to expire each year, so as to prevent sudden or radical changes in the composition or policy of the commission, and to secure the services of a majority of experienced men on the board at all times after it has fairly got in operation. Provision is made for the removal of any commissioner by the President for incompetency or malfeasance in office, and for filling vacancies. It is also provided that in appointing the commissioners the different interests affected shall have, as nearly as possible, proper representation, and that not more than three of them shall belong to the same political party.

Section 2 gives the commission supervision over all matters pertaining to the regulation of commerce among the several States and Territories, and the methods of operation of all transportation companies engaged in interstate commerce; and makes it the duty of the commission to enforce the provisions of the act by all lawful means within its power.

Section 3 defines extortion, and section 4 defines unjust discrimination very fully and clearly.

Section 5 provides that when complaint is made to the commission, charging extortion or unjust discrimination, a statement of such charges shall be forwarded to the transportation company thus accused, which shall be required to satisfy the complaint or answer the same in writing within a reasonable given time. This arrangement is fair to both sides. If the complaint is well-founded, it will be to the interest of the company to promptly settle the difficulty to the satisfaction of the complainant, and thus save the latter the delay and annoyance attending an investigation and the litigation necessary to enforce a settlement. It is believed that, after this act was once fairly in operation, this would be the course pursued in a majority of the complaints filed.

I desire here to say that, speaking from my personal experience in the position I occupied for six years in my own State, having a railroad commission existing at that time, my observation has been that it is in the interest of the people as well as in the interest of corporations that a very considerable power should be given to a commission, if that commission is composed of honorable and honest and capable men, to settle difficulties between corporations and the people, so as to keep out of the courts very much litigation that would take place in the absence of such a commission. This bill has been framed upon the idea that such a commission should have a sort of preliminary power to settle disputes between the people dealing with transportation companies and the companies themselves; but at the end, if they should be unable to settle, then the parties should have the right to go into court and litigate the questions in dispute.

This section provides also that when complaint is made and the corporation is notified of the complaint and has answered the complaint, if the matter is not settled at once between the parties, the corporation and the complainant, then the commission shall proceed to take testimony, examine into the case, make an award, determine, in other words, the amount of damages, if any, that the shipper has sustained, notify the corporation of the fact and the amount, and specify a time within which the damages shall be paid; and if the shipper shall fail to pay them, then the commission is authorized to turn the papers in the case over to the district attorney of the United States for the district in which the accusation shall have been made.

My judgment is that with a national law with that sort of provision in it which shall give an honorable commission that power there would in the end be very few cases which would ever find their way into the courts of the United States, and everybody knows that it is a substantial denial of justice to a complainant to send him there if he happens to be a poor man.

The inducement held out to the companies to adjust their differences with complainants promptly in the manner indicated is found in the next clause of this section, which provides that if the company shall within the time specified by the commission make reparation for the injury done and the complaint shall be withdrawn, the case shall be dismissed and the company shall be relieved of liability for any other penalty for the particular violation of the act complained of. This provides for a prompt adjustment of the difficulty, if both parties are disposed to be reasonable.

If, however, the complaint can not be settled in this way no time is lost, and the next steps to be taken are plainly set forth. It is provided that if the company shall fail to satisfy the complaint within the time allowed, or if it shall neglect or refuse to answer the same as required, or if either party shall demand a hearing and there shall appear to be any reasonable ground for investigating the complaint, it shall be the duty of the commission to investigate the matters complained of, to determine all questions of fact at issue, to record its finding, and to furnish a report thereof to both parties.

The bill does not propose to confer upon the commission the powers properly exercised by the courts, but simply authorizes it to act as a court of arbitration, and makes it to the interest of the companies to abide by the findings of the commission.

When a complaint has been investigated and passed upon in the manner indicated a decision against the complainant would of course end the proceedings. But if it shall appear that the company complained of has been guilty of extortion or unjust discrimination as charged, it is made the duty of the commission to give notice to the company to discontinue forthwith its unlawful practices, and to pay the complainant within a reasonable given time the damages, if any, to which the commission may find the complainant justly entitled in consequence of the company's violation of the law. And if such damages shall be paid as required, and the commission shall be satisfied that the transportation company has ceased to practice the extortion or unjust discrimination complained of, an order to that effect shall be entered of record by the commission, and the company shall be relieved of liability for any other penalty for the particular act complained of.

From the statement given it will be seen that section 5 of the bill provides for the prompt adjustment of all differences between transportation companies and the public in all classes of cases in which an amicable adjustment by arbitration is possible, and that settlements can only be made in this way when they are satisfactory to the complainant.

When further proceedings become necessary the steps to be taken are pointed out in section 6. It is therein provided that if any company shall neglect or refuse to pay the damages assessed against it by the commission, and to desist from the further violation of the act, the commission shall certify the facts to the United States district attorney of the judicial district in which the act complained of occurred, and it shall be his duty, at the complainant's request, to forthwith commence such proceedings, in the name of the complainant, as may be necessary to recover any damages sustained by him, the complainant to pay the costs of suit, except attorneys' fees, in case of failure to recover.

The same section fixes the penalty for conviction for extortion or unjust discrimination at a fine of not exceeding $1,000 for each offense. The same penalty is fixed for refusal to make the annual reports required by the commission, and for refusal to answer any question or to produce any book, paper, contract, or other document called for by the commission in making any investigation. The same penalty is also fixed for violating any other provisions of the act or for attempting in any manner to obstruct the enforcement of its provisions.

The remaining sections are devoted principally to providing for the other duties of the commission.

Section 7 fixes the salary of the commissioners at $7,500 and of their secretary at $3,500. It authorizes them to employ and fix the compensation of such other employés as may be found necessary, subject to the approval of the Secretary of the Interior, and provides for the payment of all necessary expenses incurred in making investigations outside of Washington. Witnesses before the commission are to be paid the same fees and mileage that are paid to witnesses in the United States courts.

Section 8 authorizes the commission to prescribe the forms to be used in its business, and makes a majority a quorum for the transaction of business.

Section 9 gives the commission in making investigations power to require the attendance of witnesses, to administer oaths, and to require the production of all books, papers, contracts, and documents relating to the matter under investigation and necessary for the information of the commission. Such investigations may be conducted in any part of the United States, and the powers conferred for this purpose may be delegated to any member or members of the commission.

Section 10 provides for annual reports from all the companies coming within the provisions of the act, and specifies in detail the more important subjects upon which information shall be required, so that the reports shall contain all the information that the public and the commission may desire.

Section 11 provides for the publication of the annual report of the commission, which is to contain such information and data as may be considered of value in the determination of questions connected with the regulation of interstate commerce, together with such recommendations as to additional legislation on the subject as the commission may deem necessary.

Section 12 makes the route of a company engaged in interstate commerce include all the railroad and water routes used by said company under any sort of an arrangement, and makes it unlawful to enter into any agreement to prevent the carriage of interstate-commerce freights from being continuous, whether carried partly by rail and partly by vessel, or carried on one or several railroads.

Section 13 defines the meaning of the term "transportation company engaged in interstate commerce," showing that it applies to both railroads and vessels, and to all persons, firms, and companies, to all associations of persons or companies, incorporated or not, and to all associations of corporations engaged in the transportation of interstate freights or property.

Section 14 appropriates $60,000 for the purposes of the act for the coming fiscal year.

I shall not detain the Senate any longer in discussing the subject, but shall leave it to the judgment of the Senate as to whether we shall proceed with the discussion of the bill and put it upon its passage. As far as I am concerned I shall be very glad to have the bill pass before we adjourn.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON. I ask that the regular business before the Senate may be laid aside informally, in order that I may present the conference report on the legislative, executive, and judicial appropriation bill, which I understand is on the President's table.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a bill from the House of Representatives, returned with a report of the committee of conference. The title of the bill will be read.

The CHIEF CLERK. A bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

The PRESIDENT *pro tempore*. The action of the House of Representatives on the bill, with the last action, will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 3, 1884.

Resolved, That the House concur in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

Resolved, That the House further insist upon its disagreement to the twenty-first, twenty-fourth, twenty-fifth, twenty-seventh, eightieth, eighty-first, eighty-second, eighty-third, eighty-fourth, eighty-fifth, eighty-sixth, eighty-seventh, eighty-eighth, ninety-first, ninety-second, ninety-third, ninety-fourth, ninety-fifth, two hundred and fifth, two hundred and sixth, two hundred and seventh, two hundred and eighth, two hundred and ninth, two hundred and tenth, two hundred and eleventh, and two hundred and twelfth amendments of the Senate to the bill (H.R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes; and asks a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. HOLMAN, Mr. HANCOCK, and Mr. CANNON be the managers of the said further conference on the part of the House.

The PRESIDENT *pro tempore*. The report of the Senate conferees will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill of the House 7069, making appropriations for the legislative, executive and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 8, 9, 10, 13, 26, 32, 33, 36, 37, 39, 40, 46, 47, 48, 49, 67, 74, 75, 76, 110, 111, 119, 120, 121, 142, 143, 157, 158, 159, 160, 161, 167, 168, 175, 178, 179, 191, 192, 193, 203, 204, 231, 234, 235, 236, 237, 238, 239, 246, 247, 256, 257, 273, 274, 275, 278, 282, and 283.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 6, 7, 11, 12, 14, 15, 16, 17, 18, 19, 20, 22, 23, 29, 30, 31, 34, 35, 38, 41, 42, 43, 44, 45, 50, 51, 53, 58, 59, 60, 61, 69, 70, 71, 77, 79, 89, 90, 97, 98, 99, 100, 101, 102, 104, 105, 106, 108, 109, 112, 113, 114, 115, 116, 117, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 139, 141, 144, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 162, 163, 164, 165, 169, 170, 171, 173, 176, 187, 188, 189, 190, 194, 195, 200, 202, 213, 214, 215, 216, 217, 218, 219, 225, 226, 233, 240, 241, 242, 243, 244, 245, 248, 251, 254, 255, 258, 259, 260, 263, 264, 265, 266, 267, 269, 270, 271, 272, 276, and 279, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$266,596.60;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$338,655.10;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$493,981.25;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "9;" and the Senate agree to the same

That the House recede from its disagreement to the amendment of the Senate numbered 55, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "14;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "14;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$104,720;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "40;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "55;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "48;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$246,490;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 66, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert "who may be designated to sign such letters and papers as the auditor may direct;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: In lieu of the number proposed by said amendment insert "66;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 72, and agree to the same with an amendment as follows: After the word "each," in line 16, page 22 of the bill, insert "four assorters of money-orders, at $720 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 73, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$452,790;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 78, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$35,180;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 96, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out insert "for postage, $500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 107, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$27,620;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For the following additional clerks in the office of the Adjutant-General for the sole purpose of completing, with the necessary detail from the existing force, the regimental registers of the volunteer forces of the several States during the late war, namely, one clerk of class 4; two clerks of class 2; six clerks of class 1; in all, $11,800;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the number proposed insert "48;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$85,620;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 145, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$57,410;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 166, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For the compilation of the naval records of the war of the rebellion: For collecting, compiling, and arranging the naval records of the war of the rebellion, including confederate naval records, one clerk of class 1, and two copyists at $720 each; in all, $2,640;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 172, and agree to the same with an amendment as follows: Strike out from said amendment the words "five hundred;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 174, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$151,430;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate

numbered 177, and agree to the same with an amendment as follows: To strike out from the matter proposed to be inserted by said amendment the following: "Two examiners of office decisions, at $2,000 each;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 180, and agree to the same with an amendment as follows: In lieu of the number proposed insert "40;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 181, and agree to the same with an amendment as follows: In lieu of the number proposed insert "56;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 182, and agree to the same with an amendment as follows: In lieu of the number proposed insert "67;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 183, and agree to the same with an amendment as follows: In lieu of the number proposed insert "73;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 184, and agree to the same with an amendment as follows: In lieu of the number proposed insert "51;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 185, and agree to the same with an amendment as follows: In lieu of the number proposed insert "58;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 186, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$496,250;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 196, and agree to the same with an amendment as follows: In lieu of the number proposed insert "10;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 197, and agree to the same with an amendment as follows: In lieu of the number proposed insert "16;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 198, and agree to the same with an amendment as follows: In lieu of the number proposed insert "9;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 199, and agree to the same with an amendment as follows: In lieu of the number proposed insert "13;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 201, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$97,980;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the number proposed insert "24;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 221, and agree to the same with an amendment as follows: In lieu of the number proposed insert "28;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 222, and agree to the same with an amendment as follows: In lieu of the number proposed insert "28;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 223, and agree to the same with an amendment as follows: In lieu of the number proposed insert "30;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment as follows: In lieu of the number proposed insert "35;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 227, and agree to the same with an amendment as follows: In lieu of the number proposed insert "5;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 228, and agree to the same with an amendment as follows: In lieu of the number proposed insert "18;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 229, and agree to the same with an amendment as follows: In lieu of the number proposed insert "50;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 230, and agree to the same with an amendment as follows: In lieu of the number proposed insert "62;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 232, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$597,170;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 249, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 250, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$11,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 252, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$9,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 253, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$11,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 261, and agree to the same with an amendment as follows: In lieu of the matter stricken out by said amendment insert the following: "One clerk at $1,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 262, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$31,060;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 268, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "Two additional clerks of class 2;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 277, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$112,110;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 280, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$12,060;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 281, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,600;" and the Senate agree to the same.

The committee of conference is unable to agree on the amendments of the Senate numbered 21, 24, 25, 27, 80, 81, 82, 83, 84, 85, 86, 87, 88, 91, 92, 93, 94, 95, 205, 206, 207, 208, 209, 210, 211, and 212.

W. B. ALLISON,
H. L. DAWES,
F. M. COCKRELL,
Managers on the part of the Senate.
JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House.

The PRESIDENT *pro tempore*. The question is, Will the Senate concur in the report of the Senate conferees?

Mr. ALLISON. I think it is due to the Senate that I should make a brief general statement of the amendments agreed to and of those disagreed to. The Senate provided for an increase of force in several of the bureaus of the different Departments, and in nearly every instance the House has acceded to a portion of that increased force but not the whole of it, which accounts for the numerous amendments agreed to with amendments. It is so, I believe, in every instance, and the division of force was about equal, the House conceding one-half the increase allowed by the Senate.

The amendments disagreed to are, first, relating to the contingent fund of the Senate; second, the amendment respecting the printing in the RECORD of speeches not delivered; and, third, all the amendments relating to the reduction of internal-revenue collectors and the reduction of customs collectors and the legislation relating to those two subjects.

The amendments increasing the force of the Pension Office were all disagreed to, it being stated by the House conferees that unless the bill pending now in the House should pass the Commissioner of Pensions was satisfied with his present force. So in a formal way these amendments were disagreed to in order that we might ascertain definitely and fully what force will be necessary under the existing laws to conduct efficiently the business of the Pension Office.

Mr. BLAIR. May I ask a question, and that is, whether if these amendments are not agreed to there is any proposition anywhere to reduce the existing force in the Pension Office?

Mr. ALLISON. The House considerably reduced the present force in the Pension Office, and I believe they did it upon an estimate made by the Commissioner of Pensions as long ago as November. I understand the Commissioner of Pensions and the Secretary of the Interior are of the opinion that under existing law it is necessary to retain the present force in the Pension Office in order to dispose of the business now pending in that office, without reference to what may be done during the present session.

Mr. BLAIR. If the amendments proposing an increase are disagreed to it does not involve the adoption of any proposition for decrease, as I understand. There is no counter-proposition; there will be no reduction of the force.

Mr. ALLISON. The bill as it passed the House makes a reduction, and the Senate amendments make a slight increase in the present force, exclusive of the one hundred and fifty traveling agents, which both Houses have now agreed to; but the House insists upon its proposition to reduce the present force in the Pension Office by I think about one hundred and fifty, based upon an estimate made by the Commissioner of Pensions as long ago as November last.

Mr. BLAIR. But that has all been re-estimated, and it is not likely to be done, I suppose.

Mr. ALLISON. I do not know whether the House will insist upon it. I have no doubt that the matter can be adjusted.

I believe these constitute the differences between the two Houses. I should be glad if the Senate in some form could instruct the conferees upon these various propositions. I think there are but three of them of any moment.

Mr. SHERMAN. Please repeat those three again.

Mr. INGALLS. Will not the Senator from Iowa repeat the three that he thinks are essential?

Mr. ALLISON. The first proposition is as to the contingent fund of the Senate.

Mr. INGALLS. That involves the payment of Senators' clerks.

Mr. ALLISON. In that item is included the compensation of clerks to Senators who are without committee chairmanships. The second item is that relating to the publication in the CONGRESSIONAL RECORD of speeches not uttered. The next, which may be embraced in a single proposition, is all the new legislation found upon the bill respecting the reduction of internal-revenue collectors, the reduction of customs collectors, and the legislation with respect to distilled spirits.

Mr. SHERMAN. You agree as to the remainder?

Mr. ALLISON. We have agreed substantially as to the remainder of the amendments.

Mr. MAXEY. I should like to ask the Senator from Iowa a question. If I heard him correctly there are two items, one in respect to clerks of Senators, the other in respect to the printing of speeches in the RECORD which were never delivered. I ask the Senator if a calculation has been made of the relative cost of the clerks as compared with the enormous expense of printing speeches never delivered?

Mr. ALLISON. I do not know that any comparison has been made between the relative cost of clerks to Senators and the cost of printing speeches which have never been uttered from time to time. I should think the latter would be largely in excess of the former.

Mr. MAXEY. I think it would be a great many times larger if the calculation could be made, and I suppose the Public Printer could give an exact statement.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 137) for the relief of Betsy A. Mower;

A bill (H. R. 284) for the relief of Mary G. Hawk;
A bill (H. R. 569) granting a pension to Reuben Marshall;
A bill (H. R. 709) granting a pension to Robert L. Willey;
A bill (H. R. 747) granting increase of pension to Fannie S. Beaumont;
A bill (H. R. 2089) granting a pension to Margaret Wiggins;
A bill (H. R. 2091) granting a pension to Mrs. Rebecca Hall;
A bill (H. R. 2869) for increase of pension to Martha T. Stribling, widow of Cornelius K. Stribling, late a rear-admiral in the United States Navy;
A bill (H. R. 3056) to constitute a bureau of navigation in the Treasury Department;
A bill (H. R. 4457) granting a pension to J. G. Crawford;
A bill (H. R. 4530) granting an increase of pension to Patrick Foley;
A bill (H. R. 4568) granting a pension to Andrew J. Konkle;
A bill (H. R. 6766) granting a pension to Mrs. Anna J. Foster; and
A bill (H. R. 6767) granting increase of pension to Mrs. Virginia Zeilin.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The Senate resumed the consideration of the report of the committee on conference on the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

Mr. SHERMAN. In order to unravel one matter at least, I move that the Senate recede from its amendment in regard to the provision about speeches not delivered. If the Senate choose to legislate upon that subject let them confine their action to their own business. I think myself the House ought to be allowed to dispose of its part of the RECORD and its part of the proceedings as it sees proper.

Mr. LOGAN. Why can not the Senate attend to their own business?

Mr. SHERMAN. I think so, too; and if the Senate want to say that nothing shall be printed except what is delivered here I am willing to vote for it, and there would be no objection, I suppose, on the part of the House to have that provision inserted.

Mr. JONES, of Nevada. Is it not the first business in order to agree to the report of the committee?

The PRESIDING OFFICER (Mr. PLATT in the chair). The Chair thinks the first business in order is on concurring in the report of the conference committee. The question is on concurring in the report, which the Chair thinks is first in order.

Mr. ALLISON. Very well. Let that vote be taken.

The report was concurred in.

The PRESIDING OFFICER. Now the question recurs on what action the Senate will take on the items on which the conference committee did not agree.

Mr. ALLISON. I move that the Senate insist upon all the amendments embraced within the disagreement, and agree to the further conference asked for by the House of Representatives.

The PRESIDING OFFICER. The Senator from Iowa moves that the Senate insist upon its disagreement to the further items not agreed to in the conference report, and accede to the request for a further conference made by the House of Representatives.

Mr. ALLISON. Now I suppose the motion of the Senator from Ohio is first in order, it having a tendency to bring the Houses together.

Mr. SHERMAN. A motion to recede is first in order, but I do not propose to insist on that motion if the Senator from Iowa who has charge of the bill does not think it wise to do so. I think myself that the question involves the courtesy which ought to exist between the two Houses not to interfere with each other's business. It is perfectly proper that we should leave it to the other House to say what shall be inserted in the record of its own proceedings. By the Constitution they make their own rules of procedure, and it would be but right that they should make their own rule as to what they will allow to be printed in their own proceedings. So far as we are concerned we can regulate that by our rules. No law is required. No law is required so far as the House is concerned, and they can simply pass a rule or regulation to regulate what shall be printed for them or what shall be considered a part of their proceedings.

I think it is rather straining a point for us to insist upon our own disposition of the amount of increase in our clerks, insisting that they shall not have anything to say about that, and then to turn around and say that they shall not authorize anything to be printed in the RECORD except what is actually delivered. It seems to me that the position is not consistent. At the same time I do not want to interfere with the conference. My own impression is that our conferees would be stronger by our saying that we yield the point, that as a rule on all matters of proceeding of contingent expenses of the number of officers each House must necessarily regulate them as part of their constitutional duty, as an execution of their constitutional right, and we will therefore put ourselves on that ground by withdrawing all propositions which restrain you in what you shall order to be printed as part of your proceedings.

It seems to me it would clear the way and make the basis of an agreement on some of these controverted points if we should recede from an amendment which does to some extent restrain the other House in their liberty of directing what shall be printed of their own proceedings or of what character those proceedings shall be. I shall therefore make the motion to recede, if the Senator from Iowa is willing.

Mr. ALLISON. I am perfectly willing to test the sense of the Senate on that subject.

The PRESIDING OFFICER. Does the Senator from Ohio make a motion?

Mr. SHERMAN. I make the motion that the Senate recede from its amendment numbered 27. It may be read, so that the Senate can see what it is.

The PRESIDING OFFICER. The Senator from Ohio moves that the Senate recede from the amendment which will be reported by the Secretary.

The SECRETARY. On page 6, after line 3, the Senate inserted the following:

That the reports in the CONGRESSIONAL RECORD shall be an accurate transcript of the proceedings and the debates of the two Houses of Congress, and that no speech shall be published therein which was not spoken in the Senate or in the House of Representatives; and such speeches shall be printed as they were actually delivered, except verbal corrections made by the author of the speech, and by no other person; and that when speeches are reserved by their author for correction they shall be returned to the Reporter of the House in which they were delivered within one week, and if not so returned they shall then be printed in the CONGRESSIONAL RECORD from the original notes of the Reporter.

Mr. VEST. Mr. President, the record of the proceedings of Congress is as much the property of the American people and the American public as the Treasury of the United States. The record of the proceedings of either House is not the property of that House. It is not paid for out of the contingent fund of that House. In a representative government like ours, where the representative is immediately responsible to his constituency, they have a right to know the history of pending legislation; they have a right to know the history of the conduct of public affairs.

I can not appreciate the position of the Senator from Ohio when he says that this is a question within the purview alone of the House of Representatives, and that we are infringing on their rights in determining what shall go into the CONGRESSIONAL RECORD, which goes to the people of the entire country and is paid for out of their Treasury. In regard to the payment of our secretaries, that is a question concerning the expenditure of the contingent fund of the Senate; but the CONGRESSIONAL RECORD is not paid for out of the contingent fund. It is paid for out of the common Treasury; it is a portion of the history of the country, paid for at the public expense; and if we concede that the House can put exactly what it pleases into the RECORD, then we concede that the House has entire control of this expenditure of money.

I hope that the motion of the Senator from Ohio to recede will not be agreed to.

Mr. INGALLS. While it is true that the expenses of the CONGRESSIONAL RECORD are paid by general appropriations, yet it is also true that there is nothing in any existing statute which defines what the RECORD shall contain. It is, of course, understood that it is to be a record—what the name implies—of the daily proceedings and transactions of both Houses of Congress; but in 1873, when the printing of the RECORD was transferred from the contractors to the Government Printer, the whole matter was left under the control of the joint committees on printing of the two Houses. Therefore it is not just to say that the House of Representatives in permitting speeches to be printed that have not been delivered in any way infringe either upon any statutory provision or upon any rule or regulation which has been made by competent authority.

I agree fully with the Senator from Missouri in stating that the practice which has assumed such enormous proportions of printing undelivered matter in the RECORD is one that has given rise to great abuses and ought to be curtailed. An illustration has been given this morning where calumnious matter, matter directly involving the reputation, the honor, and the good name of a member of this body, matter that was absolutely false, was inserted in the proceedings of the House of Representatives under the guise of an undelivered speech by a member of that body.

Mr. DAWES. Under the guise of a delivered speech.

Mr. INGALLS. I refer to a speech that was not delivered. Perhaps the Senator from Massachusetts knows more about it than I do.

Mr. DAWES. What I mean to say is that it goes forth to the country as a delivered speech.

Mr. INGALLS. That is very true, but the original assertion was made in a speech that was not delivered.

Mr. DAWES. But it appears as having been delivered.

Mr. INGALLS. No; it does not, because it appears in another part of the RECORD; it does not appear in the regular daily proceedings. The Senator from Massachusetts will pardon me. Of course I did not intend to be abrupt; but the original statement was a newspaper publication from a hostile sheet politically to the Senator whose name was involved, which was incorporated in the remarks of a member as a portion of his speech and printed under the general leave to insert.

Mr. DAWES. The Senator understands, I presume, that I meant to merely say that it went forth to the country as if some member of the other branch had delivered the speech containing this matter. Therefore I thought it was under the guise of a delivered speech.

Mr. INGALLS. It is also true, as the Senator from Massachusetts says, that publicity was given on the following day to this calumnious and unfounded statement by its repetition in a delivered speech. It was repeated with additions and with decorations and various ornaments of discourse so as to give it still wider publicity and promulgation.

But I do not think, with all the feeling I have on this subject, that it is a proper place to deal with this question by an amendment to an appropriation bill. Therefore, much as I sympathize with the Senator from Missouri, and sternly as I should stand upon Senatorial prerogative, I should be willing that the Senate conferees should, if they think best, in the general adjustment of these differences, abandon this amendment.

With regard to the Senatorial clerks, while I considered that arrangement in the first place unwise and injudicious, while it appeared to me to be unjust to those Senators who had clerks of committees, while there can be no doubt that it is a great deal better and more advantageous personally to a Senator to have a clerk than it is to have a clerk to a committee, because the clerk of the committee is very largely engrossed in the duties of the committee and is not at the service of the chairman of the committee in many instances, yet that having been agreed to is now a part of the law of this body, and any interference by the House of Representatives with the distribution of our contingent fund, with the number and qualifications of our clerical force, ought to be resented as an invasion of our constitutional prerogative.

I should therefore hope that the Senators on the conference committee would consider themselves instructed to adhere with resoluteness and vigor to the amendment of the Senate on that point.

Mr. MORGAN. Mr. President, I believe I am about as cautious and as strict in the expenditure of public money as almost anybody, and I have no desire in the world to profit personally out of the honorable position which I hold upon this floor. Neither have my colleagues on either side of this Chamber any such desire. We are here for the purpose of discharging our duties to the communities which we represent; and every man in this body understands the burden of that labor. It is absolutely exhausting to the last degree. It monopolizes every moment of a man's time that he is awake and able to work, not merely in the days of the week but on the Sabbath day. There is not a Senator in this body who I suppose does not devote a considerable portion, if not the entire time, of every Sunday while Congress is in session to working diligently upon some matter that he feels in duty bound to study or to think about.

We have a great Government to take care of, where we spend nearly $300,000,000 a year, and it costs us an immense labor to provide the clerks and various officers for the different heads of bureaus and Departments for the purpose of transacting the public business. Even the labor of providing them with the necessary men to execute their duties is one that is very great and very exhausting.

There is not a bureau officer in the United States Government, I suppose, who has not the assistance of some clerk in the transaction of his business; and yet when we come to compare the labors of a bureau officer with those of a Senator of the United States they sink into insignificance. I state that while I am a strong man physically and of good constitution and I think a reasonably industrious disposition, it taxes my energies to the very last extent, with the assistance of a clerk, to go through all the duties which I undertake to perform in this body, and they are not by any means so important as those of many other Senators whom I could name.

I feel that I represent a constituency which would be ashamed of me if I should be afraid to take from the public Treasury enough money to get assistance in these important duties. Here I work for nobody but for the people whom I represent, whether in my own State or elsewhere. I work for nothing but the public good. I can give no time to my private business. I am absorbed, with all the physical and mental energy I possess, simply in the public service; and in this particular I am not an exception; I am not singular at all. I am exactly related to these subjects as every other Senator in this body is; and my constituency, I repeat, would be ashamed of me if I were so cowardly as not to be willing to vote into their service the assistance of a clerk, so necessary for the discharge of the duties which I have to perform. They expect information from Congress upon a great number of topics. Our printing-list in the document-room is an enormous one, and one of infinite, almost inexpressible value, to the people of this country as an educator. These papers have to be distributed in a discriminating way into the hands of those people who will make the best use of them, and that duty, which our constituents require shall be performed punctually and immediately, would of itself require perhaps one-half if not more of the actual time of every Senator on this floor.

Under these circumstances I claim that it is an act of pure meanness and parsimony, when we have taken the responsibility of voting to ourselves the necessary public assistants, to deny them to us. Whatever the motive of it may be, however, it is an act of injustice. The House of Representatives, with the consent of this body, has always had the assistance of every clerk and of every messenger it required. Since I have been here this body has uniformly said to the House in all the different controversies we have had upon subjects of this kind, "Provide for yourselves what you think is an equivalent force for the discharge of your public duties, and we will vote the money to pay it." We have made no captious inquiries, and certainly we have not made insulting flings at anybody because in the opinion of some of us they may have exceeded what was necessary in the equipment of the different offices of the House of Representatives.

The Senate after due consideration (it has been two years or more looking at this question) took a vote after debate upon the resolution that Senators, where they were not chairmen of committees and therefore had not the assistance of committee clerks and of committee messengers, should have the privilege of employing or appointing clerks to assist them in their public duties. We passed upon that subject on a yea-and-nay vote. I believe if I remember the record correctly we passed upon it twice. This body has expressed a sincere and deliberate judgment upon this question, and has assumed the whole length and breadth and weight of the responsibility of it. I voted "yea" upon that resolution, and some of my Democratic confrères voted "nay." A large majority of the Republicans voted "yea," and some of them voted "nay." There was no party division between us upon that point. We did what we believed it was our conscientious duty to do, not a mere privilege, not the mere exercise of a power, but a conscientious duty which devolved upon us in order that we might be the better able to exercise our public duties in the Senate.

I hope, sir, that the Senate will abide by its decision and that the Senate will "fight it out on this line if it takes all the summer." I shall be prepared for one to stay here for the purpose of vindicating the right of this body to determine a matter of this kind.

Our action upon this has been characterized as "another salary grab," and other very indecent allusions have been made to it elsewhere. Sir, I scarcely expect to be deterred from performing a duty of this kind, though it might be of personal advantage to myself to relieve me of a little of the labor that I have to perform, by such allusions as these. They are only calculated to cause men who have any spirit at all to stand by their colors, to stand upon the ground they occupy. They are not calculated to produce any good results whatever, and I regret that any such expressions should have found their way into the debates of either House.

I therefore hope, Mr. President, that this committee will consider itself firmly instructed by this body to adhere to that amendment.

Mr. DAWES. Mr. President, I did not have an opportunity to vote upon the resolution which has caused this difference between the two Houses, but I wish the people of the United States could realize, as we realize here, the difference between service in these two Houses now from what it was when the compensation of Senators and Representatives was fixed at what it is. I have been here a number of years, and although, with the exception of two Congresses, I have had the honor of being chairman of a committee that employed a clerk, yet the amount of service required of me here to-day, compared with that which I was called upon to do when I first came to Washington, can be realized only by those who keep watch day by day of the growth of this country. There is no such measure of it as is to be found here at this center. There has never been a year in my service which has not brought at least 25 per cent. more labor upon me than the year that preceded it; and although I have been for the most of the time upon a committee whose clerk had a great amount of other labor to perform beside that which he rendered for me, I have found myself worn down by duties imposed upon me as well officially and pertaining to the Government of this country not known when I first came here as by duties which my constituents feel justified in exacting from me that no one man can perform and discharge his official duties as they ought to be discharged. There should be, there must be some change.

If the members of the other branch who discharge the laborious duties of that branch could each of them have the time they are called upon to devote to duties outside of what must be considered legitimate official duties, by having them performed by some one else, I believe the public service would be so promoted that as a question of economy there could be no provision more essential than the one embraced within this amendment. But, sir, beyond all that, the Senate has by a resolution authorized the Senators to employ these clerks and has pledged itself to pay for their employment. I should like to know whether there is a Senator here who would not feel ashamed of himself if he should decline now to meet that expenditure?

Mr. BAYARD. Mr. President, I think it is eminently proper that there should be a general expression of opinion by the Senate in relation to this subject. The Senate have not been called upon now for the first time to do this, but many times over there have been from one reason or another suggestions upon the part of the House of Representatives of controlling what I may call the details of the business of the Senate and the judgment of the Senate as to what is necessary for the public interest in providing the necessary clerical force to perform it. I may say that heretofore, although the House has from time to time made some demur as to the salaries given to officers of the Senate, their numbers, or the like, yet it has never gravely insisted upon its right to control the discretion of the Senate in that respect and the responsibility that each House has to the country for its conduct in respect of its own government.

It is perfectly obvious that there is a very serious principle attached to this. One of the main methods by which the freedom of the American people was sought to be preserved is in the separation of powers, and part of the separation of powers is in the independence of the two Houses of Congress of each other. We therefore find in the fundamental law, in the Constitution of the United States, the provision that each House shall determine the rules for its own government, and that each House shall choose its own officers. Under that they organize; and the power and oftentimes the duty of the two Houses is very different. We know that in the House of Representatives the Speaker of the House organizes every committee. We know that in the Senate the presiding officer organizes none, whether he be the President *pro tempore* or the Vice-President. The power is wholly different. The duties of our officers are not the same as the duties of corresponding officers of the House of Representatives, and each House is the proper judge of what the public interest is in the creation of minor and clerical offices for the performance of those duties.

Where do we obtain our knowledge of the necessity for the employment of clerks in the Departments? Obviously from the executive branch. We learn it from the Secretaries of the various Departments and from the chiefs of bureaus, and I have been here too long and always in a minority, always in what is called opposition to the existing administration, not to have seen time and time again the unquestioned response of both Houses of Congress to the reasonable demand of an executive officer for an increase of his clerical force.

There is not only an obvious propriety but there is an especial comity in this. It is quite impossible for the various branches of this great Government to be carried on without the constant spirit of comity between them. There are responsibilities that each branch must take for itself, and for the abuse of that power it is responsible to public opinion; and that, after all, is to be the great cure for these things.

I am a member and have been ever since I came to the Senate of the Committee on Finance. That committee never employed but a single clerk; yet it is the corresponding committee to the Committee of Ways and Means of the House, and the Committee of Ways and Means of the House have long had two clerks; but they needed them, and if they told us they required a third or a fourth I should let the gentlemen of the other House on that committee instruct me on that subject and vote accordingly. I cite this as an illustration.

There may be a very penny-wise and pound-foolish economy. I take it that a man who is fit to be intrusted with the conduct of important public business by the American people simply wastes his time when an ordinary clerk, a man possessing no judicial power but acting simply ministerially in his office, can perform the work as well or better than the legislator himself. Therefore it is a false economy to the interests of the people whom we represent to be spending time in copying letters that must be copied, in procuring documents that must be procured, in consulting records that must be consulted, in carrying messages that must be borne; there is an obvious propriety in having the proper assistance for these ends, and it is simply a waste of time for men who are considering grave questions of legislation, involving important interests, to be spending their time in such things. No sensible man would do it in his private affairs; and I think no just-minded public man would do it.

The day does not contain hours enough for the performance of such duties, alone and unaided, by a man actively engaged in legislation. I speak that which I know from my own experience, from my own knowledge of the labors of those who are my associates in this body. Therefore it is that I think when this question is presented, as it no doubt will be by the committee of conference on the part of the Senate to the House, they will see that it is necessary, it is proper, it is constitutional that the House should take the judgment of the Senate on all matters connected with the detail of the performance of their public duty and that we on the other hand should be ready, as I believe we always have been ready and willing, to accept the deliberate judgment of the House as to what is essential for them in the performance of their share of the public business.

I have only said this, speaking from this side of the Chamber, that there may go to the co-ordinate branch of Congress one united voice and opinion of the Senate on this question. It is not a petty clamor for small advantage, for individual convenience, but it is an exercise of high and proper and responsible discretion by this body in the execution of its public duties and powers. We know best what our officials do; we recognize best their skill or their want of it, their ability or their want of it, their labor or the absence of it, and I am sure that when judgment is to be passed upon that and compensation to await that judgment, the Senate is the proper and it is the only body whose opinion can be heard and should prevail on such a subject.

I hope, therefore, that I may be right in supposing that this is the unanimous view of this body, not expressed in any temper because it would be unbecoming the matter and unbecoming ourselves, but simply to assert what has been asserted over and over again and never denied, always admitted, always agreed to, that in matters like this the Senate is to judge of its own duties and its own powers.

Mr. MAXEY. Mr. President, being the chairman of a committee, I am not a beneficiary of the matter in dispute between the Senate and House, and therefore I shall speak with perfect disinterestedness.

I know the fact to be, of my own personal knowledge, that the whole of my time is taken up in the discharge of my Senatorial duties. For more than eight years I have been compelled absolutely to abandon the practice of my profession. My income from that source, which was considerable before I came here, is entirely cut off. I do nothing whatever in the way of making money save and except receiving the salary which I get for attending to the business of the people. Now I say I know as a business man that it is worse than folly to require a Senator to discharge mere clerical duties which can be equally well discharged by a clerk, because it takes up that much time which should be devoted to the consideration of important business pending on the Calendar; and I ask every Senator here if it is possible for him to be intelligently advised as to the bill upon which he is called on to act when he is required to take up a very large portion of his time in correspondence and in attention to the business of his constituents in the various Departments of the Government? You might as well say to a first-class lawyer that he should go out and collect the little accounts, the mere trifling business and drudgery of an office, as to require a Senator to discharge this duty which can be equally well done by a clerk. A client would complain of that, because he would say, "I employed that man and paid him to attend to my business, yet he is wasting his time with mere drudgery work to the detriment of my case." Equally the people can say that where we spend our time upon mere trifling details, which could be just as well attended to by a clerk as by a Senator, we lose that time which ought to be devoted to the public interests.

So I say that, in my judgment, the Senate has a perfect right to determine that question for itself, and I for one believe that the Senate should insist upon the action which it has taken, and I do that wholly disinterestedly.

Now, a word on the other point which I suggested to the Senator from Iowa in the course of his explanation. If it is to be a mere matter of raising a hue and cry about expenditure, if that is the point made, I say that there is five times as much expended in the publication of speeches never delivered and which the people have to pay for as is wisely and economically expended in the employment of clerks to aid Senators in the discharge of their duties. I differ from the Senator from Ohio in this, that I think the matter should be left entirely to the control of the committee of conference and let the conferees determine these items. I have perfect confidence in them, and believing they will carry out the will of the Senate, and not doubting what that will is, I, for one, think the Senate should insist upon the work which has been done.

Mr. SHERMAN. I am willing entirely to follow the advice of the Senator from Iowa in respect to the motion I made; but I wish to say that while I concur heartily in what is said about the propriety of the Senate regulating its own expenses, governing the number of its own clerks, saying what officers or aids are necessary to carry on its business, yet when we stand upon that rule and insist that the House shall not interfere with us in our judgment as to what we think is necessary to enable us to carry on our public duties, we ought not to put ourselves in the inconsistent position of demanding of them a surrender of their right to control what is contained in their record and to forbid them from allowing certain things to be published in the record of their own proceedings. If we were to recede from our amendment on that matter I think it would strengthen our position. I should be perfectly willing after another conference that the Senate should recede from the amendment it made to this bill in regard to the records of the House, and having done that, that we not only insist upon our amendment as to our contingent expenses and also on our opposition to the legislative provisions the House has inserted in the bill, but I would be willing to move to adhere, and stand by that adherence.

But, Mr. President, we can not come here and complain about the House while we do the same thing that they do about which we complain. These two propositions are on all fours with each other. We say to the House we make a law which changes existing law—a new law. There is no law now on the statute-book which says what shall be put in the RECORD. Each House must judge of that for itself. Now we put upon this bill a law which changes existing law and which violates one of the principles that we have been talking about, and that is to put legislation on this appropriation bill. We object to the legislative amendments the House has put on this appropriation bill. Why? Because an appropriation bill is not the proper place to consider great changes of the law. It ought to be a mere means of carrying out the existing law. But we violate that principle ourselves squarely by proposing to change the law in the legislative appropriation bill, a bill that provides for the salaries of the President, of all the officers of the executive branch of the Government, and of the judiciary branch of the Government, and of the legislative department. We put on it an amendment, a condition precedent, which the House must concur in or we must back out of, that there shall be no appropriation for any of the officers of the Government until the House will consent to a change of the law which will restrain them in their power to relieve themselves from the tedium of having speeches read instead of being printed in the RECORD. That is our position. If we want to make a contest with the House or want to have this matter determined, I say we ought to be ourselves just, we ought to conform to the rules we apply to them; and we ought not to insist upon any amendment that violates those rules.

Now, sir, it is just as bad for us to say to the House what shall be published in the RECORD as for them to say to us whether we shall have secretaries or not. If we want to go before the House with strength and speak to our brethern who are our equals and our co-ordinate branch of the legislative authority, we ought ourselves to conform to the rules that we talk about for them.

The proposition I made was intended to relieve the committee of conference from the embarrassment of their position by ourselves withdrawing from an amendment which interferes with what has been done time out of mind, ever since the Globe and the RECORD were published. If we relieve the conferees in that respect, we shall then be in a position to say that we will stand by our right to regulate our family here, our pages, our clerks, their number, their pay, &c. But I say again that I will do just as the Senator from Iowa who has charge of this bill desires and will withdraw my motion or insist upon it as he deems proper.

Mr. ALLISON. I hope the Senator from Ohio will withdraw his suggestion that the Senate recede from this provision, and I think from indications now given to the conferees that they will be able to handle this question as it ought to be handled.

I want to say a word or two with reference to the matter of legislation, because after all there is where the serious differences exist between the two Houses. The other branch insist that they shall bring into their appropriation bills important subjects of legislation entirely separate and distinct from appropriations. The Senate, so far as I know, have never undertaken to do such a thing; and I think the Senator from Ohio is mistaken when he states that the amendment as to the publication of undelivered speeches is legislation in the sense of the term as applied to the House legislation.

Mr. SHERMAN. It is a new law.

Mr. ALLISON. There is no law on the subject now. I merely refer to this to show that the Senate has not violated its rule in this amendment, which was intended to be a limitation upon the appropriation which precedes the provision with reference to the very question of reporting the debates. It is in the nature of a regulation as to what shall go into the RECORD for which we make an appropriation of $25,000 in the clause to which we attached the proviso.

I wish to call the attention of Senators to the fact that the House insist in these bills that they shall present to us legislation upon them; and although we have had no time to consider that legislation, whether it is proper or improper, whether it is wise or otherwise, they say we must take it. The conferees on the part of the Senate have insisted that where the House propose to change the existing law they have no right to insist upon that change as a condition of appropriations of money for the purpose of carrying on the ordinary operations of the Government; and there is where our difficulty lies to-day. We could settle these little questions with reference to the amounts of appropriation. The real difference between the two Houses to-day is whether we shall put upon these bills important legislation, some of it not examined at all by the committees of the Senate having charge of the question, some of it vicious and absolutely wrong in principle; and when we get rid of that great question, when we say once for all that we intend that no legislation changing existing law in important matters shall go upon the appropriation bills, we shall have eliminated from the differences between the two Houses the great question which now divides them.

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

Mr. ALLISON. Certainly.

Mr. BAYARD. I agree with the Senator from Iowa in respect of the vice of ingrafting general legislation on appropriation bills. I do not propose to repeat again what I have so often said on that subject; but I may ask the Senator if it is not a poor rule that does not work both ways, and whether the Senate must not respect the doctrine in its own action, as it calls on the House to do so?

Mr. ALLISON. So I understand.

Mr. BAYARD. In the present case there is a conference which has reported disagreement as to the naval appropriation bill, where there has been general legislation put on by the Senate increasing the Navy, in a very proper manner as I consider, because when the measure was brought before the Senate as a separate proposition I gave it my voice and my vote; but when it was ingrafted upon an appropriation bill under the idea that our rules permitted it, I considered even if the rules permitted it it would not be a proper method of reaching the end, and I think to-day that there is a conference now pending between the two Houses, in which the difference is that the Senate insists upon general legislation respecting the Navy and the House objects to it.

Mr. ALLISON. The Senator will remember that when that bill came before the Senate the very question was raised here under our rules whether the provision to which the Senator alludes was legislation. As a matter of course if it was legislation it would have gone out of the bill, but the presiding officer ruled that it was a mere appropriation of money for the purpose of carrying on one of the ordinary operations of the Government, and therefore not legislation.

Mr. BAYARD. I think, with all due respect, that it was argued here by the gentleman having charge of the bill that the phrase in the rules which permitted a bill to be ingrafted upon an appropriation bill by way of amendment if it had passed the Senate at the same session made the proposition in order. There was a bill creating this number of cruisers which had passed the Senate, and because it had passed the Senate in that form it was said to be appropriate as an amendment to an appropriation bill under the Senate rule. But I do not care whether it was in order under the Senate rule or not, the same principle that my friend has denounced here, and in which I concur with him, is involved. The question is whether under the guise of providing money to execute existing laws you are to include matters of general legislation and make the essential appropriations depend upon consent to those measures.

Mr. ALLISON. I will state in response to the Senator my own view in reference to that question, which is that if we have ingrafted legislation upon that bill or any other bill it is our duty, upon the request of the House, to abandon it.

Mr. BAYARD. I agree with the Senator.

Mr. ALLISON. I think I would go further, and in some of the conferences we have had we have gone further, as, for example, upon the deficiency bill that we reported yesterday. There the House insisted that it was not the duty of either branch of Congress to respect the settlements made by the accounting officers of the Treasury; that we had the right in the two Houses to go behind the settlements made by accounting officers of the Treasury, and to appropriate or refuse to appropriate money, notwithstanding accounts had been settled.

We said to the conferees on the part of the House, "If you refuse to appropriate the money, so be it; we can not compel you to appropriate money in excess of what you believe is necessary to carry on the Government; if you do not appropriate enough money it will be the duty of the President of the United States to convene Congress again and seek further appropriations." Therefore we have surrendered many appropriations on these bills which we believed were not only necessary and proper to carry on the Government, but which we believed the Government was bound in honor and good faith to make in order to pay accounts found due by the accounting officers of the Treasury. If there is on any appropriation bill legislation proposed by the Senate, for one I am ready to abandon that legislation. I do not think we ought to insist upon it. If we can not agree as to the amount that shall be appropriated for the maintenance of the Navy, it is our duty to make concessions to the House with reference to the maintenance of the Navy, in order that the ordinary operations of the Government may go on in reference to the different Departments.

I believe the Senator from Ohio has withdrawn his motion to recede.

Mr. SHERMAN. I do so now, if the Senator thinks it wiser.

The PRESIDING OFFICER (Mr. PLATT in the chair). The motion to recede from the action of the Senate upon the amendment No. 27 is withdrawn.

Mr. ALLISON. I ask that the Senate further insist on its amendments.

The PRESIDING OFFICER. The question is on the motion that the Senate further insist upon its amendments not settled by the conference report and agree to the further conference asked by the House.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. ALLISON, Mr. DAWES, and Mr. HALE were appointed.

ENROLLED BILLS SIGNED.

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

A bill (S. 838) to consolidate the Bureau of Military Justice and the corps of judge-advocates of the Army, and for other purposes;

A bill (H. R. 5709) to amend article 72 of the Rules and Articles of War;

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;

Joint resolution (H. Res. 260) authorizing the printing and binding of additional copies of the reports of the National Board of Health; and

Joint resolution (H. Res. 276) providing for the printing of 50,000 copies of the first annual report of the Bureau of Animal Industry.

INTERSTATE COMMERCE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 2112) to establish a commission to regulate interstate commerce, and for other purposes.

Mr. MILLER, of New York. It must be evident to the Senate that it is impossible at this time to dispose of this bill in an intelligent manner. It is a very important bill. The principle of the bill I am in entire sympathy with. I believe in the appointment of a Federal commission to investigate the question of interstate commerce and to have some control over the railroads; but this bill, as it has been reported here and as we are to judge from the digest which we have heard of it this morning, is certainly one of the most important bills that have come before us, and the Senate should take full time to consider it and perfect it. As it is impossible for the bill to become a law at this ses-

sion even if it should pass the Senate to-day, I think it must be evident to all that it would be wise to postpone its further consideration until the beginning of the next session.

I move that the further consideration of the bill be postponed until the second Monday in December next at 2 o'clock.

Mr. CULLOM. I hope an earlier day will be named. The day suggested has already been fixed for another measure.

Mr. MILLER, of New York. I will modify my motion at the request of the Senator from Illinois by moving that the bill be postponed until 2 o'clock on the first Thursday after the first Monday of December next.

The PRESIDING OFFICER (Mr. PLATT). The Senator from New York moves that the further consideration of the bill be postponed until 2 o'clock on Thursday after the first Monday of December next.

Mr. CULLOM. I have been and still am very anxious that this bill should pass during this session of Congress, but it seems to be the judgment of many Senators that it is impossible for it to become a law at any rate during the present session of Congress; and while I do not consent to a postponement of it, yet I am willing to yield to the judgment of the Senate on the question, provided it is made the special order for Thursday after the first Monday of December next.

The PRESIDING OFFICER. That is the motion.

The motion was agreed to.

IOWA RAILROAD LAND GRANT.

Mr. PLUMB. I ask unanimous consent to be allowed at this time to make a report from the Committee on Public Lands. It is in regard to forfeiting certain lands in the State of Iowa.

The PRESIDING OFFICER. The Senator from Kansas asks consent to make a report. Is there objection? The Chair hears none, and the report will be received.

Mr. PLUMB. I am instructed by the Committee on Public Lands, to whom was referred the bill (H. R. 7299) forfeiting a part of certain lands granted to the State of Iowa to aid in the construction of railroads in that State, and for other purposes, to report it back favorably with an amendment.

I ask unanimous consent of the Senate to consider the bill now. The Senators from Iowa are familiar with the facts. There are in the neighborhood of 80,000 acres of land in that State granted to the State of Iowa for the purpose of building the Sioux City and Saint Paul Railroad. Such portion of the road as was built at all or as is ever expected to be built was built within the proper time, but a portion of it was not built by reason of the fact that connection was made with another road, which obviated the necessity of doing it. That left about 80,000 acres of land which the railroad company did not earn and which have been settled upon, but no title can be acquired, for the reason that the burden of the grant has not been removed by legislation.

The bill as it came from the House proposed certain expensive and somewhat involved legal proceedings. The Senate committee in considering the matter have stricken those out and adopted what they believe to be a fair and at the same time simple method of determining the amount of land to be forfeited in such a way as to do justice both to the settlers and the railroad company, giving the company all it is entitled to by reason of what it has built; and while I am not prepared to say that it meets with the concurrence of the Senators from Iowa, they are at all events very desirous that it shall be settled. As the bill is amended, it must go back to the House of course and probably be submitted to a conference, and whatever defect there may be in details that is not met by the amendment of the committee can be arranged by the conference committee so as to be entirely satisfactory to the parties in interest.

The PRESIDING OFFICER. The Senator from Kansas asks unanimous consent that the Senate now proceed to the consideration of the bill just reported by him. Is there objection?

Mr. MCMILLAN. Yes, sir. There are large and important interests involved in that matter.

Mr. PLUMB. I ask leave to withdraw the report.

The PRESIDING OFFICER. The Senator from Kansas asks leave to withdraw the report. Is there objection to that?

Mr. MCMILLAN. If it is to be withdrawn for the session——

Mr. PLUMB. I will settle that when I get it. I ask permission to withdraw the report.

The PRESIDING OFFICER. If there be no objection the Senator from Kansas will have leave to withdraw the report.

ELIZA A. SHEALEY.

Mr. BLAIR. I ask leave at this time to make several reports from the Committee on Pensions. I report first the bill (H. R. 2245) granting a pension to Eliza A. Shealey, and request that the bill be put on its passage.

The Secretary read the title of the bill (H. R. 2245) granting a pension to Eliza A. Shealey.

Mr. MITCHELL. I suggest to the Senator that it would be much more expeditious to have all these bills reported and then take them all up by unanimous consent.

Mr. BLAIR. I have no objection to that, only I thought we could get through quicker in this way.

The PRESIDING OFFICER. The Senator from New Hampshire withdraws his request, and the bill goes to the Calendar.

Mr. BLAIR. I do not wish to do that. I ask unanimous consent that pension bills ready for report at the hands of members of the committee or others may be now reported and considered. ["No objection!"]

The PRESIDING OFFICER. The Senator from New Hampshire asks that pension bills which are now ready for report may, as they are reported favorably, be considered. Is there objection?

Mr. SHERMAN. Subject to objection.

Mr. BLAIR. Very well; subject to objection.

The PRESIDING OFFICER. Subject to objection. Is there objection to the suggestion? The Chair hears none, and that will be considered to be the order of the Senate. The bill reported by the Senator from New Hampshire will be read.

The Chief Clerk read the bill (H. R. 2245) granting a pension to Eliza A. Shealey, and the Senate, as in Committee of the Whole, proceeded to consider it. It proposes to place on the pension-roll during widowhood the name of Eliza A. Shealey, widow of Daniel Shealey, late second lieutenant of Company E, Second Maryland Regiment of Cavalry.

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

ALICE T. SHERWOOD.

Mr. BLAIR. I report favorably from the Committee on Pensions the bill (H. R. 1970) for the relief of Mrs. Alice T. Sherwood.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Alice T. Sherwood, widow of Joel T. Sherwood, late captain Company A, Twenty-eighth Indiana Volunteers.

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

SARAH DENNY RIPLEY.

Mr. BLAIR. I report favorably from the Committee on Pensions the bill (S. 150) granting a pension to Sarah Denny Ripley.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Sarah Denny Ripley, widow of Brig. Gen. James W. Ripley, deceased, late Chief of Ordnance, United States Army, at $50 per month.

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

ABBY S. SLOCUM.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (S. 1427) granting an increase of pension to Abby S. Slocum.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place the name of Abby S. Slocum, widow of John T. Slocum, late colonel of the Second Rhode Island Volunteer Infantry, on the pension-roll at the rate of $50 per month, in lieu of the pension she now receives.

The bill was reported from the Committee on Pensions with an amendment, in line 5, before "Slocum," to strike out "T." and insert "S.;" so as to read "John S. Slocum."

The amendment was agreed to.

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

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

HIRAM C. HENDERSON.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (H. R. 503) granting a pension to Hiram C. Henderson.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Hiram C. Henderson, late a private in Company F, Fifty-first Regiment Indiana Volunteers.

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

ANN HUNTER.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (H. R. 3493) granting a pension to Ann Hunter.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ann Hunter, foster-mother of Mitchell Hunter, late a private in the Sixth Regiment Maine Volunteers.

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

MICHAEL SHIELDS.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (H. R. 3321) granting a pension to Michael Shields.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Michael Shields, late a private in Company G, Fifty-seventh Regiment New York Volunteers.

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

JAMES CLARK.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (H. R. 4694) granting a pension to James Clark.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Clark, late of Company A, Seventh Kansas Regiment.

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

WILLIAM IRVING.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (H. R. 6677) to increase the pension of William Irving.

The bill was considered as in Committee of the Whole. It proposes to increase the pension of William Irving, late lieutenant-colonel of the Thirty-eighth Ohio Veteran Volunteer Infantry, to $40 per month.

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

DECATUR HAMLIN.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (H. R. 2070) granting a pension to Decatur Hamlin.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Decatur Hamlin, employed as scout for the Tenth Regiment Indiana Volunteers, and who, while in action, received wounds that compelled the amputation of a leg.

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

Mr. VAN WYCK. I report adversely from the Committee on Pensions the bill (S. 1632) granting a pension to Decatur Hamlin, and I move that it be indefinitely postponed.

The motion was agreed to.

LAURA J. GODDARD.

Mr. VAN WYCK. I report from the Committee on Pensions favorably the bill (H. R. 5544) for the relief of Laura J. Goddard.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Laura J. Goddard, widow of Elisha M. Goddard, formerly a private in Company C, Sixth Regiment Vermont Volunteers.

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

ALONZO COOPER.

Mr. VAN WYCK. From the Committee on Pensions I report favorably the bill (H. R. 5889) granting a pension to Alonzo Cooper.

The bill was considered as in Committee of the Whole. It proposes to place the name of Alonzo Cooper, late first lieutenant of Company F, Twelfth New York Cavalry, war of the rebellion, on the pension-roll.

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

ASA DYE.

Mr. VAN WYCK. I report from the Committee on Pensions favorably the bill (H. R. 6589) for the relief of Asa Dye.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Asa Dye, formerly of Company I, Tenth Regiment New York Volunteers.

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

MARY ANNA EGAN.

Mr. VAN WYCK. I report from the Committee on Pensions favorably the bill (H. R. 3979) granting an increase of pension to Mary Anna Egan.

The bill was considered as in Committee of the Whole. It proposes to grant Mary Anna Egan, widow of the late James Egan, a captain in the United States Army, a pension at the rate of $40 per month, in lieu of the pension now paid her.

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

PAULINE E. MILLIKEN.

Mr. MITCHELL. I am directed by the Committee on Pensions to report back favorably the bill (H. R. 4492) for the relief of Mrs. Pauline E. Milliken.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Pauline E. Milliken, widow of George A. Milliken, late a corporal in Company I of the First Minnesota Volunteers.

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

JAMES AARON.

Mr. MITCHELL. From the Committee on Pensions I report favorably the bill (H. R. 4254) granting a pension to James Aaron.

The bill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James Aaron, late of Company F, Ninety-first Regiment of Pennsylvania Volunteers.

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

PRINTING OF PENSION DOCUMENTS.

Mr. MITCHELL. In this connection I ask that an order be made for a reprint of the Mexican pension bill and the letter of the Commissioner of Pensions relating to the estimate. The print is exhausted in both cases, and there is great demand for the documents.

The PRESIDENT *pro tempore*. The resolution proposed by the Senator from Pennsylvania will be read.

The Chief Clerk read as follows:

Resolved, That there be printed 3,000 copies of House bill 5667, the Mexican pension bill, as it passed the Senate, and 3,000 copies of Senate Miscellaneous Document No. 107 of this session, 1,000 of each for the use of the Senate, and 2,000 of each for the use of the House of Representatives.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on Printing.

Mr. MITCHELL. I should be glad to have it acted upon now.

Mr. HAWLEY. The Senator from Pennsylvania submitted the resolution to me, but I am unable to find my colleague on the committee. I think there can be no possible objection to the resolution. The cost is small.

The PRESIDENT *pro tempore*. The rule requires a reference to the Committee on Printing, but by unanimous consent the reference may be dispensed with. The Senator from Pennsylvania asks unanimous consent that the resolution be now considered without reference. Is there objection?

Mr. MORGAN. I should like to know from the Senator why it is that so large a number of the bill is required to be printed?

Mr. MITCHELL. Because there is so much demand for it. The man who has charge of the document-room informs me that there is a great demand for the bill and report.

Mr. MORGAN. If it is to serve as a political document I do not think it is the right thing to do.

The PRESIDENT *pro tempore*. Is there objection?

Mr. MORGAN. I object.

The PRESIDENT *pro tempore*. Objection is made, and the resolution will be referred to the Committee on Printing. Reports of committees are now in order.

AWARDS UNDER SPANISH TREATY.

Mr. MORGAN. The Committee on Foreign Relations have instructed me to report back adversely the following resolution, contained in Miscellaneous Document No. 70:

Resolved, That the President of the United States be, and he is hereby, requested to institute negotiations with the government of the King of Spain for a reference to an umpire for decision of the question whether the treaty of 1819 has been fully carried into effect by the United States, and whether the Government of the United States is bound in good faith to pay the full amounts awarded by the judicial tribunals to whom the same was referred for the payment of the losses sustained from the forces acting under the orders of the United States in 1818-'19, including interest and damages thereon. Also all other questions arising under said treaty in which it is claimed by the government of Spain that the United States of America have failed to perform and carry out the same, and to settle and finally decide what amounts, if any, remain to be paid by the United States.

The Senator from Vermont [Mr. EDMUNDS] dissents from the report, and I ask that the resolution be placed on the Calendar.

The PRESIDENT *pro tempore*. The resolution will be placed on the Calendar.

Mr. EDMUNDS subsequently said: I ask unanimous consent to say that when the Senator from Alabama [Mr. MORGAN] this morning reported a resolution touching certain claims under the treaty with Spain of 1819, at my suggestion he stated that I was opposed to the report. I asked him to say that, but I misunderstood the nature of the report as I was not present at the meeting of the committee that discussed it. I wish to say now that I concur in the conclusion that I find the committee reached.

WILLIAM M'GARRAHAN.

Mr. MORGAN. At the request of the Senator from Kentucky [Mr. BECK] I move to reconsider the vote by which the bill (S. 603) for the relief of William McGarrahan was indefinitely postponed yesterday. I know nothing about the merits of the bill, but the Senator from Kentucky was going away and asked me to enter the motion.

The PRESIDENT *pro tempore*. The motion to reconsider will be entered. If there be no further reports of committees bills and joint resolutions are now in order.

FOREIGN LABOR CONTRACTS.

Mr. BLAIR. If it is in order, or as soon as the morning business is disposed of, I move to proceed to the consideration of the bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

The PRESIDENT *pro tempore*. Pending the call for bills and joint resolutions the Senator from New Hampshire asks unanimous consent that the Senate now proceed to the consideration of the bill he has indicated.

Mr. DOLPH. I call for the regular order.

The PRESIDENT *pro tempore*. The regular order is called for. The introduction of bills and joint resolutions is in order.

BILLS INTRODUCED.

Mr. CAMERON, of Pennsylvania, introduced a bill (S. 2365) for the relief of First Lieut. A. R. Egbert, Second Regiment United States Infantry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CULLOM introduced a bill (S. 2366) for the relief of Joseph W. Parish; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Claims.

Mr. HOAR introduced a bill (S. 2367) granting a pension to Sarah A. White; which was read twice by its title, and referred to the Committee on Pensions.

COMMITTEE SERVICE.

The PRESIDENT *pro tempore*. The Chair begs to call the attention of the Senate to an appointment which was made a few days ago on the Committee on Commerce, the Senator from California [Mr. FARLEY] in the place of Mr. SLATER, resigned. It was not stated in the request that the Chair should appoint what order this gentlemen should take in the list of the committee, and the rules provide that the appointment shall not be made without the consent of the Senate for any particular place. The Chair understands that it is agreeable to the gentlemen concerned that Mr. FARLEY should resume his old place on the committee, standing next below Mr. COKE. If there be no objection that arrangement will be made.

FISHERIES ON PACIFIC COAST.

Mr. BLAIR. I now move——

The PRESIDENT *pro tempore*. "Concurrent or other resolutions" are in order. The Chair lays before the Senate a resolution that came over from a previous day, offered by the Senator from Oregon [Mr. DOLPH]. The resolution will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. DOLPH, as follows:

Resolved, That the provisions of the resolution of the Senate adopted July 4, 1884, authorizing the Committee on Fisheries to sit during the recess of Congress, &c., be extended to and embrace therein the Pacific coast; and said committee be, and it is hereby, authorized to investigate concerning Congressional legislation required for the regulation of fisheries in the bays and arms of the sea and lakes and rivers upon said coast.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. BLAIR. Is that subject to objection?

The PRESIDENT *pro tempore*. It is not. It comes over, having been objected to, from yesterday's sitting. The question is on agreeing to the resolution.

The resolution was agreed to.

BACKBONE RAILROAD GRANT.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a resolution offered by the Senator from Alabama [Mr. MORGAN] which comes over to this day under objection from a previous day. The resolution will be read.

The Chief Clerk read the resolution submitted yesterday by Mr. MORGAN, as follows:

Resolved, That the Committee on Public Lands is instructed to investigate the entire subject of the transfer of the land grant from the railroad company known as the Backbone railroad company to the New Orleans Pacific Railroad Company, and shall have power to send for persons and papers and leave to sit in the recess of the Senate in the most convenient place for such investigation.

2. That said committee have leave to act by a subcommittee and to appoint a stenographer, clerk, and messenger.

3. The expenses of such committee shall be paid out of the contingent fund of the Senate, to be audited and allowed by the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDENT *pro tempore*. The question is on agreeing to the resolution.

Mr. BLAIR. Mr. President——

Mr. PLUMB. I hope the Senator from Alabama——

Mr. BLAIR. I rise to a parliamentary inquiry.

The PRESIDENT *pro tempore*. The Senator from New Hampshire has the floor.

Mr. BLAIR. The morning hour having expired, I desire to know under what rule or for what reason the resolution is now in order, or if in order for what length of time it may remain so.

The PRESIDENT *pro tempore*. Unanimous consent having been given this morning to proceed with a bill that came over from yesterday in charge of the Senator from Illinois [Mr. CULLOM] and to take up pension bills previous to the call for the regular order, the Chair has construed, as he believes correctly, that the time thus consumed was not to be taken out of the time of ordinary morning business. The Chair has therefore proceeded to call for petitions, reports, and bills, without objection. The Chair holds that the resolution is regularly before the Senate.

Mr. BLAIR. But for how long a time? The morning hour would have expired under the ordinary rule at 1 o'clock at all events. A resolution of this kind may consume a very great length of time in discussion. Certainly there must be some limit by some rule in equity. If the morning hour still exists it must have a limitation. Before proceeding without objection, at least to the discussion of this resolution, if it should involve discussion, I should like to have it understood for how long a time it can be protracted.

The PRESIDENT *pro tempore*. That is a matter for the Senate to determine. Unanimous consent having been given in the way it was, and the subsequent proceedings having taken place as they did, the Chair is unable to say how much time will be taken up under the call for "concurrent or other resolutions."

Mr. BLAIR. I am quite sure that during much of the time of the morning hour proper the present occupant of the chair was not in it. The time was largely consumed by conference reports, which are privileged. I did not suppose that the morning hour could by any just rule be considered as extended in consequence of the fact that the morning hour was victimized by conference reports. I should suppose that the time embraced in the morning hour was subject to the same vicissitudes that the remaining time following the morning hour, to be sacrificed by the dominance of conference reports.

The PRESIDENT *pro tempore*. As the Chair has stated, the Chair thinks that the point of order made by the Senator from New Hampshire is not well taken, and the question is on agreeing to the resolution.

Mr. BLAIR. I should be glad to know the opinion of the Chair as to how long under this morning-hour construction the resolution may consume the time of the Senate.

The PRESIDENT *pro tempore*. The Chair can not undertake to decide that at the present time. The Chair thinks that the resolution is now properly before the Senate.

Mr. BLAIR. And may remain so properly until it is disposed of?

The PRESIDENT *pro tempore*. That is a speculative question, which the Chair will not undertake to decide.

Mr. BLAIR. It really seems to me that this question may involve the consumption of the entire remaining time of the session, and there ought to be some way of arriving at a limitation in advance.

The PRESIDENT *pro tempore*. There is nothing for the Chair to decide, as he thinks, at this moment; but the Chair will suggest that the resolution can be terminated by a motion to lay on the table if a majority of the Senate does not wish to consider it.

Mr. BLAIR. But some other matter might come in in the same way in the morning hour, and the difficulty would return.

Mr. INGALLS. What is the pending question?

Mr. BLAIR. I move to lay the resolution on the table.

The PRESIDENT *pro tempore*. The Senator from New Hampshire moves that the resolution be laid on the table. The question is on agreeing to the motion.

Mr. MORGAN. I hope the Senator from New Hampshire will not take that course with it.

The PRESIDENT *pro tempore*. The motion is not debatable. The question is on agreeing to the motion of the Senator from New Hampshire.

Mr. PLUMB. I hope that the Senator from Alabama will not press the resolution.

The PRESIDENT *pro tempore*. The motion is not debatable. The Senator from New Hampshire moves that the resolution lie on the table.

The motion was agreed to.

FORTIFICATION APPROPRIATION BILL.

Mr. LOGAN submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7440) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9 and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 6 and 7, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For the purchase of machine-guns of the latest improvement, $20,000.

"For the armament of seacoast fortifications, including the manufacture and conversion of heavy guns and carriages, projectiles, fuses, powder, and implements, their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsmen on gun construction while employed in the Ordnance Bureau, $400,000, and not exceeding $15,000 thereof may be used for the expenses of experiments in the use of dynamite or other high explosive projectiles."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Strike out from said amendment the following words: "Said sum to be expended under the direction of the Secretary of War;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out and the matter proposed to be inserted by said amendment insert the following: "And to make the same known to manufacturers of ordnance on their application and to report the same to Congress at its next session for its approval;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "SEC. 2. That hereafter all rifled cannon of any particular material, caliber, or kind, made at the cost of the United States, shall be publicly subjected to the proper test, including such rapid firing as a like gun would be likely to be sub-

jected to in actual battle, for the determination of the endurance of the same, to the satisfaction of the President of the United States or such persons as he may select; and he is hereby authorized to select not to exceed five persons, who shall be skilled in such matters; and if such guns shall not prove satisfactory, they shall not be put to use in the Government service."

And the Senate agree to the same.

JOHN A. LOGAN,
H. L. DAWES,
F. M. COCKRELL,
Managers on the part of the Senate.
SAM. J. RANDALL,
WILLIAM H. FORNEY,
J. WARREN KEIFER,
Managers on the part of the House.

The report was concurred in.

COMMITTEE ON TRANSPORTATION ROUTES.

The PRESIDENT *pro tempore*. Resolutions are still in order.

Mr. MANDERSON. I offer the following resolution, and ask unanimous consent that it may be considered at this time:

Resolved, That the Committee on Transportation Routes to the Seaboard be, and they are hereby, authorized to sit at any place within the United States during the recess of Congress, by subcommittee or otherwise, to take testimony for the purpose of preparing statistical data relative to freights, commodities, and prices, for the period from 1873 to the present time; the committee to report by bill or otherwise; and that the necessary expense thereof, including the services of a clerk, be paid out of the expenses for special and select committees, &c., of the contingent fund of the Senate.

BACKBONE RAILROAD GRANT.

Mr. MORGAN. I move to reconsider the vote by which the Senate laid on the table the resolution that I offered.

The PRESIDENT *pro tempore*. The Senator from Alabama moves to reconsider the vote by which the Senate laid on the table the resolution offered by him.

Mr. MORGAN. Is that question debatable?

The PRESIDENT *pro tempore*. It is not debatable. The question is on the motion to reconsider.

The motion was agreed to.

The PRESIDENT *pro tempore*. The motion is reconsidered. The question recurs on agreeing to the motion to lay the resolution on the table.

The motion was not agreed to.

The PRESIDENT *pro tempore*. The resolution is before the Senate.

Mr. MORGAN. I merely desire to explain why I introduce the resolution.

The Senator from Colorado [Mr. HILL] made a very impressive speech here some time ago, in which he brought to the attention of the Senate important facts, and I understood him to quote from authentic papers tending to show that in the transfer of the Backbone railroad land grant to the New Orleans and Pacific road there was fraud. A bill to forfeit that grant is pending before the Committee on Public Lands. The committee have not had time to mature their deliberations upon it and make a report to the Senate. For the purpose of getting this subject before the country in such a way as that there shall be no doubt about the ground on which we shall act, whether we vote that bill into a law or not, I desire that the Committee on Public Lands should be directed to make an inquiry into the allegations which have been brought forward by the Senator from Colorado and other statements upon that subject.

I introduced the resolution without consultation with any person, it being in my opinion a duty that I owed to myself as a member of the committee and also to the committee. After having introduced it, however, I conferred with some members of the committee. Some are in favor of its consideration and others are not. Some of the committee think that perhaps there is an implied censure upon the conduct of members of both Houses who recommended to the administration that the transfer of this land grant should be confirmed by the Secretary of the Interior and that patents should issue. I have been informed that a patent has been made out. I gather that from the observation of some Senator in debate on this floor, I believe the Senator from Nebraska [Mr. VAN WYCK]. I desire here, in the form of this resolution if I can do so in no other way, to interpose my protest against the signing of that patent, the official recognition of the transfer of that land grant, until Congress can look into it. It may be entirely a just and honorable transaction or it may not; I can not tell. I have no statement to make on that point, for I am not sufficiently informed of the facts that relate to this subject to pronounce an opinion. In fact, the Committee on Public Lands have not had the opportunity consistent with their other very heavy labors to investigate this question as it ought to be investigated. So I thought I would bring in the resolution and ask that the committee be instructed to make the investigation and report. The Senate can dispose of it as it sees proper.

The PRESIDING OFFICER (Mr. INGALLS in the chair). Will the Senate agree to the resolution?

Mr. PLUMB. I rose a moment ago to ask the Senator from Alabama to let the matter go over for the present. There are some considerations in respect to it which I think he will regard with some favor that will be presented to him for a brief delay. But I must say that on the whole I think the adoption of the resolution will not result in any increase of authority to the committee or any good. The bill has been referred to the committee, and the committee can investigate it if it decides that it is necessary to consider the questions involved. The only question that would properly come in, I think, is the question of the legality of the transfer. That of course will be followed by the question whether there has been an informal transfer or an illegal transfer, and Congress shall, notwithstanding it might find the road has been built in expectation of receiving the land grant by reason of whatever transfer has been made, forfeit it. But it is a subject in its present form of view of certain things to which the Senator from Alabama alluded that would be considered undoubtedly as a reflection upon certain persons in public life, and who I think ought not to be subjected to that reflection by the action of the Senate.

It is not that I think there is anything which they are connected with which they have withheld or prevented the investigation of; but at the same time it is well in these matters to observe that courtesy which ought to exist between persons who are in the legislature of the country associated together in different branches of the legislature. I thought perhaps the Senator from Alabama would consent that the resolution might go over for the present at least, with the view that it might be further considered before bringing it to the attention of the Senate. I hope now he will not desire to have a debate upon this question, at this moment at all events, and that the matter will be considered privately in reference to some of the terms of the resolution.

Mr. MORGAN. The resolution contains no terms except to direct the committee to make the investigation and ascertain all the facts relating to the transfer, without intimating that any of those facts disparage the reputation of any person whatever. I make no charge against anybody. No charges have been submitted to me of any impropriety of conduct on the part of any person connected with this affair; but the facts attending the transaction as they were presented in the speech of the Senator from Colorado, and as I understand from authentic papers in his possession, show a case which requires investigation; and, without intending to reflect upon any person, without meaning to make any impeachment of any person or imputation or insinuation against any person, I think the Senate, before it can fairly act on the question of the land grant, ought to invest its committee with the power to send for persons and papers and to bring out the facts in an authentic form under oath. That is my view of it. And whoever may be in public station upon whom these facts might reflect under any state of circumstances ought to be the very first of all other people to require this investigation.

We have to act on the bill sooner or later. I do not know whether it will be to the undoing of a patent to be issued in vacation or whether it will be under circumstances that now exist. I think that when the Senate comes to act upon it it ought to be disembarrassed of everything except the mere merits of the transaction.

The PRESIDING OFFICER. The question recurs on the resolution offered by the Senator from Alabama [Mr. MORGAN].

The resolution was rejected.

PROVINCETOWN PORT OF DELIVERY.

Mr. HOAR. One of the towns in Massachusetts, Provincetown, quite a large shipping town, is a port of delivery, and the division of the town makes great inconvenience to the shipmasters and vessels belonging to the town newly set off, because that is not a port of delivery now according to the statute. A bill has passed the House to remedy that in three lines, and is recommended by the Department. I ask unanimous consent to have the bill passed at this time.

The PRESIDING OFFICER. The Senator from Massachusetts asks unanimous consent for the consideration of a bill which will be read.

The CHIEF CLERK. "A bill (H. R. 6750) to amend paragraph 7 of section 2527 of the Revised Statutes." It proposes to amend paragraph 7 of section 2527 of the Revised Statutes by adding, after the word "Provincetown," the words "Dennis Bourne."

The PRESIDING OFFICER. The Chair requests the Senator from Massachusetts to state if this bill has been reported from a committee.

Mr. HOAR. It has been referred to the Committee on the Revision of the Laws of the United States, and I am authorized by the chairman of that committee to express his approbation of it.

The PRESIDING OFFICER. If the bill is before the committee the Chair will state that it can only come before the Senate by discharging the committee. It is not on the Calendar and can not be reached.

Mr. HOAR. I ask unanimous consent that the committee be discharged and the bill considered.

The PRESIDING OFFICER. Is there objection to discharging the committee from the further consideration of this bill? The Chair hears none. The bill is before the Senate as in Committee of the Whole.

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

STEAMSHIP KENT.

Mr. MILLER, of New York. I desire to make a report from the Committee on Commerce. I report the bill (H. R. 3337) authorizing the inspection of the boiler of the steamship Kent, and ask for its present consideration.

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

The preamble recites that the Congress of the United States did pass chapter 80 of the laws of 1878, approved May 2, 1878, nationalizing the Canadian-built propeller East, and did change her name to that of Kent; and that a doubt has arisen as to whether that act entitled the steam-boiler, steam-pipes, and appurtenances then in the Canadian-built propeller to inspection pursuant to the laws of the United States regulating the construction and use of steam-boilers for marine purposes. Hence the bill directs the Secretary of the Treasury to authorize and direct the inspection of the steam-boiler, steam-pipes, and appurtenances of the boiler, and cause to be granted the proper and usual certificate issued to tug-boats or marine vessels not used for carrying passengers, without reference to the fact that the steam-boiler, steam-pipes, and appurtenances were not constructed pursuant to the laws of the United States, and were not constructed of iron stamped pursuant to the laws of the United States.

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

The preamble was agreed to.

WITHDRAWAL OF PAPERS.

On motion of Mr. COCKRELL it was

Ordered, That Alexander Shields have leave to withdraw papers from the files of the Senate heretofore filed in his case.

SENATE MANUAL.

Mr. HAWLEY. The Committee on Printing, to whom was referred a resolution reported by the Committee on Rules in relation to the Senate Manual, instruct me to report it favorably with an amendment.

By unanimous consent the Senate proceeded to consider the resolution, as follows:

Resolved, That 1,000 copies of the Senate Manual, as prepared under the direction of the Committee on Rules, be printed for the use of the Senate.

The amendment reported by the Committee on Printing was, in line 1, before the word "copies," to strike out "one thousand" and insert "eight hundred and fifty;" and in the third line, after the word "printed," to insert "and bound;" so as to make the resolution read:

Resolved, That 850 copies of the Senate Manual, as prepared under the direction of the Committee on Rules, be printed and bound for the use of the Senate.

Mr. HAWLEY. The amendment is because a thousand copies would cost more than $500, and to print that number would require a concurrent resolution. I state that for the satisfaction of the Senator from Maine.

The amendment was agreed to.

The resolution as amended was agreed to.

ROOMS FOR COMMITTEES.

Mr. BOWEN. I ask unanimous consent to call up Order of Business 321, which is a resolution on the Calendar.

The PRESIDENT *pro tempore*. The Senator from Colorado asks unanimous consent that the Senate now consider Order of Business 321, being a resolution authorizing the Sergeant-at-Arms and Architect of the Capitol to rent suitable rooms for use of Senate committees.

There being no objection the Senate proceeded to consider the resolution.

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

The Secretary read as follows:

Resolved, That the Sergeant-at-Arms and the Architect of the Capitol be, and they are hereby, authorized and directed to rent and prepare suitable rooms outside of the Capitol for the use of such Senate committees as have no rooms, and that all expenses hereunder be paid out of the fund for the contingent expenses of the Senate, subject to the approval of the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. INGALLS. I suppose it can hardly be necessary at this stage of the session to procure accommodations outside.

Mr. BOWEN. I will state that the purpose of calling the resolution up at this time is to enable the Architect and Sergeant-at-Arms to prepare rooms for the next session.

Mr. INGALLS. Then the resolution should so provide; otherwise we might incur the expense of apartments during the recess of Congress. I would suggest that the resolution be amended so as to read "for use at the next session of Congress."

Mr. BOWEN. I will accept that.

The PRESIDENT *pro tempore*. The Senator from Kansas moves to amend the resolution. The amendment will be read.

The SECRETARY. In line 6 of the resolution, after the word "use," it is proposed to insert:

At the next session of Congress.

So as to read:

For the use at the next session of Congress of such Senate committees as have no rooms, &c.

The amendment was agreed to.

The resolution as amended was agreed to.

FOREIGN CONTRACT LABOR.

Mr. BLAIR. I now move that the Senate proceed to consider Order of Business 863, being the bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from New Hampshire.

Mr. MORGAN. I ask that the bill be read for information.

The PRESIDENT *pro tempore*. The bill will be read for information if there be no objection. The Chair hears none, and it will be read.

The Secretary read the bill.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from New Hampshire that this bill be now taken up for consideration. [Putting the question.] The noes appear to have it.

Mr. BLAIR. My attention was diverted by three or four Senators upon five or six different things, and I should like to understand what was the question just taken.

The PRESIDENT *pro tempore*. The question was on agreeing to the motion of the Senator from New Hampshire that this bill be now considered, on which the Chair announced that the noes appeared to prevail.

Mr. BLAIR. Before the vote is taken I ask unanimous consent to say a word.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent to speak on this question. Is there objection? The Chair hears none.

Mr. BLAIR. This is a bill which comes to us from the House of Representatives after considerable discussion and with practically a unanimous vote. I think I may be justified in stating that as bearing upon the question whether it is likely to consume a great length of time in its discussion at this late hour of the session. I am exceedingly anxious, as is the Committee on Education and Labor, who reported it unanimously, that it be considered and disposed of at this session. It is aimed at a practice that no individual as far as I know, certainly no party, in this country pretends to justify. Its object is to remove a great and rapidly growing public evil, an evil striking at the interests of millions of our countrymen, and those of our countrymen who can least bear the existence, much less any increase, of the evil of which they complain.

Of course it is well understood. I hardly need take the time of the Senate in stating the fact that the practice has grown up on the part of many of the employers of the country of sending their agents abroad to England, France, Italy, Hungary, Germany, Austria, and in fact to all European countries with hardly an exception, for the purpose of contracting with bodies of working people, paying their expenses of transportation to this country, in order that their cheap labor may be brought in competition with that of our own citizens. We claim to believe in protective tariffs, some of us, and we loudly proclaim to the people of this country, especially to the laboring people, that the protection of their labor is the primary object for which we institute those tariffs. That is the great general consideration which we who believe in a protective tariff allege as the one that justifies and demands of a patriotic American citizen that he maintain a tariff upon imported goods. The protection of American labor is the object, and to us the revenue which results from a tariff is a secondary consideration; while another great party in this country claims that revenue is the primary consideration, and I believe also alleges that in its adjustment the American laborer should be protected as far as possible from competition with foreign goods in our own markets. But it is obvious to any one, it has become now a great national fact, a national evil, too, that the higher wages we pay to our American laborers are more endangered by the practice which has been initiated and which is increasing, of bringing the foreign laborer directly in contact within our own borders with the American laborer under a contract to receive the compensation which he might have received in his own country in the manufacture of the same goods. Thus it is that by the importation of the living laborer a vastly greater evil is likely to be done than by the importation of the production of that same labor expended in its own country.

The object of this bill is to extinguish that evil. It has been a subject of great complaint for many years. The House of Representatives have sent us what I conceive to be a very well-matured bill, which if adopted and enforced will eradicate the evil. I do not think that it is susceptible of any reasonable or rational objection. It is very true that in slight particulars in the forms of expression employed it might be somewhat limited. I would not object to verbal amendments in several of the sections. In fact, if the bill is considered I shall ask that such amendments be made as will I think absolutely remove any of the objections which have been raised by an adverse, hostile criticism to the bill.

I trust the Senate under these circumstances will not dispose of this bill in quite so abrupt a fashion as to refuse it any consideration whatever. Nothing is immediately pressing upon the Senate. No conference reports are now here. The work of the Senate is now being transacted by conference committees. The fact that I have unanimous consent to make these remarks shows that there is nothing pressing upon the Senate at this time. Therefore I respectfully and earnestly appeal to the Senate to give this bill consideration. Of course it can be interrupted if more important business shall be placed before the Senate.

The conference committees always have the floor. But I do ask the Senate that this bill may receive such consideration as under its rules it may properly claim.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from New Hampshire that this bill be now considered.

Mr. HAWLEY. Is that motion debatable?

The PRESIDENT *pro tempore*. It is not debatable. The Senator from New Hampshire was speaking by unanimous consent.

Mr. BLAIR. If the Senator wishes to say anything I hope he may have consent.

The question being put, it was declared that the noes appeared to prevail.

Mr. BLAIR. I ask for a division.

The question being put; there were on a division—ayes 4, noes 8; no quorum voting.

Mr. BLAIR. There is a quorum in the Capitol. I do not like to yield this point, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. BLAIR. I am informed by Senators that to insist upon this call will probably disclose the absence of a quorum and interrupt the further transaction of business.

The PRESIDENT *pro tempore*. The absence of a quorum is already disclosed. No further business can be done until a quorum appears.

Mr. BLAIR. Very well.

The PRESIDENT *pro tempore*. The roll will be called.

The Secretary proceeded to call the roll.

Mr. VAN WYCK (when his name was called). I am paired with the Senator from Louisiana [Mr. JONAS].

The roll-call was concluded.

Mr. KENNA. I am paired with the Senator from Illinois [Mr. CULLOM].

Mr. FRYE. I am paired with the Senator from California [Mr. FARLEY], but as this is not a political question, I vote "yea."

Mr. CAMERON, of Wisconsin. I am paired with the Senator from Mississippi [Mr. GEORGE] on party questions, but on this question I vote "yea."

Mr. SEWELL. I am paired with my colleague [Mr. MCPHERSON], but if my vote is necessary to make a quorum I can vote.

Mr. BUTLER. My colleague [Mr. HAMPTON] is paired with the Senator from Wisconsin [Mr. SAWYER] generally.

The result was announced—yeas 26, nays 14; as follows:

YEAS—26.

Aldrich,	Dolph,	Logan,	Pike,
Blair,	Frye,	Mahone,	Pugh,
Bowen,	Harrison,	Manderson,	Sewell,
Cameron of Pa.,	Hoar,	Miller of Cal.,	Sherman,
Cameron of Wis.,	Ingalls,	Mitchell,	Wilson.
Conger,	Jones of Nevada,	Morrill,	
Dawes,	Lapham,	Palmer,	

NAYS—14.

Bayard,	Colquitt,	Groome,	Morgan,
Brown,	Edmunds,	Hawley,	Vest.
Butler,	Fair,	McMillan,	
Coke,	Garland,	Maxey,	

ABSENT—36.

Allison,	Gibson,	Kenna,	Sabin,
Anthony,	Gorman,	Lamar,	Saulsbury,
Beck,	Hale,	McPherson,	Sawyer,
Call,	Hampton,	Miller of N. Y.,	Slater,
Camden,	Harris,	Pendleton,	Vance,
Cockrell,	Hill,	Platt,	Van Wyck,
Cullom,	Jackson,	Plumb,	Voorhees,
Farley,	Jonas,	Ransom,	Walker,
George,	Jones of Florida,	Riddleberger,	Williams.

So the motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

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

The Chief Clerk read the bill.

The PRESIDENT *pro tempore*. The Chair will call attention to line 8, section 3, where is either an error in the engrossed House bill or a misprint. The word at the beginning of that line is evidently intended to be "parol;" but it is "poral."

Mr. BLAIR. I suppose that is a clerical error.

The PRESIDENT *pro tempore*. The amendment will be regarded as agreed to.

Mr. INGALLS. If there is a report in the case I should like to hear it read.

Mr. MILLER, of California. I ask the Senator from New Hampshire to yield to me to pass a House joint resolution. I ask that this be temporarily laid aside.

Mr. BLAIR. I am satisfied that if I yield to one I shall have to yield to many others.

Mr. MILLER, of California. This will take but a moment. I understood the Senator said he would yield to other business.

Mr. BLAIR. I did say so. What is the resolution?

Mr. MILLER, of California. A joint resolution in regard to the appointment and retirement of a chaplain in the Navy.

Mr. BLAIR. Will it lead to discussion?

Mr. MILLER, of California. There will be no discussion.

Mr. BLAIR. I agree then.

The PRESIDENT *pro tempore*. Pending this bill the Senator from California asks unanimous consent that the Senate now consider Order of Business 766, being House joint resolution 17.

Mr. BLAIR. Will the Senator withdraw it if it leads to discussion?

Mr. MILLER, of California. Yes, sir.

SAMUEL KRAMER.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the joint resolution (H. Res. 17) authorizing the appointment and retirement of Samuel Kramer as a chaplain in the Navy of the United States.

Mr. SHERMAN. I call for the reading of the report.

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

The Chief Clerk read the following report, submitted by Mr. MILLER, of California, June 19, 1884:

The Committee on Naval Affairs, to whom was referred the joint resolution (H. Res. 17) authorizing the appointment and retirement of Samuel Kramer as chaplain in the Navy of the United States, beg leave to report that they have examined the same, and recommend its passage.

The following extract from a letter of the Secretary of the Navy, dated July 18, 1882, together with the accompanying memoranda, fully explains the case:

NAVY DEPARTMENT, *Washington, July* 18, 1882.

SIR: * * * I inclose a large number of testimonials in Mr. Kramer's behalf, from which, and a memorandum summarizing the same, it appears that he has been most faithfully serving at the Washington navy-yard for several years, and that he has a record of much merit.

Very respectfully,

WM. E. CHANDLER,
Secretary of the Navy.

Hon. JOHN F. MILLER,
Member of the Committee on Naval Affairs, United States Senate.

Memoranda in the case of Rev. Samuel Kramer, an applicant for appointment and retirement as a chaplain in the United States Navy.

Rev. Samuel Kramer (an ordained minister of the Methodist Episcopal Church) performed the duties of chaplain at the navy-yard, Washington, without pay, for many years. On the 3d of July, 1880 (after the death of the chaplain in the Navy on duty in the yard), the Secretary of the Navy (Hon. R. W. Thompson) informed the commandant of the yard that Mr. Kramer should receive compensation for his services at the rate of $75 per month. He continued on duty, and to be so paid (out of the appropriation "contingent Navy") until May 15, 1882, when, on account of want of funds, he was, with others, notified that his services would not be required after June 30, 1882. During this time there was no regular chaplain on duty at the yard.

Mr. Kramer is strongly recommended by the commandant of the yard (Commodore Pattison), who states, May 23, 1882, that "he has been a faithful chaplain, and is highly spoken of by everybody who knows him. As he has served as a seaman in the Navy, he is invaluable as a chaplain. Seamen will listen to him when they will not to the general run of preachers. He is located in the seamen's library in this yard, attends the sick in the hospital, and officiates at funerals of deceased seamen and marines, and distributes Bibles and tracts." This letter is accompanied with a testimonial letter signed by all the officers of the yard.

February 1, 1881, Commodore A. A. Semmes; Commander R. D. Evans (then in command of the training-ship Saratoga); Commander J. D. Graham, commanding the receiving-ship at the yard; and Lieut. D. G. McRitchie (then in command of the Tallapoosa) joined with Commodore Pattison in asking the appointment of Mr. Kramer as a chaplain in the Navy, and that he be assigned to duty at the Washington navy-yard. These officers state that Mr. Kramer "has in our opinion obtained the love and respect of officers and men who have listened to his exhortations. For many years he has performed the duties of chaplain at this yard, without pay, to the entire satisfaction of the officers and men on board the vessels of the United States Navy, on which he has held divine service, and we are of the opinion that there is more good derived from the preaching of a converted sailor to sailors than from any one who has never been to sea." (Mr. Kramer was too old for appointment, the law fixing the age between 21 and 35 years, and Mr. Kramer was over 60 years old.)

From letters and statements on file in the Navy Department it appears that Mr. Kramer followed the sea for many years; was in the United States Navy, serving on the Dolphin and Brandywine in 1829. After leaving the service he entered the Church, and has given more than twenty years' service, without pay, to the cause of seamen, building the Sailors' Bethel church in Baltimore, Md. He served as chaplain of the Third Regiment of Maryland (Union) Volunteers. At the battle of Antietam he acted as major of the regiment (in place of the major, who had been killed in a previous battle), and after that battle was, at the request of the colonel, commissioned as major. He was honorably discharged in August, 1863, on account of disability incurred in the line of duty. He is indorsed and recommended by Bishop E. G. Andrews, Rev. H. R. Naylor, Rev. John Lanahan, Rev. B. Peyton Brown, and Rev. W. W. Hicks, all of the Methodist Episcopal Church; Rev. W. A. Leonard, of Saint John's (Episcopal) church, Washington; Thomas L. Tullock, and Matthew G. Emery (ex-mayor), of Washington; and Chaplain M. J. Gonzales U. S. A.

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

EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Interior, transmitting, in response to a resolution of the Senate, copies of certain correspondence of the present superintendent of the Yellowstone National Park relative to that park and his action in connection with its management, and other papers relative thereto not heretofore transmitted to the Senate; which was referred to the Committee on Territories, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the amendments of the Senate to the bill (H. R. 1985) granting a pension to Malvin Pierce.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 103) granting a pension to Theresa Crosby Watson;

A bill (H. R. 562) granting a pension to H. C. Van Trees; and

A bill (H. R. 570) granting a pension to M. H. Clements.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had this day approved and signed the following acts:

An act (S. 1581) to provide for the disposal of abandoned and useless military reservations; and

An act (S. 2243) to authorize foot and carriage or railroad bridges across the Mississippi River at Saint Paul, in the State of Minnesota.

FOREIGN-LABOR CONTRACT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

The PRESIDENT *pro tempore.* The reading of the report was asked for. The report will be read.

The Chief Clerk read the following report, submitted by Mr. BLAIR June 28, 1884:

The Committee on Education and Labor, to whom was referred the bill (H. R. 2550) entitled "An act to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia," have considered the same, and hereby report the bill back to the Senate favorably, and recommend its passage. The general facts and considerations which induce the committee to recommend the passage of this bill are set forth in the report of the committee of the House.

The committee report the bill back without amendment, although there are certain features thereof which might well be changed or modified, in the hope that the bill may not fail of passage during the present session. Especially would the committee have otherwise recommended amendments, substituting for the expression "labor and service," wherever it occurs in the body of the bill, the words "manual labor" or "manual service" as sufficiently broad to accomplish the purposes of the bill, and that such amendments would remove objections which a sharp and perhaps unfriendly criticism may urge to the proposed legislation. The committee, however, believing that the bill in its present form will be construed as including only those whose labor or service is manual in character, and being very desirous that the bill become a law before the adjournment, have reported the bill without change.

The following is the report of the House committee. To the facts collected in the appendix may be added many more, which can be found in the testimony taken during the recent investigation of your committee, by order of the Senate, upon the relations between labor and capital:

Mr. BLAIR. I would inquire of the Senator who called for the reading of the report whether he desires the reading of the House report, which follows that of the Senate committee which has now been read? It is quite voluminous.

Mr. INGALLS. The House report is the only one upon which we have to rely, as the Senate committee frankly say that the bill does not meet with their approbation. Their language is that they—

Report the bill back without amendment, although there are certain features thereof which might well be changed or modified, in the hope that the bill may not fail of passage during the present session.

And they then go on to state the reasons why the bill should be changed in important particulars. I think it therefore essential that we should have the information upon which the House acted, in order that we may vote intelligently upon the bill.

Mr. BLAIR. I will say in reply to the suggestion of the Senator from Kansas that the report of the Senate committee I think does not—it was not intended to—give the impression that the modifications which might have been made are deemed of very great importance, because the Senate report says that the opinion of the committee is that the bill will be construed the same without amendment as with the modifications suggested as reasonable.

I will add to what I have now said, if I can have the attention of the Senator from Kansas, that I design to move the modifications alluded to in the Senate report, which are to change the expression, wherever it occurs, "service or labor," which is very general, to "manual service or manual labor," so that the provisions of the bill would then be restricted to the evil that exists, and it would be available for the protection of that class of our people who are suffering most from the evil. With that modification, which I am assured by the friends of the bill will be at once assented to in the House so that the bill will reach its passage at this session, there can be, as I think, no objection on the part of any one in either branch of Congress. It would apply only to those engaged in manual labor or service.

Mr. MORRILL. May I ask if the Senator from New Hampshire proposes on page 4, lines 13 and 14, to strike out the words which provide "That skilled labor for that purpose can not be otherwise obtained?" How is that to be determined?

Mr. BLAIR. That is a question of fact that arises in the administration of all laws.

Mr. DAWES. A person employing such labor would have to show before a prosecution could be maintained that there was nobody else in the United States to do this work.

Mr. HAWLEY. I thought the pending question was on the reading of the report.

Mr. MORRILL. Let us have the report.

Mr. BLAIR. I was simply replying to inquiries made of me. I ask the Senator from Kansas if he desires the reading of the House report.

Mr. INGALLS. I prefer to have it read inasmuch as the Senate committee have adopted it as theirs. We ought to have the information on which to rest our action.

The PRESIDENT *pro tempore.* The reading of the report will proceed.

The Chief Clerk proceeded to read the report made by the House committee appended to the Senate committee's report, as follows:

[House Report No. 444, Forty-eighth Congress, first session.]

The Committee on Labor, to whom were referred the bills (H. R. 2550 and H. R. 3813) to prohibit the importation and migration of foreigners and aliens under contract to perform labor in the United States, have had the same under consideration, and beg leave to report back bill H. R. 2550, and recommend its passage, with the following amendment, as substitute for both of said bills:

Add to section 5 the following: "Nor shall anything in this act be so construed as to prevent any person or persons, partnership, or corporation from engaging under contract or agreement skilled workmen in foreign countries to perform labor in the United States in or upon any new industry not at present existing or established in the United States, provided skilled labor for that purpose can not be otherwise obtained; nor shall the provisions of this act apply to professional actors, lecturers, or singers."

This recommendation is founded upon the investigations of the committee; and the conclusion to which the committee have come, based upon such investigation, is that the evils complained of and sought to be remedied by the bill actually and to an alarming extent exist. The bill in no measure seeks to restrict free immigration. Such a proposition would be, and justly so, odious to the American people. The foreigner who voluntarily and from choice leaves his native land and settles in this country, with the intention of becoming an American citizen, a part of the American body politic, has always been welcome to our shores. As a recent writer well said—

"Such an immigrant by his coming to this country gives us a certain assurance as to his ability to take care of himself and to hold up the standard of social well-being which he finds already existing among our working classes."

Such an immigrant comes here because the institutions of the country are in consonance with his social and political ideas, and because of the advantages and opportunities afforded by the extent of our domain and its material resources. He comes to better his social and financial condition, to take advantage of the facilities which he finds here; and as he comes of his own volition, by his own means, and from choice, he always exacts for his labor the highest rates which the market affords. No one is injured by his coming, and as he generally makes a good citizen, the State is benefited by the acquisition. These immigrants are generally of a higher class, socially, morally, and intellectually, and have aided largely in the development of our industries and the material progress of our people. With this class of immigrants this bill has no concern. Its object is to restrict and prohibit the immigration or rather the importation of an entirely different class of persons, the immigrant who does not come by "his own initiative, but by that of the capitalist." It seeks to restrain and prohibit the immigration or importation of laborers who would have never seen our shores but for the inducements and allurements of men whose only object is to obtain labor at the lowest possible rate, regardless of the social and material well-being of our own citizens and regardless of the evil consequences which result to American laborers from such immigration.

This class of immigrants care nothing about our institutions, and in many instances never even heard of them; they are men whose passage is paid by the importers; they come here under contract to labor for a certain number of years; they are ignorant of our social conditions, and that they may remain so they are isolated and prevented from coming into contact with Americans. They are generally from the lowest social stratum, and live upon the coarsest food and in hovels of a character before unknown to American workmen. Being bound by contract they are unable, even were they so disposed, to take advantage of the facilities afforded by the country to which they have been imported. They, as a rule, do not become citizens, and are certainly not a desirable acquisition to the body-politic. When their term of contract servitude expires their place is supplied by fresh importations. The inevitable tendency of their presence among us is to degrade American labor and reduce it to the level of the imported pauper labor.

The demand for the enactment of some restrictive measure of this character comes not alone from American workmen, but also from employers of labor in America. The employers of labor who, from inability or from patriotic motives, employ only American workingmen, are unable to compete in the markets with the corporations who employ the cheap imported labor.

As an evidence of the truth of this proposition, the glass manufacturers of Pittsburgh, including all the large employers of labor in that industry, in January, 1880, denounced the action of the manufacturers west of Pittsburgh in importing European workmen in place of discharged American workmen.

This evil has become so extensive, alarming, and great that the attention of our foreign consuls has been directed to it.

Henry Sterne, esq., United States consul at Buda-Pesth, Hungary, says:

"There seems to be an agency at work which by misrepresentations induces people to leave their homes who will not better their condition thereby, nor benefit the country which receives them. People inquire by letter and in person at this consulate about this agency of which they have heard or read. Some even claim that this consulate has instructions from its Government to assist people in immigrating. I am under the impression that the United States Government does not approve of immigration brought about by such irregular means and of the character described, and therefore beg leave to suggest whether steps could or should not be taken to correct the evil, if I may be permitted to term it such. I have information that agents are managing the business a good deal in the manner of the cooly trade, and that these immigrants are shipped to the United States about like so many cattle." (See State Department report, 1881–'82.)

Count Esterhazy, an intelligent, cultivated Hungarian, at present Austrian consul to this country, who has established a bureau for the protection of Hungarian immigrants, says:

"There is no doubt that a contract system is being carried on, and I believe it has reached larger proportions than any one believes. Certain it is that great numbers of immigrants are landed on these shores who are owned by capitalists. As far as I know, persons who have been so imported are satisfied; but this fact does not apologize for the system. I have long endeavored to discover who the parties are who obtain the immigrants on the other side, but have thus far been unsuccessful. I certainly hope that Congress will pass some law to put a stop to such immigration."

Superintendent Jackson, of Castle Garden, says, speaking on this subject:

"I have no doubt that this system is carried on to a great extent by corporations in this country who have their agents abroad. Every now and then large

gangs of laborers arrive, all bound for the same town. They are generally taken in charge by some person or persons who come here to meet them. Some few weeks ago a party composed of about sixty Irish and German girls arrived, all of whom were going to one of the large silk-manufacturing establishments in New Jersey. I do not know whether they had contracted with any persons, but presume they had done so. No one will undertake to send people to this country free of charge without some guarantee that certain services will be performed in lieu of the price of such passage. We have never received any complaints from the persons who have been imported here, but nevertheless I have no doubt that such a slavery system is being carried on."

Mr. John Swinton, of New York city, in a recent issue of his paper, states that in the lower quarters of New York city there are quite a number of firms engaged in trafficking in human flesh; they are, as a rule, engaged in the "banking business." but their ventures in the slave traffic are quite extensive. Going into one of these establishments for the ostensible purpose of securing Italian laborers for an iron company, the agent stated in answer to an inquiry that during the time they had been in business 14,000 Italians had been brought to this country under contract, 6,000 of whom had returned to Italy. It was further stated that they had agents at Naples; that the American companies paid the passage of the men from Italy, and their fare from New York to destination, which amount the imported Italian agrees to pay back with 6 per cent. interest. The men are shipped from New York to destination by the car-load, cars being chartered for that purpose. The men receive from the American companies from $1 to $1.25 per day. Mr. Swinton also states that the Hudson River Iron and Ore Company in Linlithgo, Columbia County, New York, had, in June, 1883, a large number of Hungarian laborers employed at $1 per day; that they were paid monthly, fifteen days being invariably retained by the company. The men were huddled together in shanties, and live mainly upon rye bread and potatoes. They had been brought there under contract to fill the places of American workingmen, to glut the market, and thus depress wages.

Mr. Tuke, of the Tuke immigration committee of Great Britain, a short time ago wrote a letter to the London Times, and after referring to the immigrants whose passage had been paid to America from the Tuke fund, said: "Many instances are cited in which immigrants are returning their passage-money." Whether they had done so because they had been transported under agreement or contract to perform labor here, and were to a certain extent compelled to return their passage-money, does not appear, but it is more than probable that such was the case. In one year (1883) this Tuke immigration committee "assisted," or rather transported, 3,600 persons to the United States. It is more than questionable whether these assisted immigrants, even if they do not come under contract, are a desirable acquisition to our population. This Government is certainly under no moral obligations to care for and maintain the pauperized victims of the misrule and tyranny of foreign powers, whether brought here by contract or by the monopolies of America, or assisted here by the governments whose policy reduced them to pauperism.

The Pittsburgh Commercial Gazette, in its issue of December 11, 1883, publishes a "special" from Erie, Pa., to the effect that H. W. Heichhold, son of the United States inspector of customs of that name, had that day (December 10) returned from Lake Superior and reported a distressing condition of affairs at Jack Fish Bay and other points on the northern shores of Lake Superior. He stated that at these points 3,000 Italian laborers were left in a terrible state of destitution. They were brought from Italy by agents with the understanding that they were to have employment on the Canada Pacific Railway. As they perhaps reached there late in the season, when work had partially suspended, their agents deserted them in many instances and left them without money, food, or shelter. Some of them made their way to the United States or southern shores as stowaways. They complained bitterly of the treatment to which they were subjected by the agents, who held out great inducements to get them here and then sold their labor at so low a rate that it was impossible for them to procure more than the actual necessaries of life while they worked, after which they were turned adrift. Thousands of them were on the northern shores, cut off from civilization, in the middle of winter, many of whom no doubt have ere this died of exposure and starvation. Those who reached our shores are in all probability, for the present, at least, a charge upon the communities where they found shelter. During the coming spring and summer those who survive will seek our shores and contribute their share toward the depression and degradation of American labor.

Your committee believe and state, and the statement is based upon what it believes to be reliable information, that there are at present over 2,000 imported Hungarians employed in the coke regions of Pennsylvania. According to the statement of Captain Schoonmaker, brother of the largest individual coke manufacturers in the region, these people are from the very lowest stratum of the population of Southern Europe, probably the offspring of serfs and slaves. They look upon every well-dressed American as a lord or prince. One of the paymasters at Uniontown, Pa., says that a number of them tried to kiss his hand the first time he paid them. All of them save the money they make, and many of them send it to Hungary to bring over their friends and kindred. They are, as a matter of course, favorites with operators, as they never grumble about wages, and take what is given them by the company stores without murmuring, and besides, they never strike. In respect to economy and frugality they greatly resemble the Chinese. One of them will walk miles, if necessary, to a butcher's shop and carry off thankfully the offal and refuse given him. The women assist the men, and do fully as much work. Children of both sexes not more than 5 years of age assist their mothers in loading the coke cars. Nearly everything they eat is boiled in a pot brought from Hungary. As many as forty are known to live in a single hut of two small rooms.

Free American workingmen, with American ideas, culture, and intelligence, can not possibly compete with these people. The situation is essentially parallel to that which induced Congress to prohibit the importation of the Chinese. Italians and Hungarians are now brought to this country in precisely the same manner that the importation of Chinese was begun seventeen years ago. The Chinese were brought to California under contract and then hired out to the Union Pacific, Central Pacific, and other railway companies. Italians have been brought here in the same way to work for the Nickel Plate, Ohio River, and other railway companies in the Eastern, Southern, and Middle States. If it became necessary to protect the American workingmen of the Pacific Slope from the disastrous and debasing competition of cooly labor, the same argument now applies with equal force and pertinency to the importation of pauper labor from Southern Europe.

In this connection the following statistics of immigration may be interesting. They cover four years, beginning July 1, 1879, and ending June 30, 1883.

Mr. BLAIR. I ask unanimous consent that the tabulations coming in at this point, about one page of figures, may be omitted. If there is objection from any source I will withdraw the request.

The PRESIDING OFFICER (Mr. INGALLS in the chair). Is there objection to the omission of the reading?

Mr. VEST. I object.

Mr. BLAIR. I did not observe who was the occupant of the chair until I began my question.

The PRESIDING OFFICER. No apology is necessary.

The reading of the report was resumed as follows:

ENGLAND.

Years.	Males.	Females.
1880	37,661	21,793
1881	40,401	24,776
1882	51,575	30,819
1883	38,174	24,966
	167,811	102,354

IRELAND.

1880	38,151	33,452
1881	37,387	34,955
1882	40,980	35,452
1883	41,495	39,991
	158,013	143,850

GERMANY.

1880	52,743	31,895
1881	128,399	82,086
1882	148,466	102,164
1883	111,778	83,008
	441,386	299,153

HUNGARY.

1880	2,964	1,399
1881	4,554	2,272
1882	6,753	2,176
1883	8,907	2,333
	23,178	8,180

ITALY.

1880	8,677	3,650
1881	11,571	3,816
1882	27,422	4,655
1883	28,217	3,567
	75,887	15,688

CHINA.

1880	5,732	70
1881	11,815	75
1882	39,463	116
1883	7,987	44
	64,997	305

During these four years the number of female immigrants was 37.8 per cent. of the total immigration from England, 47.6 per cent. of the total immigration from Ireland, 40.4 per cent. of the total immigration from Germany, 26 per cent. of the total immigration from Hungary, 17.1 per cent. of the total immigration from Italy, and less than half of 1 per cent. of the total immigration from China. During the year ending June 30, 1883, the total number of male immigrants above fifteen years of age from Italy was 26,691, while the total number of female immigrants above that age was but 2,566, or less than 8.8 per cent. of the total immigration. During the same year the number of male immigrants from Hungary above fifteen years of age was 7,953; female immigrants above that age, 1,627, or less than 17 per cent. of the total immigration.

These figures demonstrate most conclusively that during each of the last four years thousands of male Italians and Hungarians who are not the heads of families reach our shores.

The immigrant who comes here with his family gives assurance of his intention to remain here, become a citizen and a permanent factor in our population. It can not be claimed that these are mainly young men, for during the same year ending June 30, 1883, the number of male immigrants from Italy above 39 years of age was 4,428, while the number of females above that age was only 394. From Hungary, during the same period, the number of male immigrants above 39 years of age was 1,187, as against 185 females above that age. There can be no doubt but these people come together in large numbers, and when their abject poverty is considered the conclusion that they are imported becomes irresistible. In 1880, according to the Tenth Census reports, Chinese males in the United States and Territories exceeded Chinese females in number 96,000. In commenting upon this fact, the Hon. John Eaton, Commissioner of the Bureau of Education, in the report for 1881, says that this circumstance proves "that their stay in the country is only provisional and temporary, and that they can give no 'hostages to fortune.'"

Again, Mr. Eaton says, in the same report, speaking about the Chinese: "Industrious, frugal, law-abiding families are the best foundations of a state." Contrasting the importation of coolies in the direction of the excess of males above females with the "assisted" immigration and importation from Southern Europe, we find that during the last four years the excess of male Italians above females who landed upon our shores to be 60,199, while the number of male Hungarians in excess of females, in an almost comparative smaller immigration, was during the same period, 15,000. In 1880 the number of Italians of foreign birth in the United States was 44,230. At the same ratio of disproportion between the sexes, Italian males exceed Italian females in the United States to-day over 92,000 in a total population of little over 135,000, and Hungarian males exceed females nearly 23,000 in a total population of 42,884, there being but 11,526 of these people of both sexes in the United States in 1880. The total Chinese population of both sexes in 1880 was 104,427, the excess of males being 96,000. The parallelism between the Chinese and Italians in this direction is certainly striking. As bearing upon the character of these immigrants as desirable material for citizenship, the following data, compiled from a statement on comparative statistics on education, issued by the Bureau of Education for and during the

year 1882, may be of interest. England, Ireland, and Germany are included for the purpose of contrast.

Countries.	Population.	Attending schools.	Percentage of population attending schools.	Amount paid for school purposes.	Per capita paid for school purposes.
			Per cent.		
United States	50,155,783	10,035,546	20.0	$81,795,929	$1 63
England and Wales	25,968,286	3,898,936	15.4	13,749,315	53
Ireland	5,159,839	1,031,995	20.0	2,677,080	50
Germany	45,149,172	7,744,176	17.2		
Hungary	15,666,000	1,602,787	10.2	2,300,000	14.6
Italy	28,209,620	2,086,044	7.4	6,000,000	21

The German Empire publishes no educational budget, hence the amount expended for education during 1882 is not given. From these figures it will be seen that 20 per cent. of the entire population of the United States attend schools of some grade, while but 10.2 per cent. of the population of Hungary and 7.4 per cent. of the population of Italy attend any grade of schools. It will be also observed that while we paid for educational purposes, in 1882, $1.63 per capita, Italy, during the same year, paid but 21 cents, and Hungary but 14 cents and 6 mills per capita for educational purposes. In view of these conditions, even voluntary immigration from these sources can hardly be regarded as an unmixed blessing. But when it is stimulated, encouraged, and "assisted" by great monopolies and capitalists, purely for selfish ends, regardless of the misery they entail upon others, and the permanent injury they inflict upon the country, the General Government should interpose timely and vigorous measures to check the evil. This becomes more apparent and urgent when an investigation of the statistics of the immigration discloses the fact that immigration from England, Ireland, Germany, and other European countries from which the better class of immigrants come, is steadily decreasing, while immigration from southern Europe is steadily increasing.

When the pressure of population upon subsistence becomes sharp and severe, the immigration from the country where such pressure exists invariably increases. This is noticeable in the case of Ireland. From 1873 to 1880 immigration from that country steadily and rapidly decreased; but from 1880 to 1883, owing to the failure of crops, more, perhaps, than to political disturbances, immigration rapidly increased, the increase in 1880 over 1879 being over 50,000. Should like circumstances arise in Italy or Hungary, or other countries of Southern Europe, in the future, powerful corporations could easily displace millions of American workmen by this pauper labor by simply prepaying the passage of people who would gladly flee from want and starvation, if enabled so to do.

It may be well to bear in mind that the figures given above do not represent the actual number of these people now in the United States. The number is probably greater than the statistics show. A large number of this class of immigrants land in Canada, who subsequently find their way to the United States, but are classed in our statistics as Canadians. The 3,000 Italians imported to work on the Canada Pacific Railway is an instance demonstrative of this proposition.

Canadian statistics show that the foreign-born population of the four old and leading provinces of the Dominion in 1871 was 582,624, while in 1881 it is stated at 561,872, a decrease of 20,752 in ten years. Yet the same statistics claim an immigration during these ten years of 319,321. If this be true, it is evident that the greater portion of this foreign accession subsequently migrated to the United States. As evidence tending to show the efforts employers of labor are making to supplant American workmen with foreigners, and still further demonstrating the necessity for passage of this bill, attention is called to the following resolution of the Window-Glass Manufacturers' Association, held at West End Hotel, Long Branch, July 11, 1883, which is submitted without comment:

"On motion of Mr. Gorsuch it was resolved, by a vote of 13 to 8, that the treasurer be authorized to pay a sum not exceeding $30 per man for each blower or gatherer brought over from Europe after August 1, 1883, provided the same be employed by some member of this association, and provided they are not workmen who have been in this country within the twelve months last past."

The committee had before it and took the testimony of some of the leading and most intelligent men in the labor organizations of Massachusetts, New York, New Jersey, Pennsylvania, Indiana, and Ohio. A summary of their testimony is appended hereto, as are also copies of contracts signed in Europe by the imported workmen. The importance of this subject, its bearing upon the social, political, and economic condition of our people, together with the magnitude of the interests involved, will, it is hoped, furnish an apology for the length of this report.

Mr. BLAIR. There follows the report testimony, some six pages of it in fine print. It is sworn evidence as to facts. I do not ask to have the reading dispensed with as part of the report if any one thinks it important that it should be read and spread upon the RECORD.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that the further reading of the appendices to the report may be dispensed with.

Mr. BLAIR. And that the same may be printed.

Mr. HAWLEY. I object.

The PRESIDING OFFICER. The Senator from Connecticut desires that the reading proceed.

Mr. HAWLEY. I have not heard enough of it yet.

The PRESIDING OFFICER. The reading will proceed.

Mr. HAWLEY. I will withdraw my objection if the Chair will entertain a motion that the Senator from Pennsylvania [Mr. CAMERON] desires to make.

Mr. CAMERON, of Pennsylvania. I want to make a motion that the Senate proceed to the consideration of executive business.

Mr. BLAIR. It is impossible to hear what is being transacted.

The PRESIDING OFFICER. The Senator from Pennsylvania moves that the Senate now proceed to the consideration of executive business.

Mr. BLAIR. Has he the floor for that purpose?

Mr. CAMERON, of Pennsylvania. There are a number of matters that require attention in executive session.

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

The motion was agreed to.

EXECUTIVE SESSION.

The Senate proceeded to the consideration of executive business. After an hour and a half spent in executive session the Senate (at 5 o'clock p. m.) took a recess, reassembling in executive session at 8 o'clock p. m.; and at half past 8 o'clock took another recess till 9 o'clock, reassembling at that time in executive session. The doors were opened at 9 o'clock and 50 minutes p. m.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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, further insisted upon its disagreement to the amendments of the Senate numbered 158, 166, and 167, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. J. N. BURNES of Missouri, Mr. RICHARD W. TOWNSHEND of Illinois, and Mr. W. D. WASHBURN of Minnesota managers at the further conference on the part of the House.

The message further announced that the House had passed the bill (S. 28) to confirm the status of John N. Quackenbush as a commander in the United States Navy.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 2487) for the relief of Bvt. Maj. Gen. William W. Averell, United States Army; and

A bill (H. R. 1985) granting a pension to Malvin Pierce.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that he had this day approved and signed the following act:

An act (S. 1721) for a bridge across the Missouri River at White Cloud, in Doniphan County, Kansas.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The PRESIDENT *pro tempore.* The Chair lays before the Senate the consular and diplomatic appropriation bill. The message of the House of Representatives and the report of the conferees will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 5, 1884.

Resolved, That the House further insist on its disagreement to the one hundred and fifty-eighth, one hundred and sixty-sixth, and one hundred and sixty-seventh amendments of the Senate to 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, and ask a further conference with the Senate on the disagreeing votes of the two Houses thereon.

The PRESIDENT *pro tempore.* The action of the House of Representatives on the conference report will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 5, 1884.

Resolved, That the House concur in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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 PRESIDENT *pro tempore.* The first question is on agreeing to the report of the Senate conferees, which will be read.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 26, 27, 30, 33, 43, 46, 55, 58, 75, 135, 139, 141, 142, 145, 146, 147, 148, 151, 152, 153, 154, 155, 160, 162, and 165.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 10, 13, 19, 20, 21, 22, 23, 28, 29, 31, 32, 34, 35, 36, 40, 45, 47, 48, 49, 50, 51, 52, 53, 54, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 74, 76, 77, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 129, 130, 132, 133, 134, 136, 137, 144, 156, 157, and 161, and agree to the same.

Amendments numbered 7, 8, and 9: That the House recede from its disagreement to the amendments of the Senate numbered 7, 8, and 9, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For salaries of ministers resident in Belgium, Netherlands, Hawaiian Islands, and Sweden and Norway, at $7,500 each, $30,000.

"For salaries of ministers resident and consuls-general in Venezuela and Argentine Republic, at $7,500 each, $15,000."

And the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$45,000;" and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$12,000;" and the Senate agree to the same.

Amendments numbered 15 and 16: That the House recede from its disagreement to the amendments of the Senate numbered 15 and 16, and agree to the

same with amendments as follows: In lieu of the sums stated in each of said amendments insert "$2,625;" and the Senate agree to the same.

Amendments numbered 17 and 18: That the House recede from its disagreement to the amendments of the Senate numbered 17 and 18, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For salaries of the secretaries of the legations in Spain, Turkey, Austria, Italy, Brazil, and Mexico, at $1,800 each, $5,400; for salary of a clerk to the legation in Spain, $1,200."

And the Senate agree to the same.

Amendment numbered 24: That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "And no secretary or second secretary of any legation shall be entitled to or receive any compensation over and above his salary as such secretary for acting as chargé d'affaires during the temporary or other absence without leave of the minister to whose duties he may succeed;" and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For the salaries of interpreters to the legations in China at $3,000, and in Japan and Turkey at $2,500 each, $8,000. But no person drawing the salary of interpreter as above provided shall be allowed any part of the salary appropriated for any secretary of legation or other officer."

And the Senate agree to the same.

Amendments numbered 37, 38, and 39: That the House recede from its disagreement to the amendments of the Senate numbered 37, 38, and 39, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For salaries of the consuls-general at Frankfort, Vienna, Bucharest, St. Petersburg, and Halifax, at $3,000 each, $15,000."

And the Senate agree to the same.

Amendments numbered 41 and 42: That the House recede from its disagreement to the amendments of the Senate numbered 41 and 42, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out, and the matter proposed to be inserted by said amendments, insert the following: "For salaries of the consuls-general at Constantinople and Rome, at $2,000 each, $4,000; for salary of the consul-general at Mexico, $2,500;" and the Senate agree to the same.

Amendment numbered 44: That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$335,600;" and the Senate agree to the same.

Amendment numbered 68: That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Insert after said amendment the following: "Greece, Athens;" and the Senate agree to the same.

Amendment numbered 80: That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: At the end of said amendment insert "Matamoras;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: After said amendment insert the following: "Friendly and Navigator's Island, Apia;" and the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "And after June 30, 1884, no consul or consul-general shall be entitled to or allowed any part of any salary appropriated for payment of a secretary or second secretary of legation or an interpreter;" and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment, as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For allowance for clerks at consulates, $47,920, as follows: For the consul at Liverpool, a sum not exceeding the rate of $2,000 for any one year; and for the consuls-general at London, Paris, Havana, Shanghai, and Rio de Janeiro, each a sum not exceeding the rate of $1,600 for any one year; for the consuls-general at Berlin, Frankfort, Vienna, and Kanagawa, and for the consuls at Hamburg, Bremen, Manchester, Lyons, Hong-Kong, Havre, Crefeld, and Chemnitz, each a sum not exceeding the rate of $1,200 for any one year; for the consul-general at Montreal, and for the consuls at Bradford and Birmingham, each a sum not exceeding the rate of $960 for any one year; for the consuls-general at Calcutta, Port au Prince, Hayti, and Melbourne, and for the consuls at Leipsic, Sheffield, Sonneberg, Dresden, Marseilles, Nuremberg, Tunstall, Antwerp, Bordeaux, Colon (Aspinwall), Glasgow, and Singapore, each a sum not exceeding the rate of $800 for any one year; for the consuls at Belfast, Barmen, Leith, Dundee, and Matamoras, and for the consul-general at Halifax, each a sum not exceeding the rate of $640 for any one year; for the consul-general at Mexico, and for the consuls at Naples, Genoa, Stuttgart, Florence, Mannheim, Prague, Zurich, Panama, and Demerara, each a sum not exceeding the rate of $480 for any one year;" and the Senate agree to the same.

Amendment numbered 131: That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$6,000;" and the Senate agree to the same.

Amendment numbered 138: That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For salaries of eight marshals for the consular courts in Japan, China, and Turkey, $8,000;" and the Senate agree to the same.

Amendment numbered 140: That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For hiring of steam-launch for use of the legation at Constantinople, $500;" and the Senate agree to the same.

Amendment numbered 143: That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "For the expense of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rent, postage, furniture, statistics, newspapers, freight (foreign and domestic), telegrams, advertising, messenger service, including $6,000 for other miscellaneous expenses as the President of the United States may think necessary, for the several consulates and commercial agencies in the transaction of their business, $110,000;" and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with amendments as follows: Restore the paragraph proposed to be stricken out by said amendment and in lieu of the sum of $5,000 therein stated insert the sum of $7,500; and the Senate agree to the same.

Amendment numbered 150: That the House recede from its disagreement to the amendment of the Senate numbered 150 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For rent of prisons for American convicts in Turkey and for wages of keepers of same, $1,000;" and the Senate agree to the same.

Amendment numbered 159: That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "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, and also for rent, postage, telegrams, furniture, and traveling expenses including for miscellaneous expenses, $15,000; in all, $75,000;" and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For an agent to the States of the Congo Association, $5,000, said agent to be charged with introducing and extending the commerce of the United States in the Congo Valley, and for such purpose the further sum of $10,000, or so much thereof as may be necessary. And the President is hereby authorized to appoint in the recess of the Senate such agent, whose commission shall expire at the end of the next session of the Senate;" and the Senate agree to the same.

Amendment numbered 164: That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$5,000;" and the Senate agree to the same.

On amendments numbered 158, 166, and 167 the committee of conference is unable to agree.

W. B. ALLISON,
EUGENE HALE,
JAS. B. BECK,
Managers on the part of the Senate.

JAMES N. BURNES,
R. W. TOWNSHEND,
W. D. WASHBURN,
Managers on the part of the House.

The report was concurred in.

Mr. ALLISON. I move that the Senate further insist on its amendments not disposed of, and agree to the conference asked by the House.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate further insist on its amendments numbered 158, 166, and 167, and agree to the conference asked by the House of Representatives thereon.

Mr. VEST. I should like to hear those amendments read, and should like to have the vote taken separately.

The PRESIDENT *pro tempore*. The amendments will be reported. No. 158 will be first read.

The CHIEF CLERK. On page 11, after line 615, the Senate inserted the following words:

To meet the necessary expenses attendant upon foreign intercourse, to be expended under the direction of the President, pursuant to the requirement of section 291 of the Revised Statutes, $250,000, or so much thereof as may be necessary.

The PRESIDENT *pro tempore*. The Senator from Missouri demands a separate vote on the motion of the Senator from Iowa upon this amendment. Senators in favor of the motion of the Senator from Iowa that the Senate further insist on this amendment will say "ay," contrary opinion "no." [Putting the question.]

The motion was agreed to.

The PRESIDENT *pro tempore*. The next amendment will be read, No. 166.

Mr. VEST. I want to vote against them, but I withdraw the request for the reading of the remaining amendments.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Iowa in respect to these two amendments, that the Senate further insist and agree to the further conference asked by the House of Representatives.

The motion was agreed to.

By unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate; and Mr. ALLISON, Mr. HALE, and Mr. COCKRELL were appointed.

Mr. ALLISON. I will state that probably in twenty minutes from this time I shall be able to make a report from the committee of conference on the sundry civil bill.

COUNT OF ELECTORAL VOTES.

Mr. HOAR. Mr. President, the Senate appointed some days since conferees to meet conferees appointed by the House in regard to the bill providing for the electoral count. Those conferees have had several meetings; and while it is not my purpose to make a formal report, as no report has been authorized to be signed by the conferees, yet I think it proper, as the subject is an important one, to say to the Senate that the conferees have had several meetings and have made no progress toward an agreement. I suppose it is proper to say that I see no possible hope of an agreement between the two branches upon that subject unless the Senate should agree to put the whole matter of counting the electoral vote in the power of the House, either by legislation which should put the subject fairly within the control of the House as a separate body, or (what seems to the conferees on the part of the Senate, all of them, equally inadmissible) to clothe with the power of counting the vote a body made up of the members of the Senate and the House voting as one body per capita.

The House have communicated to the Senate an amendment to that bill which is based upon that theory; and it seems to me, as I believe

it does to every member of the Senate, without distinction of party, without exception, a proposition entirely unknown to the Constitution and totally inadmissible in principle and totally inexpedient and impracticable.

FOREIGN-LABOR CONTRACTS.

Mr. BLAIR. I call for the regular order, which is the reading of the report of the committee on the contract-labor bill.

The PRESIDENT *pro tempore*. The Senator from New Hampshire calls for the regular order.

Mr. CULLOM. I ask the Senator to yield to me that I may report a little pension bill.

The PRESIDENT *pro tempore*. The regular order will be laid before the Senate.

The Senate as in Committee of the Whole resumed the consideration of the bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia.

Mr. CULLOM. I now ask leave to make a report.

The PRESIDENT *pro tempore*. The Senator from Illinois asks unanimous consent to make a report.

Mr. CULLOM. On a pension bill, and ask that it be put on its passage.

Mr. BLAIR. Not to displace the regular order.

The PRESIDENT *pro tempore*. Is there objection to receiving the report? The Chair hears none.

SUSAN Y. ATTWATER.

Mr. CULLOM. The Committee on Pensions instruct me to report favorably the bill (H. R. 204) granting a pension to Susan Y. Attwater. This is the widow of a private soldier. I ask that the bill be put on its passage at once.

By unanimous consent the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Susan Y. Attwater, widow of Thomas Attwater, deceased, who was a private in Company C of the One hundred and twelfth Regiment Illinois Volunteer Infantry in the late war for the suppression of the Southern rebellion.

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

ISABELLA PALMER.

Mr. MITCHELL. I am instructed by the Committee on Pensions to report without amendment the bill (H. R. 5553) granting a pension to Isabella Palmer. I ask for its present consideration.

Mr. BLAIR. Let it be subject to the same understanding.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania asks unanimous consent to make a report from the Committee on Pensions at this time. Is there objection? The Chair hears none.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 5553) granting a pension to Isabella Palmer. It provides for placing on the pension-roll the name of Isabella Palmer, blind daughter of John A. Palmer, deceased, late a private in Company L, First West Virginia Cavalry Volunteers.

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

ROSELLA PEGG.

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

Mr. MITCHELL. I wish to report two pension bills, to be now considered.

Mr. MORGAN. I yield, then.

Mr. MITCHELL. I am instructed by the same committee to report another bill favorably.

The PRESIDENT *pro tempore*. The Senator from Pennsylvania asks unanimous consent to make a report from the Committee on Pensions at this time. Is there objection?

Mr. BLAIR. Subject to a call for the regular order.

The PRESIDENT *pro tempore*. Is there objection? The Chair hears none.

Mr. MITCHELL. I am instructed to report without amendment the bill (H. R. 2574) granting a pension to Rosella Pegg, and I ask for its present consideration.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Rosella Pegg, idiot daughter of James Pegg, deceased, late a private in Company G, Fifty-second Regiment Ohio Volunteers, and to pay her legal constituted guardian, for her use, the sum of $18 per month during her life.

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

MAGDALENA COOK.

Mr. MITCHELL. I am also instructed by the same committee, to whom was referred the bill (H. R. 5088) for the relief of Magdalena Cook, to report it without amendment and with a favorable recommendation. I ask for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to place on the pension-roll the name of Magdalena Cook, widow of Jacob Cook, late a private in Company B, Thirty-third Regiment New Jersey Volunteers.

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

ROWLAND WARD.

Mr. VAN WYCK. I report favorably from the Committee on Pensions the bill (H. R. 4180) granting an increase of pension to Rowland Ward.

Mr. BLAIR. I suppose there should be consent asked. Of course there is no objection to it.

The PRESIDENT *pro tempore*. The Senator from Nebraska asks unanimous consent to make a report from the Committee on Pensions at this time. Is there objection? The Chair hears none.

Mr. VAN WYCK. I ask for the present consideration of the bill.

By unanimous consent, the bill was considered as in Committee of the Whole. It proposes to increase the pension of Rowland Ward, late a private in Company I, Fourth Regiment New York Heavy Artillery, to $40 per month, in lieu of the pension now received by him.

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

MARIA L. LEE.

Mr. VAN WYCK. I report from the Committee on Pensions favorably the bill (H. R. 1752) for the relief of Maria L. Lee, and I ask for its present consideration.

The Senate, by unanimous consent, proceeded to consider the bill as in Committee of the Whole. It proposes to place on the pension-roll the name of Maria L. Lee, widow of Abel H. Lee, who was a scout in the Army of the Potomac during the war of the rebellion.

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

P. W. BRADBURY.

Mr. BLAIR. I ask unanimous consent, subject to a call for the regular order, that the Senate proceed to the consideration of the bill (H. R. 875) granting a pension to P. W. Bradbury. I do this at the request of the senior Senator from Missouri [Mr. COCKRELL], who is engaged upon a conference committee, and desired, in case the pension cases were reached, that I should call the attention of the Senate to this one.

The PRESIDENT *pro tempore*. The Senator from New Hampshire asks unanimous consent, subject to a call for the regular order, that the Senate consider the bill indicated by him. Is there objection? The Chair hears no objection, and the bill is before the Senate, as in Committee of the Whole, on the adverse report of the Committee on Pensions. It will be read.

The Chief Clerk read the bill, 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.

Mr. BLAIR. This bill passed the House and came to the Senate and was reported adversely, upon the ground that the applicant was a scout. The injury was received in the performance of military duty, the duty of a scout. It was very severe, as I am informed by the Senator from Missouri [Mr. COCKRELL], who has personal knowledge of the circumstances. The injury has continued ever since, and the man is very thoroughly used up.

The Senator who reports it places the rejection of the claim allowed by the House upon the ground that the man was a scout, and not having been mustered into the service regularly, is not entitled to compensation in the nature of a pension for his disability. He is not embraced, of course, under the provisions of the general law. If he were so embraced, there would be no occasion for application for a special act. I suppose these special acts are passed in order to reach exceptional and meritorious cases which are not covered by the general law, for if the general law covered them there would be no occasion for the special acts which we are passing by the dozen every day.

Mr. MITCHELL. Such a bill as this has just been passed.

Mr. BLAIR. One case like this has just been passed, I am told. I did not ascertain the fact myself, but I learn that at former sessions we have passed bills like this for the relief of scouts.

Mr. MITCHELL. Scouts are included in the general bill.

Mr. BLAIR. The general bill now pending includes all such scouts. Their service was perhaps as a rule even more dangerous than that of the soldier himself.

Mr. MILLER, of California. I should like to ask the Senator if there is any record of his service as a scout, where he served, how long he served, and what was the nature of his duties?

Mr. BLAIR. I am not able to give those particulars myself. They were in the evidence before the House committee, and I suppose they were before the Senate committee. The case was established in every regard save only that the man was a scout and was not mustered into the service.

I am informed that the adverse report is placed wholly and only upon that ground. His service was in actual war and was dangerous, and there is visible injury. The Senator from Missouri informed me that he knew the man personally, knew of his injury, knew of his present condition, and assured me that it is a very meritorious case, and we know the Senator well enough to understand that his allegation in regard to such matters of fact is unquestionable and that he is very cautious in his statements.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, requested the Senate to return to the House 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.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 503) granting a pension to Hiram C. Henderson;
A bill (H. R. 1970) for the relief of Mrs. Alice T. Sherwood;
A bill (H. R. 2070) granting a pension to Decatur Hamlin;
A bill (H. R. 2245) granting a pension to Eliza A. Shealey;
A bill (H. R. 3321) granting a pension to Michael Shields;
A bill (H. R. 3337) authorizing the inspection of the boiler of the steamship Kent;
A bill (H. R. 3493) granting a pension to Ann Hunter;
A bill (H. R. 3979) granting an increase of pension to Mary Anna Egan;
A bill (H. R. 4254) granting a pension to James Aaron;
A bill (H. R. 4492) for the relief of Mrs. Pauline E. Milliken;
A bill (H. R. 4694) granting a pension to James Clark;
A bill (H. R. 5544) for the relief of Laura J. Goddard;
A bill (H. R. 5889) granting a pension to Alonzo Cooper;
A bill (H. R. 6589) for the relief of Asa Dye;
A bill (H. R. 6677) to increase the pension of William Irving;
A bill (H. R. 6750) to amend paragraph 7 of section 2527 of the Revised Statutes; and
Joint resolution (H. Res. 17) authorizing the appointment and retirement of Samuel Kramer as a chaplain in the Navy of the United States.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The PRESIDENT *pro tempore.* The Chair will lay before the Senate a message from the House of Representatives. It will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 5, 1884.

Resolved, That the Clerk request the Senate to return to the House 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.

Mr. HOAR. I move the bill named in the resolution be returned to the House of Representatives, in accordance with its request.

The motion was agreed to.

FOREIGN-LABOR CONTRACTS.

Mr. BLAIR. I call for the regular order.

The PRESIDENT *pro tempore.* The Senator from New Hampshire calls for the regular order, which will be again laid before the Senate.

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

The PRESIDENT *pro tempore.* After the title of the bill is reported the Chair will recognize the Senator from Alabama.

The CHIEF CLERK "A bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia."

The PRESIDENT *pro tempore.* Pending the consideration of this bill the Senator from Alabama moves that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After twenty-five minutes spent in executive session the doors were reopened, and the Senate took a recess until 11 o'clock p. m., reassembling at that hour in executive session. At 11 o'clock and 5 minutes p. m. the doors were reopened.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House receded from its disagreement to amendments of the Senate to 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, numbered 166 and 167, insisted on its disagreement to the amendment of the Senate numbered 158, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. J. N. BURNES of Missouri, Mr. R. W. TOWNSHEND of Illinois, and Mr. W. D. WASHBURN of Minnesota managers at the further conference on the part of the House.

LEGISLATIVE, ETC., APPROPRIATION BILL.

On motion of Mr. ALLISON, Mr. DAWES was excused from further service as a manager on the part of the Senate at the conference on the disagreeing votes of the two Houses on the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

By unanimous consent, the President *pro tempore* was authorized to fill the vacancy, and Mr. PLUMB was appointed.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The PRESIDING OFFICER (Mr. INGALLS in the chair) laid before the Senate the action of the House of Representatives receding from its disagreement to the amendments of the Senate to 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, numbered 166 and 167, and insisting on its disagreement to the amendment of the Senate numbered 158, and asking a further conference thereon.

Mr. ALLISON. I move that the Senate further insist on its amendment numbered 158, and agree to the conference asked by the House of Representatives on the disagreeing votes of the two Houses thereon.

The motion was agreed to.

By unanimous consent, the presiding officer was authorized to appoint the conferees on the part of the Senate, and Mr. ALLISON, Mr. HALE, and Mr. COCKRELL were appointed.

CLAIMS FOR FRENCH SPOLIATIONS.

Mr. HAWLEY, from the Committee on Printing, to whom was referred a resolution submitted by Mr. FRYE, reported it without amendment; and it was considered by unanimous consent, and agreed to, as follows:

Resolved, That there be printed for the use of the Senate 3,000 copies of the message of the President of the United States transmitting the report of the Secretary of State relative to the papers on file in the Department of State touching the unsettled claims of citizens of the United States against France prior to July 31, 1801, together with the papers accompanying the same.

PRINTING OF PENSION DOCUMENTS.

Mr. HAWLEY. I am directed by the Committee on Printing, to whom was referred a resolution submitted by the Senator from Pennsylvania [Mr. MITCHELL] to reprint House bill 5667, the Mexican pension bill, and Senate Miscellaneous Document No. 107, to report it with an amendment; and I ask for its present consideration.

Mr. BUTLER. I object.

The PRESIDENT *pro tempore.* The resolution will be placed on the Calendar.

SUNDRY CIVIL APPROPRIATION BILL.

On motion of Mr. ALLISON, Mr. BECK was excused from further service on the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

By unanimous consent, the President *pro tempore* was authorized to fill the vacancy, and Mr. COCKRELL was appointed.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate, numbered as hereinafter stated, to the bill (H. R. 7069) making appropriations for the legislative, executive and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 27 and 205.

That the House recede from its disagreement to the amendments of the Senate numbered 80, 81, 82, 83, 84, 85, 86, 87, 88, 91, 92, 94, 95, 207, 208, 209, 210, and 211, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the number proposed insert "20;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the number proposed insert "75;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,955,150;" and the Senate agree to the same.

The committee of conference is unable to agree on the amendments of the Senate numbered 21, 24, and 25.

WILLIAM B. ALLISON,
PRESTON B. PLUMB,
FRANCIS M. COCKRELL,
Managers on the part of the Senate.
JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House.

Mr. ALLISON. This report closes up the differences between the two Houses on every question except one, that relating to the miscellaneous items of the contingent expenses of the Senate. Although there are three amendments, they all involve the same question.

The Senate recedes from amendment numbered 27, which is the amendment relating to the publishing of the debates. The House recedes from its disagreement to the amendment relating to the number of collectors of internal revenue, and also from its disagreement to the amendment relating to internal-revenue districts and customs districts

and the legislation with reference to distilled spirits. It also agrees to the amendments relating to the force in the Pension Office, with a slight modification reducing one class from $2,000 to $1,800.

Mr. CONGER. What is the point the conferees do not agree upon?

Mr. ALLISON. The contingent expenses of the Senate. I ask that the report may be agreed to.

The report was concurred in.

Mr. ALLISON. I move that the Senate still further insist upon amendments numbered 21, 24, and 25, and ask a further conference with the House of Representatives thereon.

Mr. SHERMAN. I should like to have the amendments read.

The PRESIDENT *pro tempore*. Amendments numbered 21, 24, and 25 will be read.

The SECRETARY. Amendment numbered 21 is, on line 23, page 5, to strike out "ten," after the word "labor," and insert "thirty-four;" so as to read:

For miscellaneous items, exclusive of labor, $34,000.

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

The SECRETARY. Amendment numbered 24, page 5, line 25, was to strike out "sixty-two" and insert "seventy-six;" so as to read:

In all, $76,770.

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

The SECRETARY. Amendment numbered 25 was to strike out all after "dollars," in line 26, page 5, down to and including line 1, on page 6, as follows:

Provided, That no part of the money appropriated by this act shall be expended for clerical services for any Senator, Representative, or Delegate in Congress.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Iowa that the Senate still further insist upon these three amendments and ask a further conference with the House of Representatives thereon.

The motion was agreed to; and by unanimous consent the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Messrs. ALLISON, PLUMB, and COCKRELL were appointed.

FOREIGN-LABOR CONTRACTS.

Mr. BLAIR. Mr. President——

The PRESIDENT *pro tempore*. The pending order will be laid before the Senate.

The CHIEF CLERK. "A bill (H. R. 2550) to prohibit the importation and migration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia."

Mr. BLAIR. I ask that the reading of the report be continued.

The PRESIDENT *pro tempore*. The reading of the report will be continued.

Mr. BROWN. As this is a very important measure, and as it is very difficult to keep a quorum, and as we can not discuss a great question of this character at the close of the session as we would have to do and as we ought to do if we mean to consider it properly, I move that the further consideration of the bill be postponed until the third Thursday in December next.

Mr. BLAIR. I hope the Senator, if the question is to be taken, will change the time to the first Monday of December, at 2 o'clock.

Mr. BROWN. I think there have been other bills put down for that day.

Mr. BLAIR. No; later than that Thursday.

Mr. BROWN. I only want to avoid having the same time fixed for other measures.

Mr. BLAIR. I do not think that time is fixed for any measure, but I can not say in regard to that. The Secretary will be able to inform us whether other measures have been postponed to an earlier part of the month. I think as this is caught between heaven and earth and about half discussed and half not discussed, half passed and half not passed, it ought to receive attention earlier than any other if it is postponed, and therefore I wish that it be taken up substantially as the unfinished business at the commencement of the next session.

Mr. BROWN. My motion now is for the second Thursday in December.

The PRESIDENT *pro tempore*. The Senator from Georgia moves that the further consideration of this bill be postponed until the second Thursday of December next.

Mr. BLAIR. I gather the impression that a majority of the Senate is in favor of postponing this bill; but I would ask unanimous consent that the remainder of the report, which was about half or two-thirds read, may be printed in connection with what is already spread upon the record. ["No objection!"]

The PRESIDENT *pro tempore*. Pending the motion of the Senator from Georgia, the Senator from New Hampshire asks unanimous consent that the residue of the report not yet read be printed in the RECORD. Is there objection? The Chair hears none.

The matter ordered to be printed in the RECORD is as follows:

APPENDIX.

SUMMARY OF TESTIMONY TAKEN BY THE COMMITTEE.

Mr T. V. Powderly, of Scranton, Pa., master workman of the Knights of Labor of the United States, representing 500,000 workingmen who are interested in several bills which are before Congress, testified as follows:

"I am interested in the eight-hour law, the land bill, and bill on imported labor under contract introduced by Mr. FORAN. These imported men show no disposition to become citizens of this country, but, on the contrary, seek to obtain a certain sum of money, which they consider a competence, and with it return to Italy or Hungary. I have seen eight of these people and one woman living in a small house, without beds or furniture, sleeping on the floor, and have been informed by reliable authority that these nine persons' expenses for one month was only $27. I have seen them in the Frostburg region of Maryland, where they had been brought by agents, who engaged them at Castle Garden, living in a wooden building, sleeping on bunks, this building being fenced in to prevent them being communicated with by the people whose places they had taken. The diet of these men was water and mush, with a small quantity of meat on Sunday. These men are brought into competition with skilled as well as unskilled labor, and it is fast becoming as bad as the competition of the Chinese in the West. A demand is now going up for an amendment of the Chinese bill in such particulars as it has been shown deficient."

William Leech, of Malaga, N. J., of the W. G. W. A., said:

"I was at Malaga last year when certain Belgians were brought to that place. It was our duty to find out from them if the situation of affairs at Malaga had been made known to them before they came, or whether it had not been misrepresented to them. When we attempted to obtain this information the company had thirty-five of us enjoined by the courts from interfering with them. The window-glass workers were ordered out of their homes in midwinter and compelled to move. Last spring we went to work, the Belgians in one factory and the citizens in another. They have since left Malaga, the firm having changed managers."

Emile Bouillet, of Zanesville, Ohio, W. G. W. A., said:

"I was hired at Antwerp by an agent of Dean F. Williams, of Zanesville, Ohio, who came for a set of men (sixty). When I went to see him I asked him why he came to Europe for men. He replied 'that men were scarce and work plenty in the United States.' I told him we would expect the same wages paid in the United States. He said 'they would pay the New York tariff.' When we arrived at Zanesville we discovered that the New York tariff was 25 per cent. less than the regular price. I complained to the company of this misrepresentation, and they answered that 'they did not authorize the payment of more than what they were then paying.' At Kent the company did not pay the price agreed upon. They brought them to Kent on a contract for three years. The men were not permitted to associate with American workingmen lest they might find out the true state of affairs. Two of these men were arrested and put in jail for some days for violating this contract. When we arrived, a friend of one of us was met by a man whom he knew in Europe. As soon as they commenced to talk the manager ordered the arrest of the party. When we arrived at Mansfield, Ohio, a member of the firm came into the car and inquired if any of us could speak English: I answered that 'my father and I could.' He then warned us not to talk to the men."

Question by member of committee. What is the difference between the wages paid these foreigners and Americans?

Answer by John Schlicker. Between 28 and 50 per cent.

Q. Did any of these people show a disposition to become citizens?

A. I think not.

William F. Barclay, representing the miners of the coke region of Pennsylvania, said:

"We have a great many of these so-called Hungarians. They are not Hungarians, but Sclavonians. They are not brought to our region on a written contract. There is an agency in Pittsburgh and in New York for the employment of these people, and to send them where they are called for. We are against the importation of these people because their influence is degrading. Firms employ these people in preference to Americans or other emigrants. They are easily imposed upon, not 5 per cent. of them being able to read. They perform this soft-coal mining very well, as it requires little skill. They have usually about one woman to every ten men. Their habits are disgusting in the extreme. I saw and counted one day thirty-five women and children, employed forking coke and working about the ovens; the children poorly clad, of every age ranging from 5 years upward. They do not work on Sunday. To illustrate how they live: A yard boss, who went to get men to work, got thirty-seven men out of a house containing four small rooms. They had no beds, but laid on the floor, heads and tails, I suppose.

"I never knew one of these men to stay in the country. They spend comparatively nothing, saving their money to return home; even when sick they go to the poor-house, until at last the authorities refused to longer entertain them while they had money. They will eat anything. They hang their meat out in the sun that it may become soft and tainted. The business men of the region are opposed to them. They get the same wages as the Americans, except when they work by the day; then they are paid 33 per cent. less, which is all they are worth. This importation has reduced the price of mining, and makes it impossible for the men to do other than submit to whatever the operators demand or require of them, regardless of its justness. The condition of the miners and coke-makers generally is aggravated by the company stores which abound in this district. I priced potatoes before I left, and could have bought them of an outside dealer for 50 cents per bushel, while the price in the company stores is 80 cents per bushel. If the men do not deal in the store they are discharged.

"I never met one of these Sclavonians who could speak English. We tried to organize the men to enforce the statutes of Pennsylvania, but it was a failure. The companies discharged the men who were active in the matter. They were black-listed and refused work throughout the region. I was urged at another time to get up a strike by one of the operators so that the price of coke might be raised.

"The Hungarians are paid 60 cents per ton, but they are so ignorant that they do not know what a ton is. The mines are wet, and these people work from 1 o'clock a. m. to 7 p. m. for a day. Americans and more skilled workmen could do the same amount of work in eight hours, but all have to wait on the wagons the filling of which is delayed by these men, thereby putting the skilled and the unskilled on an equality. We dare not lay our grievance before the coke manufacturers, for whoever does so will be immediately discharged. We are opposed to strikes as they are of no use, and could not succeed with us while these people are in this state of ignorance. Our citizens and merchants are leaving the region. The conditions are becoming insufferable. The works run from two to five days per week, and the wages paid about $1.25 per day, or generally eight tons at 13 cents per ton. The coke manufacturers are now trying to form a syndicate, that they may monopolize the coke business. There are some manufacturers who will not employ these foreigners, one of whom lives in the region."

Mr. Barklay also furnished the committee with the following written statement:

"We have the following evidence that the importation of laborers under contract does exist. The captain of the vessel on which Joseph Welsh, brother of Hon. John Welsh, ex-member of the Pennsylvania Legislature, came to the United States, informed him that the large number of Sclavonians on board the vessel were imported laborers shipped to America under contract; that the importers had made a special contract with the steamship company at a very low rate for their delivery in the United States, and that their accommodation would be in accordance with the rates, and that should he (Mr. Welsh) not receive the proper care he should complain to him (the captain). I have this from Mr.

Welsh himself. We have much other evidence of their being imported by special agreement to work for certain firms. We have discovered an agency at work engaged in the business of importing laborers, agents in Europe gathering the men, an agent in New York receiving them and forwarding them to destinations. I have in my possession evidence that a firm having a branch in the city of Pittsburgh is engaged in this business. E. Dorner & Co. is the name of the firm who have received a certain amount per head for such imported laborers.

"Paul O. De Esterhazy, Austro-Hungarian consul in New York, has acknowledged the existence of such an agency, but says he is unable to do anything in the matter. The class imported by the coke manufacturers are the lowest beings that have ever been in the State of Pennsylvania, subsisting upon what an American laborer could not eat—such as mules, hogs, &c., which have been killed or died with cholera and other diseases. Not one has ever been known to become an American citizen, but all return to Hungary within a limited time (about four years), with what money they can save by living in this miserable condition of filth and squalor. Women and children work, too, drawing coke and forking coke into cars, commencing work about 1 or 2 o'clock a. m. and returning to their shanties as late as 7 p. m., working through all kinds of weather from two to five days per week. They seldom sleep in beds, but lie on the floor, with a board or a stick of wood under their heads, as large a number probably as forty in one house intended for a miner with an average family, one female serving about ten men in all relations between male and female, housewife and laborer in the coke yards. They are not known to purchase any of the luxuries which tend to elevate and enlighten the people, living in filth and wretchedness; but hoard up their small earnings which they promptly forward to Hungary, thereby draining our district of the circulating medium. Being low in the scale of intelligence they are the willing slaves of the coke manufacturers, willing to submit to almost any conditions.

"One of the tricks of the manufacturers is to import these people for the purpose of evading the laws enacted for the protection of the laboring classes.

"The 'Check-weighman law' is an example. The people being unable to read and write, they promise them 30 cents per wagon of one-half ton each, but when they arrive here they are compelled to sign an agreement, making only about 18 cents per ton for mining.

"I have known these beings during the time of the strike to have been dragged from their homes and driven down into the mines by the managers and coal and iron police. I have also known them to have been knocked down and kicked under cars for refusing to do more contract work. In all, they are mere tools by which the manufacturers gain almost any point they desire, to the degradation of our native workingmen and the detriment of our business men, making tramps of the former and bankrupts of the latter."

William Ashton, of Philadelphia, Pa., W. G. W. A., said:

"My information is in regard to importation of foreigners to Baltimore, Md. These men were brought under a contract; they were window-glass blowers. The first importation took place in 1879; forty-eight were then brought over by Swindell Brothers. The following year Baker Brothers imported seventeen, King Brothers twenty-two, and Swindell Brothers twenty-three. The first importation occurred during a strike; there was no strike when the second importation occurred. Some of the foreigners refused to work and were arrested, but discharged before a hearing was had; their clothing was retained by the firm, and it was weeks before they could secure it. They were kept locked in houses, when not working, and could not be seen by the Americans. Most of them have since returned home, some being sent by the glass-blowers' association, and some by the Belgian consul, who complained bitterly of the treatment they received. The effect of their importation was the reduction of wages about 12 per cent. An injunction was issued against the American workmen from interfering with them and made perpetual by Judge Brown, of Baltimore. Before these men were imported we had as good a set of American workmen as could be found anywhere. The system in vogue in Europe and America differs materially. The Europeans work according to old methods and processes; in fact, they bring their tools and molds with them. The European workman can not turn out within 35 per cent. as much ware as the American workman, and as a result do not or are not able to fulfill their contract, hence the employers are at liberty to pay them what they please."

Val Haas, Baltimore, Md., W. G. W. A., said:

"The situation was misrepresented to them; some of them, when the exact situation was explained to them, quit. Two Germans who quit work were refused their clothes, and were arrested. I have been called up at night by these men to explain to them the trouble, as we could not get near them or they near us, so that an understanding might be had. They were under constant police surveillance, and we were enjoined from interfering with them. These foreigners were natives of France, Belgium, and Germany; they were brought in three different parties. In 1879, Baker Brothers brought forty-eight and King & Brothers twenty-five. Baker Brothers brought a second lot of twenty-five, and King & Brothers and Swindell & Brothers twenty-three. Previous to this last importation there was no strike; some of these men are here yet; others have gone away. The effect has been a 12 per cent. reduction of wages."

Charles Leffler, Baltimore, Md., W. G. W. A., said:

"My statement is substantially the same as Messrs. Ashton and Haas. Mr. Swindell says he does not want the foreigners any more; they accomplised the object intended—the reduction of wages."

J. Campbell, of Pittsburgh, Pa., said:

"We have no objection to these men coming here voluntarily, but we object to them coming under contract, and to reduce American wages."

John Schlicker, of Pittsburgh, Pa., W. G. W. A., said:

"The labor of window-glass blowers is very hard; but few men are able to work at it after the age of 45 years; the average is but 35 years. In consequence of the exhaustiveness of the labor, we decided to not make more than forty-eight boxes of glass per week, which amount is more than 200 per cent. more than what was a week's work some years back. This limit of forty-eight boxes is a good week's work. To break this limit was the purpose of the importation. These foreigners could not make this amount, and consequently could not fulfill their contract, and were therefore subjected to its penalties for failure. One lot of men that were brought to Kent, Portage County, Ohio, were not employed, as the glass-house was not started, and these poor men and their families were left destitute in a foreign land, and in a hostile community, a charge on the public."

Q. Did you examine Mr. FORAN's bill?

A. I did, and I favor its passage. I would not object to men being brought to start a new industry.

Mr. James Campbell here said that Mr. James Chambers, of Pittsburgh, had said that Mr. Day, of Kent, Ohio, could send to Belgium and get men at any time, he having an agency there.

John Costello, of Pittsburgh, Pa., president of Miners' Association, said:

"To mine bituminous coal, it required but little skill. In our district we adopted arbitration, which is legalized under the laws of Pennsylvania. Some of the operators are now trying to break the price agreed upon or decided by the board of arbitration. They sometimes go to Castle Garden and engage men to work in the mines that are idle because the operators will not give the price. Recently we paraded with drums beating and the United States flag flying on the road which passed near the mines that are refusing to pay the arbitration price, and sixteen of those who were in the procession were arrested for conspiracy. After the arrest and bail of the accused we paraded again, and twenty-two were arrested on a *capias*."

John Schlicker, of Pittsburg, Pa., W. G. W. A., said:

"The difference in working in the glass industry in this country and Europe consists in the fact that there they have two factories and work eleven months a year. I have worked in glass-works for thirty years and have not averaged eight months per year in that time. The difference in wages is not material, when all things are considered, between this country and Europe. At Kent, Ohio, these imported men are working on Sunday."

T. B. Barry, East Saginaw, Mich., ax-maker, said:

"I am an ax-maker of good reputation for skill and industry. The ax-makers struck in Cleveland. We were practically denied the right of free speech. We were not allowed to communicate with the 'rats' who were brought there. Two men, during the time of the strike, who stopped to light their pipes, were arrested and fined $10 each by Judge Solders. I wrote to different parties for work, but could not get any. I received a letter from R. Man & Son, Clinton County, Pennsylvania, in which they informed me that they would not employ any person who belonged to a labor union. I have been forced to take a rest.

"In the lumber region of Michigan there are 1,000 men working for their board. Agents go to Canada and bring men under false pretenses, telling them that they will receive $35 per month, and advertise for men in large numbers in the Canada papers, to be paid the ruling rates, about $35 per month. When the lumber camps are filled they offer them $16 per month.

"At Muskingum an attempt was made to reduce the boom-men by importing men from Canada. This luring men under false pretenses should be remedied. The hours of workmen who work at salt manufacturing are from 4 o'clock a. m. to 7 p. m. The wages are $1.50 per day of seventeen hours. These people, to get an existence, cultivate in the evenings, with the aid of lamps, small patches of ground. The men who come from Canada do not intend to remain here, but return to Canada."

John Murray, of Shawnee (Ohio) Miners' Association, said:

"Our men are deeply interested in the bill against the importation of labor, and we expect Congress to do something to remedy the evil. There were seven hundred foreigners and seven hundred colored men brought to my district during a recent strike."

Fred. Turner, of Philadelphia, Pa., secretary of Knights of Labor, said:

"It is the universal sentiment that the bill of Mr. FORAN should be passed. The importation of foreign workmen is getting as bad as that of the Chinese. We have not the slightest objection to their voluntary coming. The African slave was better off than are these people under some of these contracts. The slave had some one to look after his welfare; these people have not. We present a petition to the committee containing 35,000 names of persons who pray for relief by the passage of a bill to remedy this matter."

Frank Porter, of Cambridge (Mass.) cotton-mill, said:

"I voice the sentiment of New England and ask that Mr. FORAN's bill be passed. The manufacturers of New England have imported men, time after time, during strikes, from England, Ireland, Scotland, and Canada, whether under contract or not we are not able to prove, but we believe they were imported under contract. The Canadians, as a rule, do not become citizens, but return to Canada."

John S. McClelland, Hoboken, N. J., telegraph operator, said:

"I was one of the men who participated in the late strike of telegraph operators. The telegraph companies would have imported foreign telegraphers if they could have gotten them. They could not get them from England, as there they are in government service, and if they once leave, when they return they are forced to begin at the bottom."

F. C. Morgan, of Washington, D. C., said:

"I saw an agent, when I was in Brazil, in 1879, trying to engage the natives of Brazil to come to the cotton-fields of the United States. I do not know that he engaged any who went."

John Costello again said that these imported workmen signed contracts waiving the benefits of the statutes of Pennsylvania which were passed for the protection of workmen, and thereby in their ignorance injuring the workingmen and nullifying the salutary laws of Pennsylvania which were enacted to protect the workmen from the avarice of greedy manufacturers.

Mr. A. C. Robertson, of Pittsburgh, Pa., said:

"The number of foreign glass-bottle blowers brought to the Western States under contract is about eighty in all, distributed in five factories, namely: La Salle, Ill., thirty-six; Covington, Ky., thirteen; Louisville, Ky., fourteen; the balance in Streator, Ill., and New Albany, Ind. They receive about 40 per cent. less wages than American blowers, or, in other words, they get 8 cents per dozen for quart beers, while the American gets 13 cents per dozen. The effect of this competition will be to bring the native workmen down to the level of pauper labor. The hollow-glass workmen west of the Alleghany Mountains have not worked since last June. They have been, during all this time, enjoying the luxury of a lockout. Last year's revision of the tariff virtually increased the duty on green glassware nearly 100 per cent., but notwithstanding this increase the manufacturers are endeavoring to force a reduction of 20 per cent. in wages. Previous to the revision there was an importation of about 200,000 gross of bottles. Since the new tariff went into effect there has been scarcely any importation of this ware. Two American blowers will turn out eighty dozen bottles per day, while two of the foreign blowers turn out but fifty dozen per day. The manufacturers seem to favor free trade in labor and a high protective tariff upon their manufactured goods or wares."

Copies of agreements with foreign workmen, executed in Belgium.

No. 1.

(Original in English.)

Agreement made by and between the firm of Day, Williams & Co., of Kent, Ohio, of the first part, and each of the signers hereto, of the second part, exactly as if a separate agreement were made between said firm and each of said signers.

Each of the signers of the second part agrees and promises to work for the said first party at the business of window-glass making for the term of three consecutive years, beginning January 1, 1880, and to faithfully perform his duties; shall be paid the wages currently paid by the New York State manufacturers. Said first party agrees that the wages of each flattener shall be not less than at the rate of $60 per calendar month, and that the wages of each cutter shall be not less than at the rate of $50 per calendar month for work actually performed, or during the fire. It is agreed that said first party shall retain 10 per cent. of the wages of each and every workman until the expiration of this contract, as a guarantee of its faithful performance, said 10 per cent. to be forfeited by each and every workman who shall fail to perform the conditions of this contract

It is also agreed that said first party shall advance the passage-money of the party of the second part to Kent, Ohio, and that in case any workman shall fail to perform the conditions of this contract he shall repay to said first party the amount of said passage-money. It is also agreed that said first party shall have the right to discharge any workman who shall neglect his work through drunkenness or idleness or who shall attempt to create dissatisfaction among the workmen. The said Day, Williams & Co., its successors and assigns, however constituted, shall always be taken as the party of the first part.

Signed by said first party by its first name, and by each of the signers of the

second party by his own name, as of this 2d December, 1879. It is agreed that the flatteners shall receive $30 per month for all work done other than flattening.

DAY, WILLIAMS & CO.
HENRY PIERRE.
ADOLPH BRESSON.
AUGUST COENEN.

No. 2.

(Original in German.)

Agreement between the firm of Swindell Bros., of the first part, and John Schmidt, gatherer, and Carl Wagner, blower, of the second part.

The undersigned, of the second part, covenants and agrees with the party of the first part that they will for two consecutive years, beginning January 1, 1882, work and duly perform such duties as instructed by the party of the first part or his superintendents. The party of the first part covenants and agrees to pay the undersigned, who may duly perform their duties, the price generally paid by Baltimore manufacturers for the size of 16 by 24 inches, and all sheets shall be estimated at 8 sheets of 36 by 54 inches for 100 square feet. The party of the first part covenants and agrees that the wages of each glass-blower shall be an average of $80 per calendar month, on condition that he makes 180 boxes of 100 square feet per calendar month.

The gatherer shall receive 65 per cent. of the sum paid the blower for wages per calendar month for actual work performed during the fire. It is agreed that the party of the first part shall retain 10 per cent. of the wages of each and every workman until the expiration of this contract, as a guarantee of the faithful performance of the provisions of this contract. The aforesaid 10 per cent. shall be forfeited by each and every workman who shall fail to comply with the provisions of this contract.

It is further agreed that the party of the first part shall advance the passage-money of the parties of the second part.

It is further agreed that the party of the first part have the right to discharge any of the workmen for drunkenness, or neglect of duty, or for disturbing the peace, or creating dissatisfaction among them, or for joining any association of American workmen.

The said Swindell Bros., their heirs and assigns, shall be considered the parties of the first part, and they agree to pay each blower $12 per week and the gatherer $9 per week, on the condition that each perform his work faithfully at every blowing. The parties of the first part agree to make monthly settlements with the parties of the second part, after the advances for passage, &c., shall have been repaid. Provided you faithfully perform your work for the term of contract (two years), we will pay back the passage-money from Europe to America.

Antwerp, Dec. 15, 1882.

SWINDELL BROS.,
YOHONN SCHMIDT,
Gatherer.
CARL WAGENER,
Blower.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Georgia, that the further consideration of the bill be postponed until the second Thursday of December next.

The question being put, it was declared that the ayes appeared to prevail.

Mr. BLAIR. I ask for the yeas and nays. ["No!" "No!"] I withdraw the call on the suggestion that it may disable us from doing business.

The PRESIDENT *pro tempore*. The yeas have it, and the motion to postpone is agreed to.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The next business in order is the Calendar of General Orders. Order of Business No. 3 will now be reported.

Mr. SHERMAN. Would it be in order to take a recess, to reassemble at the call of the Chair?

The PRESIDENT *pro tempore*. The Chair thinks not.

Mr. MILLER, of New York. I move that the Senate proceed to the consideration of executive business.

The PRESIDENT *pro tempore*. The question is on the motion of Senator from New York.

Mr. LAPHAM. Mr. President——

Mr. MILLER, of New York. I withdraw the motion if there is any other business to be done.

MARIA G. UNDERWOOD.

Mr. LAPHAM. I ask to take up for consideration Order of Business 787.

The PRESIDENT *pro tempore*. The Senator from New York moves that the Senate proceed to the consideration of Order of Business 787, being a Senate resolution, which will be read.

The Chief Clerk read as follows:

Resolved, That there be allowed and paid, out of the contingent fund of the Senate, to Maria G. Underwood, administratrix of John C. Underwood, deceased, the sum of $5,000, in full compensation for the time and expenses of the said John C. Underwood in prosecuting his claim to a seat in the Senate as a Senator from the State of Virginia.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from New York [Mr. LAPHAM].

Mr. BAYARD. Does a report accompany that resolution?

The PRESIDENT *pro tempore*. There is a report accompanying it. The question now is on taking up the resolution.

The motion was not agreed to.

Mr. PLUMB. I move that the Senate proceed to the consideration of Order of Business 683.

The PRESIDENT *pro tempore*. The Senator from Kansas moves that the Senate now proceed to the consideration of Order of Business 683, being the bill (S. 2203) to donate a cemetery site on the public lands to the city of Kirwin, in the State of Kansas.

Mr. RANSOM. I desire to say a word.

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. RANSOM. By unanimous consent.

The PRESIDENT *pro tempore*. The Senator from North Carolina asks unanimous consent to be heard upon this question. Is there objection? The Chair hears none, and he will proceed.

Mr. RANSOM. The statement of the Senator from New York [Mr. LAPHAM] in reference to his proposition to take up a certain resolution was not heard over the Chamber. I understand now that he desires to submit some remarks upon the proposition, and I know it will be the pleasure of the Senate to hear him. Therefore I hope that the proposition to take up that proposition will be received, and that the Senator may deliver his remarks.

Mr. DOLPH. The Senator will not insist on the consideration of the resolution, I understand.

Mr. LAPHAM. I will not ask for the consideration of the resolution except there be consent when I get through that it shall be acted on. It is very important to be disposed of, but I will not press its consideration if objected to. I gave notice last Monday that I desired to offer some remarks in support of the resolution, and I have tried several times to obtain the floor for that purpose but have been unsuccessful so far.

Mr. RANSOM. I ask that unanimous consent be given to the Senator from New York to go on with his remarks on the resolution.

Mr. PLUMB. Let the bill be taken up, and then I will set it aside in order to suit the convenience of the Senator from New York.

The PRESIDENT *pro tempore*. The question is on the motion of the Senator from Kansas to take up the bill the title of which has been read.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 2203) to donate a cemetery site on the public lands to the city of Kirwin, in the State of Kansas.

Mr. PLUMB. I now consent that the bill be laid aside informally in order to suit the convenience of the Senator from New York, who wishes to submit remarks.

The PRESIDENT *pro tempore*. The Senator from Kansas asks unanimous consent that the pending order be informally laid aside and that the Senate take up for consideration Order of Business 787, being the resolution reported by the Senator from New York [Mr. LAPHAM], from the Committee on Privileges and Elections, on the 20th of June, relating to payment from the contingent fund to the representatives of John C. Underwood. Is there objection? The Chair hears none, and the resolution is before the Senate.

Mr. LAPHAM. Mr. President, I ask the indulgence of the Senate while I call attention somewhat in detail to the facts upon which the claim of the petitioner, as the widow and administratrix of her deceased husband, is based. I believe that an accurate knowledge of those facts will lead every candid mind to the conclusion that the claim is founded in justice and most amply supported by a long list of precedents in both Houses of Congress, as well as by the particular precedent established by the Senate as applicable to the present case in the allowance made to Mr. Segar. A majority of the people of Virginia were never in favor of secession and union with the confederate government.

After a long struggle, ending in the determination of the convention by a bare majority that the State should withdraw from the Union and join the confederacy, the inhabitants of the northwestern counties at once instituted measures for keeping on foot the State government in harmony with the Government of the United States. Attorney-General Bates gave it as his opinion that an organization by the loyal counties, about fifty-five in number, as near as practicable on the basis of the existing government of the State at the time of the secession would and should be recognized as the government of Virginia. President Lincoln promised to give it his support. United States troops from Ohio and Indiana were sent to aid the loyal forces in expelling the confederate armies from that portion of the State. A State convention of delegates from those counties was called to meet on the 11th of June, 1861, at the city of Wheeling. The convention met on that day. Before transacting any business each delegate took an oath in the following form:

I solemnly swear that I will support the Constitution of the United States and the laws made in pursuance thereof as the supreme law of the land, anything in the ordinance of the convention that assembled at Richmond on the 13th of February last to the contrary notwithstanding: so help me God.

It may not be improper here to state that a majority of the delegates chosen to the last-named convention were opposed to secession, and that, under threats that they would be punished for treason if they refused, eleven members were compelled to absent themselves from the sessions of the convention so as to give the secessionists a majority and subsequently and before adopting the ordinance of secession the convention expelled twelve delegates, mostly from the western counties.

The convention thus assembled at Wheeling adopted an ordinance vacating all State offices held by persons acting in hostility to the Federal Government; requiring all State officers to take the oath of allegiance; and it adopted a declaration of independence signed by all its members. Frank Pierpont was chosen governor and a lieutenant-governor and council were selected to fill the places of the officers deposed. John S. Carlile and Waitman T. Willey were appointed United States

Senators to occupy the seats vacated by Messrs. Mason and Hunter. These Senators were admitted to their seats, as Senators from Virginia, at the extra session on the 4th of July, 1861, and thus this body recognized the validity of the State government so organized.

At the same time five Representatives were admitted to their seats in the House of Representatives, and thus that House recognized the validity of the State government. In the mean time efforts were set on foot to organize the western counties into a new State to be called Kanawha. The Attorney-General of the United States disapproved of this. He said:

It is plain that you can not take such a course without weakening, if not destroying, your claims upon the sympathy and support of the General Government, and without disconcerting the plan already adopted both by Virginia and the General Government for the reorganization of the revolted States and the restoration of the integrity of the Union.

That plan I understand to be this: When a State by its perverted functionaries has declared itself out of the Union, we avail ourselves of all the sound and loyal elements of the State, all who owe allegiance to and claim protection of the Constitution to form a State government as nearly as may be upon the former model, and claiming to be the very State which has been in part overthrown by the successful rebellion. In this way we establish a constitutional nucleus around which all the shattered elements of the Commonwealth may meet and combine, and thus restore the old State in its original integrity.

This, I verily thought, was the plan adopted at Wheeling and recognized and acted upon by the General Government here. Your convention annulled the revolutionary proceedings at Richmond, both in the convention and the General Assembly, and your new governor formally demanded of the President the fulfillment of the constitutional guarantee in favor of Virginia—Virginia as known to our fathers and to us. The President admitted the obligation and promised his best efforts to fulfill it. And the Senate admitted your Senators, not as representing a new and nameless State, now for the first time heard of in our history, but as representing the good old Commonwealth. Must all this be undone and a new and hazardous experiment be ventured upon at the moment when dangers and difficulties are thickening around us? I hope not; for the sake of the nation and the State I hope not. I had rejoiced in the movement in Western Virginia as a legal, constitutional, and safe refuge from revolution and anarchy, as at once an example and fit instrument for the restoration of all the revolted States.

Before the convention adjourned the question of the division of the State was raised, but the decision was adverse as being a premature agitation of that question. The General Government at once concentrated a force in Western Virginia, which, with the aid of loyal State troops under General McClellan, before the 14th July, 1861, drove the confederates from Western Virginia. On assuming command General McClellan issued to the people of Western Virginia a proclamation, closing in these words:

Now that we are in your midst, I call upon you to fly to arms and support the General Government; sever the connection that binds you to traitors; proclaim to the world that the faith and loyalty so long boasted by the Old Dominion are still preserved in Western Virginia, and that you remain true to the Stars and Stripes.

The State thus organized furnished the full quota to the army called for by the Government, about 12,000 men, while the former governor of Virginia defiantly said:

The militia of Virginia will not be furnished to the powers at Washington for any such purpose as they have in view. You have chosen to inaugurate civil war, and having done so we will meet it in a spirit as determined as the Administration has exhibited toward the South.

The convention called in the western counties of Virginia did not profess to act for those counties only, but for the whole of Virginia. Governor Pierpont in his inaugural said: "It was not the object of the Wheeling convention to set up any new government in the State, or separate or other government than the one under which they had always lived." On the 20th of August, 1861, and after the confederate forces had been driven out of the loyal counties and the offices of the State filled by loyal men, the convention passed an ordinance to provide for the formation of a new State out of a portion of the territory of Virginia. In pursuance of its provisions, delegates to a constitutional convention were chosen. The convention met at Wheeling on the 26th of November, 1861, and adopted a constitution, which was submitted to the people in April, 1862, and was ratified by a vote of 18,862 to 514. Governor Pierpont then convened the Legislature in extra session on the 6th day of May, 1862.

The Legislature thus assembled passed an act giving its consent to the formation of the new State. Its consent, with a copy of the proposed constitution, was sent to Congress with a request for the admission of a new State. The Congress passed an act providing for its admission, which was approved by the President and became a law on the 3d day of December, 1862. The act recites the holding of the Wheeling convention, the adoption by it of a constitution, its ratification by the people, that the Legislature of Virginia had given its consent to the formation of such new State, and requested the admission of the same into the Union, and enacts "that the State be declared to be one of the United States of America, and be admitted into the Union on an equal footing with the original States, and that until the next census it should have three members of the House of Representatives."

Thus the legality and validity of the government of the State of Virginia were recognized by both Houses of Congress and the President, as no new State can be formed within the jurisdiction of any other State without the consent of the Legislature of the State concerned as well as of Congress. At the time of the passage of this act Virginia had two Senators on this floor and five members in the House of Representatives. The President by his proclamation declared West Virginia to have become a new State in the Union, and thus again admitted the validity of the Legislature of Virginia.

After the admission of the new State and the inauguration of its governor, which took place on the 20th of June, 1863, an election for officers of the State of Virginia was held in the loyal counties not included in the new State, and Governor Pierpont was elected. The seat of government was established at Alexandria, in pursuance of an act of the Legislature authorizing the transfer. Governor Pierpont in his message recommended the call of a convention to amend the constitution of the State. The Legislature in December, 1863, passed an act calling such convention to meet on the 13th of February, 1864. The convention was held and several amendments to the constitution of Virginia were adopted. The first was as follows:

Slavery and involuntary servitude, except for crime, is hereby abolished and prohibited in the State for ever.

Senator Willey was chosen a Senator from West Virginia, and Lemuel J. Bowden was chosen in his place, and, with Mr. Carlile, took his seat as a Senator from Virginia at the meeting of Congress in December, 1863. Messrs. Blair, Brown, and Whaley, who had represented Virginia in the other House, were chosen as members from West Virginia, and Joseph E. Segar, Lucius H. Chandler, and Benjamin M. Kitchen were chosen as members of the House of Representatives from Virginia, and took their seats at the same session.

At the opening of the session of Congress in December, 1864, the same Senators and Representatives from Virginia appeared and were admitted to their seats without objection. During the session Senator Bowden died, and Joseph E. Segar was chosen to fill his unexpired term. The credentials of Mr. Segar were not presented until the 17th February, 1865. A very interesting debate arose on that occasion. Senator Wilson, of Massachusetts, said:

I understand the question to stand in this way: the Congress of the United States recognized a political government in Virginia, or a portion of it, as the State of Virginia proper. On the strength of that recognition men were admitted into the Senate and into the other House; on the strength of it we made West Virginia a State and brought her into the Union, and she is in the Union to-day. It seems to me, therefore, we are bound by all our votes during the last three years to consider the governor and Legislature of Virginia as existing.

Senator Willey, of West Virginia, said:

Sir, it is a fact not only that the Senate of the United States has recognized the existence of Virginia as a State and her right to be represented on this floor, but the executive branch of the Government has done so. I saw it stated that the Secretary of State had transmitted the constitutional amendment for the abolition of slavery to the executive of Virginia, and through him it was sent to the Legislature to be acted upon, and that Legislature had acted upon it and ratified the amendment. We shall place ourselves in a singular position if we reject a gentleman who comes here accredited with a certificate in due form, and repulse him from our doors, and refuse to allow him a seat on the floor, when we have another representing the same State upon the floor, and when the executive branch of the Government recognizes the Virginia Legislature at Alexandria as the true Legislature and Governor Pierpont as the true and legitimate governor of Virginia.

Senator SHERMAN suggested it was so near the end of the session that it would be better to leave the question for disposition at the next session of Congress, and on his motion that course was adopted.

At the special or executive session of the Senate on the 4th of March, 1865, which only lasted a few days, the credentials of Judge Underwood were presented by Senator Doolittle, of Wisconsin. Senator Sumner moved that they be referred to the Committee on the Judiciary. Senator Trumbull suggested that as the Judiciary Committee had reported in favor of postponing the cases of the Senators from Louisiana and Arkansas to the regular session in December, 1865, for the reason the inhabitants of those States had been declared to be in a state of insurrection, the credentials of Judge Underwood had better be so postponed, and that was agreed to. Senator Doolittle said:

In relation to Virginia I think every Senator can easily see it stands on a very different ground from that of Louisiana and Arkansas. The State has been recognized by the Government in every form, by the executive department, and by Congress. When West Virginia was represented by two Senators we had two from the old State of Virginia. The proclamation declaring in what States the inhabitants were in a state of insurrection excepted counties with a population of over 175,000 from its operation.

He concluded by saying:

That as the Senate was disinclined to take action at this executive session he would not press action now.

Senator Willey, of West Virginia, said:

It is evident the Senate does not propose to entertain the question at this time. When the question comes up I shall show the case stands upon a different footing from that of Arkansas and Louisiana.

And on his motion the credentials of Mr. Segar were also postponed to the regular session.

I may as well state here as elsewhere that not only was the State of Virginia asked to pass upon the constitutional amendment aforesaid, but that the vote is stated in the certificate of the Secretary of State as having been in favor of the amendment, and was necessary to secure the requisite number of States to make the adoption valid under the Constitution.

After the close of the war, and on the 9th of May, 1865, President Johnson issued an executive order to re-establish the authority of the

United States and execute the laws within the limits of the State of Virginia, in which, among other things, he directed that—

In order to the full execution of the laws and the complete restoration of peace within said limits, Francis H. Pierpont, governor of the State of Virginia, will be aided so far as may be necessary in the lawful measures he may take for the restoration of the State government throughout the limits of the State.

Thus the validity of the State government was again recognized by the executive department. When Congress reassembled in December, 1865, as I have stated, the war had closed, and the whole State of Virginia, as well the loyal portion as the disloyal portion during the war, was on some terms to be restored to its relations to the Federal Government, together with the other States which were in rebellion. On the first day of the session Mr. Stevens, of Pennsylvania, offered in the House of Representatives a joint resolution for the appointment of a committee of fifteen, nine from the House and six from the Senate, to consider the subject and report by bill or otherwise, and until such report that no Senator or member should be admitted to his seat from any of said States, and that the credentials of all such should be referred to said committee without debate. The resolution was adopted and came to the Senate for consideration. On the 12th December the resolution was taken up for action, and on motion of Senator ANTHONY, of Rhode Island, the enacting clause was amended so as to make it a concurrent instead of a joint resolution.

Senator ANTHONY also moved to further amend by striking out the following words:

And until such report shall have been made and finally acted on by Congress no member shall be received into either House from any of the said so-called Confederate States; and all papers relating to the representation of said States shall be referred to said committee without debate.

He supported this amendment by a statement that the words proposed to be stricken out were a violation of the provision of the Constitution which made the Senate the exclusive judge of the election of its own members, and also violative of the practice of the Senate by cutting off debate.

The amendment was adopted, and the House concurred.

Now, in what situation did this action leave Messrs. Segar and Underwood, who had been chosen as Senators from the State of Virginia to serve for six years from the 4th of March, 1865? The State had never been without representation in the Senate since the loyal counties reorganized the State government in June, 1861. The refusal of the Senate to adopt the resolution of the House to which I have just referred left the whole question open for action in the Senate. It was, as the honorable Senator from Massachusetts [Mr. HOAR] said at the last session, "their solemn duty to their State to endeavor by all fair means to secure the seats to which they had been chosen and to which they believed themselves legally and constitutionally entitled. They would have been remiss to the obligations of honor if they had failed to do so. So far as they did so in good faith they should be protected."

In the House of Representatives, when the question of calling the Representatives from Virginia arose, Mr. James Brooks said:

And, then, there is the State of Virginia which the Clerk has not read; I mean the old State of Virginia and not Western Virginia—the State over which Governor Pierpont presides, over which he has presided, and to which position he was elected during the war, whose loyalty no man doubts, and who is as much the governor of that State as the governor of Pennsylvania is governor of the State of Pennsylvania. By what right has the Virginia delegation been excluded by the Clerk?

From every quarter where the question was considered the claim was the same. The Senators and Representatives from Tennessee were denied their seats at the opening of the session, but were admitted near its close, in the month of July, 1866. Why had not the Senators from Virginia a right to expect the same results? That portion of the State of Virginia by which they were elected was expressly excepted in the proclamation of President Lincoln declaring the inhabitants of certain States to be in rebellion against the Government. The same exception is found in the proclamation of emancipation and in his amnesty proclamation. In that he expressly stated:

To avoid misunderstanding it may be proper to say that this proclamation, so far as it relates to State governments, has no reference to States wherein loyal State governments have all the while been maintained.

In the proclamation of emancipation Virginia is included:

Except the forty-eight counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth.

These counties formed the State of Virginia after the cession of Western Virginia, and had a population entitling them to three Representatives in Congress. They had abolished slavery, and as to them the proclamation was needless. So that really the proceeding under the concurrent resolution of the two Houses had no application to the government of Virginia, which had so long been represented in both Houses and which had all the time preserved its relations of loyalty to the Government of the United States. That resolution only applied to the so-called Confederate States, and the subsequent resolution expressly applied only to the States which had been declared to be in insurrection. The State of Virginia, as known in all these proceedings, had, as I have shown, been always loyal to the Union and was excepted in all the Presidential proclamations in respect to the insurrectionary States.

The committee of the two Houses did not make its report until the 8th of June, 1866. So that from the opening of Congress in December, 1865, until that time a period of over six months, the door was open for the admission of Messrs. Segar and Underwood to their seats in the Senate. The majority report is entirely silent as to the condition of that portion of Virginia which maintained not only its loyalty but kept up its official relations with the Government in both branches or Congress. It treats of the States which prosecuted the war and furnished armies to destroy the Government. It makes no mention of the fact that the Virginia which I am trying to vindicate not only helped to put down the rebellion, but furnished more than 20,000 men to add to the ranks of the Union Army.

Notwithstanding the reconstruction acts and the sending of General Schofield to the military department embracing Virginia, the State government so organized in 1861 continued to exercise its functions, and Governor Pierpont remained in office to the end of the term in April, 1868. In 1865 the State again amended its constitution, prohibiting any person from holding office (except county officers) who had accepted office under any rebellious State government.

More than this. The convention to frame a new constitution under the reconstruction acts validated and recognized all the proceedings of the Pierpont government, civil and criminal, and thus again recognized the validity of the State government.

This is not all. The State of Virginia instituted an action against West Virginia to determine the status of three counties which Virginia had consented might be annexed to West Virginia, and which were not embraced in the original cession. The Supreme Court on appeal held the consent was valid and binding, and thus the legality and constitutionality of the State government were recognized by our highest judicial tribunal.

Thus the State of Virginia kept up its relations with the Government of the United States notwithstanding the ordinance of secession, chose Senators and Representatives in Congress, twice amended its constitution, legislated for the common good, appointed judicial officers, administered justice, and was continually represented in both Houses of Congress, from the extra session in July, 1861, to the opening of the session in December, 1865.

All those things fell to the lot of Virginia, and as I have said, and can not too often repeat, neither the proclamation of the President nor the action of Congress in 1865 had any reference to her, for her government and people were never in rebellion against the authority of the Government of the United States. She was never declared to be in a state of insurrection, nor was she a "so-called Confederate State." I might rest this case therefore on the absolute right of Messrs. Segar and Underwood to the seats to which they were chosen. But it is not necessary to establish that. It is enough that there was ground for making a claim in good faith to such seats. That alone would entitle them to a fair remuneration for the expense of the effort. To establish clearly the right would entitle them to the full salaries provided by law, according to all the precedents, and the claim of Judge Underwood would be over $30,000.

And who were the men thus asking to be seated in this body as the Senators from the State of Virginia?

Mr. Segar, as I have already said, was several years a member of the other House. Judge Underwood was appointed by President Lincoln a district judge for Virginia in the spring of 1864, before the close of the war. Here we have another proof that there was at that time a State of Virginia in which the Federal courts could be held and in which they were held, and also proof that, in the estimation of the President, Judge Underwood was a proper man in trying times to whom he could safely confide the judicial power.

In the summer of 1866 a petition, largely signed by leading men in Virginia, headed by honorable John M. Botts, was addressed to Congress asking the appointment of a provisional governor and closing in these words:

They further request that Hon. John C. Underwood, the faithful patriot and distinguished jurist, who has always adhered to the Government with a fidelity which no flattery could seduce, no bribery corrupt, nor fears intimidate, be selected as said provisional governor.

Judge Underwood was afterward chosen president of the convention which framed the constitution of Virginia under the reconstruction laws. He came to the Senate to ask that he should be seated as a Senator from the State whose loyalty he had helped to maintain. He came with clean hands and a high character. He was not charged with obtaining his election by fraud or bribery. There was no question about his election or the sufficiency of the certificate. His qualifications were never disputed. These are the questions of which the Senate under the Constitution is made the sole judge.

Mr. President, these are the questions which Senator ANTHONY insisted by the amendment to the House resolution of which I have spoken the Senate should not abdicate or delegate to any one else. Why then was he not admitted to his seat? I have shown the reason. I do not find it necessary to impugn the action of the Senate or rather its omission to act, but it was no fault of Judge Underwood that he failed to obtain his seat. As I have said, it was his highest duty to seek it. He would have dishonored himself and the State he was to represent if he had

failed to do so. Nor was he denied his seat because he held the office of judge. That was a qualification instead of the opposite for the honor of a seat here.

If the war had continued he and Mr. Segar would undoubtedly have taken their seats as their predecessors had done. But the war was over. The period for the reconstruction of the States in rebellion had arrived. That portion of Virginia which seceded and set up a government in hostility to the Union was to come back and form a part of the future State comprising the whole of the "Ancient Dominion," except what had been carved off to make the State of West Virginia. Even that should have been brought back shorn of its statehood if the Virginia I am defending was not a State and could not constitutionally consent to the dismemberment. It was a work of weary months and anxious care before anything was decided. During all this period Messrs. Segar and Underwood were knocking at the doors of the Senate for admission. They were never formally denied admission. The Senate, under the circumstances, and for the reason I have stated, omitted to act. Their claims were held in abeyance until Congress should settle the vexed question what to do with the rebellious States.

Mr. President, I might here, perhaps, with propriety rest this case for the action of the Senate. Yet the review would be incomplete without briefly referring to what occurred in the last Congress in reference to the claim of the petitioner. The petition was referred to the Committee on Privileges and Elections, of which I have the honor to be a member, and a resolution was reported favorably by me giving the petitioner the same sum by way of reimbursement for the expenses incurred by her husband in the efforts he made to obtain a seat as was allowed by a former resolution of the Senate and paid to Mr. Segar for his expenses in a like effort.

I availed myself of an early opportunity to call the resolution up for consideration, when I was met by the objection of the Senator from Missouri [Mr. COCKRELL] that as Mr. Underwood held the office of United States district judge the allowance would be in the nature of double pay, and was forbidden by the Constitution. The fact that he held the office of judge was new to me, and I asked to have the matter postponed for further consideration. The Senate was so engrossed with the bill for the revision of the tariff, the repeal of portions of the internal-revenue taxes, and the appropriation bills that I was unable to secure further consideration until the last Saturday of the session. On calling for action at that time the Senator from Missouri suggested that as many Senators were absent at the time, the question should be deferred to the next (Sunday) morning, to which I assented, giving notice I should then call it up. On that morning I availed myself of the first opportunity to move to take up the resolution so reported by me.

The Senator from Missouri again renewed his objection that its adoption would be double pay, in violation of the Constitution. As he looked ominously at the hands of the clock I at once saw that the fate of the measure was sealed for that session. He wanted all the papers read, and urged the Senator from Wisconsin [Mr. CAMERON] to make a speech on the subject, which that Senator declined, saying what he wanted was a vote.

At this juncture the Senator from Kansas [Mr. INGALLS] entered the list of opponents of the measure. The crowded and expectant galleries were all before him. With that apparently anxious desire to be scrupulously accurate in his statements of fact which should always govern the utterances of a Senator he opened his speech in these words:

> Mr. President, there may have been a more fragile and insubstantial and nebulous claim than this presented for the consideration of the Senate at some time in its history, but I do not now recall it. The original vice of the proposition of the Senator from New York appears to me to be in the assumption that there ever was a State from which this claimant could have been accredited as a member of the Senate of the United States. Three or four hundred people in a time of war, when the entire territory of the State of Virginia, with the exception of a small fringe along the coast of the Potomac River, was in the control of the rebel government, assembled at Alexandria, and under the guns of the Federal fleet and forts assumed to exercise the functions of a State government.

Mr. President, I have shown what a draft upon the imagination is contained in the paragraph I have quoted and how absolutely it is controverted by the facts I have stated. I have shown that the population of this "nebulous" State, instead of "being three or four hundred people" under the protection of the "guns of the Federal fleet and forts" was 175,000 loyal people, entitling the State to three Representatives in the House of Representatives, while the State of Kansas had only one. To preserve the loyalty of the "ancient dominion" to the Government of the United States—to supply its armies with 20,000 men—to be represented for four years in both Houses of Congress, to administer civil and criminal jurisprudence, to assent to the formation of a new State from within her borders as the Constitution requires, to amend the State constitution by an article forever prohibiting slavery, to ratify an amendment to the Federal Constitution making the prohibition universal in all the States and Territories, to be repeatedly recognized by both branches of Congress and the executive department as an existing constitutional and loyal government, and to be adjudged by the Supreme Court as being in fact such a government.

"These constitute a State."

The dashing and hyperbolical declamation of the Senator from Kansas will not rob Virginia of her Statehood or impair the validity of the acts of her governor and Legislature. "The original vice" of my proposition is declared to be "in the assumption that there ever was a State from which this claimant could have been accredited as a member of the Senate."

Mr. President, I have shown that for four years, from 1861 to 1865, two Senators represented Virginia on this floor. They were in that memorable session convened by President Lincoln on the 4th of July, 1861. They took part in all the unprecedentedly important legislation of Congress to the close of the session on the 4th of March, 1865. They voted upon the question of the admission of West Virginia as a new State in 1862. They helped to formulate the thirteenth amendment to the Constitution of the United States. The Representatives in the other House did the same. I said to the Senator that it was the consent of this State that gave us one of the constitutional amendments. This he was kind enough to say was "absolutely without foundation." And yet it is a historical fact. It was the thirteenth and not the fourteenth amendment, as mistakenly supposed by the Senator, which was ratified by Virginia.

Again, the Senator from Kansas asserted that "after a very brief consideration they (the credentials of Judge Underwood) were ignominiously and contumeliously rejected by the Senate as unworthy of consideration." This is a reflection upon the conduct of those who composed the Senate in 1865-'66, and in direct conflict with the facts as they appear on the record. So the extraordinary statement of the Senator from Kansas that "at every session of Congress since I have been here" this claim has been presented was a pure draft upon his fertile imagination, for I learn on inquiry, as I then stated, that it was the first time the subject had been presented to the Senate for its action.

One more reference, Mr. President, to the speech of the Senator from Kansas. He said:

> I congratulate the Senator from New York upon his vigorous presentation of this antiquated claim, which I venture to say will never be urged by any member of this body who has been here longer than a single Congress.

Mr. President, as the report in behalf of Mrs. Underwood was concurred in by Senators who have been long in service here, some of them longer than the Senator from Kansas, one of whom (Senator HOAR) had just made an earnest and convincing speech in favor of the claim, I am at a loss to know why the Senator made this reference to service in a single Congress. I am charitable enough to believe it was an inadvertence on his part. If it was not, and he designed what his words clearly imply, all I have to say in answer is to remind the Senator that I hold my seat on this floor by at least as good a title as his; that I come from a State which, though an empire of itself, while scorning to assert a claim of superiority here, yet demands that she shall be treated as an equal in our deliberations, and that when I took the oath of office at the bar of the Senate it became my immediate duty and obligation to do what I could to aid in the passage of good laws and to prevent the success of bad or doubtful measures. Especially was it my duty to do what I fairly could to secure the passage of a resolution recommended by the committee of which I was a member and which by that committee had been placed in my charge without being open to criticism for the brevity of my service here.

Mr. President, I plead the necessity of this review of the honorable Senator's remarks from the fact they were made when the sands of the Forty-seventh Congress were nearly out, and when he knew there would be no opportunity for reply at that time. He was as absolutely exempt from refutation or criticism then as he would have been by "speeding his Parthian arrows from the safe ambush of the Printing House" after the Senate had adjourned. "Fragile, insubstantial, and nebulous" are singular epithets to apply to a State government represented for four years on this floor by two Senators and by Representatives in the other branch of Congress. A State government pronounced by Attorney-General Bates to be valid and constitutional; a State government recognized as valid by both Houses of Congress in admitting West Virginia as a new State; a State government which was recognized in the proclamations of President Lincoln; a State government which Secretary Seward recognized in declaring the thirteenth amendment to the Constitution ratified by the requisite number of States, and which, without the vote of Virginia, could not have received the constitutional sanction; a State government which continued its functions till April, 1868, when the term of Governor Pierpont expired by lapse of time; a State government whose judicial proceedings in the administration of the civil and criminal law were expressly sanctioned and ratified by the convention which framed the present constitution of the State of Virginia, and a State government upheld and validated by the solemn judgment of the Supreme Court of the United States.

Mr. President, I will only briefly refer to some of the precedents which bear upon the question under consideration. It will be remembered that the Senator from Missouri [Mr. COCKRELL] made the sole objection that this allowance would be in the nature of double pay, and therefore ought not to be granted. The Senator from Kansas did not allude to this objection. On an examination of the precedents I find good reason for this. In March, 1882, the Senator from Kansas was allowed $8,195; the Senator from Louisiana [Mr. KELLOGG] $9,550, and the Senator from South Carolina [Mr. BUTLER] $3,500 for the expenses incurred by them respectively in obtaining their seats in this body in

addition to the salaries allowed them by law. Mr. Corbin, who claimed the seat so honorably filled by the Senator from South Carolina, was also allowed $10,000, and the contestant for Mr. Kellogg's seat a still larger sum. I find from the colloquy as reported in the RECORD that when these allowances were under consideration the Senator from Massachusetts [Mr. HOAR] stated that both Houses of Congress had repeatedly sanctioned similar allowances, and I remember in the appropriation bill of the Forty-sixth Congress such allowances, covering a period of several years, were incorporated, and received the sanction of both Houses and the President.

The Senator from Arkansas [Mr. GARLAND] stated that he voted for the allowance to Mr. Segar, from Virginia, and he thought that allowance was a precedent for the proposed payments under consideration. I did not discover that the honorable Senator from Missouri [Mr. COCKRELL] "opened his mouth" by way of objection. When these measures now claimed by him to have been of doubtful propriety, were on their passage through the Senate—

"Where, where, was Roderick then?"

His silence then pleads for silence now. Mr. President, I voted for those allowances, believing them just and sanctioned by precedents, and I should therefore be unable to justify my refusal to support the claim under consideration. On looking at the record of the particular precedent which applies to this case I find the resolution to pay Mr. Segar $5,000 for his expenses, as stated in the report of the committee, was adopted on the 18th of February, 1879. The ayes and noes were called, and in the affirmative supporting the claim I notice the name of the honorable Senator from Kansas [Mr. INGALLS]. I do him the justice to say that his "fragile and insubstantial and nebulous" ideas were not entertained when that vote was cast, and I shall hope he will stand by the record he has made and yet support the resolution under consideration. Consistency demands this of him.

In conclusion, Mr. President, I desire to state I am informed the petitioner is now languishing on a bed of sickness, that her necessities require prompt action on this resolution, and I therefore turn from the further consideration of the facts of this case and make my appeal to the Senate to adhere to the precedents it has so often established, and in behalf of this claimant I invoke the exercise of that sense of justice which "ought here to sit enthroned and to be personified" in our deliberations.

The PRESIDING OFFICER (Mr. WILSON in the chair). The question is upon the adoption of the resolution.

Mr. VEST. It was not to be considered. That was the understanding.

Mr. LAPHAM. I have stated the reasons why it ought to be considered, and I make an appeal to the Senate to dispose of it.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

Mr. LAPHAM. I shall not press it, of course, after what I said, if any one seriously objects.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

Mr. VEST. I object.

The PRESIDING OFFICER. Objection is made, and the resolution goes over.

Mr. LAPHAM. I give notice that I shall call it up before the session closes and ask for its consideration.

PRESIDENTIAL APPROVAL.

A message from the President of the United States announced that he had this day approved and signed the act (S. 838) to consolidate the Bureau of Military Justice and the corps of judge-advocates of the Army, and for other purposes.

BILL INTRODUCED.

Mr. MITCHELL introduced a bill (S. 2368) requiring the use of domestic material in the construction and repair of Government vessels, steam-boilers, and ordnance; which was read twice by its title, and referred to the Committee on Naval Affairs.

KIRWIN CEMETERY.

The PRESIDING OFFICER. The Senate resumes consideration of the bill (S. 2203) to donate a cemetery site on the public lands to the city of Kirwin, in the State of Kansas. The bill is before the Senate as in Committee of the Whole.

Mr. HARRISON. I should like to inquire of the Senator from Kansas whether there is any special cause for the donation of a cemetery in that town? Are there any malarious influences in that region, or what is the object?

Mr. PLUMB. I will state the reason. This site adjoins the town site of Kirwin. It was originally a portion of a timber claim. Under the supposition that they could acquire title in that way, the town people bought from a man who entered it for timber purposes forty acres of his one hundred and sixty acres; and such transfer as he could make was given to them. Thereupon they entered upon its possession and commenced to bury their dead there. It transpired afterward, as they ought perhaps to have known at the time, that they could not acquire a valid title in that way. The bill is simply to satisfy what was practically the transfer of the right of the original locator to the town company.

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

RECESS.

Mr. BAYARD (at 12 o'clock and 25 minutes a. m., Sunday, July 6). I move that the Senate take a recess until 1 o'clock.

The motion was agreed to; and at the expiration of the recess (at 1 o'clock a. m.) the Senate reassembled.

COMMITTEE ON TRANSPORTATION ROUTES.

Mr. MANDERSON. I ask unanimous consent of the Senate to consider a resolution introduced during the morning hour granting permission to the Committee on Transportation Routes to the Seaboard to sit during the recess

The PRESIDENT *pro tempore*. The Senator from Nebraska asks that the resolution offered previously by him be now considered. It will be read for information.

The Chief Clerk read as follows:

Resolved, That the Committee on Transportation Routes to the Seaboard be, and they are hereby, authorized to sit at any place within the United States during the recess of Congress, by a subcommittee or otherwise, to take testimony for the purpose of preparing statistical data relative to freights, commodities, and prices for the period from 1873 to the present time, the committee to report by bill or otherwise; and that the necessary expenses thereof, including the services of a clerk, be paid out of the item for expenses of special and select committees, &c., of the contingent fund of the Senate.

The PRESIDENT *pro tempore*. Is there objection to the present consideration of this resolution?

The resolution was considered by unanimous consent and agreed to.

Mr. MANDERSON. At the request of the Senator from Rhode Island [Mr. ALDRICH], chairman of the Committee on Transportation Routes to the Seaboard, I offer the following resolution, and ask for its immediate consideration:

Resolved, That the Committee on Transportation Routes to the Seaboard shall hereafter consist of nine members.

The resolution was considered by unanimous consent and agreed to.

RECESS.

The PRESIDENT *pro tempore*. The Calendar of General Orders will be resumed. The first bill in order, Order of Business No. 3, will be read.

The SECRETARY. "A bill (S. 228) to appropriate and expend $50,000,000 derived from the internal-revenue taxes and sale of public lands for the education of all the children living in the United States."

The PRESIDENT *pro tempore*. This bill is before the Senate, as in Committee of the Whole, and will be read.

Mr. BAYARD (at 1 o'clock and 5 minutes a. m. Sunday, July 6). Pending the consideration of that bill I move that the Senate take a recess until half past 1 o'clock.

The motion was agreed to; and at the expiration of the recess the Senate reassembled.

The PRESIDENT *pro tempore*. The pending business is the bill (S. 228) to appropriate and expend $50,000,000 derived from the internal-revenue taxes and sale of public lands for the education of all the children living in the United States. The bill will be read.

Mr. BAYARD. I move that the Senate take a further recess until 2 o'clock.

The motion was agreed to; and at the expiration of the recess the Senate reassembled.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) "making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 9, 18, 21, 24, 27, 28, 29, 31, 32, 50, 53, 54, 55, 57, 58, 59, 60, 61, 65, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 90, 91, 92, 93, 95, 96, 99, 100, 101, 103, 107, 108, 110, 115, 116, 119, 125, 127, 129, 130, 131, 132, 143, 144, 145, 151, 154, 159, 160, 166, 168, 171, 172, 174, 175, 179, 180, 182, 183, 189, 197, 199, 202, 203, 204, 206, 207, 208, 209, 210, 213, 214, 215, 216, 226, 231, 232, 233, 234, 236, 237, 241, 242, 244, 245, 248, 249, 250, 251, and 252.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 6, 8, 10, 11, 12, 13, 15, 16, 17, 19, 20, 22, 23, 25, 26, 30, 33, 34, 35, 39, 41, 42, 43, 44, 45, 46, 47, 49, 51, 52, 56, 62, 63, 66, 67, 87, 94, 102, 104, 105, 111, 112, 113, 118, 121, 123, 133, 134, 136, 138, 139, 140, 141, 142, 147, 148, 150, 152, 155, 156, 162, 164, 165, 167, 169, 170, 173, 178, 181, 184, 185, 186, 187, 190, 192, 193, 194, 196, 198, 200, 205, 211, 212, 217, 218, 219, 221, 222, 523, 225, 230, 235, 238, 239, 247, 259, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 302, 303, and 304; and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$5,000;" and the Senate agree to the same.

Amendments numbered 4 and 5: That the House recede from its disagreement to the amendments of the Senate numbered 4 and 5, and agree to the same with amendments as follows: In lieu of the sums proposed in each of said amendments insert "$7,500;" and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$125,000;" and the Senate agree to the same.

Amendment numbered 36: That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amend

ment as follows: In lieu of the sum proposed insert "$140,000;" and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000;" and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000;" and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: At the end of said amendment insert the following: "*Provided*, That a report in detail of all such inspection shall be made to the Secretary of the Treasury, who shall annually transmit the same to Congress;" and the Senate agree to the same.

Amendment numbered 48: That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Strike out the amended paragraph;" and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$170,000;" and the Senate agree to the same.

Amendment numbered 97: That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$120,600;" and the Senate agree to the same.

Amendment numbered 98: That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$14,000;" and the Senate agree to the same.

Amendment numbered 106: That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "And hereafter whenever it is practicable contracts for the transportation of moneys, bullion, coin, notes, bonds, and other securities of the United States, and papers shall be let to the lowest responsible bidder therefor, after notice to all parties having means of transportation;" and the Senate agree to the same.

Amendment numbered 109: That the House recede from its disagreement to the amendment of the Senate numbered 109, and agree to the same with an amendment as follows: In line 8 of said amendment strike out the words "and to adjust the same," and in line 12 strike out the words "found due;" and the Senate agree to the same.

Amendment numbered 114: That the House recede from its disagreement to the amendment of the Senate numbered 114, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000;" and the Senate agree to the same.

Amendment numbered 117: That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$15,000;" and the Senate agree to the same.

Amendment numbered 120: That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lines 7 and 8 of said amendment strike out the words "not to exceed $100,000;" and the Senate agree to the same.

Amendment numbered 122: That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"To establish and maintain quarantine stations, and to provide proper shelter for and care of neat cattle imported at such ports as may be deemed necessary, $25,000, to be expended by the Commissioner of Agriculture under the general supervision of the Secretary of the Treasury."

And the Senate agree to the same.

Amendment numbered 124: That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "To enable the several Executive Departments, the Department of Agriculture, and the Smithsonian Institution to participate in the World's Industrial and Cotton Centennial Exposition, to be held at New Orleans, La., under act of Congress of February 10, 1883, as follows: For the War Department, $15,000; for the Navy Department, $10,000; for the State Department, $10,000; for the Treasury Department, $12,000; for the Interior Department, $125,000; for the Post-Office Department, $10,000; for the Department of Agriculture, $25,000; for the Department of Justice, $3,000; for the Smithsonian Institution (including the National Museum and Commission of Fish and Fisheries), $75,000; for necessary incidental expenses of administration by the board, including office-rent, fuel, gas, stationery, telegrams, and expressage, $15,000; in all, $300,000, to be disbursed under the direction of the board on United States Executive Departments, appointed under executive order of May 13, 1884; and no expenses of any kind beyond the amounts herein provided for shall be incurred by any of the said Departments, or any officer thereof, on account of said exposition.

"To enable the several Executive Departments of the Government, including the Department of Agriculture and the Smithsonian Institution, to participate in the Cincinnati Industrial Exposition, to be held at Cincinnati, Ohio, during the months of September and October, 1884, $10,000; and to participate in the Southern Exposition, to be held at Louisville, Ky., from August 16 to October 25, 1884, $10,000; in all, $20,000: *Provided*, That in case more than the said sums is required for the execution of this provision the same shall be paid by said expositions."

And the Senate agree to the same.

Amendment numbered 126: That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment, as follows: In lines 7 and 8 of the amendment strike out the words "amounting to forty-seven thousand three hundred and sixty-two dollars;" and the Senate agree to the same.

Amendment numbered 128: That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$21,000;" and the Senate agree to the same.

Amendment numbered 135: That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For constructing terraces north of the Capitol, section marked A, as shown on printed plan accompanying the letter of the Secretary of the Treasury (Executive Document No. 9, first session Forth-eighth Congress), $60,000, including wages of mechanics and laborers: *Provided*, That the work under this appropriation shall be confined to the north front of the Capitol building, and shall not extend westward beyond the line of the west front of the Senate wing of the Capitol;" and the Senate agree to the same.

Amendment numbered 137: That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 2 of the said amendment strike out the word "lower;" and the Senate agree to the same.

Amendment numbered 146: That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000;" and the Senate agree to the same.

Amendment numbered 149: That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$350,000;" and the Senate agree to the same.

Amendment numbered 153: That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: Strike out all of said amendment after the word "acre," in line 6, and insert in lieu thereof "$45,561, in full payment for said land;" and the Senate agree to the same.

Amendment numbered 157: That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$386,000;" and the Senate agree to the same.

Amendment numbered 158: That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the word stricken out by said amendment insert the following words: "Director subject to the approval of the," and the Senate agree to the same.

Amendment numbered 161: That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows: Strike out "June 30" and insert "January 1;" and the Senate agree to the same.

Amendment numbered 163: That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30,000;" and the Senate agree to the same.

Amendment numbered 176: That the House recede from its disagreement to the amendment of the Senate numbered 176, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,000;" and the Senate agree to the same.

Amendment numbered 177: That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$49,000;" and the Senate agree to the same.

Amendment numbered 188: That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000;" and the Senate agree to the same.

Amendment numbered 191: That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$12,500;" and the Senate agree to the same.

Amendment numbered 195: That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with amendments as follows: In line 1 of said amendment strike out the words "two stories" and in lieu thereof insert the words "one story," and in lieu of the sum proposed in the amendments insert "$15,000;" and the Senate agree to the same.

Amendment numbered 201: That the House recede from its disagreement to the amendment of the Senate numbered 201, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$20,000;" and the Senate agree to the same.

Amendment numbered 220: That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000;" and the Senate agree to the same.

Amendment numbered 224: That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment as follows: In line 1 of said amendment, after the word "act," strike out the words "be, and the same is hereby" and in lieu thereof insert the words "during which said publication shall be subject to the order of Senators, Representatives, and Delegates, and shall be;" and the Senate agree to the same.

Amendment numbered 227: That the House recede from its disagreement to the amendment of the Senate numbered 227, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$60,000;" and the Senate agree to the same.

Amendment numbered 228: That the House recede from its disagreement to the amendment of the Senate numbered 228, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000;" and the Senate agree to the same.

Amendment numbered 229: That the House recede from its disagreement to the amendment of the Senate numbered 229, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000;" and the Senate agree to the same.

Amendment numbered 240: That the House recede from its disagreement to the amendment of the Senate numbered 240, and agree to the same with amendments as follows: Restore the matter proposed to be stricken out by said amendment, and strike out, in line 21, page 75 of the bill, the word "sum" and insert in lieu thereof the word "sums;" and the Senate agree to the same.

Amendment numbered 246: That the House recede from its disagreement to the amendment of the Senate numbered 246, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$35,000;" and the Senate agree to the same.

Amendment numbered 291: That the House recede from its disagreement to the amendment of the Senate numbered 291, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,250,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 292, 293, 294, 295, 296, 297, 298, 299, 300, and 301, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For printing and binding for Congress, including the proceedings and debates, $1,153,170; for the State Department, $10,800; for the Treasury Department, $270,000; for the War Department, $157,500 (of which sum $12,000 shall be for the Catalogue of the Library of the Surgeon-General's Office); for the Navy Department, $63,000; for the Interior Department, $352,000 (of which sum $10,000 is appropriated for rebinding tract-books for the General Land Office); for the Department of Justice, $9,000; for the Post-Office Department, $180,000; for the Agricultural Department, $22,500; for the Supreme Court of the United States, $18,000; for the supreme court of the District of Columbia, $1,350; for the Court of Claims, $9,000; and for the Library of Congress, $13,680. And no more than an allotment of one-half of the sum hereby appropriated shall be expended in the two first quarters of the fiscal year, and no more than one-fourth thereof may be expended in either of the two last quarters of the fiscal year, except that, in addition thereto, in either of said last quarters, the unexpended balances of allotments for preceding quarters may be expended;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, and 317, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendments insert the following: "That the Joint Committee on Public Printing is hereby instructed to examine into the numbers

printed of the various documents, reports, bills, and other papers published by order of Congress, or of either House thereof, and of the CONGRESSIONAL RECORD, and to report a bill, in December next, making such reductions in the numbers and cost of printing, and such changes and reductions in the distribution of said publications, as they may deem expedient, with a report giving their reasons therefor; and that the said committee is also instructed to investigate the printing and binding for the Executive Departments, executed at the Government Printing Office and at the branch printing offices and binderies in the various Departments, and report a bill, in December next, making such reductions in expense and imposing such checks as they may deem expedient, with a report giving their reasons therefor; and said committee is further instructed to make any other investigations calculated in their opinion to reduce the cost of the public printing, and report the result thereof; and the said committee is hereby authorized to summon and to examine experts and witnesses, and to call upon the heads of Executive Departments and the Public Printer for such information regarding the preceding matters as they may desire; and any expenses necessarily incurred in making the investigations aforesaid shall be defrayed equally from the contingent funds of the two Houses of Congress;" and the Senate agree to the same.

The committee of conference is unable to agree on the amendments of the Senate numbered 243, 253, 254, 255, 256, 257, 258, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, and 270.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

SAM. J. RANDALL,
WM. H. FORNEY,
THOS. RYAN,
Managers on the part of the House.

The PRESIDENT *pro tempore*. The question is on agreeing to the recommendation of the managers on the part of the Senate.

The report was concurred in.

Mr. ALLISON. I move that the Senate further insist upon its amendments to the bill in every case where a disagreement has taken place. The amendments are numbered in the report. I will say in explanation that all these amendments relate to the question of the new legislation on the bill with reference to marshals and district attorneys. Every other matter in the bill has been agreed upon.

Mr. BAYARD. Will the Senator explain the amendments last read by the Secretary?

Mr. ALLISON. The amendments last read are all amendments relating to the appropriation and the legislation respecting the reorganization of the laws with reference to marshals and district attorneys.

Mr. BAYARD. Do I understand that there has been a partial agreement?

Mr. ALLISON. There has been no agreement whatever upon any matter relating to that subject. The whole matter is still in dispute.

Mr. BAYARD. But I take it that the whole of that is embraced within a single amendment.

Mr. ALLISON. No; there are quite a number of amendments, all relating to the same subject.

Mr. BAYARD. I knew it was quite an extensive amendment, but I had the impression that the whole subject of the change of existing laws respecting the pay of clerks, commissioners, marshals, &c., was a single amendment.

Mr. ALLISON. There are a number of amendments. For instance, we inserted on page 90 of the bill an amendment numbered 243, which provides for an appropriation to the territorial courts of Utah. The legislative amendments include matter relating to those courts. Then, the first amendment in the series, numbered 253, is an appropriation. Of course if this legislation is not agreed to the appropriation must be in a different form.

Mr. BAYARD. I understand.

Mr. ALLISON. So with amendments numbered 254, 255, 256, 257, and 258. Amendment numbered 259 was agreed to, it being the amendment relating to the clerk of the Supreme Court. Then the remaining amendments are all relative to legislative provisions, each section being numbered separately. I move that the Senate insist on its amendments disagreed to by the House.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate further insist upon the amendments in respect of which a disagreement is reported.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Chair did not understand the Senator to move that a further conference be had?

Mr. ALLISON. I do not ask a further conference.

EXECUTIVE SESSION.

The PRESIDENT *pro tempore*. The pending business, being the bill (S. 228) to appropriate and expend $50,000,000 derived from the internal-revenue taxes and sale of public lands for the education of all the children living in the United States, is now before the Senate.

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

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes, insisted on its disagreement to the amendments of the Senate numbered 21, 24, and 25, agreed to the further conference asked by the Senate thereon, and had appointed Mr. WILLIAM S. HOLMAN of Indiana, Mr. JOHN HANCOCK of Texas, and Mr. J. G. CANNON of Illinois managers at the conference on the part of the House.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 2574) granting a pension to Rosella Pegg;

A bill (H. R. 4180) granting an increase of pension to Rowland Ward;

A bill (H. R. 875) granting a pension to P. W. Bradbury;

A bill (H. R. 5088) for the relief of Magdalena Cook;

A bill (H. R. 204) granting a pension to Susan Y. Attwater;

A bill (H. R. 5553) granting a pension to Isabella Palmer;

A bill (H. R. 1752) for the relief of Maria L. Lee; and

A bill (S. 28) to confirm the status of John N. Quackenbush as a commander in the United States Navy.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. INGALLS. Is it necessary, I ask the chairman of the Committee on Appropriations, to sit longer to-night?

Mr. ALLISON. I should like to sit a few moments longer until I can make a conference report.

The PRESIDING OFFICER. The report will be received.

Mr. ALLISON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 158 to 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, having met, after full and free conference have been unable to agree on the amendment of the Senate numbered 158.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

JAMES N. BURNES,
R. W. TOWNSHEND,
W. D. WASHBURN,
Managers on the part of the House.

Mr. INGALLS. What is amendment numbered 158?

Mr. ALLISON. The amendment relating to the secret fund.

Mr. VEST. Nicaragua.

PUBLIC BUILDING AT ERIE.

Mr. MITCHELL. I should like to inquire whether there is anything now before the Senate for consideration.

The PRESIDING OFFICER (Mr. SEWELL in the chair). The Chair will lay before the Senate the regular order. ["No!" "No!"]

Mr. MITCHELL. I was about to ask the indulgence of the Senate in regard to a little bill I wanted to have passed last evening, which the Senator from Kansas [Mr. INGALLS] at that time was not willing should be considered. I presume he will have no objection now.

Mr. INGALLS. I withdraw my objection.

Mr. MITCHELL. If the Senate will be kind enough to have it considered, I shall be glad to have it passed.

Several SENATORS. What is it?

Mr. MITCHELL. It is a public building bill, which has been reported by the committee of the Senate, and also the committee of the House. It is Order of Business 738.

The PRESIDING OFFICER. The Senator from Pennsylvania moves to take up Order of Business 738, being Senate bill 1751. Is there objection? The Chair hears none.

Mr. HARRISON. What is the use of passing a Senate bill now?

Mr. MITCHELL. There is every reason in the world for passing all the Senate bills that we can at this session to expedite the work of the next session. In this case the member of Congress who represents the district tells me the House will be gracious enough to pass the bill if the Senate will send it over; and if the House is in the mood I understand it is this evening, in good temper, and having a desire to respect the wishes of the Senate, as I understand it to be at this time, I believe it will pass the bill. I trust the Senate will pass the bill at any rate.

The PRESIDING OFFICER. Is there objection to taking up the bill named by the Senator from Pennsylvania?

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1751) to amend an act entitled "An act to provide a building for the use of the United States circuit and district courts of the United States, the post-office, internal-revenue offices, and other Government offices, at Erie, Pa.," and making an additional appropriation therefor.

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

CINNABAR AND CLARK'S FORK RAILROAD.

Mr. SAWYER. There does not appear to be much before the Sen-

ate now, and no doubt my friend from Missouri will be willing to take up the Cinnabar and Clark's Fork Railroad bill. If he has any objection, of course I shall not make the report. I would not do anything against his objection.

Mr. VEST. It is too early in the morning.

MUTUAL FIRE INSURANCE COMPANY.

Mr. INGALLS. Mr. President, the Committee on the District of Columbia reported without amendment House bill 4985, Order of Business 789, a local bill, that I think it is safe to say will excite no debate, and in the customary vernacular "it is a little bill," and will only take a minute to pass. If there be no objection, I should like to have it considered now.

Mr. RIDDLEBERGER. What is the title of the bill?

The PRESIDING OFFICER. The title of the bill will be read.

The CHIEF CLERK. "A bill (H. R. 4985) supplemental to and amendatory of an act to incorporate the Mutual Fire Insurance Company of the District of Columbia."

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill. It provides that whenever the holder or holders of a policy or policies of insurance hereafter issued in the Mutual Fire Insurance Company of the District of Columbia shall have failed for the full period of three years to pay the interest or any lawful assessment due upon his or their premium note or notes, such policy or policies of insurance shall be deemed to be lapsed, and the board of managers may proceed to settle and cancel the same, after a previous advertisement of their intention to do so, to be inserted in two newspapers printed and published in the city of Washington once in each week for the period of three consecutive months, and after serving, besides, whenever practicable, a personal notice in writing for a like period of time upon the holder or holders of such policy or policies, or in the event of his or their death, upon the legal representatives of such holder or holders. The cost of such advertisement and notice is to be deducted from the sum or sums of money which may be found to be due on the settlement of the policy or policies to the holder or holders thereof.

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

ELON A. MARSH AND MINARD LAFEVER.

Mr. CONGER. I ask the indulgence of the Senate to call up Senate bill 671, Order of Business 327.

Mr. BUTLER. Pending that motion I move that the Senate take a recess until half past 3 o'clock.

Mr. CONGER. I ask the Senator to wait about five minutes until this bill is passed.

The PRESIDING OFFICER. Is there objection to taking up the bill indicated by the Senator from Michigan?

Mr. CONGER. I will make a statement of the character of the bill if the Senator will withdraw the motion.

Mr. BUTLER. I withdraw my motion.

Mr. CONGER. This is a bill to authorize the Secretary of the Interior to sign his name to a patent for an invention of little value, which was issued and supposed to be all right, with the signature signed. All the other formalities were gone through and the patent was issued and delivered to these young men, who are engineers, in Michigan. These young men, who own the patent together, did not know for a year but what the Secretary of the Interior had signed the papers, as every one had a right to suppose he had; and then it was discovered that they were not signed. In the mean time a new Secretary of the Interior had been appointed. It seems to require the authority of Congress to authorize the signature.

I think this is a fair statement of the case. The bill is reported by the Senator from Connecticut [Mr. PLATT] from the Committee on Patents.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 671) for the relief of Elon A. Marsh and Minard Lafever.

The preamble recites that on the 28th of December, 1880, in due form of procedure and in all legal respects, letters patent numbered 236052 of the United States of America were duly granted and issued to Elon A. Marsh and his assignee, Minard Lafever, of Battle Creek, in the County of Calhoun, and State of Michigan, for a new and useful improvement in steam-engine valve-gear, save that the letters patent were not, by accident or mistake, at the time of issuing, signed, as by law required, by the Secretary of the Interior, and that the letters patent were afterward, on the 24th of February, 1882, but not before, duly signed by the then acting Secretary of the Interior.

The bill therefore makes the letters patent legal, valid, operative, and complete, in law or in equity, for all and every purpose, legal or equitable, in all and every manner, without any or the least exception whatsoever, in form, or force, or effect, or intendment, or purpose, or protection and ownership, in the exclusive right to make, use, and vend the invention from the date of its original issue, to wit, the 28th of December, 1880, precisely and just in all respects and for all purposes the same as would have been the case and consequent operativeness of the letters patent, in law or equity, for the full term by law provided, had the signature of the Secretary of the Interior been placed thereon on and at the day of the issue of the letters patent, as prescribed by law, and had the omission or failure of the signature thereon not occurred.

Mr. CAMERON, of Wisconsin. Is there a report? If so, let it be read.

Mr. PLATT. There is a House report in the case, which the Senate committee adopted. The Senate committee did not submit a written report.

Mr. INGALLS. Will the Senator state the facts?

Mr. CAMERON, of Wisconsin. Let the chairman of the Committee on Patents state the basis of the report. That will answer every purpose.

Mr. PLATT. There is a patent for a valve-gear, something about an engine; I do not remember the character of it. The Secretary of the Interior in signing the patents ran off two at a time, so that he did not affix his signature to that patent. Some parties infringed it. The owner of the patent did not know it, brought suit in court, and it was defended, and the party at last discovering that he had no defense on the merits discovered this omission of the Secretary of the Interior to sign the patent, and set that up and defeated the suit.

The committee could see no earthly reason why the patent should not be validated as of the time when it ought to have been signed and would have been signed by the Secretary except for this pure mistake.

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

RECESS.

Mr. COCKRELL (at 3 o'clock and 15 minutes a. m., Sunday, July 6). I move that the Senate take a recess for fifteen minutes.

The motion was agreed to; and at the expiration of the recess the Senate reassembled.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. ALLISON. Recurring again to 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, I move that the Senate further insist upon its amendment numbered 158 and ask the House to consent to another conference.

The PRESIDENT *pro tempore*. The report of the Senate conferees having been read previously on this bill, the Senator from Iowa moves that the Senate further insist upon its amendment to the bill numbered 158 and ask a further conference thereon with the House of Representatives.

The motion was agreed to.

By unanimous consent, the President *pro tempore* was authorized to appoint the conferees on the part of the Senate, and Mr. ALLISON, Mr. HALE, and Mr. COCKRELL were appointed.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate the regular order, being the bill (S. 228) to appropriate and expend $50,000,000 derived from the internal-revenue taxes and sale of public lands for the education of all the children living in the United States.

Mr. BUTLER. I move that the bill be postponed until next December.

The PRESIDENT *pro tempore*. The bill has not yet been read. It will be read.

Mr. BUTLER. Before it is read I move that it be postponed.

Mr. INGALLS. Pending that motion I ask unanimous consent to take up the bill (H. R. 4089) to empower the commissioners of the District of Columbia to examine the claim of, and providing for the payment of, Outerbridge Horsey, assignee, reported from the Committee on the District of Columbia by the Senator from Maryland [Mr. GORMAN]. Mr. Horsey is a citizen of Maryland, and his claim I think amounts to less than $100. The Senator from Maryland is very anxious that the bill should be acted on.

The PRESIDENT *pro tempore*. Is there objection to the request of the Senator from Kansas?

RECESS.

Mr. COCKRELL. Pending that, I move that the Senate take a recess for thirty minutes.

The PRESIDENT *pro tempore*. Pending this request, the Senator from Missouri moves that the Senate take a recess for thirty minutes. [Having put the question.] The motion is agreed to, and the Senate takes a recess until five minutes past 4 o'clock.

At 4 o'clock and 5 minutes a. m. the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7440) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1885, and for other purposes.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had

signed the enrolled bill (H. R. 7440) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1885, and for other purposes; and it was thereupon signed by the President *pro tempore*.

RECESS.

Mr. COCKRELL. I move that the Senate take a recess for fifteen minutes.

The motion was agreed to; and at the expiration of the recess (at 4 o'clock and 22 minutes a. m) the Senate reassembled.

The PRESIDENT *pro tempore*. The recess has expired and the Senate resumes its session. The pending business is the consent asked by the Senator from Kansas [Mr. INGALLS] that Order of Business 915, being the bill (H. R. 4089) to empower the Commissioners of the District of Columbia to examine the claim of, and providing for the payment of Outerbridge Horsey, assignee, be now considered.

Mr. VEST. I move that the Senate take a recess of fifteen minutes.

The motion was agreed to; and the Senate took a recess until 4 o'clock and 37 minutes a. m., at which time it resumed its session.

The PRESIDENT *pro tempore*. The pending question is on the application of the Senator from Kansas [Mr. INGALLS] for unanimous consent that the Senate now consider Order of Business 915, being the bill (H. R. 4089) to empower the commissioners of the District of Columbia to examine the claim of, and providing for the payment of Outerbridge Horsey, assignee. Is there objection?

Mr. DOLPH. I object, Mr. President.

The PRESIDENT *pro tempore*. Objection is made. The Senate resumes the consideration of the regular order, being Order of Business 3. The title of the bill will be reported.

The CHIEF CLERK. A bill (S. 228) to appropriate and expend $50,000,000 derived from the internal-revenue taxes and sale of public lands for the education of all the children living in the United States.

Mr. VEST. I move that the Senate take a recess until 5 o'clock.

The motion was agreed to; and (at 4 o'clock and 44 minutes a. m.) the Senate took a recess till 5 o'clock a. m., at which hour it reassembled.

Mr. CONGER. I move that the Senate take a recess for fifteen minutes.

The motion was agreed to; and (at 5 o'clock) the Senate took a recess till 5 o'clock and 15 minutes a. m., at the expiration of which time the Senate reassembled.

Mr. ALLISON. I move that the Senate take a further recess of twenty minutes.

The motion was agreed to; and at 5 o'clock and 35 minutes a. m. the Senate reassembled.

The PRESIDENT *pro tempore*. The recess has expired and the Senate resumes its session.

Mr. COKE. I move that the Senate take a recess until 6 o'clock.

Mr. SAWYER. I think there will be a message here before that time. I suggest to the Senator to say quarter to 6.

Mr. COKE. Very well; quarter to 6.

The PRESIDENT *pro tempore*. The Senator from Texas moves that the Senate take a recess until 5 o'clock and 45 minutes.

The motion was agreed to; and at the expiration of the recess the Senate reassembled.

The PRESIDENT *pro tempore*. The time of recess has expired, and the Senate resumes its session.

COMMITTEE ON TRANSPORTATION ROUTES.

Mr. MANDERSON. Mr. President, in the matter of the appointment of additional members of the Committee on Transportation Routes to the Seaboard, called for by the resolution passed to-day, I move that the President *pro tempore* appoint the additional members of the committee.

The PRESIDENT *pro tempore*. The Senator from Nebraska asks unanimous consent that the Chair appoint the additional members provided for by the resolution of the Senate adopted to-day on the Committee on Transportation Routes to the Seaboard. Is there objection? The Chair hears none and it is so ordered. The Chair appoints as additional members of the Committee on Transportation Routes to the Seaboard the Senator from Illinois [Mr. CULLOM] and the Senator from Missouri [Mr. VEST].

SUNDRY CIVIL APPROPRIATION BILL.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

And that the House receded from its disagreement to the amendments of the Senate numbered 243, 258, 260, 261, 262, 263, 264, 265, 266, 268, 269, and 270 to the said bill, and agreed to the same.

Also, that the House receded from its disagreement to the two hundred and fifty-third amendment of the Senate, and agreed to the same with amendments as follows: In lieu of the sum proposed in that amendment insert "$600,000," and after the amendment insert as a new paragraph:

For compensation of the district marshals of the United States, $12,700.

Also, that the House receded from its disagreement to the amendments of the Senate numbered 254, 255, 256, and 257 to the said bill, and agreed to the same with amendments as follows: In lieu of the sum proposed in the amended paragraph insert "$325,000," and insert as a new paragraph:

For compensation to the district attorneys of the United States, $20,100

Mr. ALLISON. I ask the Senate to proceed to the consideration of the House amendments to the Senate amendments to the sundry civil bill.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a message from the House of Representatives on the sundry civil bill, so called. The message from the House of Representatives will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 5, 1884.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 243, 258, 260, 261, 262, 263, 264, 265, 266, 268, 269, and 270, to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

That the House recede from its disagreement to the two hundred and fifty-third amendment of the Senate to said bill, and agree to the same with amendments as follows: In lieu of the sum proposed in said amendment insert "$600,000;" and after said amendment insert as a new paragraph:

"For compensation of the district marshals of the United States $12,700."

That the House recede from its disagreement to the amendments of the Senate numbered 254, 255, 256, and 257 to the said bill, and agree to the same with amendments as follows: In lieu of the sum proposed in the amended paragraph insert "$325,000;" and insert as a new paragraph:

"For compensation of the district attorneys of the United States, $20,100."

The PRESIDENT *pro tempore*. The action of the House of Representatives on the conference report will be read.

The Secretary read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 5, 1884.

Resolved, That the House concur in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

Mr. ALLISON. I do not see that the House has receded from its disagreement to amendment No. 267.

The PRESIDENT *pro tempore*. No. 267 does not appear in the conference report or in the action of the House independent of the conference report.

Mr. ALLISON. How about 269 and 270?

The PRESIDENT *pro tempore*. The House has receded from its disagreement to amendments No. 269 and 270.

Mr. ALLISON. How about 268?

The PRESIDENT *pro tempore*. They recede from their disagreement to 268 also.

Mr. ALLISON. But 267 is not included.

The PRESIDENT *pro tempore*. Two hundred and sixty-seven not included. "The House recedes from its disagreement to the amendments of the Senate numbered 243, 258, 260, 261, 262, 263, 264, 265, 266, 268, 269, and 270," and "agree to the same." That is a recession without any amendment. No. 267 does not appear. The Senate amendment 267 proposed to strike out section 9 of the bill.

Mr. ALLISON. Section 9 relates to clerks of courts of the United States.

The PRESIDENT *pro tempore*. The sections in the House bill as engrossed appear to be duplicated. The first section 9 is that "fees earned by the clerks of United States courts, &c., for services in civil and criminal cases shall be accounted for," and making regulations about the courts; and the latter section 9 refers to the printing and distribution of documents.

Mr. ALLISON. That relates to another subject. I ask the Secretary to again read the message from the House. I should like to verify it.

The PRESIDENT *pro tempore*. The action of the House independent of the conference report?

Mr. ALLISON. Yes, sir. I should like to verify it.

The PRESIDENT *pro tempore*. The action of the House besides agreeing to the conference report will be again read.

The Secretary read the message from the House.

Mr. ALLISON. That is as it should be with the exception of amendment 267. I ask that action be suspended until I ascertain that this is a correct report of what was done in the House. I think probably amendment 267 has been omitted by mistake. The clerks will verify the action of the House.

The PRESIDENT *pro tempore*. The report of the conference shows that amendment No. 267 was not agreed upon between the conferees, and it appears from the message from the House not to have been acted upon at all by the House of Representatives. The Chair will defer action upon the matter for the present.

Mr. ALLISON. I move that the Senate concur in the amendments of the House to the Senate amendments, and that the Senate further insist upon its amendment numbered 267.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate concur in the amendments made by the House to the Senate amendments numbered as has been reported.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate further insist upon its amendment numbered 267.

Mr. CONGER. What is that amendment?

Mr. ALLISON. It is an amendment relating to the clerks of courts, &c., and the fees earned in United States courts. It is one of the legislative sections, which of course is dependent upon the sections already stricken out. I hope the Senate will insist upon its amendment. I do not think it is necessary to ask a conference.

The PRESIDENT *pro tempore*. The Chair understands that amendment numbered 267 relates to the first section 9 as it appears in the engrossed House bill, there being two sections 9 in the engrossment of the bill as it came from the House. The first section 9 relates to the fees of clerks, marshals, &c., and the second section 9 relates to the public printing. The Chair understands that the motion in respect of amendment numbered 267 applies to the first section 9.

Mr. ALLISON. Yes, sir; it applies to the first section 9.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate insist upon its amendment numbered 267.

The motion was agreed to.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House receded from its disagreement to the amendment of the Senate numbered 267 to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes, and agreed to the same.

RECESS.

Mr. HAWLEY. From information that I have received I think we might as well take another short recess. I move that the Senate take a recess until half past 7 o'clock a. m.

The motion was agreed to; and at the expiration of the recess the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House still further insisted on its disagreement to the amendment of the Senate numbered 158 to 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, asked a further conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. JAMES N. BURNES of Missouri, Mr. RICHARD W. TOWNSHEND of Illinois, and Mr. WILLIAM D. WASHBURN of Minnesota managers at the further conference on the part of the House.

Mr. ALLISON. I move that the Senate take a recess until 3 o'clock.

The motion was agreed to; and (at 7 o'clock and 37 minutes a. m., Sunday, July 6) the Senate took a recess until 3 o'clock p. m., at which hour the Senate reassembled.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The recess having expired, the Senate resumes its session.

NAMING OF PRESIDING OFFICER.

Mr. BAYARD. Mr. President, I rise to emphasize the fact that upon several occasions during the last two or three months there has been a substitution by the President *pro tempore* of the Senate of a Senator to occupy the chair in his absence for a period which has extended beyond an adjournment of the Senate. Rule No. 1, section 3, provides that—

> The President *pro tempore* shall have the right to name in open Senate, or, if absent, in writing, a Senator to perform the duties of the Chair; but such substitution shall not extend beyond an adjournment, except by unanimous consent.

I merely desire to have the fact noted and here emphasized that it has been by unanimous consent, and that there is therefore no precedent to be drawn from the action of the Senate in the last two or three months that there is power in the President *pro tempore* to substitute beyond an adjournment, beyond the term of the legislative day, any one to act for him and perform the powers and duties of the President *pro tempore* of this body.

I have not withheld my consent from such substitution because in the position of the Senate, in the almost evenly balanced condition of party numbers in this Chamber, it would have been inconvenient and probably disconcerting to the business of the body to have had an election on every day when our honored friend, the Senator from Vermont, elected President *pro tempore* over the Senate, was necessarily absent for the time; but it was with a desire to note that fact and emphasize it that I have made the statement that nothing but unanimous consent could have allowed this to be done.

The PRESIDENT *pro tempore*. The Chair begs to state that for the eighteen years that he has occupied a place in the Senate, whenever the Senate has taken a recess and it has been convenient for the Presiding Officer, the gentleman who occupied the chair at the time of the recess, resumed it when the Senate reassembled.

Mr. BAYARD. In the absence of the President *pro tempore* I stated that which I had intended to do before the close of the session, that the power of substitution under the rule did not extend beyond an adjournment; that unanimous consent had been given at various times to such a substitution by the President *pro tempore* beyond an adjournment, but that I wished to note the fact that it was in every case by unanimous consent.

Mr. BUTLER. Mr. President——

The PRESIDENT *pro tempore*. The Senator from South Carolina will allow the Chair to state——

Mr. BUTLER. I simply wish to correct a misapprehension under which the Chair seems to be laboring. The Senator from Delaware was making no complaint of the Chair designating the recent occupant of the chair.

Mr. BAYARD. I did not refer to that.

Mr. BUTLER. He was simply desiring to emphasize what was determined by the rules of the Senate. As I understand he made no complaint whatever of the designation.

Mr. BAYARD. I did not hear the President *pro tempore* suggest that there had been complaint on my part at all.

Mr. BUTLER. I thought he had.

Mr. BAYARD. If so, he was speaking under an entire misapprehension. I was merely drawing attention to the rule and stating the fact and the reasons why it had been done.

The PRESIDENT *pro tempore*. The Chair was only drawing attention also to the rule and to the practice of the Senate, that there is a marked distinction between an adjournment and a recess. This is precisely the same sitting which began yesterday, and a recess of ten hours does not differ from a recess of five minutes. The Chair has stated that for eighteen years to his personal knowledge, under all administrations, the gentleman who occupied the chair at the time a recess was taken resumed it as of course at the expiration of the recess unless the regular presiding officer happened to come in.

Mr. BAYARD. I do not know that a prolongation of this matter is at all valuable, but my reason for stating what I did and emphasizing the fact that this was only by unanimous consent, was that the Committee on Rules proposed at the commencement of the present session that the power of substitution should last for the period of three days. I and some others who thought with me upon that subject stated our objections to such a rule to be that if the power for three days could be granted, it might be extended for thirty days or three months. That objection was made, and subsequently the Senate fixed the rule as it now is. I merely desired to emphasize the fact that we have been acting under unanimous consent in accepting the substitutions made by the President *pro tempore*.

The PRESIDENT *pro tempore*. The Chair begs to repeat that on the present occasion the Chair did not ask unanimous consent any more than he did during the night on two or three occasions when recesses of ten or fifteen minutes were taken that the gentleman who occupied the chair at the time of the recess be allowed to resume it when the five minutes or ten minutes expired, the Chair thinking, right or wrong, that there is a very visible distinction between an adjournment of the Senate and a suspension of the sitting of the same.

Mr. MORRILL. I do not know that I clearly understood the Senator from Delaware. I believe, so far as my observation goes, there has been no appointment by the President *pro tempore* of any person to preside in his absence for more than one day. Did I understand the Senator from Delaware to say or intimate that there had been?

Mr. BAYARD. I said that on more than one occasion there had been a recognition by the Senate, by unanimous consent, of the substitution by the Chair of a Senator beyond the time of an adjournment.

Mr. MORRILL. I do not understand that there has been.

Mr. BAYARD. And such has been the fact.

Mr. MORRILL. I do not understand that there has been any substitution for more than one day.

Mr. BAYARD. I did not say that. I do not state the time. I said beyond an adjournment.

Mr. HOAR. I understand that the Chair once asked unanimous consent in advance, and I am not sure but more than once, to designate a person for more than one day. That assent was granted. I do not understand that to be a recognition by unanimous consent, but an express authority on unanimous consent, given in advance. That was done when the Chair was understood to have left the seat of Government for two or three days at this session. With that exception I understand the President *pro tempore* has kept absolutely within the rule, and has never undertaken to designate a Senator for more than one day. When that has been done, whether a recess occurred in that day or whether the legislative day extended for more than twenty-four hours, the Chair was strictly within the rule of the Senate; and the authority for his act did not depend upon unanimous consent or upon recognition by the Senate or by any Senator, but upon the absolute authority conferred by the rule.

Mr. BAYARD. I do not care to take issue at all with the fact stated by the Senator from Massachusetts. It is not worth while. I had not the slightest design to criticise the action of the Chair unfavorably or the action of the Senate unfavorably, but I was merely stating the fact, which I think appears by the Journals of the Senate, that there had been upon several occasions during the session about to close a substitution beyond the period of an adjournment. That fact appearing, I

wished it to be stated in connection with it that it was by unanimous consent, so that that power should not be recognized beyond the extent of the rule. That was my object, and I think I stated it exactly.

Mr. HOAR. I think the honorable Senator will find by looking at the Journal that in such a case there has been express authority given by the Senate in advance of the substitution.

Mr. BUTLER. That is what the Senator from Delaware said distinctly. The Senator did not hear what he said.

Mr. HOAR. I beg pardon of the Senator from South Carolina. I think he is in error, notwithstanding what he says.

Mr. BUTLER. I think there is an error all around myself.

The PRESIDENT *pro tempore*. The Senator from Delaware has the floor.

Mr. BAYARD. The Senator from South Carolina happened to be in the Chamber when I made my first statement and the Senator from Massachusetts was not, but it is not so particularly important, as I have explained again precisely my object, that I did not wish the fact of a substitution of a Senator to preside made by the President *pro tempore* for a period beyond an adjournment to go unnoticed, the fact being that in every case it was done only by unanimous consent.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The Chair thinks it due the present incumbent of the chair to say that at the expiration of the recess which was taken at about twenty minutes to 8 o'clock this morning until 3 o'clock the present incumbent resumed the chair at the request of the President *pro tempore* of the Senate when the recess was taken, and in accordance with the usual custom.

Mr. BAYARD. If the Chair pleases, I had not the slightest reference to our present meeting to-day.

The PRESIDING OFFICER. The Chair so understands.

Mr. BAYARD. But simply as to the history of the session for the purpose of preventing any misunderstanding in regard to the admission of powers and duties by the President *pro tempore*.

EXECUTIVE SESSION.

Mr. CAMERON, of Wisconsin. There is some executive business to be done, and as there is no legislative business before the Senate at present, I move that the Senate now proceed to the consideration of executive business.

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

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

RECESS.

Mr. CAMERON, of Wisconsin (at 4 o'clock and 35 minutes p. m.). As there is no legislative business to come before the Senate at present, I move that the Senate take a recess until 5 o'clock.

The motion was agreed to; and at 5 o'clock the Senate reassembled.

Mr. CAMERON, of Wisconsin. I understand from one of the conferees that it is not at all likely the conferees will be ready to report before 6 o'clock. I therefore move that the Senate take a further recess until 6 o'clock p. m.

The motion was agreed to; and at 6 o'clock the Senate reassembled.

ELLEN O'BRIAN.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The recess having expired, the Senate resumes its session.

Mr. BLAIR. There was a report from the Committee on Pensions which was accidentally omitted. It was in the hands of the Senator from Nebraska [Mr. VAN WYCK]. I ask unanimous consent to present it at this time.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent at this time to submit a report from the Committee on Pensions. The report will be received, there being no objection.

Mr. BLAIR. I report favorably from the Committee on Pensions the bill (H. R. 5888) granting a pension to Ellen O'Brian. I ask that the bill be put on its passage.

The PRESIDING OFFICER. Unanimous consent is asked for the consideration of the bill at this time.

Mr. BUTLER. I object.

Mr. HOAR. I should like to inquire if it be the unanimous report of the committee? Will the Senator state that to the Senate?

Mr. BLAIR. I have no doubt that it is. It is a bill which I have been informed the Senator from Nebraska was desirous of presenting. The Senator from New York [Mr. LAPHAM] and two members of the House who knew personally about the case came to me a short time ago and expressed great anxiety that it should be put on its passage.

Mr. ALLISON. Is it a House bill?

Mr. BLAIR. It is a House bill. It passed the House. Mrs. O'Brian is the widow of a captain who died from exposure in the service of his country. They thought it would be a legitimate and proper thing to pass the bill to-day, and I consented to report it for the Senator from Nebraska, who is absent.

Mr. BUTLER. I object to its present consideration.

The PRESIDING OFFICER. Objection being made, the bill can not at this time be considered. It will be placed on the Calendar.

Mr. BLAIR. If in the providence of God there should be another opportunity to ask unanimous consent to pass the bill, I shall do so.

[After a pause.]

Mr. BUTLER. The Senator from New York [Mr. LAPHAM] appeals to me to withdraw my objection to the consideration of House bill 5888, saying that it is a very meritorious case. I therefore withdraw my objection to the bill.

The PRESIDING OFFICER. The Senator from South Carolina withdraws his objection. Is there a further objection to the present consideration of the bill? The Chair hears none.

The bill was considered as in Committee of the Whole. It proposes to place the name of Ellen O'Brian, widow of Captain John D. O'Brian, late of Company A, Twenty-fourth New York Volunteers, on the pension-roll, at the rate now allowed by law to a widow and children of a captain of volunteers.

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

LANGLEY B. CULLEY.

Mr. HALE. I ask unanimous consent to call up a little bill on the Calendar, which is Order of Business 939. It is a bill reported from the Committee on Naval Affairs.

The PRESIDING OFFICER. The Senator from Maine asks unanimous consent to take up Order of Business 939, being the bill (H. R. 1615) for the relief of the heirs of the late Langley B. Culley.

Mr. COCKRELL. I do insist that we shall not go to the transaction of any except regular, unavoidable, and necessary business. I do that with all deference and the kindest feeling to the Senator from Maine. I do not know anything about the case; but I do not think this is a proper time to consider it, and I must object. I hope the Senator will not insist on his request. At another time we can give consideration to it, but we can not do it now and I must raise the question. In the first place I do not believe we have a quorum to transact business; and in the next place I do not think we have any right to transact such business as this now.

The PRESIDING OFFICER. The Senator from Missouri objects to the consideration of the bill.

GENERAL DEFICIENCY APPROPRIATION BILL.

Mr. HALE. Mr. President, I present the report of the conference committee upon the deficiency appropriation bill.

The PRESIDING OFFICER. The Senator from Maine presents a report from the committee of conference on the deficiency appropriation bill, which will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7235) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1884, and for prior years, and for those certified as due by the accounting officers of the Treasury in accordance with section 4 of the act of June 14, 1878, heretofore paid from permanent appropriations, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, 8, 9, 10, 22, 39, 47, 48, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 19, 21, 92, and 122, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$80,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$70,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$301,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with amendments as follows: In lieu of the sum proposed insert "$5,816," and insert after said amendment as a new paragraph the following:

"For clerks to Senators, $27,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by said amendment, and in line 8 thereof, after the word "subject," insert the words "excepting $5,000 thereof;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$87,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by said amendment, and in line 7 thereof, after the word "case," insert the words "which case shall be preferred in the order of the docket of said court;" and the Senate agree to the same.

EUGENE HALE,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

SAMUEL J. RANDALL,
JAMES M. BURNES,
W. H. CALKINS,
Managers on the part of the House.

The PRESIDING OFFICER. The question is on concurring in the report of the committee of conference.

The report was concurred in.

RECESS.

Mr. ALLISON (at 6 o'clock and 45 minutes p. m.). I move that the Senate take a recess until half past 8 o'clock.

The motion was agreed to; and at the expiration of the recess the Senate reassembled.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 7235) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1884, and for prior years, and for those certified as due by the accounting officers of the Treasury in accordance with section 4 of the act of June 14, 1878, heretofore paid from permanent appropriations, and for other purposes.

The message also announced that the House had concurred in the amendments of the Senate to the following bills:

A bill (H. R. 6530) to increase the pension of Richard Jobes;

A bill (H. R. 4417) granting an increase of pension to Jacob Miller;

A bill (H. R. 1897) granting an increase of pension to Catherine Hunter;

A bill (H. R. 1042) for the relief of Mrs. Sarah Sinfield; and

A bill (H. R. 2979) granting a pension to Nancy Ellis.

ENROLLED BILL SIGNED.

The message also announced that the Speaker of the House had signed the enrolled bill (H. R. 4985) supplemental to and amendatory of an act to incorporate the Mutual Fire Insurance Company of the District of Columbia; and it was thereupon signed by the President *pro tempore*.

RICHARD HAWLEY & SONS.

Mr. CONGER. I ask unanimous consent to call up Senate bill 1170.

The PRESIDING OFFICER (Mr. MANDERSON in the chair.) The Senator from Michigan asks unanimous consent to take up Order of Business 320, being the bill (S. 1170) for the relief of Richard Hawley & Sons.

Mr. CONGER. I will state that this is a claim for a refund——

The PRESIDING OFFICER. The Chair will state to the Senator from Michigan that he can proceed only by unanimous consent.

Mr. CONGER. That is what I supposed. I only want to state what this is.

Mr. CONGER. This is a claim for a refund of $473.42, an excess of duties paid on the importation of malt by Richard Hawley & Sons, of Detroit. It has a favorable report from the Committee on Claims. I have the report here, and there is no doubt about the firm having paid the excess of duties on that importation; and the recommendation of the Secretary of the Treasury is that it should be paid to them, which requires the action of Congress. It is a very small amount, $473.42. I think if the report is read there will be no question about the propriety of the passage of the bill.

The PRESIDING OFFICER. Is there objection to reading the report called for by the Senator from Michigan?

Mr. COCKRELL. Mr. President——

Mr. CONGER. If it does not interfere with any other business, I ask the Senator from Missouri to let this come in.

The PRESIDING OFFICER. The Senator from Michigan calls for the reading of the report. It will be read, if there be no objection.

The Chief Clerk read the following report, submitted by Mr. FAIR March 5, 1884:

The Committee on Claims, to whom was referred the bill (S. 1170) for the relief of Richard Hawley & Sons, respectfully report as follows:

The evidence before the committee shows that Richard Hawley & Sons, of Detroit, imported from Canada in July, 1870, three lots of malt, amounting in all to 6,415 bushels, or 230,940 pounds. In Canada an excise tax of 1 cent per pound was imposed on all malt consumed in that country; and malt out of bond, or in the market for consumption or use, was worth 1 cent per pound more than malt in bond. The petitioners bought this malt in bond, and therefore the excise tax of 1 cent per pound was never paid or demanded in that country. The entry was duly made in this case at the Detroit custom-house at the price actually paid for the malt in Canada.

But it was claimed by the collector of the port of Detroit, in accordance with a decision previously made by the Secretary of the Treasury, that duty must be paid upon this malt according to its value in Canada out of bond at the time of its purchase, and that this value must be ascertained by adding to the price actually paid the excise tax of 1 cent per pound. This valuation of the collector increased the value of the malt, commission included, $2,367.13, and upon this increased valuation duty was exacted at the rate of 20 per cent., or to the amount of $473.42.

Hawley & Sons paid the duties so imposed, verbally protesting against the exaction and declaring their intention to appeal to the Department. They were told by the collector that they had the right to do so, but that the Department would undoubtedly reaffirm its decision, and then read to them the decision which had been made by the Secretary.

The United States court in Chicago, in November of that year, rendered a decision on the identical question, in a cause then pending in said court, annulling the ruling of the Secretary of the Treasury and in favor of the importer. The court held that the price paid gave the dutiable value. This decision of the court was thereafter recognized by the Secretary of the Treasury, and he thereafter refunded all duties so illegally collected where protest was made and appeal taken by the importer, but refused to refund the excessive duties collected in this case because no appeal was taken, he having no authority to refund except in cases in which protest and appeal had been duly taken or failure to appeal was shown to be owing to causes beyond the control of the importer.

There has never been any controversy between the petitioners and the officers of the Government in relation to the facts in this case.

The officers of the United States have illegally collected from the petitioners the sum of $473.42, and aside from the fact that they had no right to collect, and the United States have no right to retain, this sum, the committee are of opinion that the facts of this case bring the petitioners within the spirit of the remedial statute, and equitably entitle them to relief. They agree perfectly with the court as to the true rule for the valuation of property so imported into this country, and are of opinion that the money so paid into the Treasury in excess of the requirements of the law should be refunded. The petitioners made a mistake of 22 cents in making up the amount improperly collected of them. The committee recommend that the bill do pass.

The PRESIDING OFFICER. Is there objection to the present consideration of this bill?

Mr. SHERMAN. I object. It would open a new rule, in violation of existing law and multiply cases without number for the courts. According to the facts as I understand them, the decision of the collector was made, no formal protest was made, and no suit was commenced.

The PRESIDING OFFICER. Debate upon the bill at this time is not in order.

Mr. SHERMAN. I object to its consideration.

Mr. CONGER. Mr. President——

Mr. SHERMAN. Let me be correct in the facts.

Mr. CONGER. My recollection is that among the papers——

The PRESIDING OFFICER. Debate is not in order. Is there objection to the Senator from Michigan proceeding? The Chair hears none.

Mr. CONGER. My recollection is that the matter was before the Secretary of the Treasury, who was at that time the distinguished Senator who opposes this bill. His report was that the amount was improperly collected and should be refunded, but the Department had no power to do it, and it would be necessary to come to Congress. In pursuance of that recommendation the parties came to Congress, and now are met with the statement that Congress can not give this relief.

Mr. SHERMAN. Congress can no doubt pass the bill, and the Committee on Finance have cases of this kind every year by the score, and I do not know any case where they have ever departed from the rule of requiring a formal protest in writing and the commencement of a suit under the law. I will state to the Senator from Michigan that although the case may be a hard one and error may have been committed, yet the opening of the door would cause a great deal of injury and a great deal of danger to the Government. Certainly I can not allow a bill of that kind to pass at this present stage. The Senate is not in a condition to act upon it. It is legislation of importance.

The PRESIDING OFFICER. Objection being made by the Senator from Ohio, the bill can not be at this time considered.

Mr. CONGER. That might be a very good reason for not passing the bill now, but this is a claim against the Government reported from the Committee on Claims, and not a question for the Finance Committee to settle as a tax that they should have charge of.

CLERK OF COURT OF ALABAMA CLAIMS.

Mr. HOAR. I ask unanimous consent to take up Order of Business 799.

Mr. COCKRELL. There are less than sixteen Senators in the Senate Chamber. There is no quorum here. We are simply in session on the holy Sabbath day to transact unavoidable and necessary business, and I shall object to the transaction of any other business at this session.

The PRESIDING OFFICER. The Chair will state the proposition. If objection is made, of course the consideration of the bill must go over. The Senator from Massachusetts asks unanimous consent at this time to consider a bill——

Mr. HOAR. I withdraw the request.

The PRESIDING OFFICER. The Senator from Massachusetts withdraws the request.

Mr. HOAR. I think there is a good deal of reason in the position of the Senator from Missouri myself. This request is one which I should have made yesterday if I had had an opportunity, but for the absence of one or two Senators who know especially about the case and who were employed on the Appropriations Committee all day and all night; but still I can make the request at another time.

BUSINESS OF THE SESSION.

Mr. COCKRELL. Only two bills remain for final action, the bill in lieu of the naval appropriation bill, which has already received the approbation of the House and will soon be before us, and the legislative bill, which is now under consideration in conference and a report will doubtless be agreed to. It will be impossible for us to get all these bills compared, enrolled, and ready for the signature of the President before probably 2 or 3 o'clock or even later in the morning. In view of that, I shall at the proper time move that the Senate take a recess until 10 o'clock to-morrow. I do not make the motion now, but I give notice that I shall make it as soon as the naval bill and the legislative bill are acted upon. It will be the understanding then that there will be nothing transacted but the necessary announcements, signatures, &c., in the morning, so that there will be no necessity for any Senator to remain who desires to go away before that hour.

NAVAL APPROPRIATIONS.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a bill (H. R. 7509) making

temporary provision for the naval service; in which it requested the concurrence of the Senate.

The PRESIDING OFFICER. The bill just received from the House of Representatives will be laid before the Senate.

Mr. EDMUNDS. Let it be read the first time at length.

The PRESIDING OFFICER. The bill will be read.

The bill was read the first time at length, as follows:

Be it enacted, &c., That for the purpose of providing for the expenses of the naval service for the six months ending December 31, 1884, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, one-half or 50 per cent. of the sums of money (and for the like purposes and continuing the same provisions relating thereto) as were appropriated for the service of the fiscal year ending June 30, 1884, by the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes," approved March 3, 1883 (except as hereinafter declared), subject to all the limitations and conditions in respect to the disbursement of the appropriations hereby made that were imposed by said act and the other laws of the United States upon or in respect to the appropriations made by said act: *Provided*, That nothing is appropriated by this act "for special ocean surveys and the publication thereof," or "for the purchase and manufacture, after full investigation and test, in the United States, under the direction of the Secretary of the Navy, of torpedoes adapted to naval warfare, or of the right to manufacture the same, and for the fixtures and machinery necessary for operating the same."

That the clause under the heading "Bureau of Yards and Docks," commencing "For general maintenance of yards and docks," is amended so as to appropriate, for the six months herein provided for, the sum of $110,000.

That under the heading "Increase of Navy" in said act, in lieu of all the paragraphs thereunder, and preceding the heading of "Naval Academy," there is hereby substituted the following:

For continuing the work upon the three new steel cruisers and one dispatch-boat, authorized by act of Congress, approved March 3, 1883, as follows: Chicago, $349,133.45; Boston, $231,853.28; Atlanta, $231,853.27; Dolphin, $108,660; in all, $921,500. The four pivot-guns of the Chicago to be mounted on Clark's deflective single-gun turrets on V shields of the same weight as is now allowed for the mounting and armor protection of the guns: *Provided*, That it shall not change the contract entered into by the Government for the construction of said vessels.

For completion of steam machinery and boilers, with necessary fittings for sea service, of steel cruisers and dispatch boat, under contract with John Roach, as per act approved March 3, 1883: United States steel cruiser Chicago, $220,000; United States steel cruiser Boston, $155,000; United States steel cruiser Atlanta, $155,000; United States dispatch-boat Dolphin, $90,000; in all, $620,000.

For completing equipment outfits of three new cruisers and one dispatch-boat, now in course of construction, $78,000.

For navigation outfit of the four new steel cruisers, $30,000.

For ordnance outfit of the three new steel cruisers and one dispatch-boat, $500,000.

Nothing herein contained shall be construed as appropriating money for or authorizing the continuation of work upon the double-turreted monitors Monadnock, Terror, Amphitrite, and the Puritan, and any unexpended balance now remaining of the appropriation contained in said act approved March 3, 1883, for engines and machinery for the said double-turreted monitors shall be covered into the Treasury, except such part thereof as may be required under existing contracts made for the engines and machinery of the three last-named monitors.

The PRESIDING OFFICER. If there be no objection the bill will be read the second time by its title.

Mr. CONGER. Before it is read the second time I should like to know whether this is the gradual winding up of the Navy of the United States, and whether it has got to such a pass that we can have no naval bill at the regular session of Congress, but must have some little measure appropriating enough to keep it alive from day to day and from month to month. This seems to be the last effort of the opponents of the Navy to destroy it, and for myself I am unwilling to consent to the passage of any bill, or to the second reading of any bill to-night, which shall wipe out the American Navy at a stroke.

I should like to know from some one why it is that this branch of the service is to be continued on by a measure of this kind and not have its place among the regular appropriation bills, and who oppose the passage of a regular naval bill. The country has a right to know that, and I have a right to know it.

I make these remarks before the second reading of the bill. I shall not object until I hear what may be said on the subject.

Mr. HALE. The Senator from Michigan and the Senate are entitled to know just the attitude in which this bill places the subject of naval appropriations. Of course the Senator from Michigan can, if he chooses, object and stay this proceeding, and perhaps stay appropriations for the Navy for the coming six months.

The House and the Senate are at a deadlock on the naval appropriation bill. Each body has taken a formal vote and stands recorded diametrically opposed to the other. The attitude of the Senate is the attitude of the body which puts upon an appropriation bill certain new clauses which it seeks to enforce upon the other House. The House of Representatives upon a yea-and-nay vote and by a large majority have determined that they will not appropriate for the building of the new cruisers which were put upon the appropriation bill by the Senate. There is no power on the part of the Senate to force the House to put those measures providing for the new crusiers and the gunboats upon the naval appropriation bill.

Everybody with any experience in the two Houses realizes that. No matter how weak may be the attitude assumed by the other branch, no matter how unpatriotic it may be deemed either by the Senator from Michigan or by me, no matter how short-sighted it may be viewed by the country, there is no power existing in the Senate to force upon the appropriation bill the clauses it has put on, and the two Houses stand in direct antagonism on these. This antagonism has continued up to to-day, and the session is waning; it must soon end.

As a result of the conferences between the two Houses, this bill has been brought forth. I will explain briefly the effect of the measure.

It gives, to begin with, all of the appropriations of last year in proportion as to time for the next six months; that is, 50 per cent. of all the regular appropriations of the last year for the running of the Navy Department are given between the 1st of July and the 1st of January next. That provides for the running of the Department. So far from its "winding up" the Navy Department, it gives exactly what the Senate agreed to last year as necessary for running the Navy Department.

Then it takes the cruisers that are now being built, and it gives to them not 50 per cent. of the appropriations that Congress gave last year, but every dollar necessary to complete them. Under the bill before the Senate the cruisers now building will be completed under the contracts which have been made for them. They will be finished, and it will be seen what they are and what can be done with them and what new works can go on of their kind or model, or in varied models, next winter.

That is not all that I hope for. It is not all that I believe in. It is not all that I think it wise to do. In the present condition of the American Navy I believe that no wiser thing, no more patriotic thing, no more far-sighted thing could have been done than not only to finish the cruisers and the ships now under construction, but to go on and provide, as the Senate did in its bill and in the clauses that it put upon the naval appropriation bill for additional ships, and that the sooner the United States is put into the attitude where it has a reasonable naval power the better for us now and in the future. But everybody realizes, or should realize, that we are dealing with a co-ordinate branch of the Government, and the House of Representatives put itself squarely upon the attitude that it would not vote one dollar for the building of any new ships this year or for the completion of the ironclads, the monitors, the Puritan, the Terror, the Amphitrite, and the Monadnock.

Mr. MILLER, of California. I should like to ask the Senator if the bill does not repeal an appropriation made for the monitors?

Mr. HALE. The provisions of the bill are that the appropriations made for the four monitors I have named are all repealed so far as regards the balances being turned into the Treasury, with the exception of such cases where contracts have been made for the completion of those monitors. That applies to three of them, the Puritan, the Terror, and the Amphitrite. No contract has been made for the Monadnock, and the share of the appropriation of last year under the bill is turned into the Treasury.

Mr. BUTLER. As to that one alone?

Mr. HALE. For that one, I say.

Mr. MILLER, of California. If the Senator will allow me, I should like to have him explain the reason for that action. The fact that contracts have not yet been made does not furnish to my mind any reason why the law making appropriations for completing the Monadnock should be repealed or the money turned back into the Treasury.

Mr. HALE. It simply leaves it in this way: that where from one reason or another a contract has not been made in reference to a certain monitor the money appropriated is still at the disposal of Congress. It has not been already controlled or sent to a specific purpose by a contract, and Congress has the right, as it has exercised it many a time, to turn that money into the Treasury. That was a provision which the House insisted upon.

Mr. MILLER, of California. But while nobody will dispute the power of Congress, it is the expediency of the thing that we want to know about. I can not understand why the Monadnock, which is designed for harbor defense upon the Pacific coast, should not be completed, and why the act appropriating money for its completion should be repealed and the money turned back into the Treasury simply because the ministerial officer of the Government has not made contracts for the completion of it.

Mr. HALE. Neither can I as a matter of expediency; and that was a subject argued by the Senate conferees against the House conferees with all the ingenuity and all the power that they had.

Mr. BAYARD. Will the Senator permit me to interrupt him?

Mr. HALE. Certainly.

Mr. BAYARD. I believe I am right in supposing that this is not a new law but a law that has been on the statute-book for many years, that where yearly appropriations are made which have not been made the subject of contract they shall be covered into the Treasury at the end of the year, provided the money has not been expended. It was not made to suit this particular case, but a general law, under which contracts on the Pacific coast fall.

Mr. HALE. That is undoubtedly true, but all the same the Senate conferees believed that it was good policy, that it was good husbandry as applied to the naval branch of our military establishment, to go on and complete the Monadnock as well as the others; but the House conferees and the House itself took square ground against this and thereby assumed the responsibility, and the Senate ought to see and the country ought to see precisely where the responsibility is. There is no power, I repeat, on the part of the Senate to coerce the co-ordinate branch of the Legislature upon new provisions put on an appropriation bill. I have heard that ever since I came not long ago into this body. I have heard it repeatedly from the veterans of this Chamber that the body

which seeks to put upon an appropriation bill a new provision has no power to coerce the other branch; that it must faithfully seek through conference to impress its views, and if the other branch which is resisting persists in that resistance, then the body that seeks to enforce that must yield. I have never heard that more often than from the distinguished Senator who presides over this session of this body [Mr. EDMUNDS]. I presume that is the rule which obtains; and the result of it is that a narrow and a short-sighted and an unwise policy is being pursued as to our naval establishment. I do not believe in it; I do not defend it; I have no word to say in its favor. Everything that I have uttered in the course of the debate during this session has been the other way. But the two Houses were found in deadlock, and this was the only emergence that we could gain.

The cruisers now building are to be finished. That is yielded by the House. The regular establishment of the Navy as it has existed goes on. That is all that we could secure. I hope and believe that at the next session we shall gain more. Another result that is of importance in this is that the bill which the Senate has passed and the amendments which it has put upon the appropriation bill all remain *in statu quo*, and can be taken up on the first day of next winter's session and passed if a majority can be got therefor in both Houses. The conferees believe that this is the best we can do, contending as we are against the reactionary policy adopted by the other branch.

Mr. MILLER, of California. Mr. President, the objection which the Senator from Maine states as being, in his opinion, the valid objection which the House might with propriety make against the provision for the building of the new cruisers does not apply to the matter of finishing the Monadnock. That is not new matter; it is not a new provision; and if the reason of the House for refusing to agree to the amendments of the Senate is based upon the fact that those amendments introduce new legislation or that they are new provisions of appropriation, for that I suppose is what is contended, then I say the House conferees were acting without reason when they ingrafted this provision repealing the act which made appropriations for finishing the Monadnock and turning the money into the Treasury; and I do not think the Senate ought to agree to that.

I think the Senate has a duty to perform and a responsibility which it must regard in this matter. It is perfectly evident here that the conferees on the part of the House have no reason for this action, and therefore if the Senate agrees to this proposition, which is without reason and is inexpedient and as I believe unpatriotic, then the Senate takes the responsibility when it agrees to that provision.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had concurred in the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 6530) to increase the pension of Richard Jobes;

A bill (H. R. 4417) granting an increase of pension to Jacob Miller;

A bill (H. R. 1897) granting an increase of pension to Catherine Hunter;

A bill (H. R. 1042) for the relief of Mrs. Sarah Sinfield;

A bill (H. R. 2979) granting a pension to Mary Ellis; and

A bill (H. R. 5888) granting a pension to Ellen O'Brian.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. ALLISON. I ask the Senator from California to yield to me that I may call up the legislative appropriation bill.

The PRESIDENT *pro tempore*. The Chair will lay before the Senate the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes. The action of the House of Representatives upon the conference report on the disagreeing votes of the two Houses on the amendments of the Senate to this bill will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 5, 1884.

Resolved, That the House concur in the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

The PRESIDENT *pro tempore*. The report of the managers of the conference on the part of the Senate will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 21, 24, and 25 to the bill (H. R. 7069) "making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendments of the Senate numbered 24 and 25, and agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with amendments as follows: In lieu of "thirty-four" insert "ten;" and after the word "dollars," in the amended clause, insert "for clerks to Senators, $24,000;" and the Senate agree to the same.

W. B. ALLISON,
P. B. PLUMB,
F. M. COCKRELL,
Managers on the part of the Senate.
WM. S. HOLMAN,
JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House

The report was concurred in.

APPROPRIATIONS FOR THE NAVY.

Mr. MILLER, of California. Mr. President——

The PRESIDENT *pro tempore*. The Senator from California is entitled to the floor. This debate is proceeding by unanimous consent, it requiring unanimous consent for the second reading of the bill.

Mr. MILLER, of California. I do not desire to take up the time of the Senate in discussing this matter very much further. Of course all of us who believe that this country now exists under such conditions as render it necessary that we should provide for the common defense, and therefore believe that the increase and the building up of the Navy, the building of a new navy, is a duty which their representatives owe to the people of this country—those of us who thus believe are not satisfied with the action of the House upon the amendments which the Senate put on the naval appropriation bill. We believe that the new cruisers which we provided for ought to be built. We believe that the monitors which are intended for harbor defense should be completed. In fact, we believe that the Government should go forward and construct a new navy, because at this time it really has no navy, and we can not understand the motive of the conferees on the part of the House. It is difficult to understand how any American citizen can view this matter otherwise than we view it.

I recognize the fact that it is not within the power of the Senate to coerce the House, it being a co-ordinate branch of the legislative department of this Government; but I do believe that the Senate has a right to insist that the country be put in a condition for its defense, that the Senate has a right to try to secure for the United States a navy that will give it some standing among the powers of the world.

I do not know how heartily and how actively the conferees on the part of the Senate have contended for these propositions. I suppose they have done their whole duty. But in the matter of the Monadnock, which is the only hope we have upon the Pacific coast for naval defense, if they have consented to the provision which appears in this new bill I do not believe they have considered the subject as fully and as carefully as they should have done. It is not satisfactory to me and I am sure it will not be satisfactory to my people. I am ready to stand here and contend with the House upon that proposition alone, and I do not care how long we stand here and how long we contend; I am ready and willing to stay here until it is rendered certain that we can not convince the House that they should agree to our proposition.

Mr. CONGER. Mr. President, it seems that in this bill there is a provision made for keeping up the naval organization, to pay officers, pay clerks, and run the machine, but everything that looks toward building up a navy or making it efficient, everything outside of the simple organization of the corps with its assistants and its clerks, seems to be struck out of this bill except the few items read.

Mr. HALE. The Senator does not of course wish to misrepresent. Does the Senator bear in mind that this bill carries with it $2,100,000 for finishing the new ships that are now being built? That is in addition to the regular naval establishment; that we can not get without the consent of the House, and that is in this bill.

Mr. CONGER. That is mentioned by items in this bill; but aside from what is presented here there is a prohibition upon doing anything that is useful. It has been the cry upon the Democratic side of the House so long that I can not tell when it first began to ring in my ears that no navy was necessary, that we could protect our coast, we could protect our harbors, with torpedoes, and the Senator from South Carolina [Mr. BUTLER] has made eloquent speeches here on the subject of torpedoes and the protection and the defense of our rivers by means of torpedoes.

Mr. BUTLER. Never in my life, Mr. President; the Senator is mistaken.

Mr. CONGER. Well he ought to have done it then. [Laughter.] I must say that I find unexpectedly he has been negligent of his duty even in that respect. [Laughter.] Here is a provision in this bill that prevents the use of the money which has been generally annually appropriated for special ocean surveys and their publication, for the benefit not only of the naval service, but for the benefit of our merchant marine and for the benefit of commerce and of navigation. Is it possible that the two bodies disagree upon such a measure as that, and strike it out of the bill by a special clause: "Provided, That nothing is appropriated by this act for special ocean surveys and the publication thereof?"

That is going back very rapidly, receding from all we have been doing

for years; and, as if there was a special effort to destroy the efficiency of the naval service, almost everything useful in that direction is stricken out by this bill. And the next clause is: "Or for the purchase or manufacture, after full investigation and test in the United States, under the direction of the Secretary of the Navy, of torpedoes adapted to naval warfare, or of the right to manufacture the same, and for the fixtures and machinery necessary for operating the same."

Sir, the Democracy have lingered on torpedoes for years. Whether it is because they did not dare attack them, whether it is because they did not dare attempt remove this scheme of harbor defense from our system by attacking torpedoes for fear they would blow them up, I can not tell. The representatives of that theory, those who have defended the torpedo system, blazoned it forth as the only means and the proper means for safe, peculiar, home defense. If the Senator is right, even they have turned and repudiated the torpedo-defense system and refused to make any more torpedoes.

We have no ships upon the ocean; we have no ships in our harbors. It has been said here repeatedly that we have no means of aggression abroad and we have no means of defense at home; and the excuse that has been given by Senators now in this presence for refusing to appropriate for building naval vessels has been that in the present condition of the country, while naval machinery and naval vessels were being substituted by new kinds, it was enough for us to sit upon the banks of our harbors and our rivers with the wires of electric machinery and touch off torpedoes to scare the world with Chinese fireworks, and gongs, and torpedoes. That has been the great foundation which the Democracy has proposed for the defense of the United States against the aggressions of the world. And now, unless our own committee have failed in their duty, a Democratic House has refused even to continue to us that quiet, peaceful, Sunday kind of defense, manipulating the wires on shore to blow up approaching vessels on the water. That is taken away in this bill.

No more vessels, no more guns, no more warfare; even the frightening noise of the exploding torpedo is to be taken away from our adversaries, and they are to be allowed to come up peaceably to our harbors and to our cities. Sir, one would think from reading this bill that the day had come when the lion is lying down with the lamb, and from the greenness of this proposition one would almost think that they were eating grass together. [Laughter.] That is a part of this substitute for a bill carefully prepared.

Mr. HALE. Not a substitute.

Mr. CONGER. It is a substitute for the bill which we have been considering for weeks and months here. It is a little, paltry, diminutive substitute for a bill that had some meaning, had some object, was somewhat worthy of the Congress of the United States, gave some hope for the future strength and position of our country on the ocean and at home; and this is the result! Something has labored, and a mouse is brought forth in this bill.

Now, I do not accept the proposition that because the House of Representatives, whatever may be the political character of that body, shall be able to control the destinies of this country by refusing to make appriations, the Senate, a co-ordinate body, a coequal body, authorized by the Constitution of the United States to make amendments to any bills for revenue or for appropriations, although it may not originate them under the constitutional power given to it, is to be deprived if the other House neglect all the duties which patriotism and propriety dictate and require, is to be prevented from attempting to do what the honor and the interest of the Republic may demand.

But suppose we are reduced to that condition that a mere rule adopted is to be invoked to prevent legislation for the good of the country, not a constitutional provision, but a mere technical rule that can be adopted to-day and changed to-morrow, is to be invoked and to be insisted upon to prevent all the legislation which a great and glorious country demands for its progress, for its honor, for its defense—if we are to be reduced to that by having adopted some rule, where are we? We do not stop with the humiliation, we do not stop with the infinite degradation which comes upon the Senate and upon the country by the enforcement of that rule in regard to appropriations for the Navy.

The House has sent us a bill striking out, as I have read and said, the usual appropriations even for defense under the torpedo system; it has made meager, limited appropriations for continuing the work which we have already begun; but the infinite humiliation of this bill before the country, the infinite humiliation of every man who supports this bill, consists in the fact that it goes beyond what any rule requires, goes beyond what any constitutional or legislative provision imposes, and it declares that appropriations which a more patriotic Congress has made, that appropriations which a more enlightened Congress has made, to build up the Navy and to prepare the vessels which we have already builded for actual service, that the money heretofore appropriated for that purpose shall be returned into the Treasury and that the work shall cease. The last clause of this bill, the winding up part of this splendid preparation, is as follows:

Nothing herein contained shall be construed as appropriating money for or authorizing the continuance of work upon the double-turreted monitors Monadnock, Terror, Amphitrite, and Puritan; and any unexpended balance now remaining of the appropriation contained in said act approved March 3, 1883, for engines and machinery for the said double-turreted monitors shall be covered into the Treasury, except such part thereof as may be required under existing contracts made for the engines and machinery of the three last-named monitors.

It does not even except contracts made for the Monadnock.

Mr. HALE. There are none.

Mr. CONGER. If that is not a complete surrender on the part of the Senate if it adopts the bill, not only of any right to make amendments to the bill, but a surrender of its right to maintain that appropriations heretofore made, that appropriations which are now daily being expended, shall be used, I do not now what is. I characterize that last proposition as a disgrace to the American people. I characterize it as a shameful abandonment of the policy which by the voice of both Houses had been inaugurated and commenced in regard to finishing those four vessels, which have lain on the docks or in the water for the last fifteen or twenty years for lack of appropriations to complete them and prepare them for service in the defense of the country.

Now, sir, with such a view of this bill I can not see how it can be my duty or the duty of any other member of the Senate who desires well for his country, who desires the building of a navy, who desires to promote the honor of the nation, who desires to prepare for its defense, or, if the case must be, for its aggression, to consent if by a parliamentary power he can prevent the progress of this bill by objecting to its second reading, or how he can excuse himself for permitting it to go on.

It was with that view that I desired to have some explanation before I did make that objection. I thought probably there might be some excuse offered, some reason given, not the reason of passion, not the reason of prejudice, not the reason of difference between the two Houses, but some reason that should appeal to the judgment, to the patriotism, to the common sense of both branches of Congress as well as of the whole country, why this little paltry substitute was brought in at this last hour of the last days of the session to put the final seal of destruction upon the American Navy, once glorious, world-renowned, grand, now sunk so low by the neglect of Congress that it has scarcely a voice to defend it here against the attacks of such bills as this.

Mr. President, I think this bill should stop here. I think the bill which was prepared in this Congress should be further considered. There can not be any more yielding in that bill than has been yielded in this, that I can see. If it is to be yielded at all, let it be yielded in the regular appropriation bill. Let us confess in our regular bill that we can not get up a naval appropriation bill, one of the annual regular appropriation bills, which can be passed by the two Houses.

Let the differences come. Sir, if we adopt this bill, then I and every Senator on this floor assume and take the responsibility in common with those of our Democratic friends who oppose building up a navy at all, of crushing out a navy; and I am not willing to take that position. Let us stay here. The weather is not uncomfortable. The wanderers will return. The excitements of the coming week will have exhausted the elements of hostility, and reason will again resume its power. Let us stay here, sir, for the honor of the country, for the defense of our native land. Let us stay and endeavor to see if there is not wisdom and sagacity and patriotism enough in the members of the two Houses of Congress to still preserve for our country a navy, growing, increasing, becoming from year to year more what the nation demands.

I consider it to be my duty in view of the provisions, and especially of the last provision of the bill, to object to its further consideration.

The PRESIDENT *pro tempore*. The Senator from Michigan objects to the seoond reading of the bill at this time, and it goes over until to-morrow.

Mr. HALE. Will the Senator withdraw his objection for a moment?

The PRESIDENT *pro tempore*. The whole debate proceeds by unanimous consent.

Mr. CONGER. I will withdraw the objection.

The PRESIDENT *pro tempore*. If there be no objection the Senator from Maine will proceed. The Chair hears no objection.

Mr. HALE. I do not mean now at this late hour to be tempted into any long speech. I only wish to address a few sober words to Senators.

My own action in this case is subject to the action of any committee or of any person who has tried to give long and faithful labor to one subject. I may say, I hope without any imputation of vanity or egotism, that to some degree I dedicated myself at the beginning of the winter to the work of building up the American Navy. I have fought for that early and late; as some Senators believe, in season and out of season.

The Committee on Naval Affairs reported the bill for the additional new cruisers, gunboats, and torpedo-boats, and fought it through the Senate and sent it to the House, and the House of Representatives consigned it to the grave of obscurity and silence and refused to consider it.

The PRESIDENT *pro tempore*. The Senator from Maine will refrain from any allusion to the proceedings of the House of Representatives except as reported from a committee of conference.

Mr. HALE. I shall endeavor to keep myself within the rules.

The PRESIDENT *pro tempore*. The Chair feels it to be his duty to enforce the rules.

Mr. HALE. I am very glad to be admonished by the Chair, and I shall endeavor to keep within the rules.

The Committee on Appropriations afterward authorized and deputed

me to report the same provisions upon the naval appropriation bill for the additional cruisers, gunboats, torpedo-boats, and the ram provided for in the bill to which I have alluded. The conference reports already made show that the bill went to the House; that those provisions were rejected; that it came back and a new conference was appointed; that a second report has been made in the House of Representatives and is ready to be made here showing a total disagreement, the utter impossibility of forcing upon the House these provisions. Under these conditions, little as it is, paltry as it is compared with what I had hoped to gain, I believe the best thing that can be done for the interests of the American Navy, considering the attitude that the House of Representatives has deliberately taken as shown here, is to accept this bill.

It is meager, it is inadequate, it is paltry; and the responsibility is not here, but is there. However the bill is not without its consolations; it is not without its remunerations. Any Senator may rise here at this late hour and by a single objection consign the bill to the table of the Secretary, where it may know the sleep that has no waking, and nothing will be done. I can offer nothing that will dissuade a Senator, if he see fit to do that; but let him bear in mind that the result of the bill presented here gives every dollar needed for the running expenditures of the Navy; that it gives every dollar needed for the completion of the ships now being built; that the 50 per cent. clause does not apply to that; and in addition to that it leaves all the work that the Senate has done upon the bill which it has matured lying in disagreement between the two Houses, so that on the first day of the next session it may be taken up and a conference committee appointed anew, and perhaps our proposition passed at once.

What will happen if we go again into conference, if we take up, as the Senator from Michigan urges, and as he can compel us to do by his single objection, the naval appropriation bill? We can not get a dollar for the new cruisers, we can not get a dollar for the monitors, because the House has taken its attitude upon both. What are we obliged to do? Strike them off and consign them to the tomb, and pass a naval appropriation bill with not a thing in it that is not in this bill; and all the work that has been done in reference to the new ships which we put on the regular naval appropriation bill goes for naught, and we shall have to begin *de novo*. That has been saved by this bill. All that will be before the Senate and the House of Representatives the moment they meet in December, and I estimate that as no light thing. I estimate the difference between taking the bill already prepared through the two Houses and in conference for the additional new ships, cruisers, gunboats, torpedo boats, and ram, ready for another conference committee, and, on the other hand, having to begin again and go through the slow and toilsome process of a report to be brought in here, as being very great indeed.

I say again that this bill does not suit me. It is to me a very inadequate response for the labor and work which some of us have put into this great and important subject; but I can not ignore the fact that we are dealing with a co-ordinate branch of the Government that has the power of restricting everything that we do where we seek to put it upon an appropriation bill. We have done the best that we could do, little as it is; and now I have only to say that if any Senator chooses by his single objection to stop the bill and consign it to the table of the Secretary, the responsibility must rest there. Nothing out of this (as I believe from having been a participant in the conferences) will come that will gain to us one thing not gained in this bill, and we shall lose immeasurably. That is all I can say, and I leave it there.

Mr. BAYARD. Mr. President——

Mr. HOAR. I desired to address a question to the Senator from Maine before he sat down.

The PRESIDENT *pro tempore*. Does the Senator from Delaware yield?

Mr. BAYARD. Certainly.

Mr. HOAR. I suppose it is the law of our popular form of government that we can have no such thing as public secrets either from our own people or other nations. Therefore I suppose there is no objection to answering the question that I am about to put by the reason of the fact that it will disclose our weakness to anybody. I should like to ask the Senator from Maine, so long during this session the acting chairman of the Committee on Naval Affairs, if it be true, as I have been assured by a naval officer of high distinction, that there is nothing in the force at the command of this Government to-day which would prevent any fourth or fifth rate power on earth, either of the smaller South American states, as Chili, from laying San Francisco under contribution?

Mr. HALE. I confess with a sense of shame and mortification not to be denied that the condition of the American Republic to-day, whether menaced by a first or a second or a third or a fourth rate power, is such that no patriotic citizen can reflect upon it or acknowledge it without the deepest humiliation. There is nothing whatever to prevent Chili or any South American power which has in its possession and at its control a second or third rate ironclad from steaming along the Pacific coast and laying our towns under contribution, and burning and destroying, if so it seems proper and right in their will, the metropolis of the Pacific coast.

As to the completion of the contract for the Monadnock, it ought to have been done, but a year ago the Senate put an amendment upon the appropriation bill to complete the four ironclads. The House conceded it. The Secretary of the Navy went on and was able to make contracts for the completion of three of them upon this coast, but he could not make what he deemed a wise and judicious contract for the finishing of the Monadnock in California. The persons there who are able to make contracts to complete the Monadnock were not ready to come in and make the same provisions and the same contract that parties upon this coast were willing to enter into. The Secretary of the Navy found himself confronted with a different condition there from here, and that left the appropriation open to Congress. The House of Representatives, seeing that condition, exercised what was its right and insisted and "took advantage of it," to use the phrase of the Senator from New Hampshire, and turned that money by this provision into the Treasury.

Mr. MILLER, of California. They turned it into the Treasury by what provision?

Mr. HALE. By the provision that they insisted in putting on this bill.

Mr. MILLER, of California. The bill here?

Mr. HALE. The bill here, and all through. Let me answer the Senator further right here. I say the House of Representatives in the original appropriation bill, when they initiated this subject, showing that it was done with forethought and deliberation, and I may say with malice prepense in the bill——

The PRESIDENT *pro tempore*. The Senator is not in order.

Mr. HALE. I ask the pardon of the Chair. I shall refer simply to what is shown on the record.

The PRESIDENT *pro tempore*. The Senator can not proceed without permission. The Chair thinks it is his public duty to preserve decorum between the two Houses.

Mr. HALE. I am not here to abuse the House.

The PRESIDENT *pro tempore*. The observations of the Senator in respect of the House of Representatives are entirely out of order in the opinion of the Chair.

Mr. HALE. I am not here to abuse the House of Representatives.

The PRESIDENT *pro tempore*. The Senator can not proceed without consent.

Mr. SHERMAN. I move that the Senator from Maine be allowed to proceed.

Mr. HALE. I shall await the decision of the Chair and the action of the Senate.

The PRESIDENT *pro tempore*. The Senator from Ohio moves that the Senator from Maine be allowed to proceed in order. The question is on that motion.

The motion was agreed to.

The PRESIDENT *pro tempore*. The Senator from Maine will proceed.

Mr. HALE. The House of Representatives in the bill that is before the Senate put in the provision that is in this bill devoting the surplus of that appropriation to the Treasury generally, by turning it in or reappropriating it in another form.

Mr. MILLER, of California. Now I wish to ask the Senator, if he will allow me, if it is not the law that appropriations for the Navy stand for two years, and whether this is not an existing appropriation available now if we do not pass this act?

Mr. HALE. I doubt it very much. The law in reference to turning appropriations into the Treasury, as the Chair understands, varies upon different subjects-matter, but where an appropriation is made for a specific purpose and no contract is made in certain cases, it expires at the end of one year; and I am not certain—I have not looked at this particular thing on that point, for that has not been called to my attention until now—I am by no means certain, but it is my impression that it expires at the end of one year and goes into the Treasury, where no contract is made. That point I do not discuss.

The House of Representatives in the original bill took ground in favor of turning this money into the Treasury because no contract had been made; and steadily, persistently, it has ever since maintained that attitude, as shown in the different votes. I wish it were otherwise. It ought to be otherwise. The appropriation ought to be left another year. I do not know whether the Secretary of the Navy could make a contract. He has tried for a year. If he had met with the same response that he did in the East, he would have made a contract and this money would have been put out of danger. I do not know that he can do it in another year. He has tried his best and wanted to do it and he could not, and the fund was left there, and the House of Representatives has seized it. That is all I can say. I leave it entirely to the Senate.

Mr. MILLER, of California. I want to ask the Senator whether the courtesy between the two Houses is such that we are in such a condition that it would be proper for the Senate to amend this bill which the House have sent here. Suppose we were to strike out this clause in relation to the monitors or the Monadnock?

Mr. HALE. Undoubtedly if the bill is before the Senate it is open to amendment, and the Senate can do what it pleases with it; and if

it can be improved, if it can be sent back to the House and the House can take any position there that by its concession will help the bill, I bid that movement Godspeed. I have not as much hope from my experience already in the conferences and in the attitude of the House as some Senators have; but if anything can be done that shall help forward this work of rehabilitating the American Navy, it has of course my hearty sympathy and support.

Mr. PLUMB. The Senator spoke with considerable feeling about the humiliation with which he viewed the fact that the Republic was defenseless against even a third-class power. I ask him if it is any more defenseless to-day than it has been during all the other days of the last fifteen years.

Mr. HALE. No, it is not; but to me it is as plain as the light of the sun in daytime that the American people are approaching a different epoch in their history as a nation. The man who supposes that for the next twenty-five years America can go on in the careless and reckless and undefended condition that she has for twenty-five years, that she can go on without any relations that involve her with foreign powers, and that she will not need the strong arm of a respectable navy, is to me blind, is to me strangely and deplorably blind.

If there is any one duty that now presses upon us as a people it is to put ourselves in a condition with a respectable navy where by the means and the influence of that navy we may prevent war and not invite it. We are open and defenseless and liable to war because we have no means of defense; and every year in the future the questions that are arising will add to that danger. That is my answer to the Senator from Kansas.

Mr. HOAR. May I ask the Senator, before he leaves that point, if it be not true that the other powers have been increasing their means of attack all this time, and fifteen years ago while we had our present means of defense was not the state of the naval powers abroad very different from what it is now?

Mr. HALE. Undoubtedly; and all that admonishes us still more that we ought to be up and doing something in this direction. We have gained undoubtedly by the experiments which have been made by other powers, by the lavish expenditures they have made upon experiments that have many of them proved useless, and we stand to-day at the parting of the waves, where we must either decide to remain defenseless, open to the attacks of everybody, or to put ourselves in an attitude where we can maintain a dignified position with all the great powers of the globe.

Mr. PLUMB. I agree with the Senator from Maine entirely in regard to the propriety of having a navy; I have voted with him on all the occasions when that question has been before the Senate; but there has been during all the time the Senator has been struggling to have this construction of a navy undertaken an apparently irreconcilable difference of opinion between the Senate and the House, both as to methods and upon the general question as to whether anything should be done at all. The Senate is no more responsible than the House for the present condition of things, and it is not so much responsible, because it has endeavored to do something which the House of Representatives has not been willing to consent to. That has not been alone the characteristic of the existing House of Representatives, but it was the characteristic also of the last House of Representatives. The naval bill as it came to the Senate from the hands of the last House of Representatives, which was a Republican House, contained no provision whatever for any new ships of the Navy or for the continuation of the construction of the monitors. Both the provisions which were put upon the bill last year were put upon it by the Senate and were stoutly resisted by the House, and only yielded after a long controversy.

I only speak of that to show that the popular body has for some reason or other felt itself instructed to oppose anything which would look to building up the American Navy, and that has been no more conspicuous, I think, in this Congress than in previous Congresses, whatever their politics may have been. That does not, in my judgment, qualify the duty of the Senate at least to make the attempt, and when the attempt has been made and has been met as it has been met heretofore, as the Senate has done what it decently and considerately ought to do to enforce its opinion upon the co-ordinate branch of Congress, I think the duty of the Senate is at an end.

I do not believe that we can assume for the purpose of maintaining this session during the summer months or for any considerable period of time, that we know better what the country wants than the House does, that we are more considerate of the national honor or the national defense than the House is, or that we have any more responsibility in regard to what shall be done in a legislative way with relation to this very important question than the House. Therefore, it seems to me that we ought to be considerate of the wishes of the House and of their determination, and having insisted up to the point of a disagreement which is seen to be absolutely irrevocable and final, our duty in the premises is done. We are not the only guardians of the American Republic or of its honor or its well-being; we alone are not concerned in regard to matters relating to its defense, but we share that with the Executive and with the other branch of Congress. We have done our duty, not all of it, but we have at least made an effort in the right direction.

We have tendered to the House a bill which would effect a substantial improvement of the Navy, provide some means for the defense of our coast, and the general advancement of the commercial and other interests of the Government and of the people. That has been rejected, after a long and serious controversy in which the differences have developed as irreconcilable, and the protracting of this session to-day and to-morrow and next week and the week after and the month after will not, in my judgment, bring the two Houses any nearer together. I do not believe that any public business is to be advanced by the continuance of the session. I do not believe that it will be expected of us that we should do it—that we should engage in a hopeless controversy about one single feature of all that has been presented in reference to the annual appropriations for carrying on the Government. Believing that, I agree that this bill, amended if it can be so as to make it less objectionable, but in some shape, this bill should be passed.

Mr. BAYARD. Mr. President, I apprehend the function of an appropriation bill is to supply money for the branch of the public service to which it relates, and the naval appropriation bill by its title fully explains the object for which it was introduced. It is to find sufficient money to maintain the naval establishment of the United States, to pay the officers and seamen, to protect the Navy and keep it in proper condition as it exists. I understand from the honorable Senator who has the bill in charge, who not only is an efficient member of the Naval Committee, but is the member of the Appropriation Committee to whom this bill has fallen, that the full expenses and all the needs of the American Navy, and all the contracts which have been entered into for its construction and maintenance, are fully provided for by this bill. Is that or is that not so?

Mr. HALE. My attention was diverted; I did not quite hear the Senator's question.

Mr. BAYARD. I will repeat my statement. I understand that this appropriation bill provides for the full maintenance of the American Navy upon its present footing and establishment, and provides also money for the fulfillment of all contracts which have been entered into in regard to vessels.

Mr. HALE. It does in all essential particulars. There are some little matters left out, but in all essential particulars it does.

Mr. BAYARD. Very well. Then we have the answer from the most authoritative source that this bill fulfills its functions and the Navy is provided for. Now, I hold this to be the truth, a very fundamental truth in legislation in our country, that the two Houses of Congress as a primary duty must provide for the maintenance of the American Government and that they are not to allow their differences of opinion as to policies, as to new features of law, to stand in the way of the prompt and full performance of their first and primary obligation, and that is the maintenance of the Government and finding money for that purpose.

But, Mr. President, the Senator from Maine is, as we know, an able, industrious, and faithful member of many committees of this body and especially of that on Naval Affairs. I bear willing testimony to his intelligence and to his devotion to the service; but by no means do I yield the palm to him of any superior zeal or any stronger desire to make that branch of the service efficient to many of his coadjutors on this floor. The Senator from Maine introduced early in the session a bill to recommence the construction of a navy that had passed out of sight. If $379,000,000 of the public money have been spent from 1865 to this day and we have no navy, let those who spent the money account to the people who owned it. But whether they shall account or not, whether their acccount shall be satisfactory or not, is not the question for us to-day alone. It is by our votes and by our action to supply deficiencies, if there have been, in ability or character or fidelity or honesty or anything else that goes to make up proper and efficient public service.

Therefore it was when the Senator from Maine presented his plan for building six new cruisers he found in the Senate no readier assistance than he found upon this side of the Chamber, and he will readily admit that. He nods assent, and it is but a very simple statement of the truth. I was one of those, with many of my associates around me, who believed the time had come when all the experimental departures in naval architecture and armament which had been tested at the expense of other countries should be availed of by our own, and that no longer should we delay a work that had been made necessary; I say not now from what cause made necessary. This is neither the time nor the hour nor the day for recrimination or otherwise of a partisan character.

I say that the time had come when the recommencement and restoration of the American flag, both commercially and armed, upon the high seas should have begun. Therefore it was that I gave an early and a willing vote for the six cruisers. I voted for the money to finish the four for which contracts had already been made. I voted for granting the money to finish the four double-turreted monitors which by the action, not of Congress, but of Mr. Thompson, the Secretary of the Navy, and of Mr. Hayes's administration, were arrested in the course of their construction and stopped from that day until two years ago. It was no act of Congress that arrested the completion and armament of those four double-turreted monitors. It was the act of an incom-

ing Secretary of the Navy, who declared that he did so because of gross maladministration that had preceded him.

Now, Mr. President, this bill stands, as I understand, upon two points of difference, from both of which the Senate have receded: The one ingrafted upon the appropriation bill the project for the construction of the six cruisers which was the subject of a separate bill passed by the Senate by an overwhelming majority and sent to the House. The other was complained of by the Senator from California [Mr. MILLER], that the contract for completing the Monadnock, one of the four double-turreted monitors, had not been provided for.

Before me lies the public law of the United States which has been in force for some thirteen years—it was passed in 1871—which provides that where the expenditure of money has not been contracted for for the object for which it was intended, for the fulfillment of contracts properly made within the year, the balance shall be carried to the surplus fund in the Treasury. Why is it that contracts have been made for the completion, the armament, and the fitting out for sea and for service of three of these monitors and not of the other? Why that has been I know not, but so it seems. It has certainly been the omission or the commission of the Department in charge, but with that Congress has nothing whatever to do. Here stands the general law, passed for a general and wise policy, not to allow appropriations made from year to year to be left over and to be held undistinguished in the hands of the Department for which they were made. It seems to me, with all due respect to the other branch of Congress, that unless they have repealed the act of 1871 they scarcely could provide money for a contract that was not yet made. But I believe the fact still stands, that there are three of these vessels under contract for which the full money and the full amount necessary for their completion has been provided by this bill.

But the other point is whether it is wise and proper for the Senate to insist upon a feature of general legislation attached to an appropriation bill, and which every man who hears me knows can not be referred to the appropriate committee of the House, to which it should be sent. In other words, proposing to build a navy, the Senate has so legislated that the appropriate committee of the other branch of Congress can not examine the proposition submitted to it.

Mr. HALE. Will the Senator allow me there?

Mr. BAYARD. Certainly.

Mr. HALE. The precise provision that the Senate incorporated on the naval appropriation bill for the construction of the additional ships was sent to the House of Representatives in a separate bill months before the appropriation bill, was there referred to the House Committee on Naval Affairs, and has slept there ever since. So that the House committee has had months to mature the measure.

Mr. BAYARD. That is precisely the case. I endeavored to state that fact as distinctly as I could. I said that I had assisted in the passage of the bill which had been sent to the House, and there, I take it, the function and the power of the Senate ends. But it pleased the Senate to proceed to legislate in the way I have described, and I do here reiterate that an appropriation bill containing this separate, distinct feature, which is of a general nature in legislation, has been incorporated upon a bill that can not under the rules of the Senate and House be referred to the Naval Committee.

I will agree that a separate bill containing the same matters had been referred to them; and it was a question simply of judgment, a question of responsibility, for which each House must stand before the country to answer in its own way; but there is no power and there will never be a power in this country, I trust in God, to enable one man to coerce the judgment and the conscience and the responsibility of the other. The American people did not deposit their power in a single House. It stands in two independent Houses, and they again subject to the check of the Executive.

Now, I mean to say that this amendment ought never to have gone on this appropriation bill. I have heard the Senate Chamber ring with denunciation of the proposition to ingraft general legislation on Army and Navy appropriation bills. At this very session the Senate has resisted, and properly resisted, the ingrafting of general legislation upon a bill for the payment of the sundry civil expenses of the Government, a most meritorious amendment, an amendment intended to abate extortions and oppressions by the commissioners and clerks and officials of the judicial branch in many of the Southern States. That amendment contained seeds and suggestions of genuine reform, but I and others joining with the majority in the Chamber voted that it was improper to have associated an amendment containing reforms, however wholesome, on a mere bill of appropriations, and the Senate has refused to assent to that provision, and the House has withdrawn and conceded that the Senate was justified in that act.

What is now the case? The Senate is asked now precisely to adopt the same rule of legislation in regard to this appropriation that it insisted upon in regard to an amendment incorporated by the House upon one of its bills. I do not say an amendment, but a change in existing law sent here under the forms of an appropriation bill was rejected by the Senate, and the same ground and the same reasons that would urge me to vote to reject the House action urge me to-day to vote to reject the Senate action; and I for one desire to say that the Senate has done well in receding from its amendment, and I will say further the amendment, in my judgment, ought never to have gone upon the bill.

The Senator from Maine has accomplished, I think, all that was his duty to do when he presented the separate proposition of an increase of the American Navy under the form of a bill properly passed in this body for the consideration of the House of Representatives. After it passed from us we had no control of it. The merits or demerits of the bill were no longer for us to consider.

Mr. HALE. The Senator will bear in mind that the Senate has not receded from its proposition to the naval appropriation bill. That bill is left precisely as it stood. It stands between the two Houses with the Senate amendment upon it, and this bill does not put the Senate in the attitude of receding, but this bill is introduced independent and lets all that subject go over to the next session with the Senate amendment upon the appropriation bill.

Mr. BAYARD. I do not understand the precise position of it and I do not care much how the same end may be reached.

Mr. HALE. It leaves the bill between the two Houses.

Mr. BAYARD. Two things equal to the same thing are equal to each other. I shall no more vote to compel the House to subject themselves to the will of the Senate, because that will has been ingrafted upon an appropriation bill, than I would submit to like coercion by the other branch in case they endeavored to ingraft a provision of general legislation upon an appropriation bill sent to us. I was not aware of the form in which this question was presented to the Senate, but I believe it substantially is that the Senate are asked to give their assent to a bill appropriating the full amount needed to maintain the American Navy and execute the contracts which have been duly and legally made. For that bill I am prepared to vote, and I shall neither vote to put on a new amendment which shall compel the House to assent at the cost of losing the appropriation, nor shall I vote to stay here longer for the purpose of accomplishing that which I believe is unjust to the House.

The PRESIDENT *pro tempore*. The Calendar of General Orders is before the Senate. Order of Business No. 3 is the first case on the Calendar. The title of the bill will be read.

Mr. COCKRELL. I do not see the Senator from Iowa, the chairman of the Committee on Appropriations. I think he has a conference report to submit. I have sent for him, and I hope nothing will be done until he comes in.

Mr. CONGER. I have heard no reasons given why the objection to the second reading of the bill should be withdrawn. I have noticed with regret that while the gentlemen who have charge of this bill repeat their very great desire to have a bill that shall increase the Navy, give it growth and strength, yet both of the gentlemen who have spoken who are on that committee, the Senator from Kansas [Mr. PLUMB] and the Senator from Maine [Mr. HALE], have unfortunately stated here distinctly that the other branch of Congress will not yield, and that there is no hope of securing any such result. By another day it will be seen that the leaders here have given up the struggle, submitting to the inevitable, which I very much regretted to hear; but I have at least had the pleasure of calling the attention of the Senate and of the country to the condition in which this legislation and proposed legislation leaves the Navy, and of showing who is responsible for that condition and for Congress acting with helplessness and ease and indifference in regard to our national defense.

But now, sir, with the hope that this bill may be amended, that the clause in regard to torpedoes may be stricken out, and that the last clause of the bill, which covers back into the Treasury money which Congress has already appropriated for completing one of the vessels, may be stricken out, I withdraw my objection to the second reading, retaining, as I have the right to, I suppose, the right to make objection to the third reading when that stage is reached.

The PRESIDENT *pro tempore*. The Senator from Michigan withdraws his objection to the second reading of the bill. Is there objection to its second reading?

Mr. RIDDLEBERGER. I am sorry the Senator from Michigan withdrew his objection. I feel like interposing one of my own, I will not, but I do not give my consent. I do not object.

The PRESIDENT *pro tempore*. Is there objection to the second reading of the bill the title of which will be now reported?

The SECRETARY. "A bill (H. R. 7509) making temporary provision for the naval service."

The PRESIDENT *pro tempore*. Is there objection to the second reading of this bill at this time? The Chair hears none, and the bill will be read the second time.

The bill was read the second time by its title.

The PRESIDENT *pro tempore*. The bill has been read the second time, and will be referred to the Committee on Appropriations.

Mr. HALE. The Committee on Appropriations has had jurisdiction of the subject, and it has already passed through all the phases of consideration that would apply to the bill, and I should be very glad now if it could be considered for final action. I ask unanimous consent that the bill may be put upon its passage. The Senator from California has an amendment which he desires to offer that will bring up the question of the Monadnock before the two Houses. I ask

unanimous consent, in order to expedite the matter, that the bill be put on its passage.

The PRESIDENT *pro tempore*. The Senator from Maine asks unanimous consent that the bill be put upon its passage.

Mr. RIDDLEBERGER. I object. I understand that a majority takes up the bill, does it not? I am satisfied to let it go through if the majority want to carry it through, but I am not going to consent to it for one.

The PRESIDENT *pro tempore*. There is no rule of the Senate that requires a bill to be referred.

The Chair, waiting for a suggestion and hearing none, took the usual course with the bill.

Mr. HALE. The Senator from Virginia withdraws his objection. Is not the bill open to amendment?

The PRESIDENT *pro tempore*. The Senator from Maine asks unanimous consent, as the Chair understands, that the bill be put upon its passage.

Mr. CONGER. Does the Senator from Maine ask that?

Mr. HALE. The bill at present is open to amendment, I take it.

Mr. CONGER. Then let the Senator withdraw his request.

Mr. HALE. I do not object to any amendment being moved if any Senator has any to offer.

The PRESIDENT *pro tempore*. If there be no objection the Chair will withdraw the reference of the bill, and the bill is now before the Senate as in Committee of the Whole and open to amendment.

Mr. CONGER. I move to strike out the clause relating to torpedoes.

The PRESIDENT *pro tempore*. The Senator from Michigan moves to amend the bill by striking out the words which will be read.

The Chief Clerk read the words proposed to be stricken out, as follows:

Or for the purchase and manufacture, after full investigation and test in the United States, under the direction of the Secretary of the Navy, of torpedoes adapted to naval warfare, or of the right to manufacture the same, and for the fixtures and machinery necessary for operating the same.

The PRESIDENT *pro tempore*. The question is upon agreeing to the amendment of the Senator from Michigan.

The question being put, a division was called for, and the ayes were 8, and the noes many more——

Mr. HOAR. I hope the demand for a division may be withdrawn before the numbers are announced. I voted with the Senator from Michigan and thoroughly sympathize with him; but I ask him under the circumstances if he had not better withdraw the call for a division?

The PRESIDENT *pro tempore*. Debate is not in order.

Mr. HOAR. I know it is not in order, but I make a request.

Mr. CONGER. I withdraw my call for a division. I regret that circumstances forbid that there should not be a record of the votes of Senators on this proposition.

The PRESIDENT *pro tempore*. The demand for a division is withdrawn. The noes have it, and the amendment is disagreed to.

Mr. MILLER, of California. I move to strike out the last clause, beginning with the word "nothing," at the bottom of the page, to the end of the bill, and to insert in lieu of it what I send to the Chair.

The PRESIDENT *pro tempore*. The Senator from California proposes an amendment, which will be read.

The CHIEF CLERK. It is proposed to strike out the last paragraph, being—

Nothing herein contained shall be construed as appropriating money for or authorizing the continuation of work upon the double-turreted monitors Monadnock, Terror, Amphitrite, and Puritan; and any unexpended balance now remaining of the appropriation contained in said act approved March 3, 1883, for engines and machinery for the said double-turreted monitors shall be covered into the Treasury, except such parts thereof as may be required under existing contracts made for the engines and machinery of the three last-named monitors.

And to insert in lieu thereof:

The appropriation for the engines, machinery, &c., of the double-turreted monitors Monadnock, Terror, Amphitrite, and Puritan contained in said act approved March 3, 1883, shall be, and is hereby, continued, and the same is made available for the purpose declared in said act.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment proposed by the Senator from California.

The amendment was agreed to.

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

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. ALLISON. I ask that the Senate now take up the consular and diplomatic bill in order that I may move that the Senate recede from its amendment numbered 158.

The PRESIDENT *pro tempore*. The Senator from Iowa asks that there be laid before the Senate 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 last action of the House of Representatives on the bill will be read.

The Chief Clerk read as follows:

IN THE HOUSE OF REPRESENTATIVES, *July* 5, 1884.

Resolved, That the House still further insist upon its disagreement to the one hundred and fifty-eighth amendment of the Senate to 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, and ask a further conference with the Senate on the disagreeing votes of the two Houses thereon.

Ordered, That Mr. BURNES, Mr. TOWNSHEND, and Mr. WASHBURN be the managers of the further conference on the part of the House.

Mr. ALLISON. I make this motion, believing that the House of Representatives will not agree to this amendment, it having been twice tested in that body. I regret exceedingly that I am obliged to make the motion in order that we may secure the passage of the bill. This amendment was put on the bill in this body after mature deliberation and consideration and in order to accomplish a great public purpose. The details with reference to the amendment are well known to the Senate. They are well known to those in the House who have the responsibility of the passage of these bills. Therefore I assume that the House, thus knowing their responsibility, have deliberately refused to agree to the amendment which we proposed. Under these circumstances I make the motion that the Senate recede.

The PRESIDENT *pro tempore*. The Senator from Iowa moves that the Senate recede from the only amendment open in the bill, proposed by the Senate to the bill, being amendment numbered 158.

Mr. MILLER, of California. I understand the Senator from Iowa to say that he is convinced the House will never agree to this amendment. Did I understand him correctly?

Mr. ALLISON nodded assent.

Mr. MILLER, of California. This matter has been discussed in the Senate at considerable length, but with closed doors. It has been discussed elsewhere.

The PRESIDENT *pro tempore*. The Senator from California can not allude to anything that took place with closed doors on this or any other measure.

Mr. MILLER, of California. I beg pardon of the Senate for having transgressed the rule. It has been discussed a great deal in the public prints, and it has been discussed in this body. As has been stated by the Senator from Iowa, the reasons for such an appropriation were made sufficiently manifest to convince a majority of this body that the appropriation ought to be made. It is for the purpose, as I understand, of securing to the United States certain advantages in reference to the isthmus transit; and every one who has given the subject consideration can not have failed to appreciate the importance of the attempt which the Government is now making.

I presume from the statement made by the Senator from Iowa that it will be impossible to convince—it has been impossible thus far—to convince the conferees on the part of the House that this appropriation is a necessary and proper one to be made. I do not propose to discuss the matter at this late hour, but I desire to have it distinctly understood that the responsibility for whatever may happen, for whatever losses may be entailed on this nation, for whatever advantages other nations may obtain over this, the dominant power in this hemisphere, by the failure to make this appropriation, will not rest upon the Senate nor upon that committee of the Senate which has recommended this appropriation.

The PRESIDENT *pro tempore*. The question is on agreeing to the motion of the Senator from Iowa that the Senate recede from this amendment.

The motion was agreed to.

DISTRICT CLERICAL SERVICES.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 286) for the payment of certain persons therein named for clerical services rendered the District of Columbia in making numerical and assess books; in which it requested the concurrence of the Senate.

Mr. LOGAN. I ask to take up the resolution just received from the House and have it considered now.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a joint resolution from the House of Representatives.

The joint resolution (H. Res. 286) for the payment of certain persons therein named for clerical services rendered the District of Columbia in making numerical and assess books was read the first time by its title.

Mr. GARLAND. Let it be read in full.

The PRESIDENT *pro tempore*. The joint resolution will be read for information subject to objection.

The Secretary read as follows:

Resolved, &c., That the Secretary of the Treasury be authorized to pay the following-named persons for clerical services in making numerical and "assess" books, namely: To F. G. Cowie, $138; to G. A. Hall, $435; to W. E. Morgan, $505; to George S. Bell, $180; to Thomas B. Shoemaker, $45; to William Griffin, $900; to E. W. W. Griffin, $900; to R. A. Fish, $900; to Frank Wilson, $900; to J. F. Thompson, $171; to Charles D. Merwin, $30; in all, $5,104, out of moneys appropriated for the District of Columbia not specifically set apart for special purposes.

Mr. LOGAN. I will state that this resolution is only an extract from a bill that passed the Senate, and the House conferees struck it out from the deficiency appropriation bill. After the conference report had been agreed to I went to see about it, and found it was stricken out without a full understanding of it, and they would have agreed to it had they had the statements before they agreed on the conference report. One of the conferees said he would endeavor to have a resolution of this character passed through the House, so that the Senate might agree to it.

Mr. COCKRELL. The appropriation provided for in the joint resolution was an amendment, I believe, to the deficiency bill agreed to by the Senate. That amendment in that bill was submitted to the House conferees. It was disagreed to with a full knowledge and with all the information we now have upon it. The Senate necessarily had to recede. What has changed the views of the House in regard to the matter I do not know. It is a remarkable proceeding. Believing that we were doing justice and were right in placing the amendment on the bill and insisting upon holding it there as long as we could, and that the conferees were wrong then and the House is right now in passing the measure, I shall not object to its consideration, but simply ask that a provision be put in to make the District liable to one-half of it.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). Is there objection to the second reading of the joint resolution? The Chair hears none.

The joint resolution was read the second time, and the Senate, as in Committee of the Whole, proceeded to its consideration.

Mr. COCKRELL. I find in looking at the resolution that the provision is sufficient.

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

EXECUTIVE SESSION.

Mr. HOAR. I rise to move an adjournment until 9 o'clock to-morrow, if there be no objection on the part of the Senator from Iowa.

Several SENATORS. Ten.

Mr. ALLISON. I see no objection to the motion unless it should turn out that the House should disagree to our amendment to the naval bill just passed, and in that case it might be necessary to have another conference.

Mr. HOAR. This will give three hours before 12 for that purpose.

Mr. ALLISON. Very well.

Mr. HOAR. I move that the Senate adjourn until 9 o'clock to-morrow.

Mr. SHERMAN. Before that motion is put I ask whether any hour has been fixed for final adjournment?

Mr. ALLISON. No hour has been fixed for final adjournment, and I think none should be fixed to-night.

Mr. COCKRELL. I hope the Senator from Massachusetts will say 10 o'clock.

Mr. HOAR. It ought to be 9.

Mr. MORGAN. We ought to have a brief executive session. I hope the Senator from Massachusetts will allow us to have a brief executive session.

Mr. HOAR. I will modify my motion and move that the Senate proceed to the consideration of executive business.

The PRESIDING OFFICER. The question is on the motion of the Senator from Massachusetts that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business. After eight minutes spent in executive session the doors were reopened; when, on motion of Mr. HOAR (at 11 o'clock and 20 minutes p. m., Sunday, July 6), the Senate adjourned to meet at 10 o'clock a. m. on Monday, July 7.

HOUSE OF REPRESENTATIVES.

SATURDAY, *July* 5, 1884.

The House met at 9 o'clock a. m. Prayer by the Chaplain, Rev. JOHN S. LINDSAY, D. D.

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

SENATE REPORT ON LABOR AND CAPITAL.

The SPEAKER laid before the House the following resolution of the Senate; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That the report of the Senate Committee on Education and Labor on the relations between labor and capital, with the accompanying testimony, be printed; and that 25,000 additional copies be printed, of which 8,000 shall be for the use of the Senate, 16,000 for the use of the House of Representatives, and 1,000 copies for the use of the Senate Committee on Education and Labor.

IRRIGATION IN CALIFORIA.

The SPEAKER also laid before the House the following resolution of the Senate; which was referred to the Committee on Printing:

Resolved by the Senate (the House of Representatives concurring), That there be printed 2,000 copies of Executive Document No. 290, first session Forty-third Congress, relating to irrigation of the San Joaquin, Tulare, and Sacramento Valleys, California, of which 1,000 copies shall be for the use of the Senate and 1,000 copies for the use of the House.

WASHINGTON AND GEORGETOWN RAILROAD COMPANY.

The SPEAKER also laid before the House a communication from the president of the Washington and Georgetown Railroad Company, transmitting the treasurer's annual report of the company's receipts and disbursements for the year ending December 31, 1883; which was referred to the Committee on the District of Columbia.

ORDER OF BUSINESS.

Mr. RANDALL. I move that the House take a recess until 11 o'clock this morning.

Mr. STRUBLE. I ask unanimous consent to make a report from the Committee on Pensions.

The SPEAKER. A motion for a recess is pending.

Mr. TOWNSHEND. I move that the morning hour be dispensed with.

The SPEAKER. That motion is not in order pending a motion for a recess.

The question being taken on the motion of Mr. RANDALL, there were—ayes 26, noes 11.

Mr. TOWNSHEND. No quorum.

The SPEAKER. The gentleman from Illinois [Mr. TOWNSHEND] makes the point that no quorum has voted.

Mr. SPRINGER. Can we not dispense with the morning hour by unanimous consent and then take a recess?

Mr. TOWNSHEND. I am willing that shall be done.

The SPEAKER. The House can do almost anything by unanimous consent.

Mr. SPRINGER. I ask unanimous consent that the morning hour be dispensed with.

Several members objected. [Cries of "Regular order!"]

The SPEAKER. The regular order is the motion for the recess.

Mr. MCMILLIN. I understand that the point of no quorum is withdrawn.

The SPEAKER. The Chair will put the motion again.

The question being again put on the motion of Mr. RANDALL that the House take a recess until 11 o'clock a. m., it was agreed to; and a recess was accordingly taken.

The recess having expired, the House at 11 o'clock a. m. resumed its session.

WITHDRAWAL OF PAPERS.

Mr. WILSON, of Iowa, by unanimous consent, obtained leave to withdraw from the files of the House papers in the case of Barbara A. Cheney.

INVESTIGATION OF PACIFIC RAILROADS.

Mr. THOMPSON. I ask unanimous consent for the consideration and adoption of a resolution proposing an investigation to obtain information needed by the Pacific Railroads Committee and which can not be obtained without an investigation of this kind. This information is important in its connection with bills which have been before us for some time to regulate freight and fares on these roads; and it is also desirable to obtain information whether the late report made by Government experts was in any way modified, suppressed, or changed. I send the resolution to the desk and ask unanimous consent for its immediate consideration and adoption.

Mr. DUNN. I do not object to any resolution proposing a necessary investigation.

The SPEAKER. The gentleman from Kentucky [Mr. THOMPSON] asks unanimous consent for the immediate consideration of a resolution which will be read, after which the Chair will ask for objection.

The Clerk read as follows:

Resolved, That the Speaker of this House appoint a committee of five members from the Committee on Pacific Railroads to investigate the affairs of the Union Pacific Railway Company, the Central Pacific Railroad Company, and Northern Pacific Railroad Company, and report what was the cost of building the same, whether at any time the net earnings of said roads have in either case been greater than 10 per cent. of its cost after deducting all expenditures, &c., as provided in the act of 1862, and whether the right to reduce and fix by law the rates of fare on said roads, or either of them, has accrued and should be exercised by the United States; also, whether the recent report of the Government accountants was suppressed, withheld, altered, or modified by any one; if so, by whom and at whose instance and for what purpose; and whether any contract or combination was entered into between any of the officials of said railroads and any officer of the Government, or arrangements made to delay or influence action upon the part of Congress in regard to said roads, and whether any of the funds or securities of either of said roads have been in any way misappropriated or misapplied; and for this purpose they may send for persons and papers, swear witnesses, employ clerks, accountants, and other necessary labor, may visit and hold meetings on any portion of said roads in cities in which their papers are kept during the recess of Congress; and the expenses of said investigation, not to exceed $10,000, shall be paid out of the contingent fund of the House.

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

Mr. BELFORD. I wish to make an inquiry in regard to this resolution.

Mr. THOMPSON. Let the resolution first come before the House, and if the gentleman wishes to move an amendment I will yield to him for that purpose.

Mr. BELFORD. I will take my chance now. I do not wish to put an amendment in. I wish to inquire whether there is not in the Treasury Department a railroad commissioner who makes every year a report to the Government.

Mr. THOMPSON. Yes, sir.

Mr. BELFORD. As to the condition of all these railroads?

Mr. THOMPSON. But, sir, it is so insufficient on the very points which we desire to investigate that we have been induced to make this

request for additional information. There is no information in the Railroad Commissioner's report relating to the rates of fare; none at all, sir; and therefore we have asked to make this investigation. We have had these bills before us and we have not had any data upon which we can report to the House any legislation. We have to make this investigation before we will be able to submit any report to the House for action which will be at all satisfactory.

Mr. BELFORD. I understand this Government made appropriation to aid in the construction of the Union Pacific Railroad——

Mr. McCOID. I object.

Mr. BELFORD. And the Central Pacific Railroad.

Mr. THOMPSON. I hope the gentleman from Iowa will let the resolution pass.

Mr. BELFORD. I hope the gentleman will be willing to let the resolution be considered.

Mr. McCOID. It is unnecessary. It is too late a day in the session to provide for a junketing expedition.

Mr. THOMPSON. I wish to say to the gentleman from Iowa [cries of "Regular order!"] that there is no junketing expedition about it. [Cries of "Regular order!"] This investigation is absolutely demanded. [Cries of "Regular order!"]

The SPEAKER. The regular order has been demanded and there is nothing before the House.

EXPLANATION.

Mr. STEELE. Last night during the call of the roll I stated that I was paired with my colleague, Mr. LAMB, and for that reason I wished to withdraw my vote unless necessary to make a quorum. Afterward I stated that as Mr. LAMB and myself would vote the same way I would let my vote stand.

ORDER OF BUSINESS.

Mr. WILSON, of Iowa. I hope, Mr. Speaker, that every gentleman present to-day will vote to make a quorum, as that is understood in every pair which has been made between members.

Mr. REED demanded the regular order of business.

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

The House divided; and there were—ayes 49, noes 36.

So (two-thirds not having voted in the affirmative) the morning hour was not dispensed with.

Mr. TOWNSHEND. Let us have the regular order of business.

The SPEAKER. The regular order of business is the call of committees for reports.

LEAVE OF ABSENCE.

Mr. TULLY, by unanimous consent, was granted indefinite leave of absence on account of important business.

LEAVE TO PRINT.

Mr. YOUNG, by unanimous consent, was granted leave to print in the RECORD some remarks on the Mexican pension bill.

CRAIG VS. SHELLEY.

Mr. TURNER, of Georgia. In behalf of my colleague on the Committee on Elections [Mr. DAVIS, of Missouri] I desire to submit a report from that committee in the case of Craig against Shelley, of Alabama.

The SPEAKER. The Clerk will read the resolution accompanying the report.

The Clerk read as follows:

Resolved, That Charles M. Shelley was not elected a Representative in the Forty-eighth Congress from the fourth district of Alabama, and is not entitled to a seat in said Congress.

Resolved, That George A. Craig was elected a Representative in the Forty-eighth Congress from the fourth district of Alabama, and is entitled to a seat in said Congress.

The report was ordered to be printed.

Mr. BENNETT, by unanimous consent, presented the views of the minority, which were also ordered to be printed with the report of the committee.

DELEGATE FROM MONTANA.

Mr. RANNEY, by unanimous consent, from the Committee on Elections, submitted a report, accompanied by the following resolution:

Resolved, That Martin Maginnis was duly elected as a Delegate from the Territory of Montana in the Forty-eighth Congress, and is entitled to a seat as said Delegate.

Mr. RANNEY. The committee was unanimous in that report, and I presume there will be no objection to its adoption at this time.

The SPEAKER. It would be irregular to do so during the call of committees for reports, but it can be called up again.

PRAIRIE BAND OF POTTAWATOMIE INDIANS.

Mr. PERKINS (by Mr. FUNSTON), from the Committee on Indian Affairs, reported back with an amendment the bill (H. R. 3622) to provide for the sale of the lands belonging to the Prairie Band of Pottawatomie Indians in Kansas; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

GEORGE K. OTIS.

Mr. LEWIS (by Mr. SCALES), from the Committee on the Public Lands, reported back favorably the bill (H. R. 442) to authorize the Secretary of the Interior to issue to George K. Otis duplicates of certain land-warrants lost while in the possession of the officers of the Government; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, LYNN, MASS.

Mr. WEMPLE (by Mr. REESE), from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 4781) for the erection of a post-office building at Lynn, Mass.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, WILKES BARRE, PA.

Mr. PUSEY, from the Committee on Public Buildings and Grounds, reported back with amendments the bill (H. R. 5138) for the purchase of a site and the erection of a public building at the city of Wilkes Barre, Pa.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

WASHINGTON'S HEADQUARTERS, MORRISTOWN, N. J.

Mr. KEAN, from the Committee on Public Buildings and Grounds, reported back the joint resolution (H. Res. 197) authorizing the Secretary of War to assist in canceling the debt and in enlarging and improving the grounds and collections of Washington's Headquarters in Morristown, N. J., and in securing suitable ground in which to gather the remains of Revolutionary soldiers there buried, and in erecting a monument over the same; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, PLYMOUTH, MASS.

Mr. HOPKINS, from the Committee on Public Buildings and Grounds, reported, as a substitute for H. R. 4095, a bill (H. R. 7506) for a public building at Plymouth, Mass.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING, LA FAYETTE, IND.

Mr. HOPKINS, from the Committee on Public Buildings and Grounds, also reported back with amendments the bill (H. R. 5486) for the purchase of a site and the erection of a public building thereon in the city of La Fayette, Ind.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

MATERIAL FOR PUBLIC BUILDINGS.

Mr. HOPKINS, from the Committee on Public Buildings and Grounds, also reported back, with the recommendation that it be adopted, a resolution referred to said committee directing an inquiry into all matters pertaining to workmanship, the furnishing of material and quality of the same, for the construction of public buildings, and also with reference to expenses pertaining to the same; which was ordered to be printed, and referred to the House Calendar.

PETER M. HAGLER.

Mr. CULLEN, from the Committee on Invalid Pensions, reported back the bill (H. R. 252) granting a pension to Peter M. Hagler; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CAROLINE HIGGERSON.

Mr. CULLEN, from the Committee on Invalid Pensions, also reported back the bill (H. R. 1856) granting a pension to Caroline Higgerson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CANADIAN RECIPROCITY TREATY.

Mr. HITT (in behalf of Mr. BELMONT), from the Committee on Foreign Affairs, reported back the joint resolution (H. Res. 32) requesting the President to negotiate with Great Britain for a renewal of the Canadian reciprocity treaty of 1884; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

WILSON W. BROWN AND OTHERS.

Mr. LE FEVRE, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 337) granting a pension to Wilson W. Brown and others; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JAMES KING.

Mr. LE FEVRE, from the Committee on Invalid Pensions, also reported back with favorable recommendation the bill (S. 2049) granting a pension to James King; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JEREMIAH M'CARTY.

Mr. STRUBLE, from the Committee on Pensions reported back with

amendments the bill (H. R. 6029) for the relief of Jeremiah McCarty; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CLAIMS REFERRED UNDER THE BOWMAN ACT.

Mr. McMILLIN. Mr. Speaker, on behalf of the Committee on Claims, I desire to submit a report with reference to the claims referred by that committee to the Court of Claims, under the act of March 3, 1883, with an accompanying statement. While there is no rule that requires this report to be made, I think it is one that ought to be made for the information of the House, and I understand the Committee on Rules have prepared and are ready to report a rule to cover the case.

The SPEAKER. The report will be printed in the Journal if there be no objection.

There was no objection, and it was ordered accordingly.

THEODORE TEED.

Mr. VAN ALSTYNE, from the Committee on Claims, reported a bill (H. R. 7507) for the relief of Theodore Teed; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

H. J. T. MOSS.

Mr. VAN ALSTYNE, from the Committee on Claims, also reported back the bill (H. R. 6661) for the relief of H. J. T. Moss; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

G. ALEXANDER RAMSEY.

Mr. VAN ALSTYNE, from the Committee on Claims, also reported back with amendments the bill (H. R. 2200) providing for the relief of G. Alexander Ramsey; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ISSUE OF DUPLICATE CHECKS.

Mr. VAN ALSTYNE, from the Committee on Claims, also reported back with a favorable recommendation the bill (S. 1705) to provide for the issue of duplicate checks; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

PRESENTATION OF COMMITTEE REPORTS.

Mr. SMITH, from the Committee on Printing, reported back with amendments the joint resolution (H. Res. 263) providing for the preservation of reports of committees; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

COLLECTION AND INDEXING OF COMMITTEE REPORTS.

Mr. SMITH, from the Committee on Printing, also reported a joint resolution (H. Res. 285) providing for the collection and indexing of the reports of committees; 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.

JOHN DAILY.

Mr. HENLEY, from the Committee on the Public Lands, reported back the bill (H. R. 2916) for the relief of John Daily; which was referred to the Committee of the Whole House on the Private Calendar, and, with theaccompanying report, ordered to be printed.

FLAVIA A. HASKELL.

Mr. SUMNER, of Wisconsin, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (S. 1627) granting a pension to Flavia A. Haskell; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

JOHN F. DENSON.

Mr. BROWN, of Pennsylvania, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 4316) for the relief of John F. Denson; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

LEAVE OF ABSENCE.

By unanimous consent, indefinite leave of absence was granted to Mr. STORM, on account of sickness.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 137) for the relief of Betsy A. Mower;

A bill (H. R. 284) for the relief of Mary G. Hawk;

A bill (H. R. 569) granting a pension to Reuben Marshall;

A bill (H. R. 709) granting a pension to Robert L. Willey;

A bill (H. R. 747) granting an increase of pension to Fannie S. Beaumont;

A bill (H. R. 2089) granting a pension to Margaret Wiggins;

A bill (H. R. 2091) granting a pension to Mrs. Rebecca Hall;

A bill (H. R. 3056) to constitute a bureau of navigation in the Treasury Department;

A bill (H. R. 2869) for increase of pension of Martha Stribling, widow of Cornelius K. Stribling, late a rear-admiral in the United States Navy;

A bill (H. R. 4457) granting a pension to J. G. Crawford;

A bill (H. R. 4530) granting an increase of pension to Patrick Foley;

A bill (H. R. 4568) granting a pension to Andrew J. Konkle;

A bill (H. R. 6766) granting a pension to Mrs. Anna J. Foster; and

A bill (H. R. 6767) granting an increase of pension to Mrs. Virginia Zeilin.

PRINTING OF DIGEST.

Mr. REED. I ask unanimous consent to report from the Committee on Rules for present consideration the resolution which I send to the desk.

The resolution was read, as follows:

Resolved, That 2,500 copies of the Digest of the second session of the Forty-eighth Congress be printed and bound for the use of the House at said session.

Mr. REED. This is simply to print the usual number of copies of the Digest for the next session.

Mr. COX, of New York. That is all right.

The resolution was adopted.

Mr. REED moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. VANCE. I ask unanimous consent to call up a bill from the Calendar to relieve a gentleman of his disabilities. It will not take a moment.

Mr. DUNN. I call for the regular order.

Mr. PETERS. I desire to present a bill for reference. I understand the gentleman from Arkansas [Mr. DUNN] does not object to the introduction of bills for reference.

There was no objection.

UNITED STATES COURTS IN WASHINGTON TERRITORY.

Mr. PETERS, by unanimous consent, introduced a bill (H. R. 7508) in relation to the appointment of clerks to the United States district courts in Washington Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

ANNIE HOLBORN.

Mr. PERKINS, from the Committee on Indian Affairs, reported back with a favorable recommendation the bill (H. R. 4774) for the relief of Annie Holborn; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CONTESTED ELECTION—BOTKIN VS. MAGINNIS.

The SPEAKER. The regular order is demanded. The regular order is the consideration of the contested-election case reported by the gentleman from Massachusetts [Mr. RANNEY].

The report is as follows:

Mr. RANNEY, from the Committee on Elections, submitted the following report:

Martin Maginnis and A. C. Botkin, respectively the candidates of the Democratic and Republican parties for member of the Forty-eighth Congress in Montana Territory.

In a total vote of 23,318, Mr. Maginnis was declared by the proper authorities to have been elected by a majority of 1,484 votes.

Mr. Botkin, contesting, in his notice of grounds of contest says:

NOTICE OF CONTEST.

HELENA, MONT., *December* 30, 1882.

SIR: You will please take notice that I will contest your election and return as Delegate to the Forty-eighth Congress for the Territory of Montana. The grounds upon which I rely in said contest are as follows:

1. That a large number of illegal and fraudulent votes, to wit, three thousand (3,000), were cast, counted, and canvassed for you in the counties of Custer, Dawson, and Missoula, in said Territory.

2. That polling places were established in the counties of Custer, Dawson, and Missoula aforesaid without authority of law, and in violation of the statutes of Montana Territory, at which polling places a large number of votes, to wit, two thousand (2,000), were cast, counted, and canvassed for you.

3. That the precinct or polling place designated as Cross River, and alleged in the return to be in Gallatin County, in said Territory, was situate upon an Indian reservation, to wit, upon the reserve for the Crow Indians, at which said precinct or polling place 295 votes were cast, counted, and canvassed for you, and 79 for this contestant.

4. That in the counties of Custer, Gallatin, and Missoula men employed in the construction and operation of the Northern Pacific Railroad were coerced to vote for you by intimidation and threats of discharge from contractors, subcontractors, and other employers.

5. That the votes cast in the several counties of the said Territory were not counted, returned, and canvassed in accordance with law.

Very respectfully,

ALEXANDER C. BOTKIN.

Hon. MARTIN MAGINNIS.

The committee are of the opinion that there is such a want of particularity in all of the assignments save the third that they might well be disregarded. But, waiving the question of particularity, the committee conclude that the polling places established in the counties of Custer, Dawson, and Missoula were not without authority of law. We regard the statute prescribing that precincts shall be established at the regular meeting immediately preceding the general election to be directory rather than mandatory in its character. And, following the familiar rule in such cases, we do not hesitate to say that their designation at another time, in the interests of a free and convenient ballot, was such an exer-

cise of power as the commissioners might well indulge in. However this may be, the committee do not find that there was any wrong or injury done, or that there was any fraud in the matter.

The statute referred to is as follows:

"SEC. 5. It shall be the duty of the commissioners of the several counties, at their regular session immediately preceding said general election, to appoint three discreet and capable persons, possessing the qualifications of electors, to act as judges of election in each township or precinct; and said board shall designate one or more of said judges, whose duty it shall be to post up, or cause to be posted up, in each precinct or township, notices of election in the manner hereinafter provided. Said board of commissioners shall also set off and establish at said meeting townships or precincts when the same may be necessary. And the clerk of said board shall make out and forward by mail, immediately after the appointment of said judges, a notice thereof in writing directed to each of said judges so appointed. In case there shall be no post-office in any one or more of the townships or precincts in any county, then in that event the clerk shall forward notices of such appointment by mail to the post-office nearest to such precinct or township, directed to the judges as aforesaid. If in any of the townships or precincts any of said judges refuse or neglect to serve, the voters of such township or precinct may elect a judge or judges to fill vacancies on the morning of the election to serve at such elections.

* * * * * * *

"SEC. 14. It shall be lawful for any elector to vote for Delegate to Congress at any place of holding elections in this Territory, and for members of the Legislative Assembly, and all other officers at any place for holding elections within the particular limits for which such member of the Legislative Assembly and such other officers are to be elected: *Provided*, That an elector qualified to vote for part and not all of the officers to be chosen at any election shall vote an open ballot, and the judges may determine the legality of such vote."

There is some proof tending to show that "soldiers" voted at this election. In the opinion of witnesses these "soldiers" were from forty to one hundred and fifty in number. We do not feel that we are justified in presuming that because the contestant and his witnesses have seen fit to designate these persons as soldiers that they are therefore necessarily incompetent as electors.

In his description of them, and of their qualifications as electors, contestant has contented himself with saying they were soldiers. There is no evidence that they were not residents of the Territory; that they had not been residents of the Territory long prior to any enlistment in the United States service, if it is claimed that they were in the United States service—a proposition by no means clear in the light of the proofs. But if it is admitted that they were enlisted men of the United States Army, and are therefore incompetent as electors, the committee are still left in doubt as to how and for whom these incompetent electors cast their ballots.

Your committee are not willing to say, in the light of the proofs, that the apparently large vote at Miles City and at other new towns along the line of the railway indicate illegal voting. Under the law of the Territory the voters did not need to be residents where they voted. In all new countries the voting population is large compared with the entire population. The rule that one in five of the total population is a voter, that holds good in the older and more densely populated portions of the United States, is not a true rule in the new and sparsely settled regions. In the latter the male adults are much more numerous, and the argument that contestant attempts to make by showing the total population and the total vote we regard as an unfair one, and refuse to give it the weight he desires we should.

Your committee do not find that illegal and fraudulent votes were cast for the contestee in Custer, Dawson, and Missoula Counties. In our judgment, the proofs are entirely wanting to show that in Custer, Gallatin, and Missoula Counties men employed in the construction and operation of the Northern Pacific Railroad were coerced to vote for contestee by intimidation and threats of discharge by contractors, subcontractors, or other employers. In our judgment, no proofs are adduced establishing this ground of contest.

So far as we may judge from the evidence introduced and the argument of counsel, the fifth assignment, namely, that the votes cast in the several counties of the said Territory were not counted, returned, and canvassed in accordance with law, has been abandoned by contestant. We do not find anything in the record tending to sustain this allegation.

The committee are therefore unanimous in the opinion that the following resolution should be reported to and be adopted by the House:

"*Resolved*, That Martin Maginnis was duly elected as a Delegate from the Territory of Montana in the Forty-eighth Congress, and is entitled to his seat as such Delegate."

The resolution was read, as follows:

Resolved, That Martin Maginnis was duly elected a Delegate from the Territory of Montana in the Forty-eighth Congress, and is entitled to his seat as such Delegate.

Mr. RANNEY. In this case the Committee on Elections have unanimously reported in favor of the sitting Delegate. I know of no reason why the resolution should not be adopted.

The resolution was unanimously adopted.

Mr. RANNEY moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. JOSEPH D. TAYLOR. I ask unanimous consent to have printed in the RECORD a petition in favor of the educational bill signed by 5,000 citizens of the city of New York and elsewhere.

Several members called for the regular order.

CONTESTED ELECTION—POOL VS. SKINNER.

The SPEAKER. The regular order is the consideration of the contested-election case of Charles C. Pool *vs.* Thomas G. Skinner, first Congressional district of North Carolina.

Mr. TURNER, of Georgia. It is entirely agreeable to me to take that case up at any time when it will suit the convenience of the House. But some appeal was made to me on account of the absence of the gentleman interested in the result of the case, that it should be postponed. If it is to be gone into, we ought to proceed at once to a decision. But if there is any reason why it should not now be tried, I suggest that reason should be given to the House at this time. I will inquire of the gentleman from North Carolina [Mr. BENNETT] if there is any reason why that case should not now be disposed of?

Mr. BENNETT. The House will recall the fact that a few days ago the case of Pool *vs.* Skinner was called up, and the House by a very decided majority refused to proceed with the consideration of it. The action of the House at that time was taken by Mr. SKINNER and his friends as evidence that the temper of the House was against the consideration of the case at this session. Mr. SKINNER went away under that impression, and I think it would be obviously an injustice to him to proceed with the case in his absence in view of all that has transpired.

The SPEAKER. Is there objection to passing the case over?

Mr. JOSEPH D. TAYLOR. I object.

Mr. BENNETT. I move to postpone the further consideration of the report in this case until the second Monday in December, 1884.

The motion to postpone was agreed to.

CONTESTED ELECTION—CRAIG VS. SHELLEY.

The SPEAKER. The next matter in regular order is the contested-election case of Craig *vs.* Shelley, fourth Congressional district of Alabama, reported this morning by the gentleman from Georgia [Mr. TURNER] for his colleague, the gentleman from Missouri [Mr. DAVIS].

Mr. TURNER, of Georgia. With regard to this case it is due to the gentleman from Missouri, in whose behalf I presented that report, to say there was an understanding arrived at in the committee with the gentleman from North Carolina [Mr. BENNETT], who is in charge of the views of the minority, that that matter should not be called up for one week after the case was decided by the Committee on Elections. In view of that understanding, I ask that the case may go over.

The SPEAKER. The gentleman from Georgia asks that the case may be passed over for the present. Is there objection? The Chair hears none.

ORDER OF BUSINESS.

Mr. HEWITT, of Alabama. I ask unanimous consent that the House now resolve itself into Committee of the Whole on the Private Calendar for the purpose of considering pension bills.

Many MEMBERS. Regular order.

The SPEAKER. The demand for the regular order is equivalent to an objection. The regular order would be a motion, if made, to go into Committee of the Whole on the state of the Union for the purpose of considering bills raising revenue or general appropriation bills.

Mr. HENLEY. I desire to submit a privileged motion.

The SPEAKER. The gentleman will state it.

Mr. HENLEY. I move to take from the Speaker's table Senate amendments to House bill 7162——

The SPEAKER. That is not a privileged motion.

Mr. TOWNSHEND. What is the regular order?

The SPEAKER. Any motion that may be made in order.

Mr. HENLEY. I have the floor, I believe. I move to take from the Speaker's table the Senate amendments to House bill 7162 to forfeit the unearned lands granted to the Atlantic and Pacific Railroad Company to aid in the construction of a railroad and telegraph line from the States of Missouri and Arkansas to the Pacific coast, and to restore the same to settlement, and for other purposes. I desire to ask the House to non-concur in those amendments, and I will state that they are so radical and change so entirely the purport and scope of the bill as it originally passed the House that they can not be consistently concurred in by the House. I therefore ask the House to non-concur in those amendments.

Mr. BELFORD. I desire to know what the amendments are.

The SPEAKER. They will be read before the question is taken upon non-concurrence. Is there objection to considering the Senate amendments to the bill indicated by the gentleman from California [Mr. HENLEY]?

Mr. BELFORD. I object, unless we can have an opportunity to consider the amendments.

The SPEAKER. The gentleman from California [Mr. HENLEY] states that he desires to move to non-concur in the amendments, and that motion is debatable unless the previous question shall be ordered.

Mr. HENLEY. On that motion I demand the previous question.

Mr. STRAIT. I object to the consideration of the bill and the Senate amendments.

The SPEAKER. Objection being made, the bill with the Senate amendments is not before the House.

Mr. TOWNSHEND. I move to go to the business on the Speaker's table, and will state that my purpose is to reach the Mexican pension bill with Senate amendments.

Mr. HEWITT, of Alabama. I rise to a privileged motion.

The SPEAKER. The gentleman will state it.

Mr. HEWITT, of Alabama. I move that the House now proceed to consider the special order fixed by resolution of the House on the 18th of February last, being House bill 3962 granting pensions to certain soldiers and sailors of the Mexican war and other wars therein named, and for other purposes.

The SPEAKER. Under the rules of the House the question will be first taken upon the motion of the gentleman from Alabama [Mr. HEWITT].

Mr. DUNN. Is it in order, pending these motions, to move that the House now take a recess?

The SPEAKER. It is.

Mr. DUNN. Then I make the motion that the House take a recess until 1 o'clock. I am informed that the conference committees will have work ready for us by that hour.

Mr. MILLS. And we can not do anything between now and then.

The SPEAKER. A motion for a recess is a privileged motion under the rules, and takes precedence of the other motions now pending.

The question was taken; and on a division there were—ayes 78, noes 33.

Mr. JOSEPH D. TAYLOR. No quorum has voted.

Tellers were ordered; and Mr. DUNN and Mr. JOSEPH D. TAYLOR were appointed.

The House again divided; and the tellers reported that there were—ayes 88, noes 22.

Mr. JOSEPH D. TAYLOR (one of the tellers). No quorum has voted.

The SPEAKER. The tellers will continue the count, and gentlemen who have not voted are requested to vote in order to make a quorum.

Mr. HENDERSON, of Iowa. I would like to make a proposition to the House, if in order. There are lying upon the Speaker's table a number of House pension bills returned from the Senate with amendments. I ask unanimous consent that the Mexican pension bill be temporarily laid aside, and that those individual pension bills be taken up and the amendments considered.

The SPEAKER. The Mexican pension bill has not yet been reached. A motion is pending to go to the Speaker's table, and the gentleman from Illinois [Mr. TOWNSHEND] states that he makes that motion for the purpose of reaching that bill.

Mr. TOWNSHEND. I am willing to adopt the proposition of the gentleman from Iowa [Mr. HENDERSON].

Mr. HEWITT, of Alabama. I have no objection to that.

Many MEMBERS. Regular order!

The SPEAKER. The demand for the regular order is equivalent to an objection. The Chair, however, will state the request and then gentlemen can object in a formal way if they desire to do so. The gentleman from Iowa [Mr. HENDERSON] asks unanimous consent that all the pending motions be withdrawn, and that the House proceed to the consideration of House pension bills with Senate amendments now upon the Speaker's table.

Mr. TOWNSHEND. The motion is not to withdraw the Mexican pension bill.

The SPEAKER. The Mexican pension bill is not up.

Mr. DUNN (one of the tellers). I object.

The SPEAKER. Objection is made.

Mr. TOWNSHEND. Then I call for the yeas and nays at once, as I think that would be an economy of time.

The SPEAKER. The tellers will make their report.

The tellers reported that there were ayes 112, noes 34.

Mr. HENDERSON, of Iowa. I call for the yeas and nays.

The question was taken upon ordering the yeas and nays; and there were—ayes 21, noes 79.

The SPEAKER. More than one-fifth voting in the affirmative, the yeas and nays are ordered.

Mr. HEWITT, of Alabama. I call for tellers on ordering the yeas and nays.

Tellers were ordered, there being 35 in the affirmative (more than one-fifth of a quorum); and Mr. JOSEPH D. TAYLOR and Mr. DUNN were appointed.

Mr. PERKINS. Before the vote is taken on ordering the yeas and nays I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PERKINS. If the motion for a recess should be voted down, will a motion to go to the Speaker's table for the purpose of considering House pension bills with Senate amendments be in order?

The SPEAKER. It would not, except by unanimous consent.

The House again divided; and the tellers reported—ayes 7, noes 74.

So the yeas and nays were not ordered.

The SPEAKER. On the motion that the House take a recess there were ayes 78, noes 33.

Mr. KEIFER. I make the point there is no quorum voting.

Mr. HENDERSON, of Iowa. Will it be in order to go to the business on the Speaker's table?

Mr. TOWNSHEND. That is the motion I have made.

Mr. HENDERSON, of Iowa. But the gentleman from Illinois made it coupled with the motion to take up the Mexican pension bill.

Mr. TOWNSHEND. No; I did not.

The SPEAKER. It would not be in order to move to go to the business on the Speaker's table for the purpose of taking up any particular measure, unless by unanimous consent; and the motion of the gentleman from Illinois was a general one, to go to the business upon the Speaker's table.

Mr. HENDERSON, of Iowa. Then let the motion be to go to the business on the Speaker's table for the purpose of taking up House bills returned with Senate amendments, and let us dispose of them.

Mr. TOWNSHEND. That is exactly what I am willing to do when we go to the Speaker's table.

Mr. GUENTHER. In that case it will be well to withdraw the point that no quorum has voted.

Mr. SPRINGER. If the point of no quorum be withdrawn, then, the vote being 78 to 33, the House takes a recess.

Mr. TOWNSHEND. I hope the point of no quorum will be withdrawn so that we may go to the business upon the Speaker's table, and then we can take up bills of the House returned with Senate amendments.

The SPEAKER. The gentleman from Illinois moved to proceed to the consideration of business on the Speaker's table, and pending that the gentleman from Alabama moved to proceed to the consideration of the special order heretofore made by the House; which is a motion having precedence over the motion of the gentleman from Illinois. If the motion to take a recess be now withdrawn the question first recurs on the motion of the gentleman from Alabama.

Mr. HEWITT, of Alabama. If the motion be agreed to, and it be also agreed that we shall pass over the Mexican pension bill, I will withdraw my motion.

The SPEAKER. Then the only question remaining is the motion of the gentleman from Arkansas to take a recess; which is still pending.

Mr. TOWNSHEND. If the gentleman from Arkansas will withdraw his motion we can adjust this matter, I think.

Mr. DUNN. I will withdraw it, as that seems to be the wish of the House.

The SPEAKER. The pending motions are all withdrawn except the motion to proceed to the consideration of business on the Speaker's table.

The motion was agreed to.

Mr. TOWNSHEND. I am willing now, Mr. Speaker, that the Mexican pension bill may temporarily be laid aside until the bills referred to by the gentleman from Iowa, House bills returned with Senate amendments, shall be taken up and considered.

Mr. HEWITT, of Alabama. No, no; the question was that the Mexican pension bill should be passed over altogether, and it was only on that condition I consented to go to the Speaker's table.

Mr. TOWNSHEND. That is what I am trying to do; and for that purpose I move that the Mexican pension bill be laid aside temporarily until those House bills with Senate amendments can be disposed of.

Mr. HEWITT, of Alabama. I agreed to go to the business upon the Speaker's table on condition that the Mexican pension bill should be passed over.

Mr. TOWNSHEND. The House having gone to the business on the Speaker's table, and the first business on the Speaker's table being the Mexican pension bill, I move that it be temporarily laid aside.

The SPEAKER. But that is exactly what the gentleman from Alabama objects to. His understanding was that it should be laid aside; not temporarily, but laid aside.

Mr. TOWNSHEND. Until these bills have been disposed of.

Mr. HEWITT, of Alabama. No; that was not the understanding.

Mr. HENDERSON, of Iowa. I rise to a parliamentary inquiry. Will it be in order to ask unanimous consent to take up and pass a House bill with Senate amendment?

The SPEAKER. Only by unanimous consent.

Mr. HENDERSON, of Iowa. I ask unanimous consent. It is House bill 1985, where there was a clerical error, and the amendment from the Senate merely corrects that clerical error.

The SPEAKER. Is there objection?

Mr. SPRINGER. Let us take up all House bills granting pensions to private individuals with Senate amendments, without saying anything else.

Mr. CALKINS. How many bills are on the Speaker's table with Senate amendments?

The SPEAKER. There were eight.

Mr. HENDERSON, of Iowa. I did not understand there was any objection to my bill.

The SPEAKER. The Chair understands now there are only three of them, some having been disposed of.

Mr. CALKINS. What we want to do, Mr. Speaker, is to go to the Committee of the Whole House on the Private Calendar to consider and pass Senate bills which have come over.

Mr. TOWNSHEND. That can be done afterward.

Mr. DUNN. I think we had better have the regular order.

The SPEAKER. The House has agreed to go to the consideration of the business on the Speaker's table.

Mr. TOWNSHEND. Then I demand the regular order.

The SPEAKER. The regular order of business is the Mexican pension bill.

Mr. SPRINGER. I move that be laid aside temporarily.

Mr. HEWITT, of Alabama. I am not going to be trapped by any snap judgment of that kind. I demand that the understanding be carried out.

Mr. TOWNSHEND. What is the gentleman's understanding?

Mr. HEWITT, of Alabama. That we should go to the Speaker's table for the purpose of taking up private pension bills passed by the House and returned with amendments by the Senate, and now upon the Speaker's table.

Mr. TOWNSHEND. Does anybody object to that?

Mr. HEWITT, of Alabama. To that I have no objection.

Mr. TOWNSHEND. There is no objection whatever to taking up the bills mentioned by the gentleman from Alabama, but I wish it to be distinctly understood that when they are disposed of I shall renew my motion to take up the Mexican pension bill. That is all I ever have agreed to.

Mr. HEWITT, of Alabama. That was not the understanding. That bill was to be passed over.

Mr. TOWNSHEND. Until the others were disposed of, only.

Mr. PERKINS. Let us go on, then, with the business.

Mr. HEWITT, of Alabama. I will not agree to that arrangement. That was not the understanding at all.

Mr. DUNN. I renew my motion that the House take a recess until 1 o'clock.

The House divided; and there were—ayes 55, noes 57.

Mr. BURNES. Mr. Speaker, I desire to make one appeal to the common sense of this House. I move that this Mexican pension bill and amendments be postponed and made the special order for the second Tuesday in December next.

The SPEAKER. That is not in order pending the motion for the recess.

Mr. SPRINGER. That has been voted down.

The SPEAKER. The Chair had not announced the result of the vote, under the impression that the point of order was made in the Hall that no quorum had voted. If the Chair was mistaken in that respect the motion for a recess has not been agreed to.

Mr. TOWNSHEND. I demand the regular order, which is the motion I have made.

Mr. SPRINGER. The regular order is the motion of the gentleman from Missouri.

The SPEAKER. It is.

Mr. TOWNSHEND. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TOWNSHEND. I submitted a motion that the House proceed to business on the Speaker's table, which was agreed to. Pending that the gentleman from Missouri comes in and submits his motion to postpone the consideration of the pension bill now upon the table to a fixed time. Is that in order?

The SPEAKER. The motion of the gentleman from Illinois was agreed to. The Mexican pension bill is now before the House for consideration. Pending the consideration of that bill the gentleman from Missouri moves its postponement, which motion is in order.

Mr. HEWITT, of Alabama. I rise to a privileged motion. I move to proceed with the special order of February 18, which makes the Mexican pension bill a special order on that day and from day to day thereafter until disposed of.

Mr. TOWNSHEND. That is not in order, for we have the Mexican pension bill now under consideration.

The SPEAKER. The gentleman from Alabama calls up the special order. The House has determined to proceed with the consideration of business on the Speaker's table. The Mexican pension bill is the first business on the Speaker's table. It has not been taken up and no motion made with reference to it except the motion of the gentleman from Missouri to postpone its consideration to a time fixed.

Mr. CALKINS. That motion is in order?

The SPEAKER. It is.

Mr. SPRINGER. Then upon that I demand the previous question.

Mr. CALKINS. I ask if it is not the intention of the gentleman to make this a continuing order?

Mr. TOWNSHEND. It ought to be.

Mr. HEWITT, of Alabama. I insist that my motion takes precedence of that. I call up the special order and ask if that has not priority?

The SPEAKER. When this bill is actually under consideration, and a motion is pending in regard to it, the Chair thinks that no other motion to call up a new subject is in order until this is disposed of in some manner. If the gentleman from Alabama desires to make his motion to call up the special order, he must make it when some other matter is not actually pending before the House.

Mr. SPRINGER. I demand the previous question on the motion of the gentleman from Missouri.

Mr. BROWNE, of Indiana. To postpone the consideration to the second Tuesday in December?

Mr. SPRINGER. That is the motion.

The SPEAKER. The gentleman from Missouri moves that the further consideration of this bill and the Senate amendments be postponed until the second Tuesday in December next.

Mr. TOWNSHEND. Does the gentleman from Missouri propose a continuing order?

Mr. BURNES. I have no objection——

Mr. TOWNSHEND. The gentleman from Missouri, as I understand, amends his motion further that it shall be considered from day to day until disposed of.

The SPEAKER. The Chair stated the motion of the gentleman from Missouri as he himself put it.

The question is on agreeing to the demand for the previous question.

The previous question was ordered.

The SPEAKER. The question recurs on the motion of the gentleman from Missouri that the further consideration of this bill and the Senate amendments thereto be postponed until the second Tuesday in December next.

Mr. TOWNSHEND. The consideration to continue from day to day.

Mr. WASHBURN, Mr. ROBINSON of Ohio, and others demanded the yeas and nays.

Mr. WHITE, of Kentucky. Is it in order to move an amendment to the motion?

The SPEAKER. It is not. The previous question is pending.

Mr. WILLIS. I rise to a parliamentary inquiry. I desire to know if this vote should be taken by yeas and nays, and the fact disclosed that no quorum is present, whether any other business can be taken up at present?

Mr. BROWNE, of Indiana. There is a quorum.

Mr. WHITE, of Kentucky. There is clearly a quorum present unless they mean to filibuster against this bill on the other side.

The SPEAKER. The question is upon ordering the yeas and nays.

The yeas and nays were ordered.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 103) granting a pension to Theresa Crosby Watson;

A bill (H. R. 562) granting a pension to H. E. Van Trees; and

A bill (H. R. 570) granting a pension to M. H. Clements.

MEXICAN WAR PENSION BILL.

The question was taken on the motion of Mr. BURNES to postpone until the second Tuesday in December the further consideration of the Mexican war pension bill; and there were—yeas 55, nays 135, not voting 134; as follows:

YEAS—55.

Adams, J. J.	Crisp,	Herbert,	Pryor,
Alexander,	Culberson, D. B.	Hewitt, G. W.	Reese,
Barksdale,	Dargan,	Hunt,	Rogers, J. H.
Bennett,	Dibble,	Jones, J. H.	Seymour,
Blanchard,	Dibrell,	Lanham,	Stewart, Charles
Blount,	Dunn,	Lyman,	Taylor, J. M.
Breckinridge,	Eaton,	Miller, J. F.	Tillman,
Broadhead,	Findlay,	Mills,	Tucker,
Buchanan,	Garrison,	Mitchell,	Turner, H. G.
Burnes,	Gibson,	Murphy,	Turner, Oscar
Caldwell,	Graves,	Oates,	Van Eaton,
Cassidy,	Halsell,	Peel,	Wellborn,
Clay,	Hancock,	Pierce,	Williams.
Cosgrove,	Hemphill,	Potter,	

NAYS—135.

Atkinson,	George,	Libbey,	Stephenson,
Bagley,	Glascock,	Lore,	Stewart, J. W.
Bayne,	Green,	Lovering,	Stone,
Boutelle,	Greenleaf,	Lowry,	Strait,
Brewer, F. B.	Guenther,	McCoid,	Struble,
Browne, T. M.	Hardy,	Maybury,	Sumner, C. A.
Brown, W. W.	Hart,	Miller, S. H.	Sumner, D. H.
Budd,	Hatch, H. H.	Milliken,	Taylor, J. D.
Calkins,	Hatch, W. H.	Morrill,	Thomas,
Campbell, J. E.	Henderson, D. B.	Murray,	Townshend,
Campbell, J. M.	Hepburn,	Neece,	Valentine,
Cannon,	Hiscock,	O'Hara,	Van Alstyne,
Carleton,	Hitt,	O'Neill, J. J.	Vance,
Chalmers,	Hoblitzell,	Parker,	Wadsworth,
Connolly,	Holman,	Payne,	Wakefield,
Cox, W. R.	Holmes,	Payson,	Wallace,
Culbertson, W. W.	Holton,	Perkins,	Warner, Richard
Cullen,	Horr,	Peters,	Washburn,
Cutcheon,	Houseman,	Phelps,	Weaver,
Davis, G. R.	Howey,	Poland,	Weller,
Davis, R. T.	James,	Pusey,	White, J. D.
Deuster,	Jeffords,	Ranney,	White, Milo
Dingley,	Johnson,	Riggs,	Whiting,
Dowd,	Jones, B. W.	Robertson,	Wilkins,
Dunham,	Kasson,	Robinson, J. S.	Wilson, James
Eldredge,	Kean,	Robinson, W. E.	Wilson, W. L.
Ellwood,	Keifer,	Rockwell,	Winans, E. B.
English,	Kellogg,	Rowell,	Winans, John
Evans, I. N.	Ketcham,	Seney,	Wolford,
Everhart,	Kleiner,	Singleton,	Wood,
Ferrell,	Lacey,	Skinner, C. R.	Woodward,
Follett,	Laird,	Smith,	Yaple,
Foran,	Lawrence,	Spooner,	York.
Geddes,	Le Fevre,	Springer,	

NOT VOTING—134.

Adams, G. E.	Brainerd,	Covington,	Fyan,
Aiken,	Breitung,	Cox, S. S.	Goff,
Anderson,	Brewer, J. H.	Curtin,	Hammond,
Arnot,	Brumm,	Davidson,	Hanback,
Ballentine,	Buckner,	Davis, L. H.	Hardeman,
Barbour,	Burleigh,	Dockery,	Harmer,
Barr,	Cabell,	Dorsheimer,	Haynes,
Beach,	Campbell, Felix	Duncan,	Henderson, T. J.
Belford,	Candler,	Elliott,	Henley,
Belmont,	Chace,	Ellis,	Hewitt, A. S.
Bingham,	Clardy,	Ermentrout,	Hill,
Bisbee,	Clements,	Evins, J. H.	Hooper,
Blackburn,	Cobb,	Fiedler,	Hopkins,
Bland,	Collins,	Finerty,	Houk,
Bowen,	Converse,	Forney,	Hurd,
Boyle,	Cook,	Funston,	Hutchins,

Jones, J. K.	Moulton,	Ray, Ossian	Stockslager,
Jones, J. T.	Muldrow,	Reagan,	Storm,
Jordan,	Muller,	Reed,	Talbott,
Kelley,	Mutchler,	Rice,	Taylor, E. B.
King,	Nelson,	Rogers, W. F.	Thompson,
Lamb,	Nicholls,	Rosecrans,	Throckmorton,
Lewis,	Nutting,	Russell,	Tully,
Long,	Ochiltree,	Ryan,	Wait,
McAdoo,	O'Ferrall,	Scales,	Ward,
McComas,	O'Neill, Charles	Shaw,	Warner, A. J.
McCormick,	Paige,	Shelley,	Wemple,
McMillin,	Patton,	Skinner, T. G.	Willis,
Matson,	Pettibone,	Slocum,	Wise, G. D.
Millard,	Post,	Smalls,	Wise, J. S.
Money,	Price,	Snyder,	Worthington,
Morgan,	Randall,	Spriggs,	Young.
Morrison,	Rankin,	Steele,	
Morse,	Ray, G. W.	Stevens,	

So the motion was not agreed to.

After the second roll-call,

Mr. PERKINS asked unanimous consent that the reading of the names of members voting be dispensed with.

Mr. HEWITT, of Alabama. Has a quorum voted?

The SPEAKER. A quorum has voted.

Mr. HEWITT, of Alabama. I object to dispensing with the reading of the names.

The names of members voting were then read.

The following members were announced as paired on all political questions until further notice:

Mr. MOULTON with Mr. EZRA B. TAYLOR.

Mr. BLACKBURN with Mr. RUSSELL.

Mr. DAVIDSON with Mr. HAYNES.

Mr. BUCKNER with Mr. KELLOGG.

Mr. ROGERS, of New York, with Mr. HOOPER.

Mr. DUNCAN with Mr. SMITH.

Mr. DOCKERY with Mr. BREWER, of New Jersey.

Mr. CLARDY with Mr. JOHN S. WISE.

Mr. NICHOLLS with Mr. CHACE.

Mr. JONES, of Alabama, with Mr. BURLEIGH.

Mr. ROBERTSON with Mr. BARR.

Mr. MORRISON with Mr. KELLEY.

Mr. THROCKMORTON with Mr. BISBEE.

Mr. WORTHINGTON with Mr. BOWEN.

Mr. CAMPBELL, of New York, with Mr. BREITUNG.

Mr. REAGAN with Mr. PETTIBONE.

Mr. BLAND with Mr. HOUK.

Mr. FIEDLER with Mr. HEPBURN.

Mr. SNYDER with Mr. HANBACK.

Mr. SHAW with Mr. ANDERSON.

Mr. COLLINS with Mr. DUNHAM.

Mr. COOK with Mr. MULLER.

Mr. MATSON with Mr. BROWNE, of Indiana.

Mr. COBB with Mr. KETCHAM.

Mr. HAMMOND with Mr. REED.

Mr. WARNER, of Ohio, with Mr. BINGHAM.

Mr. HARDEMAN with Mr. MCCORMICK.

Mr. DORSHEIMER with Mr. MILLARD.

Mr. HILL with Mr. HOLMES.

Mr. TULLY with Mr. BELFORD.

Mr. HEWITT, of New York, with Mr. RICE.

Mr. POST, of Pennsylvania, with Mr. LONG.

Mr. ERMENTROUT with Mr. ADAMS, of Illinois.

Mr. BARBOUR with Mr. WAIT.

Mr. BEACH with Mr. HARMER.

Mr. HOPKINS with Mr. BRAINERD.

Mr. BOYLE with Mr. LAWRENCE.

Mr. DAVIS, of Missouri, with Mr. JOHNSON.

Mr. AIKEN with Mr. BRUMM.

Mr. CONVERSE with Mr. WILSON, of Iowa.

Mr. LEWIS with Mr. LAIRD.

Mr. WARD with Mr. HENDERSON, of Illinois.

Mr. PATTON with Mr. MCCOMAS.

Mr. BALLENTINE with Mr. GOFF.

The following pairs were also announced:

Mr. SKINNER, of North Carolina, with Mr. NUTTING, until July 8.

Mr. DOWD with Mr. RAY, of New York, until July 8.

Mr. CABELL with Mr. RAY, of New Hampshire, on all questions except Mexican pension bill.

Mr. CABELL with Mr. CURTIN, on the Mexican bill.

Mr. JORDAN with Mr. JEFFORDS, for to-day.

Mr. LAMB with Mr. MCMILLIN, on the Mexican pension bill as amended by the Senate. Mr. LAMB would vote against and Mr. MCMILLIN in favor of postponement.

Mr. JONES, of Arkansas, with Mr. HISCOCK, for this day.

Mr. THOMPSON with Mr. NELSON, on this vote.

Mr. PAIGE with Mr. RYAN, for this day.

Mr. MONEY with Mr. O'NEILL, of Pennsylvania, on this vote.

Mr. HEWITT, of Alabama. I desire to state that my colleague, Mr. FORNEY, is absent on a conference committee.

The result of the vote was then announced as above stated.

Mr. SPRINGER. I ask unanimous consent of the House——

Mr. REED. Let us have the regular order.

Mr. BROWNE, of Indiana. I rise to a personal explanation.

The SPEAKER. The gentleman will state it.

Mr. BROWNE, of Indiana. The Clerk announced a pair between my colleague, Mr. MATSON, and myself. Such a pair was made, but it was expressly stipulated between my colleague and myself that the pair was in no case to extend to any vote in connection with the Mexican war pension bill, as my colleague and myself agree upon all questions in connection with that bill.

Mr. HEWITT, of Alabama. I now call up the special order made in February last.

Mr. TOWNSHEND. I call for the regular order.

The SPEAKER. That is the regular order, unless the question of consideration is raised against it.

Mr. TOWNSHEND. It is not debatable?

The SPEAKER. It is not.

Many MEMBERS. Regular order!

The SPEAKER. The Chair will endeavor to enforce the regular order. The gentleman from Alabama [Mr. HEWITT] calls up for consideration at this time the special order made in February last, being the bill granting pensions to certain soldiers and sailors of the Mexican war, &c. The Chair does not understand whether the gentleman from Illinois [Mr. TOWNSHEND] raises the question of consideration against it or not.

Mr. TOWNSHEND. I do, in the interest of the Mexican pension bill now on the Speaker's table with Senate amendments.

ENROLLED BILLS SIGNED.

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

A bill (S. 838) to consolidate the Bureau of Military Justice and the corps of judge-advocates of the Army, and for other purposes; and

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.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that the committee had examined and found truly enrolled a bill and joint resolutions of the following titles; when the Speaker signed the same:

A bill (H. R. 5709) to amend article 72 of the Rules and Articles of War;

A joint resolution (H. Res. 260) authorizing the printing and binding of additional copies of the reports of the National Board of Health; and

A joint resolution (H. Res. 276) providing for the printing of 50,000 copies of the first annual report of the Bureau of Animal Industry.

ORDER OF BUSINESS.

The SPEAKER. The question is, Will the House now proceed to the consideration of the special order?

Mr. SPRINGER. Pending that I ask unanimous consent——

Mr. REED. Why can we not proceed with the regular order?

The SPEAKER. The House will proceed with the regular order, and pending the demand for the regular order it is not in order to ask unanimous consent for any other purpose.

The question was taken; and upon a division there were—ayes 33, noes 73.

Mr. HEWITT, of Alabama. No quorum has voted.

The SPEAKER. The point is made that no quorum has voted.

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

Mr. TOWNSHEND. That is right; let us have the yeas and nays.

The question was taken on ordering the yeas and nays; and there were 51 in the affirmative.

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

The question was taken; and there were—yeas 46, nays 109, not voting 169; as follows:

YEAS—46.

Alexander,	Eaton,	McMillin,	Taylor, J. M.
Barksdale,	Garrison,	Miller, J. F.	Tillman,
Blanchard,	Gibson,	Mills,	Turner, H. G.
Buchanan,	Green,	Murphy,	Turner, Oscar
Caldwell,	Halsell,	Pierce,	Vance,
Clay,	Hatch, W. H.	Peel,	Warner, Richard
Cox, S. S.	Hemphill,	Pryor,	Wilson, W. L.
Cox, W. R.	Hunt,	Reed,	Wise, G. D.
Culberson, D. B.	Jones, J. H.	Robinson, W. E.	Wolford,
Dargan,	Lanham,	Rogers, J. H.	York.
Dibble,	Lore,	Seney,	
Dowd,	Lyman,	Stewart, Charles	

NAYS—109.

Adams, G. E.	Burnes,	Ellwood,	Guenther,
Atkinson,	Campbell, J. E.	English,	Hardy,
Bagley,	Campbell, J. M.	Evans, I. N.	Hart,
Bayne,	Cannon,	Everhart,	Hatch, H. H.
Boutelle,	Carleton,	Ferrell,	Henderson, D. B.
Brewer, F. B.	Cutcheon,	Follett,	Hepburn,
Browne, T. M.	Davis, G. R.	Foran,	Hiscock,
Brown, W. W.	Davis, R. T.	Funston,	Hitt,
Brumm,	Dingley,	Geddes,	Hoblitzell,
Budd,	Eldredge,	Greenleaf,	Holman,

Holmes,	Lowry,	Rankin,	Van Alstyne,
Hooper,	McComas,	Riggs,	Wakefield,
Horr,	Miller, S. H.	Robinson, J. S.	Wallace,
Howey,	Milliken,	Rockwell,	Washburn,
James,	Mitchell,	Rowell,	Weaver,
Johnson,	Morrill,	Skinner, C. R.	Weller,
Jones, B. W.	Murray,	Smalls,	White, J. D.
Jordan,	Neece,	Smith,	White, Milo
Kasson,	Nelson,	Spooner,	Whiting,
Kean,	Ochiltree,	Stephenson,	Wilkins,
Kellogg,	O'Hara,	Stewart, J. W.	Willis,
Kleiner,	O'Neill, J. J.	Stone,	Wilson, James
Lacey,	Parker,	Strait,	Winans, E. B.
Laird,	Payne,	Sumner, C. A.	Winans, John
Lawrence,	Perkins,	Taylor, J. D.	Yaple.
Le Fevre,	Peters,	Thomas,	
Libbey,	Poland,	Townshend,	
Lovering,	Pusey,	Valentine,	

NOT VOTING—169.

Adams, J. J.	Cullen,	Jones, J. K.	Robertson,
Aiken,	Curtin,	Jones, J. T.	Rogers, W. F.
Anderson,	Davidson,	Keifer,	Rosecrans,
Arnot,	Davis, L. H.	Kelley,	Russell,
Ballentine,	Deuster,	Ketcham,	Ryan,
Barbour,	Dibrell,	King,	Scales,
Barr,	Dockery,	Lamb,	Seymour,
Beach,	Dorsheimer,	Lewis,	Shaw,
Belford,	Duncan,	Long,	Shelley,
Belmont,	Dunham,	McAdoo,	Singleton,
Bennett,	Dunn,	McCoid,	Skinner, T. G.
Bingham,	Elliott,	McCormick,	Slocum,
Bisbee,	Ellis,	Matson,	Snyder,
Blackburn,	Ermentrout,	Maybury,	Spriggs,
Bland,	Evins, J. H.	Millard,	Springer,
Blount,	Fiedler,	Money,	Steele,
Bowen,	Findlay,	Morgan,	Stevens,
Boyle,	Finerty,	Morrison,	Stockslager,
Brainerd,	Forney,	Morse,	Storm,
Breckinridge,	Fyan,	Moulton,	Struble,
Breitung,	George,	Muldrow,	Sumner, D. H.
Brewer, J. H.	Glascock,	Muller,	Talbott,
Broadhead,	Goff,	Mutchler,	Taylor, E. B.
Buckner,	Graves,	Nicholls,	Thompson,
Burleigh,	Hammond,	Nutting,	Throckmorton,
Cabell,	Hanback,	Oates,	Tucker,
Calkins,	Hancock,	O'Ferrall,	Tully,
Campbell, Felix	Hardeman,	O'Neill, Charles	Van Eaton,
Candler,	Harmer,	Paige,	Wadsworth,
Cassidy,	Haynes,	Patton,	Wait,
Chace,	Henderson, T. J.	Payson,	Ward,
Chalmers	Henley,	Pettibone,	Warner, A. J.
Clardy,	Herbert,	Phelps,	Wellborn,
Clements,	Hewitt, A. S.	Post,	Wemple,
Cobb,	Hewitt, G. W.	Potter,	Williams,
Collins,	Hill,	Price,	Wise, J. S.
Connolly,	Holton,	Randall,	Wood,
Converse,	Hopkins,	Ranney,	Woodward,
Cook,	Houk,	Ray, G. W.	Worthington,
Cosgrove,	Houseman,	Ray, Ossian	Young.
Covington,	Hurd,	Reagan,	
Crisp,	Hutchins,	Reese,	
Culbertson, W. W.	Jeffords,	Rice,	

The following additional pair was announced:

Mr. MONEY with Mr. O'NEILL, of Pennsylvania, on this vote.

Mr. ADAMS, of Illinois. On the occasion of former roll-calls I have been announced as paired. That pair was on political questions, and this one was not included; I have therefore voted.

The SPEAKER. On this question the yeas are 46, the nays are 108. No quorum has voted, and the motion is not agreed to.

Mr. HOLMAN. Does the Mexican war pension bill come up now in regular order?

The SPEAKER. It would if there were a quorum present, but the Journal now shows that there is no quorum present.

Mr. HOLMAN. Then I move a call of the House.

The question was taken on the motion of Mr. HOLMAN; and upon a division there were—ayes 33, noes 20.

Before the result of the vote was announced,

Mr. HEWITT, of Alabama, called for the yeas and nays.

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

Mr. HEWITT, of Alabama. I would inquire of the gentleman from Indiana [Mr. HOLMAN] if any conference report is ready?

Mr. HOLMAN. I think not at this moment.

The SPEAKER. Upon ordering the yeas and nays there were 17 in the affirmative, which is not one-fifth of the last recorded vote.

Mr. HEWITT, of Alabama. I ask that the other side be counted.

The negative was counted, there being 62.

The SPEAKER. Upon ordering the yeas and nays the ayes are 17, the noes are 62; more than one-fifth have voted in the affirmative.

Mr. BUDD. I call for tellers on ordering the yeas and nays.

Tellers were not ordered.

So the yeas and nays were ordered.

The question was taken; and there were—yeas 105, nays 47, not voting 172; as follows:

YEAS—105.

Adams, G. E.	Budd,	Davis, R. T.	Funston,
Alexander,	Cannon,	Dingley,	Geddes,
Atkinson,	Cox, S. S.	Dowd,	Gibson,
Boutelle,	Culbertson, W. W.	English,	Glascock,
Browne, T. M.	Cullen,	Evans, I. N.	Goff,
Brown, W. W.	Cutcheon,	Finerty,	Greenleaf,
Brumm,	Davis, G. R.	Follett,	Guenther,
Halsell,	Lacey,	Peters,	Thomas,
Hancock,	Lawrence,	Poland,	Townshend,
Hardy,	Le Fevre,	Pusey,	Turner, H. G.
Hart,	Libbey,	Rankin,	Valentine,
Hatch, W. H.	Lowry,	Ranney,	Wait,
Henderson, D. B.	Lyman,	Riggs,	Wallace,
Henley,	McComas,	Rockwell,	Washburn,
Hepburn,	McMillin,	Rowell,	Weaver,
Hiscock,	Miller, S. H.	Seney,	White, J. D.
Hitt,	Milliken,	Seymour,	White, Milo,
Hoblitzell,	Morrill,	Skinner, C. R.	Wilson, W. L.
Holman,	Neece,	Smalls,	Winans, E. B.
Houseman,	Ochiltree,	Smith,	Winans, John
Jeffords,	O'Hara,	Spooner,	Wolford,
Johnson,	O'Neill, J. J.	Springer,	Woodward,
Jones, B. W.	Parker,	Stephenson,	Yaple,
Jordan,	Payne,	Stewart, Charles	York.
Kean,	Payson,	Stewart, J. W.	
Keifer,	Peel,	Struble,	
Kleiner,	Perkins,	Taylor, J. D.	

NAYS—47.

Adams, J. J.	Dargan,	Laird,	Strait,
Bagley,	Dibrell,	Lanham,	Taylor, J. M.
Bennett,	Eaton,	McCoid,	Tillman,
Breckinridge,	Ellwood,	Maybury,	Turner, Oscar
Broadhead,	Everhart,	Miller, J. F.	Van Alstyne,
Caldwell,	Hatch, H. H.	Mills,	Vance,
Calkins,	Hemphill,	Mitchell,	Van Eaton,
Campbell, J. M.	Hewitt, G. W.	Muldrow,	Wakefield,
Carleton,	Holmes,	Pierce,	Warner, Richard
Clay,	Horr,	Pryor,	Willis,
Cosgrove,	Jones, J. H.	Robinson, W. E.	Wood.
Cox, W. R.	Kasson,	Scales,	

NOT VOTING—172.

Aiken,	Culberson, D. B.	James,	Reese,
Anderson,	Curtin,	Jones, J. K.	Rice,
Arnot,	Davidson,	Jones, J. T.	Robertson,
Ballentine,	Davis, L. H.	Kelley,	Robinson, J. S.
Barbour,	Deuster,	Kellogg,	Rogers, J. H.
Barksdale,	Dibble,	Ketcham,	Rogers, W. F.
Barr,	Dockery,	King,	Rosecrans,
Bayne,	Dorsheimer,	Lamb,	Russell,
Beach,	Duncan,	Lewis,	Ryan,
Belford,	Dunham,	Long,	Shaw,
Belmont,	Dunn,	Lore,	Shelley,
Bingham,	Eldredge,	Lovering,	Singleton,
Bisbee,	Elliott,	McAdoo,	Skinner, T. G.
Blackburn,	Ellis,	McCormick,	Slocum,
Blanchard,	Ermentrout,	Matson,	Snyder,
Bland,	Evins, J. H.	Millard,	Spriggs,
Blount,	Ferrell,	Money,	Steele,
Bowen,	Fiedler,	Morgan,	Stevens,
Boyle,	Findlay,	Morrison,	Stockslager,
Brainerd,	Foran,	Morse,	Stone,
Breitung,	Forney,	Moulton,	Storm,
Brewer, F. B.	Fyan,	Muller,	Sumner, C. A.
Brewer, J. H.	Garrison,	Murphy,	Sumner, D. H.
Buchanan,	George,	Murray,	Talbott,
Buckner,	Graves,	Mutchler,	Taylor, E. B.
Burleigh,	Green,	Nelson,	Thompson,
Burnes,	Hammond,	Nicholls,	Throckmorton,
Cabell,	Hanback,	Nutting,	Tucker,
Campbell, Felix	Hardeman,	Oates,	Tully,
Campbell, J. E.	Harmer,	O'Ferrall,	Wadsworth,
Candler,	Haynes,	O'Neill, Charles	Ward,
Cassidy,	Henderson, T. J.	Paige,	Warner, A. J.
Chace,	Herbert,	Patton,	Wellborn,
Chalmers,	Hewitt, A. S.	Pettibone,	Weller,
Clardy,	Hill,	Phelps,	Wemple,
Clements,	Holton,	Post,	Whiting,
Cobb,	Hooper,	Potter,	Wilkins,
Collins,	Hopkins,	Price,	Williams,
Connolly,	Houk,	Randall,	Wilson, James
Converse,	Howey,	Ray, G. W.	Wise, G. D.
Cook,	Hunt,	Ray, Ossian	Wise, J. S.
Covington,	Hurd,	Reagan,	Worthington,
Crisp,	Hutchins,	Reed,	Young.

So the motion for a call of the House was agreed to.

Mr. GIBSON. I ask unanimous consent that the reading of the names be dispensed with.

Mr. HEWITT, of Alabama, rose.

Mr. BROWNE, of Indiana. I hope the gentleman from Alabama will not object to dispensing with the reading of the names. When the result is announced, I will ask unanimous consent for a recess till half past 2 o'clock, so that we may see if we can make some arrangement about this matter.

The SPEAKER. The Chair hears no objection; and the reading of the names is dispensed with.

The result of the vote was announced as above stated.

Mr. BROWNE, of Indiana. I now ask unanimous consent that the House take a recess until half past 2 o'clock. I hope that in the mean time we may reach some agreement by which we can get out of the present difficulty.

Mr. MILLS. I suggest to the gentleman from Indiana that we might utilize this day in attending to business at the Departments. I understand the conference committees will not be ready to report till 6 o'clock this evening.

Mr. BROWNE, of Indiana. But we may get out of this dilemma in a very short time after half past 2, and then, if necessary, we can take a recess till the conference committees may be ready to report.

Mr. HENDERSON, of Iowa. I ask unanimous consent to take up from the Speaker's table——

The SPEAKER. The House can transact no business until the call

which has been ordered has been dispensed with and a quorum exhibited. The gentleman from Indiana has asked unanimous consent to dispense with further proceedings under the call and take a recess till half past 2 o'clock.

Mr. HENDERSON, of Iowa. Let the gentleman ask unanimous consent simply to dispense with the call.

Mr. BROWNE, of Indiana. I will name 3 o'clock for the recess if it will suit the gentleman better.

The SPEAKER. The gentleman from Iowa [Mr. HENDERSON] objects to the request for a recess, but does not object to dispensing with further proceedings under the call.

Mr. HEWITT, of Alabama. I understand the gentleman from Iowa wants to reach a bill on the Speaker's table which has been returned from the Senate with a merely verbal amendment.

Mr. HENDERSON, of Iowa. That is my purpose. The amendment is merely clerical. I have been trying for ten days to have the bill taken up and the amendment concurred in.

Mr. BROWNE, of Indiana. I am willing that should be done.

The SPEAKER. If there be no objection further proceedings under the call will be dispensed with and the Chair will recognize the gentleman from Iowa [Mr. HENDERSON] for the purpose of calling up the bill he has indicated.

There was no objection.

So further proceedings under the call were dispensed with.

MALVIN PIERCE.

Mr. HENDERSON, of Iowa. I ask unanimous consent to have taken from the Speaker's table the bill (H. R. 1985) granting a pension to Malvin Pierce. I desire that a verbal amendment of the Senate be concurred in.

There being no objection the bill was taken from the Speaker's table and the amendment of the Senate was read, as follows:

In line 4 of the bill, and also in the title, strike out "Malvin" and insert "Melvin."

The amendment was concurred in.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill of the House 7069, making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes; had further insisted upon its amendments on which the committee of conference had been unable to agree; had agreed to the further conference asked by the House, and had appointed as conferees on the part of the Senate Mr. ALLISON, Mr. DAWES, and Mr. COCKRELL.

RECESS.

Mr. BROWNE, of Indiana. I now ask unanimous consent that the House take a recess until 3 o'clock.

There being no objection it was so ordered; and accordingly (at 1 o'clock and 50 minutes p. m.) the House took a recess until 3 o'clock p. m.

AFTER RECESS.

At 3 o'clock p. m. the House resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7440) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1885, and for other purposes.

It further announced the passage of bills of the following titles; in which concurrence was requested:

A bill (S. 150) granting a pension to Sarah Denny Ripley; and

A bill (S. 1422) granting an increase of pension to Abey S. Slocum.

It further announced the passage of the following bills and joint resolution of the House without amendment:

A bill (H. R. 503) granting a pension to Hiram C. Henderson;

A bill (H. R. 1970) for relief of Mrs. Alice T. Sherwood;

A bill (H. R. 2070) granting a pension to Decatur Hamlin;

A bill (H. R. 2245) granting a pension to Eliza A. Shealey;

A bill (H. R. 3231) granting a pension to Michael Shields;

A bill (H. R. 3493) granting a pension to Ann Hunter;

A bill (H. R. 3979) granting an increase of pension to Mary Ann Egan;

A bill (H. R. 4254) granting a pension to James Aaron;

A bill (H. R. 4694) granting a pension to James Clark;

A bill (H. R. 5889) granting a pension to Alonzo Hooper;

A bill (H. R. 6677) to increase pension of William Irving;

A bill (H. R. 3337) authorizing the inspection of the boiler of the steamship Kent;

A bill (H. R. 4492) for the relief of Mrs. Pauline E. Milliken;

A bill (H. R. 5544) for the relief of Laura J. Goddard;

A bill (H. R. 6589) for the relief of Asa Dye;

A bill (H. R. 6750) to amend paragraph 7 of section 2527 of the Revised Statutes; and

Joint resolution (H. Res. 17) authorizing the appointment and retirement of Samuel Kramer as a chaplain in the Navy of the United States.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted in the following cases:

To Mr. PRYOR, indefinitely.

To Mr. FIEDLER, for ten days, on account of sickness in his family.

To Mr. ELLWOOD, for ten days.

To Mr. DUNCAN, for one week.

EDUCATIONAL BILL.

Mr. JOSEPH D. TAYLOR. I ask by unanimous consent to put in the RECORD a petition, without names, signed by 5,000 persons, praying for the passage of the educational bill, with an explanation as to the procurement of the names, &c.

Several MEMBERS. How long is it?

Mr. WILLIS. It is only about eight or ten lines.

Mr. COSGROVE. I object.

MESSENGERS IN HOUSE POST-OFFICE.

Mr. SPOONER. Mr. Speaker, I am directed by the Committee on Accounts to submit a report, which report I ask the Clerk to read.

The Clerk read as follows:

Your committee, to whom was referred the accompanying petition of the Postmaster of the House, respectfully report that in order to provide for the proper transaction of the business of the House post-office and the seasonable forwarding of the very large amount of mail matter accumulating at and about the end of Congress, it seems necessary to retain the services of the four session messengers employed in the post-office for the period of one month after the adjournment of Congress at the present session.

Also, that to facilitate the dispatch of the heavy mail of the House it is desirable to continue in the same service the messenger in the heavy-mail wagon of the House post-office during the recess of Congress.

Your committee therefore report the two accompanying resolutions and recommend their passage.

Resolved, That the four session messengers of the House post-office be continued in employment one month after the adjournment of Congress at its present session, to be paid, at the same rate heretofore paid them, out of the contingent fund of the House.

Resolved, That the Postmaster of the House be, and he is hereby, authorized to continue the messenger in charge of the heavy-mail wagon during the recess of Congress, and that such messenger be paid by the Clerk of the House, out of the contingent fund of the House, at the same rate of compensation he now receives.

The resolutions were adopted.

Mr. SPOONER moved to reconsider the vote by which the resolutions were adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. SPRINGER. The gentleman from Arkansas withdraws his objection to the resolution I asked leave to offer some time ago. I now ask——

Mr. REED. I demand the regular order.

The SPEAKER. That is in the nature of an objection.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. BURNES. Mr. Speaker, in behalf of the committee of conference on the disagreeing votes of the two Houses on the consular and diplomatic appropriation bill, I am instructed to submit the report which I send to the desk.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 11, 26, 27, 30, 33, 43, 46, 55, 58, 75, 135, 139, 141, 142, 145, 146, 147, 148, 151, 152, 153, 154, 155, 160, 162, and 165.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 10, 13, 19, 20, 21, 22, 23, 28, 29, 31, 32, 34, 35, 36, 40, 45, 47, 48, 49, 50, 51, 52, 53, 54, 56, 57, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 74, 76, 77, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 127, 129, 130, 132, 133, 134, 136, 137, 144, 156, 157, and 161, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 7, 8, and 9, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For salaries of ministers resident in Belgium, the Netherlands, Hawaiian Islands, and Sweden and Norway, at $7,500 each, $30,000; for salaries of ministers resident and consuls-general in Venezuela and the Argentine Republic, at $7,500, $15,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$45,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$12,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 15 and 16, and agree to the same with an amendment as follows: In

lieu of the sum proposed in each of said amendments insert "$2,625;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 17 and 18, and agree to the same with an amendment as follows: In lieu of the amended paragraphs insert the following:

"For salaries of secretaries of legation in Spain, Turkey, Austria, Italy, Brazil, and Mexico, at $1,800 each, $10,400; for salary of the clerk to the legation in Spain, $1,200."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "And no secretary or second secretary of any legation shall be entitled to or receive any compensation over the above as salary as such secretary for acting as chargé d'affaires during the temporary or other absence without leave of the minister to whose duties he may succeed;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For the salaries of interpreters to the legations in China at $3,000, and in Japan and Turkey at $2,500 each, $8,000; but no person drawing the salary of interpreter as above provided shall be allowed any part of the salary appropriated for any secretary of legation or other officers."

And the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 37, 38, 39, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For salaries of consuls-general at Frankfort, Vienna, Bucharest, St. Petersburg, and Halifax, at $3,000 each, $15,000."

And the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 41 and 42, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out and the matter proposed to be inserted by said amendments insert the following: "For salaries of the consuls-general at Constantinople and Rome, at $2,000 each, $4,000; for salary of the consul-general at Mexico, $2,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 44, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert "$335,600;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 68, and agree to the same with an amendment as follows: Insert after said amendment the following: "Greece, Athens;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 80, and agree to the same with an amendment as follows: At the end of said amendment insert "Matamoras;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: After said amendment insert the following: "Friendly and Navigator's Islands, Apia;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "And after June 30, 1884, no consul or consul-general shall be entitled to or allowed any part of any salary appropriated for payment of a secretary or second secretary of legation or an interpreter;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For allowance for clerks at consulates, $47,920, as follows: For the consul at Liverpool, a sum not exceeding the rate of $2,000 for any one year; and for the consuls-general at London, Paris, Havana, Shanghai, and Rio de Janeiro, each a sum not exceeding the rate of $1,600 for any one year; for the consuls-general at Berlin, Frankfort, Vienna, and Kanagawa, and for the consuls at Hamburg, Bremen, Manchester, Lyons, Hong-Kong, Havre, Crefeld, and Chemnitz, each a sum not exceeding the rate of $1,200 for any one year; for the consul-general at Montreal, and for the consuls at Bradford and Birmingham, each a sum not exceeding the rate of $960 for any one year; for the consuls-general at Calcutta, Port au Prince, Hayti, and Melbourne, and for the consuls at Leipsic, Sheffield, Sonneberg, Dresden, Marseilles, Nuremberg, Tunstall, Antwerp, Bordeaux, Colon (Aspinwall), Glasgow, and Singapore, each a sum not exceeding the rate of $800 for any one year; for the consuls at Belfast, Barmen, Leith, Dundee, and Matamoras, and for the consul-general at Halifax, each a sum not exceeding the rate of $640 for any one year; for the consul-general at Mexico, and for the consuls at Naples, Genoa, Stuttgart, Florence, Mannheim, Prague, Zürich, Panama, and Demerara, each a sum not exceeding the rate of $480 for any one year;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 131, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$6,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following: "For salaries of eight marshals for the consular courts in Japan, China, and Turkey, $8,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 140, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment, insert the following: "For hiring of steam-launch for use of the legation at Constantinople, $500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 143, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "For the expense of providing all such stationery, blanks, record and other books, seals, presses, flags, signs, rents, postage, furniture, statistics, newspapers, freight, foreign and domestic, telegrams, advertising, messenger service, including $6,000 for other miscellaneous expenses as the President of the United States may think necessary for the several consulates and commercial agencies in the transaction of their business, $110,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with amendments as follows: Restore the paragraph proposed to be stricken out by said amendment, and in lieu of the sum of $5,000 therein stated insert the sum of $7,500; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 150, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For rent of prisons for American convicts in Turkey and for wages of keepers of the same, $1,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 159, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "For the purpose of enabling the President to provide at the public expense all such stationery, blanks, records, and other books, seals, presses, flags, and signs as he shall think necessary for the several legations in the transaction of their business, and also for rent, postage, telegrams, furniture, and traveling expenses, including for miscellaneous expenses, $15,000; in all, $75,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For an agent to the State of the Congo Association, $5,000; said agent to be charged with introducing and extending the commerce of the United States in the Congo Valley. And for such purposes the further sum of $10,000 or so much thereof as may be necessary; and the President is hereby authorized to appoint in the recess of the Senate such agent, whose commission shall expire at the end of the next session of the Senate;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 164, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$5,000;" and the Senate agree to the same.

On amendments numbered 158, 166, and 167 the committee of conference is unable to agree.

JAMES N. BURNES,
R. W. TOWNSHEND,
W. D. WASHBURN,
Managers on the part of the House.

W. B. ALLISON,
EUGENE HALE,
JAMES B. BECK,
Managers on the part of the Senate.

The SPEAKER. The Clerk will now read the written statement accompanying the report.

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6770) making appropriations for the consular and diplomatic service for the fiscal year 1885, and for other purposes, submit the following written statement in explanation of the conference report:

The bill as it passed the Senate appropriated $1,782,576.75, being an increase of $798,806.75 over the bill as it passed the House.

The conference committee has agreed upon all of the one hundred and sixty-seven amendments of the Senate, except the ones numbered 158, 166, and 167, which appropriate $250,000 to meet the necessary expenses attendant upon foreign intercourse, to be expended under the direction of the President, and provide for three commissioners, at $7,500 each, to be appointed by the President, to ascertain the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central and South America, and for a secretary to said commission at a salary of $3,000. Upon which amendments it has been unable to agree, and so reports to the House.

A large number of the amendments were merely clerical, being a rearrangement of the form of the bill, to all of which it is recommended that the House agree.

The bill as agreed upon, not including the amendments 158, 166, and 167 referred to, appropriates $1,188,890, being $594,686.75 less than as it passed the Senate, $235,120 greater than as it passed the House, $107,865 less than the appropriations for the year 1884, and $380,711.75 less than the estimates for 1885.

JAMES N. BURNES,
R. W. TOWNSHEND,
W. D. DORSHEIMER,
Managers on the part of the House.

Mr. BURNES. It is unnecessary I presume that I should make any further statement than that which has been submitted in writing and read by the Clerk. It may not be amiss, however, to observe that while the Senate placed one hundred and sixty-seven amendments upon the House bill, more than one-half of them were purely technical and related to the arrangement of the bill rather than to any substantial questions affected thereby. I know of no reason why I should hesitate now to move that the report be adopted, after which we can take the three items on which we have disagreed and have them considered by the House.

In that connection I will say that I had strong hopes that the conferees on the part of the Senate would agree to recede from the amendments which we have reported a disagreement upon. I believe I may say that on the part of Senators other than the conferees it is purely from a desire to test the judgment of the House that this disagreement has occurred. At all events, it becomes necessary that the judgment of the House be taken upon the three remaining amendments.

The first upon which there is a failure to agree is an amendment appropriating $250,000 under a certain section of the Revised Statutes which authorizes the appropriation of money for, we may say, the secret service of the Government. The other two amendments are practically but one, and relate to the establishment of a commission with a secretary to visit the Central and South American States with a view of developing a spirit of commercial friendliness on the part of those States. I believe that is all I will say at present.

The report of the committee of conference was adopted.

Mr. BURNES moved to reconsider the vote by which the report was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BURNES. I now move that the amendment of the Senate numbered 158 be taken up and that the House further insist upon its disagreement to that amendment.

The amendment was to insert the following:

(158) To meet the necessary expenses attendant upon foreign intercourse, to be expended under the direction of the President, pursuant to requirement of section 291 of the Revised Statutes, $250,000, or so much thereof as may be necessary.

Mr. WASHBURN. Pending the motion of the gentleman from Missouri [Mr. BURNES], I move that the House recede from its disagreement to that amendment and agree to the same.

Mr. BURNES. Wait one moment; I will give you an opportunity to make that motion.

This amendment of the Senate proposes to appropriate $250,000 for the secret service of the Government. Before the gentleman on the other side proceeds, or takes any steps in the direction of proceeding, I think I had better make a statement. We are hedged about by obligations so that it is almost impossible for me to discriminate between what ought to be said and what can not be said. My impression is, accepting the personal assurances of the Secretary of State, that the public interest requires that there should be no discussion of this question. I say this, not because I seek to avoid discussion, but in deference to the opinion of the Secretary as to the public interest.

So far as I am concerned, believing that this House is sufficiently informed of the restrictions attempted to be placed upon us, I shall not proceed with the discussion of this question unless it is the desire upon the part of gentlemen who represent the State Department, and I have simply to say that whatever may be the obligations seemingly placed upon us, if we enter into the discussion it must necessarily be a full and complete discussion of the whole subject and of all the facts and all the circumstances bearing upon the proposed appropriation.

This I do, yielding clear convictions on the subject in deference to an alleged public interest. And with this statement, having moved that the House insist upon its disagreement to the amendment, I will leave it to gentlemen on the other side to indicate the course they desire to adopt. And upon my motion I demand the previous question.

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

Mr. BURNES. Certainly.

Mr. SPRINGER. How far can the gentleman go in stating the object of this appropriation without violating the secrecy of the committee?

Mr. BURNES. I trust my friend from Illinois [Mr. SPRINGER] will not insist upon an answer to his question. I believe it would be well for the other side to indicate their preference upon this subject; they may be better informed of the limit of the obligation that may be claimed is upon us. I will not attempt to define that obligation, nor at present admit or deny that there is any whatever.

Mr. SPRINGER. I desire to know something about this appropriation before I can vote upon it.

The SPEAKER. The gentleman declines to answer, and demands the previous question.

Mr. WASHBURN. I understood my colleague on the committee would allow me to make the motion I have indicated.

Mr. BURNES. Certainly; I will do so.

Mr. WASHBURN. I move that the House recede from its disagreement to this amendment of the Senate and agree to the same. I will simply state in the same line indicated by my colleague [Mr. BURNES] that there are many embarrassments in the discussion of the matters involved in this amendment, and I will not at the present time undertake that discussion. I will state, however, that the Senate, after listening to a very full debate, by an almost unanimous vote placed this amendment on the bill. I think the House will make a great mistake unless it recedes from its disagreement to the amendment. I therefore move that the House recede from its disagreement to the amendment, and agree to the same, and upon that I call the previous question.

Mr. BURNES. I beg simply to say, and this will end the debate on the subject, that against the judgment or opinion of the distinguished gentleman from Minnesota [Mr. WASHBURN] I interpose that of the majority of the Committee on Appropriations, that majority of the committee having calmly and impartially considered the whole subject and reached a contrary conclusion from that of the gentleman from Minnesota.

Mr. HOLMAN. And think that the appropriation ought not to be made.

Mr. BURNES. Yes; that the appropriation ought not to be made.

Mr. HERBERT. I understand the gentleman from Minnesota [Mr. WASHBURN] to state that it would embarrass him very much to state what this appropriation is for. I think it would embarrass us on this side very much to vote for the amendment unless we know what it is for.

Mr. WASHBURN. I think the amendment shows for itself what it is for.

The previous question was ordered.

The SPEAKER. The first question is on the motion of the gentleman from Minnesota [Mr. WASHBURN] that the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same.

The question was taken by a *viva voce* vote, and the Speaker announced that the noes appeared to have it.

Mr. WASHBURN. I think we may as well have the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 80, nays 94, not voting 150; as follows:

YEAS—80.

Adams, G. E.	Greenleaf,	McCormick,	Rosecrans,
Atkinson,	Guenther,	Millard,	Rowell,
Boutelle,	Hancock,	Miller, S. H.	Ryan,
Brewer, F. B.	Hart,	Morrill,	Skinner, C. R.
Brown, W. W.	Hatch, H. H.	Nelson,	Smalls,
Brumm,	Hepburn,	Ochiltree,	Smith,
Calkins,	Hitt,	O'Neill, Charles	Spooner,
Campbell, J. M.	Horr,	O'Neill, J. J.	Stephenson,
Cannon,	Howey,	Parker,	Stewart, J. W.
Chalmers,	Hunt,	Payne,	Strait,
Cullen,	James,	Payson,	Struble,
Cutcheon,	Jeffords,	Perkins,	Taylor, J. D.
Davis, G. R.	Kasson,	Peters,	Thomas,
Davis, R. T.	Kean,	Phelps,	Valentine,
Dingley,	Keifer,	Poland,	Washburn,
Evans, I. N.	Keilogg,	Potter,	White, J. D.
Everhart,	Laird,	Ranney,	White, Milo
Findlay,	Libbey,	Ray, G. W.	Whiting,
Finerty,	Lyman,	Ray, Ossian	Wilson, James
George,	McComas,	Rockwell,	Winans, John.

NAYS—94.

Adams, J. J.	Dowd,	Lore,	Taylor, J. M.
Alexander,	Eldredge,	Lowry,	Tillman,
Bagley,	Follett,	Maybury,	Townshend,
Barksdale,	Foran,	Miller, J. F.	Turner, H. G.
Bayne,	Forney,	Mills,	Turner, Oscar
Bennett,	Garrison,	Muldrow,	Van Alstyne,
Blount,	Geddes,	Murray,	Vance,
Breckinridge,	Gibson,	Neece,	Van Eaton,
Broadhead,	Glascock,	Oates,	Wallace,
Buchanan,	Graves,	O'Hara,	Warner, Richard
Burnes,	Green,	Pierce,	Wellborn,
Campbell, J. E.	Halsell,	Peel,	Weller,
Carleton,	Hatch, W. H.	Pryor,	Williams,
Cassidy,	Hemphill,	Pusey,	Willis,
Clay,	Henley,	Randall,	Wilson, W. L.
Cosgrove,	Herbert,	Reese,	Winans, E. B.
Cox, S. S.	Hewitt, G. W.	Riggs,	Wise, G. D.
Cox, W. R.	Hoblitzell,	Robinson, W. E.	Wolford,
Crisp,	Holman,	Rogers, J. H.	Wood,
Culberson, D. B.	Houseman,	Seney,	Woodward,
Dargan,	Jones, J. H.	Singleton,	Yaple,
Deuster,	Jordan,	Springer,	York.
Dibble,	Kleiner,	Stewart, Charles	
Dibrell,	Lanham,	Sumner, C. A.	

NOT VOTING—150.

Aiken,	Davidson,	Jones, B. W.	Rice,
Anderson,	Davis, L. H.	Jones, J. K.	Robertson,
Arnot,	Dockery,	Jones, J. T.	Robinson, J. S.
Ballentine,	Dorsheimer,	Kelley,	Rogers, W. F.
Barbour,	Duncan,	Ketcham,	Russell,
Barr,	Dunham,	King,	Scales,
Beach,	Dunn,	Lacey,	Seymour,
Belford,	Eaton,	Lamb,	Shaw,
Belmont,	Elliott,	Lawrence,	Shelley,
Bingham,	Ellis,	Le Fevre,	Skinner, T. G.
Bisbee,	Ellwood,	Lewis,	Slocum,
Blackburn,	English,	Long,	Snyder,
Blanchard,	Ermentrout,	Lovering,	Spriggs,
Bland,	Evins, J. H.	McAdoo,	Steele,
Bowen,	Ferrell,	McCoid,	Stevens,
Boyle,	Fiedler,	McMillin,	Stockslager,
Brainerd,	Funston,	Matson,	Stone,
Breitung,	Fyan,	Milliken,	Storm,
Brewer, J. H.	Goff,	Mitchell,	Sumner, D. H.
Browne, T. M.	Hammond,	Money,	Talbott,
Buckner,	Hanback,	Morgan,	Taylor, E. B.
Budd,	Hardeman,	Morrison,	Thompson,
Burleigh,	Hardy,	Morse,	Throckmorton,
Cabell,	Harmer,	Moulton,	Tucker,
Caldwell,	Haynes,	Muller,	Tully,
Campbell, Felix	Henderson, D. B.	Murphy,	Wadsworth,
Candler,	Henderson, T. J.	Mutchler,	Wait,
Chace,	Hewitt, A. S.	Nicholls,	Wakefield,
Clardy,	Hill,	Nutting,	Ward,
Clements,	Hiscock,	O'Ferrall,	Warner, A. J.
Cobb,	Holmes,	Paige,	Weaver,
Collins,	Holton,	Patton,	Wemple,
Connolly,	Hooper,	Pettibone,	Wilkins,
Converse,	Hopkins,	Post,	Wise, J. S.
Cook,	Houk,	Price,	Worthington,
Covington,	Hurd,	Rankin,	Young.
Culbertson, W. W.	Hutchins,	Reagan,	
Curtin,	Johnson,	Reed,	

So the motion of Mr. WASHBURN was not agreed to.

Mr. ALEXANDER. My colleague Mr. MORGAN is sick and unable to be in the House to-day.

The SPEAKER. The Clerk will announce the additional pairs.

The following were announced as paired for this day:

Mr. WILKINS with Mr. HENDERSON, of Iowa.

Mr. LE FEVRE with Mr. WADSWORTH.

Mr. LACEY with Mr. MONEY.

Mr. JONES, of Wisconsin, with Mr. TAYLOR, of Tennessee.

Mr. BLANCHARD and Mr. HOLTON were announced as paired until further notice.

Mr. WILLIS. I was paired the other day with the gentleman from Illinois [Mr. HENDERSON]. I do not know whether that pair has expired. Fearing that the gentleman from Illinois may regard the pair as continuing, I withdraw my vote.

The result of the vote was announced as above stated.

ENROLLED BILL SIGNED.

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

A bill (H. R. 1985) granting a pension to Melvin Pierce.

DIPLOMATIC APPROPRIATION BILL.

The House resumed the consideration of the amendments of the Senate, not disposed of by the conference report, to the consular and diplomatic appropriation bill.

The SPEAKER. The question now recurs upon the motion of the gentleman from Missouri [Mr. BURNES] that the House further insist upon its disagreement to the Senate amendment 158.

The motion was agreed to.

Mr. BURNES moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. BURNES. I now move that the House insist on its disagreement to the amendments numbered 166 and 167; and upon that motion I demand the previous question.

The amendments of the Senate were to insert the following paragraphs:

For three commissioners to be appointed by the President, by and with the advice and consent of the Senate, at a compensation of $7,500 each. Said commissioners shall ascertain the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central America, and for that purpose they shall visit such countries in Central and South America as the President may direct.

For one secretary to said commission, to be appointed by the President, by and with the advice and consent of the Senate, $3,000; and in addition to the foregoing amounts such further sum as may be required for the reasonable expenses of said commission, such expenses to be paid upon the certificate of the chairman thereof and approved by the Secretary of State; and said commission shall report their action to the President, for transmission to Congress, with such recommendation as he may deem fitting.

Mr. WASHBURN. I hope my colleague on the committee [Mr. BURNES] will withdraw the demand for the previous question so that I may make a motion that the House recede.

The SPEAKER. The gentleman can make that motion at any rate.

Mr. WASHBURN. I move that the House recede from its disagreement to these two amendments and agree to the same. I desire to state briefly that I do not suppose that there is any gentleman on this floor——

The SPEAKER. Does the gentleman from Missouri withdraw the demand for the previous question?

Mr. BURNES. I will inquire whether my colleague on the committee desires to debate this proposition?

Mr. WASHBURN. I wish to make a brief statement.

Mr. BURNES. Mr. Speaker, is there any limitation upon the debate?

The SPEAKER. There is not, unless the previous question be ordered; in which case there will be thirty minutes for debate.

Mr. BURNES. Then I insist on the call for the previous question. When the previous question is ordered, we can discuss this matter.

Mr. KASSON. I suggest that the gentleman from Minnesota [Mr. WASHBURN], on his own motion to recede, is entitled to the floor.

The SPEAKER. But the previous question was called.

Mr. WASHBURN. I understood the call for the previous question was withdrawn in order to allow me to make the motion to recede.

The SPEAKER. That was not necessary in order to admit the motion, but pending the call for the previous question the motion is not debatable. If the previous question be ordered there will be thirty minutes for debate.

The previous question was ordered.

The SPEAKER. There are now thirty minutes for debate, fifteen minutes in favor of the motion and fifteen minutes in opposition.

Mr. WASHBURN. Mr. Speaker, I presume there is not a member of either House of Congress, nor an intelligent citizen of this country, who has given any attention to the subject, who does not feel deeply humiliated at the condition of our commercial relations with the States referred to in this amendment—the Southern and Central American States. The position which we occupy to-day as a nation with respect to them is absolutely humiliating. With these republics lying right at our doors we are to-day, from the want of proper reciprocal relations, absolutely robbed of all the benefits to which we are properly entitled.

The President of the United States and the Secretary of State, recognizing this condition of things, desire to take the first step to see whether something can not be done to inaugurate such commercial relations with those countries as will give to the United States the advantages we should enjoy. The great difficulty under which we labor to-day is the want of a market for our products. Under the existing condition of things we are absolutely shut out from these countries, which should naturally be our markets.

I hope this House will recede from its disagreement and allow a commission of intelligent gentlemen to take up and investigate fully this whole question, ultimately leading to treaties and arrangements which will give to this country and its citizens in the way of commercial intercourse what they are naturally entitled to. I reserve what remains of my time.

The SPEAKER. The gentleman has twelve minutes remaining.

Mr. BURNES. Mr. Speaker, I beg in a few words to call the attention of the House to what I consider is involved in this amendment. We have the expense of Government representatives in every state in South and Central America. We have ministers, consuls, consuls-general, and secretaries of legation in all of the South and Central American states under the most liberal appropriations ever granted by Congress, many of these in excess of the demands of the State Department. The Appropriations Committee, without the recommendation of the Secretary of State, have added secretaries of legation and created consulates, so that in every one of these South American states we have representatives, ministers, consuls, and secretaries of legations largely beyond any former service. They are there, sir, everywhere.

We presume they are intelligent gentlemen. We have to presume that they are qualified for the discharge of the duties imposed on them by law. We are not here to say they are incompetent or unfaithful, but we are here as representatives of the people and say that they shall discharge the duties which have devolved upon them under the law. While these officers are there at every government, while the Secretary of State has the great advantage of diplomatic and consular service at every capital and every commercial city, why should he ask for more ministers, consuls, and secretaries of legation under the name of commissioners to look out for matters made the duty of our ministers and consuls by law? And why can not he in Washington, where he is in daily intercourse with our representatives abroad, and with numerous citizens of South and Central America, confer with them and ordering the officers to their posts instruct them to do the work required of them by law, rather than give it to new commissioners, extra or special officers of the Government, unknown and unnamed in the Constitution.

What necessity can there be for a roving commission at $7,500 a year to each one of its three members, with a secretary and with contingent and traveling expenses, to go wandering and junketing from state to state and I might say from speculation to speculation and from private interest to private interest? Are not those who have resided at these several governments for long periods of time better able to tell the movements of trade and commerce in their respective localities than this itinerant commission? Shall we discharge or supersede these officials who are now acting as ministers and consuls? Shall we ignore and dishonor them? Shall we send others there to perform the duties which have been confided to them? Is it not a confession that they have not been of any service to the Government when it is proposed to send out a commission to do the very work which they ought to have done if they are capable of doing anything at all?

I submit to gentlemen of the House on both sides that this being a purely business question the officials now in South and Central American states are incompetent and unfaithful in the discharge of the public duties imposed upon them. If so, is it not better that the President in the exercise of his executive functions should remove them from the offices for which they are incompetent and appoint in their places some of the commercial men of the country whose business has well prepared them for the labor of ministers and consuls and secretaries of legation? Let this be done and I will guarantee they will not require an extra commission to do their work for them. Let the President prepare the commercial treaty which he desires submitted to each one of these states. Let him order immediate or simultaneous negotiations to be opened and pressed by our representatives and regular reports to be made to him, so that operations in every state will be focused here in the State Department.

Let him and them work up to a general conclusion, and each minister and each consul so working definitely and reporting regularly will be a permanent aid and adjunct in the accomplishment of useful results. Thus the end desired will be accomplished without commissioners and without extra cost to the public Treasury.

Now, Mr. Speaker, other gentlemen may do as they please, but for myself I will not consent to the unnecessary duplication of officers of this Government. We have representatives now. I will not agree to appoint a new set to do their work. My constituents require me to do the work of the position they have confidingly given me here, and I can not consent that others shall have substitutes unauthorized by law or any public necessity, thereby doubling expenses and encouraging and rewarding the faithless and incompetent. The sacred Scriptures warn us against supplanting another in his work, and the Constitution of our country and the common honesty of our people abhor the proposition to appoint and pay two men for doing the work of one. Commissions like this proposed were no part of the diplomatic or commercial machinery authorized by the Constitution, and they are not in much favor with me. Whenever we have tried them we have been deceived or betrayed. They are inventions of modern growth, and are usually organized for private ends and aims. Places are in demand. Borrowing from the great-hearted President, there are more "pegs than holes." Sinecures are easily found. Partisan service is too often paid for out of the Treasury rather than from the pocket of the beneficiary of such service. Political favorites, not active, able business men, such as travel for the great business houses of this country, will be your commissioners. If we agree to this amendment $50,000 per

year will be the cost of these four new officials. But the worst evil is that you recognize the principle of duplication of public officers in order to accommodate the throng of office-mongers.

I will yield for five minutes to my colleague on the Committee on Appropriations, the gentleman from Illinois [Mr. TOWNSHEND].

Mr. TOWNSHEND. I will reserve the time until I have heard from the other side.

Mr. WASHBURN. I will yield for five minutes to the gentleman from Iowa [Mr. KASSON].

Mr. KASSON. I hardly know and hardly believe there is much advantage in prolonging a discussion where the opposition to it rests largely upon a conviction that the object of government is to prevent it from doing anything on the ordinary principles of business. This proposition does not originate with the Government as an absolute initiative. It came from the Mississippi Valley, it came from the business men of that valley. They believe, they say, that a commission of business men sent for the express purpose of uniting the opinion and judgment of different small countries and bringing about an exchange of views directly between them independent of political relations and political obligations, would secure good results to the commercial interests of the United States. They have asked such a provision should be made. The Senate have introduced an amendment upon this bill, and the question is whether there are not prospects of business advantage sufficient to induce us to grant it. How can you get a crop unless you plant? How can you plant without some expense? I did greatly desire to speak to this House for a few moments on the entire programme for enlarging the commerce and influence of the United States on the Western continent.

I did desire to ask gentlemen to observe the line of a ship sailing from Liverpool to the west coast of South America and contrast it with the line pursued by an American ship sailing from the port of New York for the same destination. She starts now from New York and goes southeast sailing on a course away from her destination until she turns the point of Brazil, and then runs like the European ship toward her destination.

But when you have done what the United States will be treasonably guilty if it shall not do; when it is done, when you have opened the way across that lake and isthmus of Nicaragua, then your ship from New York sails directly to her destination upon a great circle, and by a route shorter than that now pursued by nearly the distance from Liverpool to New York.

Then if you look upon the globe, and I trust that some of you to whom I have spoken personally since the last Congress upon this question have done so, you will be surprised to see the advantage the United States gains over England in trading to that coast of South America. While now from England they have a straight line to the South Cape, we go two sides of a triangle, and the advantage is all with Liverpool.

Mr. Speaker, that is but a part of the scheme, of which this is another part, to extend the influence and the commercial relations of the United States to establish treaties of reciprocity with small countries as well as great countries where we have one minister now for five of these Central American states, and where, if he were to go from one to the other it would require the entire period of the year's service for traveling. It is proposed that your business commission shall go there to talk commerce to them, to talk railroads to them, to talk routes of communication by water to them, to tell them what we produce in this country, what their merchants can trade on, and what there is that can be disposed of in this country, what we will take of their products, and to talk over all other business projects with all of these countries, presenting the advantages of ours to them, and I thank the executive government for having adopted the business propositions of business men in this country; and I think this House will neglect its duty if it does not approve of this recommendation of the Executive——

The SPEAKER. The time of the gentleman has expired.

Mr. TOWNSHEND. Mr. Speaker, I look to the southern countries, to Mexico, South America, and to Central America, as the future market for the surplus products of this country; and I feel that the most important problem which will be likely to engage the attention of our statesmen for a long time in the future is that course which will pave the way to close commercial alliances with all the nations on the American continent—the establishment of the same commercial freedom among them as that which exists among the States of this Union. I will go as far as he who goes furthest to advance the interests of the United States in that direction. I would be the last person to hamper or delay such a consummation. There is but small foundation for the hope that any considerable extension of the market for our surplus manufactured products can be made in Europe, and our present command of the wheat market there is threatened by the development of India. Our pork is being discriminated against by several European countries.

I fear that the manufacturers of Europe will ever be able to exclude the products of our workshops from the East. Therefore necessity and wisdom demand that we should look to the south and to the west for our most lucrative trade. We must look to Mexico, Central America, South America, China, Japan, Australia, and the islands of the seas for our future commercial prosperity. If we will knock, they will open their doors to our commerce. Indeed, they invite us to come. Mexico has led the way by her recent reciprocity treaty with us, which others will follow if we desire them to do so. It is for this reason I am ready to join hands with all who are willing to move in the direction which will advance our commercial interests with the other nationalities on this continent. But, sir, I do not believe such a result can be achieved by the proposed amendment of the Senate. What does this amendment do?

It seeks to appoint a roving commission, to gather just such statistics and information as we have already furnished to us by the official documents emanating from these various countries or our official agents there. We have accredited agents to these countries, diplomatic and consular agents, who will accomplish everything that can possibly be accomplished by this expensive commission. We can by the use of a few postage-stamps instruct these agents to gather up the desired information, and accomplish all that you seek to accomplish by the expenditure of some $25,000, as will be required if this provision of the Senate shall prevail.

Now, in order to evidence the sincerity of my desire and to promote closer commercial relations with those countries, I wish to send to the desk a joint resolution which was introduced by myself at the beginning of this session, authorizing the President, who can act through our diplomatic agents, to invite the co-operation of the governments on this ontinent in securing the establishment of a commercial league or a commercial union similar to that which has so long existed among the states of Germany and known as the German Zollverein.

The Clerk will please read:

Joint resolution requesting the President to invite the co-operation of the governments of American nations in securing the establishment of free commercial intercourse among those nations and an American customs union.

Whereas the establishment of free commercial intercourse among the nations now existing upon the continent of America will promote the friendly political relations, internal commerce and industry, and secure a more extensive market for the surplus products of each of said nations: Therefore,

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, requested to invite the co-operation of the governments of the American nations in securing the establishment of a commercial league by and between the said nations, to be known as the customs union of America, the arrangement of a common basis of import duties from other countries than those which may compose said league, and that the commercial intercourse among the people of all the American states may be freed from the payment of any customs or other dues whatever; and that a common system of weights and measures may be also established for the purpose of facilitating such intercourse.

The establishment of this union in Germany led not only to the great commercial prosperity of the German states, but has finally led to their political unification. I believe that wise and enlightened action on the part of this Government will bring together representatives of all the governments on this continent in an international convention or congress, where investigation, discussion, and deliberation may be had and this grand object may be accomplished; and we shall thereby secure a free market for the products of our farms and our workshops, protected against competition from other lands.

In such a convention or assemblage of intelligent representatives of the American nations the mutual advantages which will ensue to all concerned can be shown and appreciated. The other countries in the commercial union being without manufactures to any considerable extent, and their raw materials and products being in the main different from those of our own country, show that no serious conflict of interest can arise. They have need for our manufactured articles and farm products, and we can with profit take in return their products. Similarity of political institutions and mutuality of interest will promote the peace, the friendly relations, the enlightenment, and prosperity of the people, as surely as such circumstances will develop the resources of all the nations concerned. Such a commercial union would be the beginning of an era of prosperity far beyond the hopes or dreams of any who have studied the future of the American continent.

The scheme that I advocate is purely commercial—in no wise political. I do not believe a political union of these countries is desirable or beneficial. Their welfare and happiness can be promoted best by a continuance of their separate and independent sovereignty. The territory subject to our political power is large enough. As a lover of the welfare of my country, proud of its extent, its greatness and glory, as one ardently desirous of its future peace, prosperity, and grandeur, I would rather see our flag supplant the dominion of Great Britain over the world's commerce than behold it the symbol of sovereignty over the territory of the whole American continent.

I believe the establishment of such a commercial league would silence in a large degree the divisions existing among our people on the tariff. With a free market for their surplus products in those countries, protected by a common basis of customs duties against the remainder of the world, the manufacturers would be content to see free trade established among the American nations; and by the time that such a policy would demonstrate the advantage of free trade in America, the national debt and the pensions to soldiers would no doubt be so far diminished as to enable us to dispense with tariff taxation altogether, and then would rise a universal demand in this country for free trade with all the world.

Such a commercial league should therefore be favored by protectionists as well as free-traders; for while it does establish the same freedom of trade among the American nations as exists among the States of this Union, it at the same time opens a free market for our surplus products, while it continues the barrier against European competition.

It should be favored by Mexicans and Spanish-Americans as well as by North Americans, because it would develop the internal commerce and stimulate the trade of all the countries concerned.

The trade of those countries ought to be controlled by us. Their nearness to us, the facilities of communication by water or rail, all give us the advantage over any other country. What share of this trade do we get now? The statistics will show that England, France, and Germany come to our door and take away the bulk of this trade. Look at the figures. Our trade with some of those countries is so insignificant in comparison with England and France as to be humiliating to the pride of our country. Take Chili and Peru, so remote from Europe and yet, comparatively speaking, easy of access to us across the Isthmus of Panama or from California, and see the disparity:

Exports from—	Chili.	Peru.	Total.
Great Britain	$32,064,347	$18,751,466	$50,815,813
France	13,059,210	8,713,372	21,772,582
United States	3,585,132	3,574,495	7,159,627

I have not yet had access to the statistics of the trade of these countries with other European countries. Their trade in 1880 with all foreign countries amounted to $653,701,000, of which $373,994,000 were imports and consisted mainly of manufactured articles. Of those imports England furnished $88,520,000; France, $62,771,000; and the United States only $36,044,000. If this commercial union is established these figures would be more than reversed.

If such a union is formed, of course a common basis for customs duties should be provided on imports from other countries outside of the league. The German Zollverein or Customs Union, to which I have referred, demonstrates the immense advantages accruing from such a league to people of contiguous nations with common interests. It has contributed more than all else to the prosperity of the German states, and was instrumental in bringing about their final political unity.

Our effort to establish this union may at first meet with the difficulties encountered in the establishment of the German Zollverein. At first only two states entered into the league; but as the advantages became known others joined, and by January, 1854, all the German states were included except Holstein, Mecklenberg, Limburg, Hamburg, and Bremen. Its subsequent accessions and success are well known. Therefore, if we should only commence with a Mexican commercial alliance, in time all the other countries would join.

At any rate, we have everything to gain and nothing to lose by the attempt. The greatest danger which threatens the prosperity of our country is that which may result from production of more than we can market. If the time comes when the manufacturer can not sell his wares or the farmer can not find a market for his grain and provisions, then stagnation will follow. This teaches us we should without delay seek an extended and permanent market. I have already said, as we can not look for it eastward we must look for it southward and westward. A vigorous, wise foreign policy will secure it for us.

This proposition, I repeat, has no political purposes. The countries concerned are independent nations, and would resent our advance with such motives, but would welcome us if we should convince them our object is purely commercial. By this proposition we should turn away from old-fashioned political diplomacy and utilize our foreign agencies to extend our commerce and open new markets.

In the remaining hours of this session I only have time to briefly call attention to this great question, but I will avail myself of this opportunity to say that I shall at the next session press the consideration of the joint resolution I have offered, and trust if it should fail that some measure having in view the same object may be adopted.

Mr. WASHBURN. How much time have I remaining?

The SPEAKER. The gentleman has seven minutes of his time remaining.

Mr. WASHBURN. I only desire to remark that what the gentleman from Illinois has stated very much reminds me of a friend of mine who said he was in favor of the Maine liquor law, but he was against its execution. I yield four minntes to the gentleman from Connecticut [Mr. EATON].

Mr. EATON. I have investigated this matter somewhat for several years past, and I have no doubt I agree with my friend from Illinois [Mr. TOWNSHEND] in one respect, that we must look to the states south of us for a market for our manufactures and the products of the farm also to a great extent. But I differ with him in this: I do not believe that the diplomatic and consular agents that are there are the men to commence this business treaty. What does this call for? It calls for commercial and manufacturing men.

Mr. TOWNSHEND. Will my friend from Connecticut allow me to say he is mistaken as to my position? I do not propose to authorize our diplomates or consular agents to inaugurate this treaty, but to invite those countries to send commissioners to us for that purpose.

Mr. EATON. You want to get that information through these gentlemen, and I want to get it through men who know what they are doing. Therefore I will take commercial men and manufacturing men and send them there. We are building our railroads into Mexico and in a comparatively short time will have railroads extending five hundred miles south of Mexico.

Now let commercial and manufacturing men be intrusted with this business. Let them go to all these people. Let them talk with the commercial and manufacturing men of those countries. Let us build up a trade between this country and the southern republics.

I have no doubt about this subject at all. I believe a true patriotism would dictate to us to go to the largest extent that was prudent and cautious in this matter. I have no fears that the President of the United States will not appoint proper men to carry out this great measure; and I ask this House to put into the hands of the administration a small sum of money that will in my opinion prove of inestimable value to us within the ensuing year or within the near future. An expenditure is proposed of $25,000 for what my friend is pleased to call a roving commission. A roving commission! Gentlemen sent for a particular and specific purpose to meet with the people south of us; not to negotiate, but to show to the people in power in Nicaragua, in the Argentine Republic, and everywhere else they may go, the great advantage it would be to them if there could be an exchange of commodities between those people and this people.

The SPEAKER. The time of the gentleman from Connecticut has expired.

Mr. WASHBURN. I yield two minutes to the gentleman from Louisiana [Mr. HUNT].

Mr. HUNT. My duties upon the shipping committee have required that I should look somewhat into this subject. I find that England and France, through their capital invested in steamships and communicating lines of commerce to the countries south of us, have caused the traffic which belongs to the United States to be drawn in an unnatural direction. The course taken recently in Congress by way of repealing the compulsory postal laws, which oblige American vessels in the foreign carrying trade to transport the mails virtually without compensation, looks to an enlightened change of public policy. The Government, by reason of its recent liberal course toward the World's Exposition to be held at New Orleans has perhaps done more than anything else could have done to pave the way for freer and more liberal intercourse with the people of the countries to which I have referred.

I ask, Mr. Speaker, how can this be accomplished well unless you send experts, informed commercial men, to visit these countries? And what is the expense in the way of salary compared to the valuable knowledge that will be obtained and to the large commercial advantages that must necessarily result?

Mr. WASHBURN. I yield one minute to the gentleman from Missouri [Mr. O'NEILL].

Mr. O'NEILL, of Missouri. I can state, with the concurrence of Mr. BROADHEAD, the other member from Saint Louis, that the merchants and manufacturers of that city give this proposition their unqualified hearty support under the belief that it will give to this country a trade that rightfully belongs to us and that is now diverted to other countries through the absence of proper commercial relations.

The people of Central and South America are strongly in sympathy with our people and institutions, and through the agency of a competent commission can be readily induced to enter into strong commercial relations with us. The introduction of the American system of railways in Mexico and its rapid extension southward gives strong assurance that we will soon be united to those people with ties of close commercial communication, provided they can be induced to co-operate in this grand work, which I imagine will be one of the principal efforts of the commission. It is fraught with bright promise to our commercial interests, and I earnestly hope the amendment will be adopted.

Mr. BURNES. I beg just to call the attention of the House for a moment to the language of the amendment:

> For three commissioners to be appointed by the President, by and with the advice and consent of the Senate, at a compensation of $7,500 each. Said commissioners shall ascertain the best modes of securing more intimate international and commercial relations between the United States and the several countries of Central and South America, and for that purpose they shall visit such countries in Central and South America as the President may direct.

If gentlemen will point to any law or regulation of the State Department that does not make it the duty of ministers and consuls to do this particular work, then I shall acknowledge myself in error. But they can not.

I desire to say a word to my friend, the distinguished gentleman from Iowa [Mr. KASSON]. In the language of those from the Mississippi Valley who have urged this scheme upon him, he has been unable to read between the lines the bitter irony in regard to the inefficiency of the present service in South and Central America. That is all. We all, everywhere, want all the trade we can get. Some of us object to a scheme that, under the name of seeking it, takes from all our ministers and consuls in South and Central America the work they

are paid for performing and intrusts it to duplicate ministers or consuls under the name of commissioners, &c.

I regret, however, that my friend from Iowa [Mr. KASSON] has given us the intelligence that this was not a movement on the part of the Secretary of State; that it was not conceived by the Administration, whatever the indorsement given to it by sending it here. I say that the judgment of the State Department seems to have been against it until attention was called to it, as the gentleman says, by business men of the Mississippi Valley.

In reply to the remarks of the gentleman from New Orleans [Mr. HUNT] I have a word. We have done pretty well for New Orleans at this session. Will he never give us a rest? I love New Orleans very much indeed, and hope she may not tarnish her glory and glut her spirit of enterprise by the cry of the horse-leech so long as our Treasury has a dollar of surplus.

Mr. BROADHEAD. I would ask my colleague if the business men of the Mississippi Valley are not just as capable of judging of the importance of this matter as the Secretary of State?

Mr. BURNES. I answer my colleague by saying that the Secretary of State has great duties enjoined upon him by the Constitution and the laws. It is his business to study all these questions. I presume he does. He ought to. The business men of Saint Louis are equal to any in the world, but they study their ledgers and stock-books more closely than they do the avenues of trade and commerce or the proper diplomatic and consular service of this Government. They attend to their own business well and intelligently; they are great and successful in that respect, but if I had their ear I would say that they sometimes make a great fuss about very small matters, and sometimes make none at all when they might well cry aloud from the house-tops.

Mr. ADAMS, of New York. I would ask the gentleman what are the average salaries paid to our consuls in these different countries.

Mr. BURNES. In South America?

Mr. ADAMS, of New York. Yes; about how much?

Mr. BURNES. Our ministers there are paid from $7,500 to $12,000 a year each.

Mr. ADAMS, of New York. I believe there is only one minister there.

Mr. BURNES. There are some ten or twelve ministers and envoys extraordinary, and double as many consuls and consuls-general.

Mr. ADAMS, of New York. What are our consuls paid?

Mr. BURNES. From two to three and four thousand dollars a year. I can not answer the gentleman more fully; the time is short.

I say here that it is true, as my honored friend from Connecticut [Mr. EATON] says, we want this trade. It is a question as to the agency to be adopted in order to obtain it. I ask him whether we shall have a double agency or a single agency for this purpose? What zeal induces the gentleman to stand forth here against the judgment of the people of this country as represented on this floor? What induces him to do that?

Mr. EATON rose.

Mr. BURNES. The gentleman can answer it at his leisure and through the RECORD, if he wishes; but not now.

Mr. EATON. I never write for the RECORD; I speak what I have to say.

Mr. BURNES. Very well; speak it in your own time. I say that we have reduced the tariff duties on coffee and various other articles produced in those countries without any sort of compensation. So long as we maintain war taxes here at home we can not hope to compete for this trade. The seeds of the disease lie in our laws on the tariff question, which the gentleman is unwilling to change. Trade—general trade with the states of the south—will come when revenue is made the primary object of all tariff legislation, and commerce flies once more in American ships and under our own flag.

I now yield the remainder of my time to my distinguished friend from Georgia [Mr. BLOUNT].

The SPEAKER. The gentleman has two minutes of his time remaining.

Mr. BLOUNT. I do not believe I will use that.

Mr. SPRINGER (to Mr. BLOUNT). Give it to me.

Mr. BLOUNT. What side are you on?

Mr. SPRINGER. On your side.

Mr. BLOUNT. All right.

Mr. SPRINGER. The gentleman gives me his two minutes' time. I am quite as anxious as gentlemen on the other side and a few gentlemen on this side to have the trade of South Carolina [laughter]—of the South American republics. And I will tell those gentlemen when they will get it. The same hour in which it will come to us will be that hour and that day when we can sell the manufactured articles of this country to them at the same or at less prices than can England and the other countries of Europe. Whenever we can do that we will have their trade.

But you can send commissioners to South America from now until the day of judgment, and you may drink barrels and barrels of champagne with the people there, and you can never sell a wool hat to a single citizen of those countries until you can sell it as cheap or cheaper than such articles are sold by the countries of Europe.

[Here the hammer fell.]

Mr. WASHBURN. I will now yield my half-minute of time remaining to the gentleman from Connecticut [Mr. EATON].

The SPEAKER. The time of the gentleman has expired.

Mr. WASHBURN. I think I have a half-minute remaining.

The SPEAKER. The gentleman had seven minutes remaining, and yielded four minutes to the gentleman from Connecticut [Mr. EATON], two minutes to the gentleman from Louisiana [Mr. HUNT], and one minute to the gentleman from Missouri [Mr. O'NEILL].

Mr. WASHBURN. And the gentleman from Missouri [Mr. O'NEILL] used only half a minute; and the half-minute remaining I yielded to the gentleman from Connecticut [Mr. EATON].

Mr. O'NEILL, of Missouri. I used only half a minute.

Mr. TOWNSHEND. Has the gentleman from Minnesota [Mr. WASHBURN] any time remaining?

The SPEAKER. The gentleman from Missouri [Mr. O'NEILL] states that he used only half a minute of the time yielded to him. The Chair therefore recognizes the gentleman from Connecticut [Mr. EATON] for half a minute.

Mr. EATON. One-half minute! I will take just a quarter of a minute to tell my friend from Illinois [Mr. SPRINGER] that the champagne which he drinks, which comes out of barrels [laughter], is not the kind consumed by the people in the countries now under discussion.

Now let me say one word to my good friend from Missouri [Mr. BURNES], and let him ponder upon it. There has never been any great public measure carried out between our country and other peoples except through the instrumentality of legations expressly authorized. Such matters are never intrusted to the regular minister abroad. I will ask my good friend who is going to Austria [Mr. KASSON] whether if any great measure is to be consummated a special embassy or commission is not always deemed necessary?

[Here the hammer fell.]

Mr. BARKSDALE. I shall vote to retain in the consular and diplomatic bill the clause to appropriate a sum for the employment of commissioners to ascertain the best mode of securing more intimate and commercial relations between the United States and the Central and South American countries. We should liberalize our intercourse with those countries to promote the sale of American farm products and manufactures. Ordinarily I have voted to sustain the action of the conferees on the part of the House. I will not do so in this instance. I will vote for the motion from their position.

The South American countries produce many articles for which the climate of the United States is not suited, and the United States produce many articles for which those countries are not adapted. The interests of both countries dictate that there should be a more liberal interchange of these commodities. Enlightened public policy would strike off the shackles that have prevented the development of this trade and the mutual enjoyment of its benefits. It is not a local question. The manufacturers of the East and of the South as well as the agriculturists of the West and the South are alike interested in the measure. I do not speak with an eye to Southern interests exclusively, though a Representative of a Southern constituency. I speak for the whole country. The sum proposed is insignificant compared to the benefits which it is believed will follow. The suggestion that a communication which a postage-stamp will carry would be sufficient to attain the end desired is preposterous. It is an economical but an exceedingly narrow view of the question.

Scarcely less absurd is the suggestion that it can be accomplished by the consular agents of the Government already employed in those countries by our Government. It is a great work, and to achieve it the services of experts and practical, broad-minded statesmen and competent diplomatists should be brought into requisition. I will cheerfully vote for the bill as it came from the Senate in this particular.

The question being taken on the motion of Mr. WASHBURN that the House recede from its disagreement to the Senate amendments numbered 166 and 167, there were—ayes 82, noes 53.

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

The yeas and nays were ordered.

The question was taken; and there were—yeas 111, nays 76, not voting 137; as follows:

YEAS—111.

Adams, G. E.	Cannon,	Funston,	James,
Adams, J. J.	Chalmers,	George,	Jeffords,
Atkinson,	Cullen,	Glascock,	Johnson,
Barksdale,	Cutcheon,	Greenleaf,	Kasson,
Bayne,	Dargan,	Guenther,	Kean,
Belford,	Davis, G. R.	Hancock,	Keifer,
Boutelle,	Davis, R. T.	Hart,	Kellogg,
Brewer, F. B.	Deuster,	Hatch, H. H.	Laird,
Brewer, J. H.	Dingley,	Hepburn,	Libbey,
Broadhead,	Eaton,	Hewitt, G. W.	Lyman,
Brown, W. W.	Ellis,	Hitt,	McCoid,
Brumm,	Evans, I. N.	Horr,	McComas,
Budd,	Everhart,	Houseman,	McCormick,
Calkins,	Ferrell,	Howey,	Miller, S. H.
Campbell, J. M.	Findlay,	Hunt,	Milliken,

Mitchell,	Perkins,	Singleton,	Thomas,
Morrill,	Phelps,	Skinner, C. R.	Tillman,
Muldrow,	Poland,	Smalls,	Valentine,
Nelson,	Potter,	Smith,	Wakefield,
Nutting,	Price,	Spooner,	Washburn,
Oates,	Ranney,	Stephenson,	Weaver,
Ochiltree,	Ray, G. W.	Stewart, Charles	White, J. D.
O'Hara,	Robinson, J. S.	Stewart, J. W.	White, Milo
O'Neill, Charles	Rockwell,	Stone,	Whiting,
O'Neill, J. J.	Rosecrans,	Strait,	Winans, E. B.
Parker,	Rowell,	Struble,	Winans, John
Payne,	Ryan,	Sumner, C. A.	Yaple.
Payson,	Seymour,	Taylor, J. D.	

NAYS—76.

Alexander,	Dunn,	Lanham,	Taylor, J. M.
Bagley,	Follett,	Lore,	Thompson,
Bennett,	Forney,	Lowry,	Townshend,
Blount,	Garrison,	McMillin,	Turner, H. G.
Breckinridge,	Geddes,	Miller, J. F.	Turner, Oscar
Buchanan,	Gibson,	Mills,	Van Alstyne,
Burnes,	Graves,	Murray,	Vance,
Caldwell,	Green,	Neece,	Van Eaton,
Campbell, J. E.	Halsell,	Pierce,	Wallace,
Carleton,	Hatch, W. H.	Peel,	Warner, Richard
Cassidy,	Hemphill,	Pryor,	Wellborn,
Clay,	Henley,	Randall,	Weller,
Clements,	Herbert,	Riggs,	Williams,
Cox, W. R.	Hoblitzell,	Rogers, J. H.	Wilson, W. L.
Crisp,	Holman,	Scales,	Wise, G. D.
Culberson, D. B.	Jones, B. W.	Seney,	Wolford,
Dibble,	Jones, J. H.	Shelley,	Wood,
Dibrell,	Jordan,	Springer,	Woodward,
Dowd,	Kleiner,	Sumner, D. H.	York.

NOT VOTING—137.

Aiken,	Davidson,	Jones, J. K.	Reed,
Anderson,	Davis, L. H.	Jones, J. T.	Reese,
Arnot,	Dockery,	Kelley,	Rice,
Ballentine,	Dorsheimer,	Ketcham,	Robertson,
Barbour,	Duncan,	King,	Robinson, W. E.
Barr,	Dunham,	Lacey,	Rogers, W. F.
Beach,	Eldredge,	Lamb,	Russell,
Belmont,	Elliott,	Lawrence,	Shaw,
Bingham,	Ellwood,	Le Fevre,	Skinner, T. G.
Bisbee,	English,	Lewis,	Slocum,
Blackburn,	Ermentrout,	Long,	Snyder,
Blanchard,	Evins, J. H.	Lovering,	Spriggs,
Bland,	Fiedler,	McAdoo,	Steele,
Bowen,	Finerty,	Matson,	Stevens,
Boyle,	Foran,	Maybury,	Stockslager,
Brainerd,	Fyan,	Millard,	Storm,
Breitung,	Goff,	Money,	Talbott,
Browne, T. M.	Hammond,	Morgan,	Taylor, E. B.
Buckner,	Hanback,	Morrison,	Throckmorton,
Burleigh,	Hardeman,	Morse,	Tucker,
Cabell,	Hardy,	Moulton,	Tully,
Campbell, Felix	Harmer,	Muller,	Wadsworth,
Candler,	Haynes,	Murphy,	Wait,
Chace,	Henderson, D. B.	Mutchler,	Ward,
Clardy,	Henderson, T. J.	Nicholls,	Warner, A. J.
Cobb,	Hewitt, A. S.	O'Ferrall,	Wemple,
Collins,	Hill,	Paige,	Wilkins,
Connolly,	Hiscock,	Patton,	Willis,
Converse,	Holmes,	Peters,	Wilson, James
Cook,	Holton,	Pettibone,	Wise, J. S.
Cosgrove,	Hooper,	Post,	Worthington,
Covington,	Hopkins,	Pusey,	Young.
Cox, S. S.	Houk,	Rankin,	
Culbertson, W. W.	Hurd,	Ray, Ossian	
Curtin,	Hutchins,	Reagan,	

So the motion of Mr. WASHBURN, that the House recede from its disagreement and agree to Senate amendments numbered 166 and 167, was agreed to.

The following additional pairs were announced:

Mr. WEMPLE with Mr. PETERS, until further notice.

Mr. MURPHY with Mr. HEPBURN, on all political questions, indefinitely, reserving the right to vote to make a quorum; Mr. HEPBURN to determine what are political questions.

Mr. PAYNE with Mr. ELDREDGE, until further notice.

The result of the vote was announced as above stated.

Mr. WASHBURN moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. OCHILTREE asked and obtained leave to print remarks in the RECORD upon the pending bill.

Mr. TOWNSHEND. I ask that all other members, if they desire it, may have the same privilege.

Mr. VALENTINE. I object to that.

Mr. TOWNSHEND. Then I ask leave to extend in print the remarks I have made on this question.

Mr. VALENTINE. It is understood that the remarks must be confined to this subject.

The SPEAKER. That is the understanding.

There being no objection, the leave requested by Mr. TOWNSHEND was granted.

Mr. BURNES. In order to save time I move that the House ask a further conference with the Senate on amendment numbered 158.

Mr. VALENTINE. How many amendment are there undisposed of?

The SPEAKER. Only this one.

The motion of Mr. BURNES was agreed to; and the Speaker announced as conferees on the part of the House Mr. BURNES, Mr. TOWNSHEND, and Mr. WASHBURN.

MANAGEMENT OF SOLDIERS' HOMES.

Mr. ROSECRANS. I ask unanimous consent to report from the Committee on Military Affairs for immediate consideration the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the resolution of this House directing the Military Committee to examine into the plan, practical workings, and management of the national homes for disabled volunteers, and to examine such homes as it may deem necessary by subcommittee, and providing that all necessary expenses be paid out of the contingent fund of the House, passed on the 26th of May, 1884, be, and the same is hereby, amended by adding the following, to wit: "The Clerk of the House, upon the order of the chairman of the Military Committee, shall advance to the Sergeant-at-Arms, in amounts not exceeding $1,000 at a time, such sums as may be required to meet the current expenses of clerk-hire, travel, &c.; said amount to be promptly accounted for by proper vouchers duly certified by said chairman."

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

Mr. VALENTINE. As I understand, this refers to a resolution heretofore adopted.

The SPEAKER. The House adopted heretofore a resolution providing for this investigation, but failed to authorize the Clerk of the House to furnish money in advance to the Sergeant-at-Arms to defray the expenses. The present resolution is designed to remedy that defect.

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

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

The latter motion was agreed to.

Mr. TOWNSHEND. I move to proceed to business on the Speaker's table. [Cries of "Regular order!"]

The SPEAKER. The regular order is the motion of the gentleman from Indiana to take a recess until 9 o'clock this evening.

Mr. HOLMAN. The conference report on the fortification bill embraces but a single item, and it can be delayed until this evening without inconvenience.

Mr. WHITE, of Kentucky. Let us adjourn. I demand a division.

The House divided; and there were—ayes 100, noes 17.

Mr. WHITE, of Kentucky. No quorum. [Cries of "Oh!"] I withdraw the point of no quorum, but I believe we will not do anything this evening.

The SPEAKER. The point of no quorum having been withdrawn, the motion was agreed to.

Accordingly (at 5 o'clock and 10 minutes p. m.) the House took a recess until 9 o'clock p. m.

AFTER RECESS.

At 9 o'clock p. m. the House resumed its session.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted in the following cases:

To Mr. ELDREDGE, on account of sickness in his family.

To Mr. RANKIN, for the remainder of the session, on account of important business.

CICERO H. DRAKE.

On motion of Mr. GEDDES, by unanimous consent leave was granted for the withdrawal from the files of the House of the papers in the case of Cicero H. Drake, no adverse report having been made thereon.

RICHARD D. BREWER.

On motion of Mr. GEDDES, by unanimous consent leave was granted for the withdrawal from the files of the House of the papers in the case of Richard D. Brewer for reference to the Secretary of State.

JOHN N. QUACKENBUSH.

Mr. JORDAN. I move by unanimous consent to take from the Speaker's table the bill (S. 28) to confirm the status of John N. Quackenbush as a commander in the United States Navy for present consideration.

The bill was read, as follows:

Be it enacted, &c., That the President of the United States be, and he hereby is, authorized to nominate and, with the advice and consent of the Senate, appoint the said John N. Quackenbush a commander in the Navy of the United States, vice George U. Morris retired, to take rank and position on the list of such commanders from and after the date of the retirement of Morris, namely, October 21, 1874, and next after the name of Commander William T. Sampson, the appointment to be to fill the vacancy, still unfilled, caused by the retirement of Morris, the right to fill which is unquestioned under the decision in the case of Charles M. Blake *vs.* The United States (13 Otto, 227), and the right to reissue the original commission of Commander Quackenbush might be questionable: *Provided*, That such appointment shall not entitle the said John N. Quackenbush to compensation during the time that intervened between the appointment of W. S. Schley and the subsequent retirement of Morris: *Provided further*, That after such reappointment the said John N. Quackenbush shall be entitled (with the exception provided for above, namely, that no compensation be received for the few months that intervened between the issuing of the commission to Schley and the retirement of Morris) to compensation from the date of his original commission to the present time, as by him duly received up to the time of the raising of a question as to his status in consequence of the Supreme Court decision in the case of Blake above referred to; and he having been borne on the rolls of the Navy until August 1,1883, and on waiting orders until said date, he shall receive whatever arrears of salary have accrued since the 1st day of April, A. D. 1881, that being the date on which further payment of his salary was deferred until his status should be finally decided.

Mr. JORDAN. Mr. Speaker, I ask unanimous consent to take Senate bill No. 28 from the Speaker's table for its immediate consideration and passage, and I am sure the House will agree to my request and pass the bill if I can get them to give me their attention for a few minutes. The bill seeks to correct a serious but clerical mistake. The bill has been reported favorably in the Senate and in the House by the Naval Committees without a dissenting vote. The relief sought by the bill has been recommended by a President of the United States, a Secretary of the Navy, and the opinion of the Attorney-General has been given in its favor. And there is no person or official in any department of the Government who has a right to object to it so far as I know.

The facts are simply that John N. Quackenbush was appointed a commander in the Navy of the United States in regular course of promotion on May 25, 1871. He was tried by a court-martial in February, 1874, and sentenced to dismissal. The President approved the sentence on June 5, 1874. On June 9 Commander Quackenbush was notified by the Secretary of the Navy by letter of these facts, and that from that date he would cease to be an officer in the Navy. The sentence was a very harsh one, not satisfactory to the President, although he had approved it; and on June 12, 1874, the Secretary of the Navy wrote to Commander Quackenbush notifying him that the sentence of the court-martial was on the 9th day of June, 1874, mitigated to suspension from rank and duty on furlough-pay for six years, the suspension to date from date.

On the 10th day of June, 1874, the President nominated W. S. Schley to be commander, "vice Quackenbush, dismissed." This nomination was confirmed. The mistake, purely clerical, in using the words "vice Quackenbush, dismissed," when the dismissal had been set aside and annulled, caused the whole difficulty. This appointment of Schley made an excess of the number of commanders allowed by law. The attention of the Secretary of the Treasury was called to the matter, and in order to protect the Government and Commander Quackenbush he decided that no nomination should be made to the next succeeding vacancy, and none has been made, and the place remains now vacant, as it has been ever since the retirement of George W. Morse, commander. It is considered important that this mistake should be corrected. This bill accomplishes the purpose desired and fills the place, which has been held vacant in order that this act of justice might be done.

I submit with this statement the report of the House Committee, made by Hon. GEORGE D. WISE from the Naval Committee. It makes the record complete and justifies and requires the passage of this bill:

The Committee on Naval Affairs, to whom was referred the bill (H. R. 5758) to confirm the status of John N. Quackenbush, a commander in the United States Navy, having had the same under consideration, report as follows:

John N. Quackenbush was, upon the 25th day of May, 1871, duly appointed and commissioned by the President of the United States, by and with the advice and consent of the Senate, a commander in the Navy of the United States, in regular course of promotion from the rank of lieutenant-commander. He was tried by a naval court-martial in February, 1874, and sentenced to dismissal. The record shows that this sentence was approved by the President on the 5th day of June, 1874.

On the 9th day of June, 1874, the Secretary of the Navy addressed a letter to Commander Quackenbush, at Boston, informing him of the sentence of the court-martial and of its approval by the President, and stating that from that date (9th June) he would "cease to be an officer in the Navy."

On 12th June, 1874, the Secretary of the Navy again addressed a letter to Commander Quackenbush, at Boston, asking him to return the order dismissing him from the Navy; and the latter returned the order to the Secretary of the Navy, under cover of a letter of the 15th of June, 1874.

On the 8th day of December, 1874, the Secretary of the Navy again addressed a letter to Commander Quackenbush, at Boston, stating that the sentence of the court-martial was, on the 9th day of June, 1874, mitigated to suspension from rank and duty, on furlough pay, for six years, the suspension to date from that day. And the Fourth Auditor was so notified the same day.

On the 10th day of June, 1874, the President nominated to the Senate W. S. Schley to be commander in the Navy, "vice Quackenbush, dismissed," which nomination was confirmed by the Senate on the 12th day of June, 1874.

It appears that this nomination was inadvertently made "vice Quackenbush, dismissed," as there had been no intention on the part of the President to dismiss Quackenbush. A retention of both Schley and Quackenbush upon the list made an excess of one over the legal number of commanders. The Secretary of the Navy, as soon as this fact was called to his attention, directed that no nomination should be made to the next succeeding vacancy, which recommendation was complied with, no appointment being then made, or having subsequently been made, to the position made vacant by the retirement of George W. Morris, the only result of the error having been that Schley received his promotion a few weeks earlier than would otherwise have been the case.

The President referred the matter to the Attorney-General for an opinion. The Attorney-General rendered his opinion on the 16th day of March, 1878 (15 Op., 466), in which he says:

"Presuming that the first branch of your inquiry—that part of it relating to the admissibility of 'parol proof' that the President assented to the mitigation of the sentence on the 9th of June—is propounded with reference solely to the admissibility of the letter of the Secretary of the Navy of the 8th of December as evidence of the fact just mentioned, I submit that this letter can not be properly viewed in the light of mere parol evidence of such fact. It is an official document, pertaining to a matter which necessarily came within the official observation of the Secretary, and regarded simply as such, is entitled to be received as at least *prima facie* proof of what is therein stated touching that matter; but being, moreover, an act which, in contemplation of law, proceeds from the President himself, it must be deemed to be evidence of the very highest order of the particular fact above referred to. The directions of the President respecting the mitigation of a court-martial sentence may be, and frequently are, given *ore tenus*, and left to be formally made known and carried out through the head of the appropriate Department. When this is the case the orders or instructions of the latter, issued in discharge of that duty, constitute primary and perhaps conclusive evidence of what the directions of the President were.

"Agreeably to these views, the letter of the Secretary of the Navy of the 8th of December must be considered satisfactory proof, not only of the mitigation of the sentence by the President, but that it was mitigated by him on the 9th day of June, the time stated in the letter—supposing, of course, that the power to mitigate might then have been exerted by the President.

"This nomination, following so closely on the letter of dismissal written by the Secretary of the Navy, is apparently inconsistent with the subsequent statement by him that the sentence was mitigated by him at the time mentioned. It assumes, indeed, the complete execution of the sentence—that the officer was thereby dismissed, and is an official act based on this assumption. But it did not of itself affect or change the previous or then existing status of such officer. Thus, had the nomination been made after the approval of the sentence of dismissal, but before anything was done in execution thereof, it could hardly be considered as constituting a sufficient execution of that sentence.

"So the confirmation of the nomination, and the issue of a commission thereupon, did not necessarily produce any alteration of the status of the officer under sentence. * * * It may be that the "vice" in the nomination was made by inadvertence, and, in view of the statement just adverted to, it can not be regarded otherwise than as thus originated."

Following this advice of the Attorney-General, Commander Quackenbush has served out his probation under order of the President, the duration of which expired on the 9th day of June, 1880, at which time he was restored to waiting-orders pay, under which he now is. The recent decision and judgment of the Supreme Court of the United States in the case of Charles M. Blake *vs.* The United States (13 Otto, 227) makes questionable the right of said Quackenbush to hold said office, not by reason of the order of dismissal, first erroneously promulgated and immediately afterward withdrawn, because, according to the opinion of the Attorney-General, the letter of the Secretary of the Navy, on the 8th of December, in which it is stated that the President had assented to the mitigation of the sentence on the 9th day of June, is accepted as evidence of the highest order of the fact referred to therein, but by reason of the fact that the nomination of W. S. Schley to be commander was made "vice Quackenbush, dismissed," which, if given its full force as a *bona fide* act of the President, taken in connection with the subsequent confirmation of the same by the Senate, according to the decision of the Supreme Court, operates to supersede Quackenbush, who thereupon ceased to be an officer in the Navy.

With respect to the making of the nomination of W. S. Schley in the manner it was, Hon. George M. Robeson, in a letter to the President dated February 16, 1882, says:

"The nomination of Schley 'vice Quackenbush' went through in some incomprehensible manner, and when brought to my attention, as it made an excess of numbers, I ordered no nomination to be made for the position shortly after vacated by the retirement of Morris, which reduced the number of commanders to the legal limits."

It will be remembered that Mr. Robeson was Secretary of the Navy at the time the matters mentioned in his letter took place.

General Grant, in a letter to the President, dated February 10, 1882, says:

"The case of Commander J. N. Quackenbush, United States Navy, sentenced to be dismissed in 1874, has just been called to my attention, with the hardship attending his case, by reason of inadvertency in sending in the nomination of his successor after his sentence had been commuted. The matter of nominations or promotions in the Army and Navy is regulated by law, so that the Executive scarcely thinks to look at the nominations when put before him, supposing of course they are all to fill vacancies. In this way it seems Commander Quackenbush was suspended, and now finds himself in danger of being out of the Navy by reason of the recent decision in another case. I remember the case of Commander Quackenbush, but not the details of my action. I have no doubt, however, that Hon. George M. Robeson, then Secretary of the Navy, knows and remembers all about it. I do know, however, the intention was not to put him out of the service, and I now recommend his nomination to the vacancy which was kept open for him from the time of the first vacancy after the promotion of Schley.

"The fact that executive action was delayed so long in the case of Commander Quackenbush at the request of Samuel Howe shows quite conclusively that the approval of the sentence and mitigation was done at one and the same time. My decision was probably given verbally to the Secretary, and a mistake in the record has been made by a clerk."

With respect to the latter question Mr. Robeson, in the letter already quoted from, says:

"The action of approval and of mitigation was at one and the same time, whatever the records in the Department may appear to show. The direction to me being verbal, and a letter being sent at once by me to Commander Quackenbush, and afterward, in December, the letter promulgating the finding and mitigation, I may have rested content with my action, and neglected to order or to make full indorsement of the records."

It is highly probable that the draught of the formal approval of the sentence of dismissal, which appears upon the record of the court-martial in the handwriting of some one else other than the President, was made on the 5th day of June, but was not actually signed by the President till on the 9th day of June.

The bill under consideration authorizes the President to nominate, and, with the advice and consent of the Senate, to appoint, the said John N. Quackenbush commander in the United States Navy, vice George U. Morris, retired, to take rank and position on the list of such commanders from and after the date of the retirement of Morris, namely, October 21, 1874, and next after the name of Commander W. P. Sampson; the appointment to be to fill the vacancy still unfilled, caused by the retirement of Morris, the right to fill which is unquestioned under the above decision, and the right to reissue the original commission of Commander Quackenbush might be questionable, with the provision that such appointment shall not entitle the said John N. Quackenbush to compensation during the time that intervened between the appointment of Schley and the subsequent retirement of Morris; and with the further provision that after such reappointment the said John N. Quackenbush shall be entitled (with the exception provided above, namely, that no compensation shall be received for the few months that intervened between the issuing of the commission to Schley and the retirement of Morris) to compensation from the date of his original commission to the present time, as by him duly received up to the time of the raising of the question as to his status, in consequence of the Supreme Court decision in the case of Blake above referred to; and he having been all this time borne on the rolls of the Navy and on waiting orders, he shall receive whatever arrears of salary have accrued since the 1st day of April, 1881, that being the date on which further payment of his salary was deferred until his status should be finally decided.

There appears to be no doubt of the fact that it was not the intention of the President to dismiss Commander Quackenbush from the Navy, either by the approval of the sentence of the court-martial or the nomination of Schley to be commander. Quackenbush has, as before stated, served out his probation under the order of the President, and it would be a hardship for him now not to be retained in the Navy. The committee therefore report the bill back with a favorable recommendation.

There was no objection, and the bill was taken up, read a first and second time, ordered to a third reading, read the third time, and passed.

Mr. JORDAN 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.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED.

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

A bill (H. R. 503) granting a pension to Hiram C. Henderson;

A bill (H. R. 1970) for the relief of Mrs. Alice T. Sherwood;

A bill (H. R. 2245) granting a pension to Eliza A. Shealy; and

A bill (H. R. 2070) granting a pension to Decatur Hamlin.

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

A bill (H. R. 3321) granting a pension to Michael Shields;

A bill (H. R. 3337) authorizing the inspection of the boiler of the steamship Kent;

A bill (H. R. 4694) granting a pension to James Clark;

A bill (H. R. 3979) granting an increase of pension to Mary Anna Egan;

A bill (H. R. 4254) granting a pension to James Aaron;

A bill (H. R. 5889) granting a pension to Alonzo Cooper;

A bill (H. R. 6589) for the relief of Asa Dye;

A bill (H. R. 3493) granting a pension to Ann Hunter;

A bill (H. R. 6750) to amend paragraph 7 of section 2527 of the Revised Statutes;

A bill (H. R. 5544) for the relief of Laura J. Goddard;

A bill (H. R. 6677) to increase the pension of William Irving;

A bill (H. R. 4492) for the relief of Mrs. Pauline E. Milliken; and

Joint resolution (H. Res. 17) authorizing the appointment and retirement of Samuel Kramer as a chaplain in the Navy of the United States.

ORDER OF BUSINESS.

Mr. HEWITT of Alabama, Mr. PRICE, and Mr. COLLINS rose to ask unanimous consent.

Mr. DUNN demanded the regular order of business.

Mr. SPRINGER. I now ask unanimous consent to submit a report from the Committee on Expenditures in the Department of Justice with reference to the investigation before that committee, and to ask——

The SPEAKER. The Chair can not entertain the request for unanimous consent when the demand for the regular order is pending.

Mr. SPRINGER. I understand that it is not insisted upon as against this proposition.

The SPEAKER. The Chair asked the gentleman the question a moment since, and was informed by him that he declined to withdraw the demand.

Mr. SPRINGER. Who has demanded the regular order?

The SPEAKER. The gentleman from Arkansas.

Mr. SPRINGER. He said he would not demand it as against this.

Mr. BROWNE, of Indiana. It would be renewed, if withdrawn, by two or three or twenty-five or thirty others.

Mr. TOWNSHEND. I call up the Mexican pension bill.

Mr. SPRINGER. That has been called up so often I thought perhaps the House might like to have something else called up. [Laughter.]

The SPEAKER. The question is on the demand for the previous question made by the gentleman from Illinois on his motion to concur in the Senate amendment.

Mr. HEWITT, of Alabama. I make the point of order that the question is on my motion to take up the special order. A yea-and-nay vote was taken on that motion, which developed the fact that no quorum was present.

Mr. TOWNSHEND. That was disposed of by the House.

The SPEAKER. The gentleman from Alabama is correct; no quorum voted upon the motion submitted by him.

Mr. HEWITT, of Alabama. There was a yea-and-nay vote, but no quorum was present.

The SPEAKER. The question is now, Will the House proceed to the consideration of the special order called up by the gentleman from Alabama? upon which the yeas and nays were ordered, and the Clerk will call the roll.

The question was taken; and there were—yeas 38, nays 101, not voting 185; as follows:

YEAS—38.

Alexander,	Cox, W. R.	Kleiner,	Turner, H. G.
Barksdale,	Dargan,	Lyman,	Turner, Oscar
Blanchard,	Dibble,	Maybury,	Vance,
Broadhead,	Garrison,	Mitchell,	Warner, Richard
Buchanan,	Gibson,	Ochiltree,	Willis,
Caldwell,	Graves,	O'Neill, J. J.	Wolford,
Cassidy,	Halsell,	Pierce,	Wood,
Clay,	Hatch, W. H.	Taylor, J. M.	York.
Clements,	Houseman,	Tillman,	
Cosgrove,	Hunt,	Tucker,	

NAYS—101.

Adams, G. E.	Burnes,	Davis, R. T.	Greenleaf,
Adams, J. J.	Carleton,	Deuster,	Guenther,
Atkinson,	Chalmers,	Evans, I. N.	Hart,
Bagley,	Collins,	Everhart,	Hatch, H. H.
Bayne,	Connolly,	Ferrell,	Hemphill,
Brewer, F. B.	Culbertson, W. W.	Follett,	Henderson, T. J.
Browne, T. M.	Cullen,	Foran,	Henley,
Brown, W. W.	Cutcheon,	Glascock,	Hepburn,
Budd,	Davis, G. R.	Goff,	Hoblitzell,
Howey,	Millard,	Seymour,	Wadsworth,
James,	Miller, S. H.	Skinner, C. R.	Wait,
Jeffords,	Morrill,	Smalls,	Wallace,
Johnson,	Neece,	Spooner,	Washburn,
Jones, B. W.	Nelson,	Springer,	Weaver,
Kasson,	O'Hara,	Steele,	Weller,
Kean,	Payne,	Stephenson,	White, Milo
Keifer,	Payson,	Stewart, J. W.	Whiting,
Lacey,	Peters,	Strait,	Wilson, James
Lawrence,	Price,	Struble,	Wilson, W. L.
Le Fevre,	Ranney,	Sumner, C. A.	Winans, E. B.
Libbey,	Ray, G. W.	Sumner, D. H.	Winans, John
Lore,	Ray, Ossian	Taylor, J. D.	Woodward,
Lovering,	Rockwell,	Thomas,	Yaple.
Lowry,	Rosecrans,	Townshend,	
McComas,	Rowell,	Valentine,	
McCormick,	Seney,	Van Alstyne,	

NOT VOTING—185.

Aiken,	Dorsheimer,	Jones, J. T.	Reagan,
Anderson,	Dowd,	Jordan,	Reed,
Arnot,	Duncan,	Kelley,	Reese,
Ballentine,	Dunham,	Kellogg,	Rice,
Barbour,	Dunn,	Ketcham,	Riggs,
Barr,	Eaton,	King,	Robertson,
Beach,	Eldredge,	Laird,	Robinson, J. S.
Belford,	Elliott,	Lamb,	Robinson, W. E.
Belmont,	Ellis,	Lanham,	Rogers, J. H.
Bennett,	Ellwood,	Lewis,	Rogers, W. F.
Bingham,	English,	Long,	Russell,
Bisbee,	Ermentrout,	McAdoo,	Ryan,
Blackburn,	Evins, J. H.	McCoid,	Scales,
Bland,	Fiedler,	McMillin,	Shaw,
Blount,	Findlay,	Matson,	Shelley,
Boutelle,	Finerty,	Miller, J. F.	Singleton,
Bowen,	Forney,	Milliken,	Skinner, T. G.
Boyle,	Funston,	Mills,	Slocum,
Brainerd,	Fyan,	Money,	Smith,
Breckinridge,	Geddes,	Morgan,	Snyder,
Breitung,	George,	Morrison,	Spriggs,
Brewer, J. H.	Green,	Morse,	Stevens,
Brumm,	Hammond,	Moulton,	Stewart, Charles
Buckner,	Hanback,	Muldrow,	Stockslager,
Burleigh,	Hancock,	Muller,	Stone,
Cabell,	Hardeman,	Murphy,	Storm,
Calkins,	Hardy,	Murray,	Talbott,
Campbell, Felix	Harmer,	Mutchler,	Taylor, E. B.
Campbell, J. E.	Haynes,	Nicholls,	Thompson,
Campbell, J. M.	Henderson, D. B.	Nutting,	Throckmorton,
Candler,	Herbert,	Oates,	Tully,
Cannon,	Hewitt, A. S.	O'Ferrall,	Van Eaton,
Chace,	Hewitt, G. W.	O'Neill, Charles	Wakefield,
Clardy,	Hill,	Paige,	Ward,
Cobb,	Hiscock,	Parker,	Warner, A. J.
Converse,	Hitt,	Patton,	Wellborn,
Cook,	Holman,	Peel,	Wemple,
Covington,	Holmes,	Perkins,	White, J. D.
Cox, S. S.	Holton,	Pettibone,	Wilkins,
Crisp,	Hooper,	Phelps,	Williams,
Culberson, D. B.	Hopkins,	Poland,	Wise, G. D.
Curtin,	Horr,	Post,	Wise, J. S.
Davidson,	Houk,	Potter,	Worthington,
Davis, L. H.	Hurd,	Pryor,	Young.
Dibrell,	Hutchins,	Pusey,	
Dingley,	Jones, J. H.	Randall,	
Dockery,	Jones, J. K.	Rankin,	

So (no quorum having voted) the motion was not agreed to.

Mr. DAVIS, of Illinois. I move to dispense with the reading of the names.

Mr. VAN EATON. I object.

The Clerk recapitulated the names of those voting.

The following additional pairs were announced:

Mr. PARKER with Mr. COSGROVE, on all questions, from 5 o'clock July 5, 1884, until the close of the present session.

Mr. MORRILL with Mr. GRAVES, on all questions, except the Mexican pension bill, until further notice.

Mr. HANCOCK with Mr. CANNON, on all questions for the present.

The result of the vote was then announced as above recorded.

The SPEAKER. No quorum has voted, and the motion is not disposed of.

Mr. WOLFORD. I ask unanimous consent to go into Committee of the Whole to take up pension bills of the House amended by the Senate with a view to putting them upon their passage.

Mr. TOWNSHEND. I have no objection to that.

The SPEAKER. That can not be done in the absence of a quorum.

Mr. TOWNSHEND. Then I move a call of the House.

The motion was agreed to.

The Clerk proceeded to call the roll, when the following members failed to answer to their names:

Aiken,	Buckner,	Davidson,	Geddes,
Anderson,	Burleigh,	Davis, L. H.	George,
Arnot,	Cabell,	Dingley,	Hammond,
Barbour,	Calkins,	Dockery,	Hanback,
Barr,	Campbell, Felix	Dorsheimer,	Hancock,
Beach,	Campbell, J. E.	Dowd,	Hardeman,
Belford,	Candler,	Duncan,	Hardy,
Belmont	Cannon,	Dunham,	Harmer,
Bingham,	Chace,	Eldredge,	Haynes,
Bisbee,	Clardy,	Elliott,	Henderson, D. B.
Bland,	Cobb,	Ellwood,	Hewitt, A. S.
Bowen,	Converse,	Ermentrout,	Hill,
Boyle,	Cook,	Evins, J. H.	Holman,
Brainerd,	Covington,	Fiedler,	Holton,
Breitung,	Cox, S. S.	Findlay,	Hooper,
Brewer, J. H.	Cox, W. R.	Finerty,	Hopkins,
Brumm,	Curtin,	Fyan,	Horr,

Houk,	Morgan,	Rankin,	Stockslager,
Hunt,	Morrison,	Reagan,	Stone,
Hurd,	Morse,	Reed,	Storm,
Hutchins,	Moulton,	Rice,	Talbott,
Jones, J. K.	Muller,	Riggs,	Taylor, E. B.
Jones, J. T.	Murphy,	Robertson,	Throckmorton,
Kelley,	Murray,	Robinson, J. S.	Tully,
Kellogg,	Mutchler,	Rogers, W. F.	Wakefield,
King,	Nicholls,	Russell,	Ward,
Laird,	O'Ferrall,	Ryan,	Warner, A. J.
Lamb,	Paige,	Scales,	Wemple,
Lewis,	Parker,	Shaw,	Wilkins,
McAdoo,	Patton,	Skinner, T. G.	Wise, J. S.
McCoid,	Peel,	Slocum,	Worthington,
McMillin,	Pettibone,	Smith,	Young.
Matson,	Poland,	Snyder,	
Milliken,	Post,	Spriggs,	
Money,	Pryor,	Stevens,	

The SPEAKER. On this call 187 members have answered to their names.

Mr. TOWNSHEND. I move to dispense with further proceedings under the call.

The motion was agreed to.

Mr. WHITE, of Kentucky. I call for the regular order.

Mr. WOLFORD. I ask the gentleman to withhold that call for a moment that I may ask unanimous consent to take up some pension bills that have been passed by this House and amended by the Senate and sent back here. I make that request with a view of putting them on their passage at this time.

Several members called for the regular order.

Mr. TOWNSHEND. I think if the proposition of the gentleman from Kentucky is understood there will be no objection to it.

The SPEAKER. The regular order is demanded.

Mr. STEELE. We did not hear the request of the gentleman from Kentucky.

The SPEAKER. The Chair will state it.

Mr. WHITE, of Kentucky. I have no desire to demand the regular order in opposition to the request of my colleague.

The SPEAKER. The Chair will state the request of the gentleman from Kentucky. He asks that by unanimous consent the House take up from the Speaker's table for present consideration House pension bills with Senate amendments.

Mr. WHITE, of Kentucky. That is all right.

The SPEAKER. Is there objection?

Mr. MILLS. I desire to ask——

The SPEAKER. The Chair hears no objection.

Mr. MILLS. I was addressing the Chair, but it seemed impossible for me to get the ear of the Chair.

The SPEAKER. The Chair did not hear the gentleman on account of the noise on the floor.

Mr. MILLS. I wanted to know, reserving the right to object, if the special privilege granted to these pension bills was intended to be granted to any other reports; or if it is understood when they are disposed of we are going back again to the Mexican pension bill? Or do we leave this Mexican pension bill altogether?

Mr. WHITE, of Kentucky. Not at all. We only leave the Mexican pension bill to take up special pension cases.

Mr. MILLS. Then I object.

The SPEAKER. The gentleman from Texas states he was on his feet intending to object, if his question was not answered satisfactorily. The Chair entertains his objection,

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The SPEAKER. The Chair will submit to the House an order in regard to the return of a bill.

The Clerk read as follows:

Resolved, That the Clerk request the Senate to return to the House the bill of the House (No. 6770) making appropriations for the diplomatic and consular service of the Government for the fiscal year ending June 30, 1885, and for other purposes; and the message of agreement to the report of the committee of conference thereon.

The SPEAKER. If there be no objection this resolution will be considered as adopted, and the Clerk will ask for the return of the bill.

There was no objection.

ORDER OF BUSINESS.

The SPEAKER. The regular order is demanded. The regular order is the motion of the gentleman from Alabama [Mr. HEWITT] that the House do now proceed to the consideration of the special order, the bill H. R. 3962.

Mr. BROWNE, of Indiana. Will the House indulge me in making a brief statement of the situation in which we find ourselves, with a view of reaching some adjustment of the controversy between the gentlemen who oppose and those who favor the Mexican war pension bill?

The SPEAKER. The gentleman will proceed if there be no objection.

Mr. HEWITT, of Alabama. How much time does the gentleman from Indiana desire to occupy?

Mr. BROWNE, of Indiana. Not more than five minutes.

The SPEAKER. Is there objection to the gentleman from Indiana making a brief statement?

Mr. BLOUNT (in his seat). I object.

Mr. BROWNE, of Indiana. What I desired to say was not intended to be partisan or irritating in any way.

Mr. STEELE. I make the point of order that the gentleman who objected did not rise in his seat.

Mr. BLOUNT (rising). I conform to the gentleman's request by now rising; but on the suggestion of the gentleman from Alabama [Mr. HEWITT] I do not insist on the objection.

Mr. HEWITT, of Alabama. I do not think the gentleman from Indiana will abuse the privilege granted him by the House.

Mr. BROWNE, of Indiana. We have been struggling for now three days and have not as yet reached the consideration of a single amendment on this House bill.

Mr. TOWNSHEND. Oh, yes; we have concurred in several amendments.

Mr. BROWNE, of Indiana. I mean, if the gentleman will understand me, that for three days we have been attempting to consider one amendment to this bill, but have not yet succeeded in coming to a conclusion on it or even reaching the consideration of a single amendment.

Mr. TOWNSHEND. Oh, yes; we have concurred in several amendments.

Mr. BROWNE, of Indiana. The gentleman will understand me. We reached the sixth amendment three days ago and have been struggling to consider that sixth amendment for three days, and have not yet succeeded in doing it. Now, when we have passed this, there are still fifteen other amendments to be considered. If it were possible to consider these the bill then, under the very proper ruling of the Chair, goes to the Calendar of the Committee of the Whole House on the state of the Union and goes to the foot of that Calendar, and there are four hundred and eleven bills before it. The Clerk and myself counted them this afternoon.

Now, under the rule, before we can reach the bill when it has passed to that Calendar, we must succeed upon a motion to go into the Committee of the Whole House on the state of the Union. We may be antagonized by those who oppose the bill, as they have antagonized the consideration of the amendments by breaking a quorum and the other methods to which parliamentarians resort, and it will be impossible for us to go into Committee of the Whole House. But suppose we reach it, then under the rules the bills on the Calendar are to be taken up in their order. When a bill is taken up we may object to its consideration. Then the committee must rise and we go back into the House; and then the question before the House is: shall the House consider the particular bill? And again resort may be had to these parliamentary tactics to defeat or delay the consideration of the question; and I know the gentlemen intend to resort to them. I do not say that to complain of their action. I say they may resort to these tactics; and if they do, we can not reach the consideration of this bill till next December; if we should continue in session from now till then we can not reach it at all.

These rules, which were arranged apparently in some kind of circumlocution office, absolutely prevent legislation when men are in earnest to prevent it by making use of the rules. The question, then, is this: we find ourselves in this situation; the record is made up; gentlemen who oppose this legislation are ready to stand by what they have done; and on the other hand we who favor it are ready to stand by the record we have made. We are ready to go to the country upon that record.

Now the question presents itself, why continue this utterly useless struggle longer? There are other measures here which ought to be considered and passed if Congress is to adjourn within the next twenty-four or thirty-six hours, as many hope. If this Mexican war pension bill could be considered and passed within reasonable time I would stay here and insist upon its passage. But it can not be; it is impossible to pass it. There is not a gentleman on the floor who does not know that this struggle on the part of those who favor the passage of this bill with the Senate amendments is utterly useless. We are powerless in the hands of the few gentlemen who seek to defeat that measure.

I therefore propose that we leave it where it is, and by unanimous consent pass to the consideration of House private pension bills that have come back from the Senate with amendments, and Senate private pension bills which have been passed by that body and sent to us and are now on the Speaker's table. [Applause and cries of "That is right!"]

Mr. TOWNSHEND. I differ with my friend from Indiana [Mr. BROWNE] as to what would be the fate of this bill if it should go to the Committee of the Whole. In the first place, I do not understand that it would go to the foot of the Calendar. That is a question which I propose to raise whenever the bill goes to the Committee of the Whole, and good parliamentarians will bear me out in the belief that it is not yet settled that the bill would go to the foot of the Calendar if it should be referred to the Committee of the Whole.

Again, I will say to my friend that he is mistaken in regard to the number of bills now in Committee of the Whole on the state of the Union. I made a computation of them last night myself, and I found that there were not more than one hundred and fifty on that Calendar. [Laughter.] But even if there were one hundred and fifty or four hundred bills on that Calendar, with a majority determined to reach the Mexican war pension bill, I am satisfied that it can be reached. Therefore I do not consider the bill killed by sending it to the Committee of the Whole.

Mr. BROWNE, of Indiana. I want to say——

Mr. TOWNSHEND. Do not interrupt me; I did not interrupt you.

Mr. BROWNE, of Indiana. Very well.

Mr. TOWNSHEND. I am willing, however, to acquiesce in the suggestion made by the gentleman from Indiana [Mr. BROWNE] to let the bill go over for the present. But I give notice that if the bill shall go over until the next session of Congress, I shall then insist, as I have heretofore done, upon the motion to proceed to the consideration of business upon the Speaker's table, and seek to bring this bill up for action. And I trust that the time may come when the majority of this House will favor the consideration of this bill, with such modifications of the Senate amendments as will satisfy a majority of the House.

Mr. BROWNE, of Indiana. A single word. I made this statement on the supposition that my distinguished friend from Illinois [Mr. TOWNSHEND] who has made this gallant fight for this measure agrees with me——

Mr. TOWNSHEND. I do agree with you.

Mr. BROWNE, of Indiana. But if he proposes to go before the country with the assertion that there is even a possibility of passing this bill between now and the time when this House may be called upon to finally adjourn, then I withdraw my suggestion. [Applause, and cries of "That is right!"]

Mr. TOWNSHEND. I wish to say this——

Mr. REED. Try the experiment.

Mr. TOWNSHEND. The gentleman has misunderstood me. [Cries of "Regular order!"] That is hardly fair.

Mr. WHITE, of Kentucky. The trouble comes from your side.

Mr. TOWNSHEND. I know there is fair dealing enough on that side of the House to allow me a moment to reply to the gentleman from Indiana [Mr. BROWNE]. That gentleman has misunderstood me. I did not say that we could reach this bill within the next few days of this session if it goes to the Committee of the Whole House. But I say that if it goes to the Committee of the Whole, then at the next session of this House I believe the bill can be reached and disposed of, if a majority of the House are determined to reach it. Therefore I am willing that for the present the bill shall be set aside, and that we take up the private pension bills which the gentleman suggests.

The SPEAKER. It is important that the House shall understand distinctly what the gentleman from Illinois [Mr. TOWNSHEND] means when he says he is willing "that this bill shall be set aside for the present." Does the gentleman mean set aside for this session, or set aside until the other measures to which reference has been made shall have been disposed of? The Chair takes the liberty of making this suggestion because the other day there was some misunderstanding about the agreement that was then entered into.

Mr. TOWNSHEND. I will state again that if it is likely that this House will adjourn within the next few days, I am willing that the bill shall be laid aside for this session. But if the session is to be protracted during this month, or during the summer, I would not like to bind myself to an agreement that the bill shall be laid aside for this session.

Mr. MILLS. I propose that we lay this bill aside by unanimous consent—lay it aside for a week, as a gentleman suggests—and then proceed to take up the pension bills which have come from the Senate, and also the bills reported from the Committee of the Whole (of which there are some half a dozen) for the erection of public buildings. The bills to which I refer have been acted upon favorably in the Committee of the Whole, and are now on the Speaker's table as unfinished business.

Mr. TOWNSHEND. Now, I think we can arrive at an agreement. If this House is not to remain in session longer than next week, I would be willing to lay this bill aside for the session——

Mr. MILLS. I fear the gentleman did not understand all my proposition.

The SPEAKER. There are three or four propositions now before the House.

Mr. SPRINGER. I will make a motion which is in order, and I think meets all these objections—that the further consideration of this bill be postponed until the 14th of July, that is Monday week. If we should be in session on that day, we can take it up; and for the present we get it out of the way. The motion which I submit is in order and does not require unanimous consent.

The SPEAKER. The motion indicated by the gentleman from Illinois [Mr. SPRINGER] is in order whenever the gentleman from Alabama [Mr. HEWITT] withdraws the motion he has made that the House proceed to the consideration of the special order. It requires unanimous consent or some agreement among members on the floor to reach a conclusion.

Mr. SPRINGER. I ask the gentleman to withdraw that motion, and I will move to postpone the consideration of this bill until the 14th of this month.

Mr. HEWITT, of Alabama. I think the House will bear me witness that I have used every effort to get up the private pension bills which are now pending in the House—bills to pension persons who have been wounded or who have contracted disease in the military service of the Government. I am willing now to accept the proposition made by the gentleman from Indiana that this bill shall be postponed or laid aside until the next session, and that we proceed now to the consideration of those private pension bills.

A MEMBER. House bills with Senate amendments.

Mr. HEWITT, of Alabama. House bills with Senate amendments and also Senate bills reported favorably by the Pension Committee of this House and now on the Calendar.

Now, Mr. Speaker, one further word and I am through. Gentlemen will remember that this bill, which now comes back from the Senate with amendments, passed this House early in the session. Going to the Senate, it remained there until the closing weeks of the session, when it came back here with fifteen or sixteen amendments, radical amendments, which many of us believe will involve an expenditure of fifty or sixty million dollars annually. Whether that is the fact or not, we honestly believe it. We believe that it will saddle upon the Government a debt of $2,000,000,000.

Mr. SPRINGER (to Mr. HEWITT, of Alabama). Do not discuss the merits of the question.

Mr. HEWITT, of Alabama. I am not discussing the merits of the question; I am only stating what we honestly believe.

Mr. TOWNSHEND. Now, upon that point will the gentleman allow me to correct him?

Mr. HEWITT, of Alabama. Wait a moment. I did not interrupt the gentleman at all.

Gentlemen will bear me witness that I have been willing to discuss this bill, but have been prevented from doing so. An attempt has been made to pass this bill without discussion and without consideration. It seems to me that there is not a reasonable man in all this country who can object to what I have done here, believing as I believe. Now, I may be wrong——

Mr. STEELE. I think you are.

Mr. HEWITT, of Alabama. I may be wrong, but still I believe——

Mr. TOWNSHEND. It is on that point I wanted the gentleman in fairness to allow me to correct him.

A MEMBER (to Mr. HEWITT, of Alabama). Now withdraw your motion.

Mr. HEWITT, of Alabama. No; I will not withdraw my motion; but I will consent that we go to the Speaker's table to take up private pension bills with Senate amendments and dispose of them, and when they are disposed of that we go to the Private Calendar in Committee of the Whole and take up private pensions bills which have passed the Senate and which the House committees have recommended, this bill meanwhile going over till next session.

Mr. TOWNSHEND. One word in reply.

Mr. HERBERT. I object to further discussion. [Cries of "Regular order!"]

Mr. TOWNSHEND. Mr. Speaker, I refrained from a discussion——

Mr. HERBERT. I object to further discussion.

Mr. TOWNSHEND. I merely want to correct the statement of the gentleman from Alabama [Mr. HEWITT].

Mr. HEWITT, of Alabama. I have not gone into any discussion. I simply stated—— [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded on both sides.

Mr. TOWNSHEND. I think in fairness I ought to be allowed to correct the statement of the gentleman from Alabama. [Renewed cries of "Regular order!"]

The SPEAKER. Unanimous consent is asked that the bill known as the Mexican pension bill with Senate amendments be passed over——

Mr. TOWNSHEND. A misrepresentation has been made in regard to that bill, and I want to correct it. I have a right to do so.

The SPEAKER. The bill is not under discussion.

Mr. TOWNSHEND. I know that; but the gentleman from Alabama took advantage—— [Cries of "Regular order!"] The bill does not involve anything like the amount of money which the gentleman stated. [Renewed cries of "Regular order!"]

The SPEAKER. The Chair is endeavoring to submit a request to the House——

Mr. MILLS. I desire to submit an amendment.

The SPEAKER. It is not subject to amendment; it is a request for unanimous consent.

Mr. TOWNSHEND. If I can not correct the statement which has been made, I object.

The SPEAKER. The gentleman from Illinois objects. The Chair will state in the interest of the transaction of public business——

Mr. TOWNSHEND. I object, Mr. Speaker.

The SPEAKER. The Chair had recognized the gentleman's objection, but desires to make the statement that whenever it appears on a call of the roll——

Mr. TOWNSHEND. I say that the statement made by the gentleman from Alabama is not correct.

The SPEAKER. The gentleman from Illinois is not in order. Whenever it appears from a call of the roll that is entered upon the Journal that no quorum has voted the Chair can not entertain any motion or transact any further business until a quorum appears. The Constitution itself forbids the transaction of business by less than a quorum of the House. The Chair states this so that gentlemen who demand the yeas and nays may know the possible effect of it.

Mr. BELFORD rose.

The SPEAKER. There is no question before the House. [Cries of "Regular order!"]

Mr. BELFORD. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BELFORD. I want to know how much of a majority the Democrats have. [Laughter.]

The SPEAKER. That is not a parliamentary inquiry.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate returned to the House, in compliance with its request, a 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.

It further announced the passage of the following bills without amendment:

A bill (H. R. 204) granting a pension to Susan Y. Atwater;

A bill (H. R. 1752) for the relief of Mary L. Lee; and

A bill (H. R. 5553) granting a pension to Isabella Palmer.

CONSULAR AND DIPLOMATIC BILL.

The SPEAKER. If there be no objection, the bill will be corrected in accordance with the action of the House and returned to the Senate.

There was no objection; and it was ordered accordingly.

MEXICAN PENSION BILL.

The SPEAKER. The question recurs on the motion of the gentleman from Alabama [Mr. HEWITT] to call up the special order, being the original Mexican pension bill, introduced by the gentleman himself, on which the yeas and nays have been ordered.

Mr. WAIT. Can not the gentleman from Alabama withdraw that motion if he sees fit?

The SPEAKER. He can, but he does not do so. [Cries of "Regular order!"]

The question was taken; and there were—yeas 41, nays 111, not voting 172; as follows:

YEAS—41.

Adams, J. J.	Eaton,	Lore,	Turner, H. G.
Alexander,	Garrison,	Lyman,	Turner, Oscar
Barksdale,	Gibson,	Maybury,	Vance,
Blanchard,	Graves,	Mills,	Warner, Richard
Caldwell,	Halsell,	Ochiltree,	Willis,
Carleton,	Hatch, W. H.	O'Neill, J. J.	Wilson, W. L.
Cassidy,	Henley,	Ranney,	Wolford,
Clay,	Houseman,	Seney,	Wood.
Cox, W. R.	Hunt,	Taylor, J. M.	
Dargan,	Jordan,	Thompson,	
Dibble,	Kleiner,	Tillman,	

NAYS—111.

Adams, G. E.	Funston,	McCoid,	Springer,
Atkinson,	Glascock,	McComas,	Steele,
Bagley,	Greenleaf,	McCormick,	Stewart, J. W.
Bayne,	Hart,	Miller, S. H.	Strait,
Belford,	Hatch, H. H.	Mitchell,	Struble,
Boutelle,	Hemphill,	Morrill,	Sumner, C. A.
Brewer, F. B.	Hepburn,	Murray,	Sumner, D. H.
Brewer, J. H.	Hiscock,	Neece,	Taylor, J. D.
Broadhead,	Hitt,	Nelson,	Thomas,
Brown, W. W.	Hoblitzell,	O'Hara,	Townshend,
Budd,	Holman,	O'Neill, Charles	Valentine,
Campbell, J. M.	Holmes,	Payne,	Van Alstyne,
Chalmers,	Horr,	Payson,	Wadsworth,
Collins,	Howey,	Perkins,	Wait,
Cosgrove,	James,	Peters,	Wallace,
Culbertson, W. W.	Jeffords,	Phelps,	Washburn,
Cullen,	Johnson,	Price,	Weaver,
Cutcheon,	Jones, B. W.	Pusey,	Weller,
Davis, G. R.	Kasson,	Randall,	White, J. D.
Davis, R. T.	Kean,	Ray, G. W.	White, Milo
Deuster,	Kellogg,	Ray, Ossian	Whiting,
Dingley,	Lacey,	Reed,	Wilson, James
English,	Laird,	Rockwell,	Winans, E. B.
Evans, I. N.	Lawrence,	Rosecrans,	Winans, John
Everhart,	Le Fevre,	Seymour,	Woodward,
Ferrell,	Libbey,	Skinner, C. R.	Yaple,
Follett,	Lovering,	Smalls,	York.
Foran,	Lowry,	Spooner,	

NOT VOTING—172.

Aiken,	Burnes,	Dowd,	Hardy,
Anderson,	Cabell,	Duncan,	Harmer,
Arnot,	Calkins,	Dunham,	Haynes,
Ballentine,	Campbell, Felix	Dunn,	Henderson, D. B.
Barbour,	Campbell, J. E.	Eldredge,	Henderson, T. J.
Barr,	Candler,	Elliott,	Herbert,
Beach,	Cannon,	Ellis,	Hewitt, A. S.
Belmont,	Chace,	Ellwood,	Hewitt, G. W.
Bennett,	Clardy,	Ermentrout,	Hill,
Bingham,	Clements,	Evins, J. H.	Holton,
Bisbee,	Cobb,	Fiedler,	Hooper,
Blackburn,	Connolly,	Findlay,	Hopkins,
Bland,	Converse,	Finerty,	Houk,
Blount,	Cook,	Forney,	Hurd,
Bowen,	Covington,	Fyan,	Hutchins,
Boyle,	Cox, S. S.	Geddes,	Jones, J. H.
Brainerd,	Crisp,	George,	Jones, J. K.
Breckinridge,	Culberson, D. B.	Goff,	Jones, J. T.
Breitung,	Curtin,	Green,	Keifer,
Browne, T. M.	Davidson,	Guenther,	Kelley,
Brumm,	Davis, L. H.	Hammond,	Ketcham,
Buchanan,	Dibrell,	Hanback,	King,
Buckner,	Dockery,	Hancock,	Lamb,
Burleigh,	Dorsheimer,	Hardeman,	Lanham,
Lewis,	Oates,	Robinson, W. E.	Stone,
Long,	O'Ferrall,	Rogers, J. H.	Storm,
McAdoo,	Paige,	Rogers, W. F.	Talbott,
McMillin,	Parker,	Rowell,	Taylor, E. B.
Matson,	Patton,	Russell,	Throckmorton,
Millard,	Peel,	Ryan,	Tucker,
Miller, J. F.	Pierce,	Scales,	Tully,
Milliken,	Pettibone,	Shaw,	Van Eaton,
Money,	Poland,	Shelley,	Wakefield,
Morgan,	Post,	Singleton,	Ward,
Morrison,	Potter,	Skinner, T. G.	Warner, A. J.
Morse,	Pryor,	Slocum,	Wellborn,
Moulton,	Rankin,	Smith,	Wemple,
Muldrow,	Reagan,	Snyder,	Wilkins,
Muller,	Reese,	Spriggs,	Williams,
Murphy,	Rice,	Stephenson,	Wise, G. D.
Mutchler,	Riggs,	Stevens,	Wise, J. S.
Nicholls,	Robertson,	Stewart, Charles	Worthington,
Nutting,	Robinson, J. S.	Stockslager,	Young.

So (no quorum having voted) the motion was not agreed to.

Mr. HEWITT, of Alabama. I ask unanimous consent to withdraw my motion.

The SPEAKER. The record shows there is no quorum present, and only two motions are in order—to adjourn, or that there be a call of the House. If the gentleman moves to adjourn it can be taken by tellers, and the Chair has no doubt a quorum is present.

Mr. CUTCHEON. I move that there be a call of the House.

Mr. PERKINS. I move that the House do now adjourn. [Cries of "No!" "No!"]

The SPEAKER. The Chair understands the desire to be simply to ascertain the presence of a quorum.

The question was taken.

Before the announcement of the result,

Mr. PERKINS, Mr. MORRILL, and others demanded tellers.

Tellers were ordered.

Mr. PERKINS and Mr. TOWNSHEND were appointed tellers.

The House divided; and the tellers reported—ayes 44, noes 157.

So the motion was not agreed to.

The SPEAKER. A quorum is present, as shown by the report of the tellers.

Mr. KASSON. In view of the examination that several gentlemen on the other side have given to the proposition I suggested yesterday, I venture once more to ask if there will be objection to acting upon the three points to which I alluded, two of which have already passed both Houses of Congress and one has been favorably reported by a committee of this House? If there be consent to hear a brief statement, I should be glad to name the three items to which I referred, since both the chairmen of the Pension Committees of the House—the gentleman from Alabama who is now on his feet before me and the gentleman from Illinois—as well as other gentlemen have signified their acquiescence in these amendments.

If I could have leave to state them I would be glad to call attention to them, as it seems to be conceded this is all we are likely to do with the bill at this time.

Mr. HEWITT, of Alabama. In response to the gentleman from Iowa, I wish to state that if the Senate choose to pass them they have nothing to do but to pass a bill which the House has already passed, and they will become a law.

Mr. KASSON. Only two of them; and the Senate have not acted upon them, except upon the bill that they have sent back to the House with other amendments.

Mr. HEWITT, of Alabama. Only two, and they are now before the Senate and can be passed by the Senate at any time.

Mr. BLOUNT. I demand the regular order.

Mr. HEWITT, of Alabama. I now withdraw my motion to take up the special order.

Mr. FOLLETT. I move to postpone the further consideration of this bill now under consideration until the second Tuesday in December next.

Mr. BOUTELLE. Let the responsibility of that rest upon those who propose to kill this pension legislation.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Ohio to postpone the further consideration of this bill until the second Tuesday in December next.

The question was taken. The House divided.

Before the result was announced,

Mr. WHITE, of Kentucky. I ask the yeas and nays on that motion.

The yeas and nays were ordered.

Mr. CUTCHEON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CUTCHEON. I desire to ask the Chair if it would be in order to offer an amendment to the motion of the gentleman from Ohio [Mr. FOLLETT].

The SPEAKER. It is a motion to postpone.

Mr. CUTCHEON. I understand; and I desire to move to amend the motion by making the postponement for one week from Tuesday next, so that if Congress shall remain in session we will have an opportunity with a full House to act upon this pension bill; but, on the contrary, if Congress should adjourn in the mean while, of course the measure would necessarily have to be postponed.

Mr. FOLLETT. I accept that amendment.

The SPEAKER. The Chair will state that in order to allow the amendment of the gentleman from Michigan to come before the House to be voted on the order directing the yeas and nays to be taken must first be reconsidered, for that order relates to a particular motion.

Mr. SPRINGER. I move to reconsider the vote by which the yeas and nays were ordered.

The question was taken. The House divided; and there were—ayes 60, noes 21.

Mr. WHITE, of Kentucky, Mr. BROWN, of Pennsylvania, and others. No quorum.

Mr. HISCOCK. I desire to inquire of the gentleman from Ohio if he will be willing to modify his motion to this effect: that the Senate amendments to the Mexican pension bill shall be considered on the day fixed.

Mr. DUNN. No; I object to that.

Mr. HISCOCK. Why?

Mr. TOWNSHEND. That can not be prevented if the majority of the House desires it to be done.

Mr. FOLLETT. I am perfectly willing that the House shall take such action in that respect as it may deem advisable.

Mr. BROWNE, of Indiana. We had assurance from the gentleman from Illinois in charge of this bill that there is a possibility at the last moment of being able to pass it before the adjournment of Congress. While that possibility exists I do not feel inclined, nor do the friends of the bill on this side of the House, to postpone it.

Mr. TOWNSHEND. Now the gentleman from Indiana misrepresents, or rather misunderstands me. The gentleman did not understand me to agree——

Mr. HISCOCK. There seems to be an understanding here that the bill can not be reached or any definite action taken. I do not believe it can be reached before the House adjourns.

Mr. WHITE, of Kentucky. Let us try it.

Mr. HISCOCK. Now, if you will fix by unanimous consent on the other side——

Mr. BLOUNT. I demand the regular order.

The SPEAKER. The regular order is the motion to reconsider the vote by which the yeas and nays were ordered. Upon that no quorum voted, and the Chair will appoint tellers.

Mr. WHITE, of Kentucky, and Mr. FOLLETT were appointed tellers.

Mr. STEELE. Did any gentleman raise the question of a quorum?

Mr. WHITE, of Kentucky. Yes; we want a square vote on that motion. Let gentlemen put themselves on record on the proposition of the gentleman from Ohio.

The SPEAKER. The tellers will take their places.

The House divided; and the tellers reported—ayes 58, noes 54.

The SPEAKER. No quorum has voted.

Mr. SPRINGER. I withdraw the motion to reconsider the vote ordering the yeas and nays.

Mr. WHITE, of Kentucky. Then I insist on the regular order.

The SPEAKER. The question now is on the motion of the gentleman from Ohio [Mr. FOLLETT] to postpone the further consideration of the Senate amendments to the pending bill until the second Tuesday in December next; and on this motion the yeas and nays have been ordered.

Mr. SPRINGER. Would it be in order to withdraw the motion?

The SPEAKER. It would.

Mr. FOLLETT. I withdraw it.

Mr. WHITE, of Kentucky. I object to the gentleman withdrawing his motion.

The SPEAKER. The gentleman from Ohio has the right to withdraw his motion under the rules of the House.

Mr. WHITE, of Kentucky. I would like to see that side fairly on the record. I do not want to see them retreat under fire.

Mr. SPRINGER. I move that the House go to the Speaker's table to consider pension bills.

The SPEAKER. That motion requires unanimous consent.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. DIBRELL, for the remainder of this session, on account of sickness in his family.

To Mr. CAMPBELL, of Ohio, for one week, on account of important business.

To Mr. CHALMERS, for the remainder of this day.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6770) making appropriations for the consular and diplomatic service of the Government for the year ending June 30, 1885, and for other purposes; further insisted upon its amendment numbered 158 disagreed to by the House, agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. COCKRELL managers of the conference on the part of the Senate.

The message further announced that the Senate had appointed Mr. PLUMB in place of Mr. DAWES, excused, as one of the managers of the conference on the part of the Senate on the amendments of the Senate (not disposed of in conference) disagreed to by the House to the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

The message further announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 875) granting a pension to P. W. Bradbury;

A bill (H. R. 5088) for the relief of Magdalena Cook;

A bill (H. R. 4180) granting an increase of pension to Rowland Ward; and

A bill (H. R. 2574) granting a pension to Rosella Pegg.

MEXICAN WAR PENSIONS.

The SPEAKER. The regular order is demanded. The regular order is the motion of the gentleman from Illinois [Mr. TOWNSHEND].

Mr. TOWNSHEND. I have no motion pending.

The SPEAKER. The regular order is the demand of the gentleman from Illinois [Mr. TOWNSHEND] for the previous question on the motion to concur in the sixth amendment of the Senate to the Mexican pension bill.

Mr. TOWNSHEND. I withdraw the motion for the time being.

The SPEAKER. What motion, then, does the gentleman make? The bill is before the House. It is the first business on the Speaker's table, and the House has resolved to go to the consideration of bills on the Speaker's table.

Mr. TOWNSHEND. I am willing the House should proceed to other business.

Mr. CALKINS. I move to concur in the pending amendment; or I move to concur in all the Senate amendments, if that is in order.

Mr. HEWITT, of Alabama. I make the point of order that that can not be done.

The SPEAKER. The gentleman from Alabama makes the point of order that the amendments must be considered separately.

Mr. SPRINGER. I move to postpone the further consideration of the bill and make it the special order for Tuesday week in the House.

Mr. HORR. Say Monday morning.

Mr. SPRINGER. If gentlemen prefer it, I will say Tuesday next.

The SPEAKER. The latter part of the motion of the gentleman from Illinois [Mr. SPRINGER] is one which requires unanimous consent, because it changes the rules of the House. A motion to postpone is in order, but to make the bill a special order gives it preference over others and changes the rules.

Mr. SPRINGER. Then I move to postpone the further consideration of the Senate amendments until Tuesday next.

Mr. DAVIS, of Missouri. On that motion I demand the yeas and nays.

Mr. WHITE, of Kentucky. That motion is equivalent, as I understand, to defeating the bill.

The yeas and nays were ordered, 47 members voting therefor—more than one-fifth of the last vote.

The SPEAKER. The question is on the motion to postpone the further consideration of the Senate amendments to this bill until next Tuesday.

Mr. WHITE, of Kentucky. The effect of which is to kill the bill.

The question was taken; and there were—yeas 24, nays 127, not voting 173; as follows:

YEAS—24.

Adams, J. J.	Collins,	Lyman,	Tucker,
Alexander,	Cosgrove,	McCoid,	Turner, H. G.
Blanchard,	Dunn,	Ochiltree,	Wilson, W. L.
Brewer, F. B.	English,	Potter,	Wise, G. D.
Cannon,	Follett,	Rogers, J. H.	Wolford,
Cassidy,	Garrison,	Springer,	York.

NAYS—127.

Adams, G. E.	Funston,	Libbey,	Skinner, C. R.
Atkinson,	George,	Lovering,	Smalls,
Bagley,	Glascock,	Lowry,	Spooner,
Ballentine,	Goff,	McComas,	Steele,
Bayne,	Graves,	McCormick,	Stephenson,
Belford,	Greenleaf,	Maybury,	Stewart, J. W.
Boutelle,	Guenther,	Millard,	Strait,
Brewer, J. H.	Halsell,	Miller, S. H.	Struble,
Broadhead,	Hart,	Mitchell,	Sumner, D. H.
Browne, T. M.	Hatch, W. H.	Morrill,	Taylor, J. D.
Brown, W. W.	Hemphill,	Murray,	Thomas,
Budd,	Henley,	Neece,	Townshend,
Calkins,	Hepburn,	O'Hara,	Turner, Oscar
Campbell, J. M.	Hiscock,	O'Neill, Charles	Valentine,
Carleton,	Hitt,	O'Neill, J. J.	Van Alstyne,
Clay,	Hoblitzell,	Payne,	Vance,
Connolly,	Holman,	Perkins,	Wadsworth,
Cox, W. R.	Holmes,	Peters,	Wallace,
Cullen,	Horr,	Phelps,	Warner, Richard
Cutcheon,	Houseman,	Price,	Washburn,
Dargan,	Howey,	Randall,	Weaver,
Davis, G. R.	James,	Ranney,	Weller,
Davis, R. T.	Johnson,	Ray, G. W.	White, J. D.
Deuster,	Jones, B. W.	Ray, Ossian	White, Milo
Dibble,	Jordan,	Reed,	Willis,
Dingley,	Kasson,	Robinson, J. S.	Wilson, James
Dowd,	Kean,	Rockwell,	Winans, E. B.
Eaton,	Kellogg,	Rosecrans,	Winans, John
Evans, I. N.	Kleiner,	Rowell,	Wood,
Everhart,	Lacey,	Seney,	Woodward,
Ferrell,	Lawrence,	Seymour,	Yaple.
Foran,	Le Fevre,	Singleton,	

NOT VOTING—173.

Aiken,	Dibrell,	Keifer,	Rice,
Anderson,	Dockery,	Kelley,	Riggs,
Arnot,	Dorsheimer,	Ketcham,	Robertson,
Barbour,	Duncan,	King,	Robinson, W. E.
Barksdale,	Dunham,	Laird,	Rogers, W. F.
Barr,	Eldredge,	Lamb,	Russell,
Beach,	Elliott,	Lanham,	Ryan,
Belmont,	Ellis,	Lewis,	Scales,
Bennett,	Ellwood,	Long,	Shaw,
Bingham,	Ermentrout,	Lore,	Shelley,
Bisbee,	Evins, J. H.	McAdoo,	Skinner, T. G.
Blackburn,	Fiedler,	McMillin,	Slocum,
Bland,	Findlay,	Matson,	Smith,
Blount,	Finerty,	Miller, J. F.	Snyder,
Bowen,	Forney,	Milliken,	Spriggs,
Boyle,	Fyan,	Mills,	Stevens,
Brainerd,	Geddes,	Money,	Stewart, Charles
Breckinridge,	Gibson,	Morgan,	Stockslager,
Breitung,	Green,	Morrison,	Stone,
Brumm,	Hammond,	Morse,	Storm,
Buchanan,	Hanback,	Moulton,	Sumner, C. A.
Buckner,	Hancock,	Muldrow,	Talbott,
Burleigh,	Hardeman,	Muller,	Taylor, E. B.
Burnes,	Hardy,	Murphy,	Taylor, J. M.
Cabell,	Harmer,	Mutchler,	Thompson,
Caldwell,	Hatch, H. H.	Nelson,	Throckmorton,
Campbell, Felix	Haynes,	Nicholls,	Tillman,
Campbell, J. E.	Henderson, D. B.	Nutting,	Tully,
Candler,	Henderson, T. J.	Oates,	Van Eaton,
Chace,	Herbert,	O'Ferrall,	Wait,
Chalmers,	Hewitt, A. S.	Paige,	Wakefield,
Clardy,	Hewitt, G. W.	Parker,	Ward,
Clements,	Hill,	Patton,	Warner, A. J.
Cobb,	Holton,	Payson,	Wellborn,
Converse,	Hooper,	Peel,	Wemple,
Cook,	Hopkins,	Pettibone,	Whiting,
Covington,	Houk,	Pierce,	Wilkins,
Cox, S. S.	Hunt,	Poland,	Williams,
Crisp,	Hurd,	Post,	Wise, J. S.
Culberson, D. B.	Hutchins,	Pryor,	Worthington,
Culbertson, W. W.	Jeffords,	Pusey,	Young.
Curtin,	Jones, J. H.	Rankin,	
Davidson,	Jones, J. K.	Reagan,	
Davis, L. H.	Jones, J. T.	Reese,	

Mr. ADAMS, of New York. I ask unanimous consent that the reading of the names of those voting be dispensed with.

Mr. WELLER. I object.

The SPEAKER. Objection is made, and the Clerk will recapitulate the names of those voting.

The Clerk read the names, as above given.

The following additional pairs were announced:

Mr. STORM with Mr. HART, until further notice.

Mr. OATES with Mr. PAYNE, for this day.

Mr. MULDROW with Mr. JEFFORDS, for this day.

The SPEAKER. On the motion to postpone there are—yeas 24, nays 127. No quorum has voted.

Mr. SPRINGER. Would it be in order for me to withdraw the motion to postpone?

The SPEAKER. It would be.

Mr. SPRINGER. Then I withdraw that motion.

The SPEAKER. The gentleman from Illinois [Mr. SPRINGER] withdraws the motion to postpone.

Mr. BROWNE, of Indiana. Then I suppose the question recurs upon concurring in the amendment of the Senate numbered 6 to this bill?

The SPEAKER. It does.

Mr. HEWITT, of Alabama. I object to the gentleman withdrawing the motion to postpone.

The SPEAKER. The gentleman has that right under the rule, for this is no vote, no quorum having appeared.

Mr. HEWITT, of Alabama. Then I desire to discuss the question of concurring in the amendment of the Senate.

The SPEAKER. The gentleman will proceed.

Mr. HEWITT, of Alabama. On the 3d day of March last this bill was passed by the House under a suspension of the rules, in which I did not concur, because I did not believe that it was right to pass a bill involving as much money as even this bill then involved without discussion and without deliberation. But the bill was passed granting pensions to certain surviving soldiers of the Mexican war and to the widows of such as were married prior to the discharge of the soldiers from the service. That bill went to the Senate the next day, and it remained there until a little over a week ago, probably two weeks.

Mr. PETERS. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. PETERS. What is the subject before the House?

The SPEAKER. The question is upon concurring in the Senate amendment numbered 6, and the gentleman from Alabama [Mr. HEWITT] is addressing the House on that question.

Mr. PETERS. I call for the regular order.

The SPEAKER. That is the regular order. The previous question has not been demanded or ordered, and under the rules of the House the subject is debatable.

Mr. WHITE, of Kentucky. I would inquire how much time the gentleman has?

The SPEAKER. The gentleman is entitled to one hour under the rules of the House.

Mr. HEWITT, of Alabama. I beg gentlemen not to become excited. I shall not be excited. It was urged here by the friends of the Mexican pension bill, and by the gentleman from Illinois [Mr. TOWNSHEND] in particular, that the Mexican pension bill should stand upon its own merit.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes; also that the Senate further insisted upon its amendments to said bill numbered 21, 24, and 25, disagreed to by the House of Representatives, and asked a further conference on the disagreeing votes of the two Houses thereon and had appointed as the managers of the conference on the part of the Senate Mr. ALLISON, Mr. PLUMB, and Mr. COCKRELL.

The message also announced that the Senate had appointed Mr. COCKRELL, in place of Mr. DAWES, excused, as one of the managers of the conference on the part of the Senate on the disagreeing votes of the two Houses upon the amendments of the Senate to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

MEXICAN WAR PENSIONS.

The House resumed the consideration of the Senate amendments to the bill (H. R. 5667) granting pensions to the soldiers and sailors of the Mexican war, and for other purposes, the question being upon the motion to concur in the sixth amendment of the Senate.

Mr. HEWITT, of Alabama. I was saying that the friends of the Mexican pension bill objected to attaching to it pensions for Indian wars which had preceded the Mexican war, upon the ground that the soldiers of each of those wars should stand upon their own merits. Under the influence of that argument this bill was passed, giving pensions simply and purely to the surviving soldiers of the Mexican war and the widows of such as were married to their husbands prior to their discharge from the service.

We were then told by the gentleman from Indiana [Mr. BROWNE] and by other gentlemen on that side of the House that that bill, limited as it was to the soldiers of the Mexican war and their widows, would cost this country from twenty to twenty-five millions of dollars per annum. And some of the great newspapers of the country contended that it would cost $100,000,000. It was opposed upon the ground that it was taking too much money out of the Treasury.

Mr. BROWNE, of Indiana. Allow me to say that I never said that the pension bill would ever cost more than $7,000,000, instead of $25,000,000; a difference of $18,000,000 only.

Mr. HEWITT, of Alabama. If members of the House will take the trouble to go back and read the debates in the Forty-fifth Congress upon this subject, and also the debates in the present Congress, and if they will read the great newspapers of the country—if they will even take the estimates coming from the Pension Bureau—they will find that the Commissioner of Pensions estimated that there were from 25,000 to 30,000 of these Mexican war soldiers still surviving who would be entitled to pensions under that bill. And because of the large amount of money which that bill would cover it was bitterly opposed by gentlemen on the other side.

Mr. WHITE, of Kentucky. Will the gentleman allow me a question? At $100 a year for 25,000 persons the amount would be two and a half million of dollars instead of $20,000,000.

Mr. HEWITT, of Alabama. Now, there comes here from the Senate a bill which is broader and more extensive even in regard to the soldiers of the Mexican war—a bill which will require more money in its execution than the bill which passed the House. The bill which was reported by the Committee on Pensions, and which passed the House, gave a pension to widows, but only in cases where the woman was married to the soldier before his discharge. This bill, which the gentleman from Indiana [Mr. BROWNE] and other gentlemen on that side of the House are advocating and trying to put through here without discussion or the privilege of amendment upon this side, proposes to grant pensions to widows regardless of the time when they were married.

It is almost impossible to make any calculation as to the difference in the amount which these two measures would cost the Government. The war of 1812 was fought many years ago; and there are not now on the pension-roll more than a dozen surviving soldiers of that war. Yet there are on the pension-roll on account of that war 20,000 widows. The old men marry young wives. My friend from Kentucky who sits beside me [Mr. WOLFORD] says that is what they ought to do. I hardly think they ought. My friend had better not take a very young wife. [Laughter.]

Now, what claim upon the country has a widow who married a man after his service as a soldier was performed? The claim of such a widow is not at all parallel to that of a widow whose husband left her in charge of the home and the children while he went off to fight the battles of his country? There is no similarity between the two cases. In the one case it may almost be said the wife was a participant in the

hardships of her husband. She bore the burden of the family while the husband was fighting for his country. She suffered the loss of his society. Such a widow ought to have a pension. But when a soldier after his return from the service marries the case of his widow is very different.

There is another consideration connected with this granting of pensions to widows without limitation as to the time of their marriage. It is an inducement, an absolute inducement for young girls to marry these old soldiers just before they die in order that they may receive pensions.

Now, Mr. Speaker, I say it comes with poor grace from gentlemen on the other side who have heretofore opposed the Mexican pension bill upon the ground of the amount of money which it would take to meet these pensions to become all at once the advocates of this bill.

Mr. Speaker, I have never advocated or supported and I never will favor a pension fund for widows of soldiers of the Mexican war or the widows of any other soldiers where the woman married the soldier after his discharge from the service.

Mr. BROWN, of Pennsylvania. Did you vote for the Cushing bill?

Mr. HEWITT, of Alabama. I did not.

Now, there are certain pensions which are very different from service pensions and to which the rule I have just mentioned does not apply, because the law under which the right to a pension accrues is different and the pension is different. When you come to the case of an invalid pension, there the law of the contract which the Government made with the soldier when he entered the service was that if by wound or disease contracted in the service he should be disabled for the performance of manual labor he should have a pension, or if he died from such wound or disease his widow should have a pension regardless of the time of the marriage. I am for carrying out that law. I will stand by it as firmly as any man on the other side of the House. Since I have been in Congress I have always stood by that law. The soldiers of the late war who received wounds or contracted disease in the service, and who under the law are entitled to pensions, will always find me an advocate of their claims. I shall always vote in favor of liberal pensions to such persons.

So far as regards these invalid pensions, the claim of the widow to a pension regardless of the time of the marriage is a part of the contract which the Government made with these soldiers at the time they entered the service; and the Government can not refuse to meet the obligation it has thus assumed without a repudiation of a sacred debt.

Although I have stood here opposing this measure, the position I have taken has not resulted from any animosity toward the Union soldiers. I do not believe they have a warmer friend on the other side of the House than myself. I have always stood here ready to do them full justice. So long as I may have a vote in this House it shall always be cast to do justice to those who stood by the Union during the late war.

But, Mr. Speaker, this bill comes back here with amendments which I can not support. It proposes not to carry out the law of the contract, but to give a pension to every soldier of the late war who is now suffering from disability, whether that disability originated in the service or not. It gives these soldiers pensions ranging as high as $24 a month. But, Mr. Speaker, when it comes to deal with the pensions of soldiers of the Mexican war, how different are its provisions! While I do honor to the Union soldiers, while I say they deserve as much as any soldiers of this country have ever had, yet I do not believe the country ought to make a distinction between the soldiers of the Mexican war and the soldiers of the Union Army.

Mr. STEELE. It puts the Mexican soldiers without regard to disability.

Mr. HEWITT, of Alabama. You do, do you? No, sir; you do not do any such thing. You pension Mexican soldiers over a certain age, and for disability; you give him $8 a month. But when you come to the Union soldier, who is just as good and just as patriotic and deserves as much credit as those who fought in the Mexican war, you give him $24 a month for the same kind of disability, making a clear, unequivocal distinction between the two.

Mr. STEELE. Why did you not offer an amendment?

Mr. HEWITT, of Alabama. I have not had any opportunity to do so.

Mr. STEELE. You did not give us any opportunity.

Mr. HEWITT, of Alabama. How?

Mr. STEELE. You filibustered and prevented.

Mr. HEWITT, of Alabama. Why?

Mr. STEELE. I can not say.

Mr. HEWITT, of Alabama. Because you tried to gag me, and you would do it if you could now, but I accidentally got in.

Mr. BROWN, of Pennsylvania. You do not seem to be gagged now. You had the same privilege all the way through to debate this bill.

Mr. HEWITT, of Alabama. Why, sir, the very first thing they did was to move to concur, and they called the previous question and denied me the right to offer amendments. And when I tried to put your Union soldiers in here who had lost an arm or a leg to do them justice, you made the point of order on the bill and would not permit it to come in. How can you justify the clear distinction between the two classes of soldiers, the one having stood gallantly by that flag which floats over your head, Mr. Speaker, in a foreign war, and the other in a domestic war, who fought just as gallantly, just as heroically and deserves just as much credit and just as much honor. I believe we ought not to make a distinction between our soldiers in any age of our country or in any of our wars. Yet this bill does it.

Again, sir, this bill is an innovation upon all the precedents heretofore established in reference to pensions. These amendments are most of them service pensions. Some of them I had no objection to. The main one is a service pension. Heretofore service pensions have been granted after the lapse of so many years from the close of the war. That has been the unbroken precedent in granting service pensions heretofore.

Mr. WEAVER. Do you not think you are breaking the Sabbath?

Mr. HEWITT, of Alabama. I have read somewhere that there is no harm to do good on the Sabbath. I am not the only one who has been charged with breaking the Sabbath. I remember there were some self-righteous gentlemen who lived way back in the past who charged a certain person with breaking the Sabbath because he plucked a roasting-ear.

A MEMBER. When was that?

Mr. HEWITT, of Alabama. A good many years ago. It is related in a history which you gentlemen do not seem to read much. [Laughter.]

I was saying, Mr. Speaker, that the service pensions which have been heretofore granted have been on the ground that after the lapse of so many years from the war the presumption was the soldiers were getting old and they were entitled to pensions as a recognition of their services to the country.

Mr. STEELE. The bill cuts off those who are not very old, and you object.

Mr. HEWITT, of Alabama. They never did make any distinction between soldiers of the same war.

I will now yield for a conference report.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 5553) granting a pension to Isabella Palmer;

A bill (H. R. 1752) for the relief of Maria L. Lee; and

A bill (H. R. 204) granting a pension to Susan Y. Atwater.

LEGISLATIVE, EXECUTIVE, AND JUDICIAL APPROPRIATION BILL.

Mr. HOLMAN. I submit the following report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered as hereinafter stated to the bill of the House 7069, making appropriations for the legislative, executive, and judicial expenses of the Government, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 27 and 205.

That the House recede from its disagreement to the amendments of the Senate numbered 80, 81, 82, 83, 84, 85, 86, 87, 88, 91, 92, 94, 95, 207, 208, 209, 210, and 211, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 93, and agree to the same with an amendment as follows: In lieu of the number proposed insert "20;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 206, and agree to the same with an amendment as follows: In lieu of the number proposed insert "75;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 212, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$1,955,150;" and the Senate agree to the same.

The committee of conference is unable to agree on the amendments of the Senate numbered 21, 24, and 25.

JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House.
WILLIAM B. ALLISON,
P. B. PLUMB,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement accompanying the report is as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1885 submit the following written statement in explanation of the conference report:

The bill as it passed the Senate appropriated $21,697,261.85, being $1,087,424.90 increase over the amount as it passed the House. As agreed upon, including the amount involved in amendments 21, 24, and 25, which are not agreed to, it appropriates $21,426,321.85, being $816,484.97 greater than as it passed the House, and $270,940 less than as it passed the Senate.

WM. S. HOLMAN,
JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House.

Mr. HOLMAN. I desire to submit a very brief statement of the effects of this report. I am equally unfortunate in the result of this conference, as in the former conference between the two Houses, in not being able to reach the conclusion that has been satisfactory to my associates as managers on the part of the House. I have not been able, sir, to sign this report of the conference for reasons which would be hardly necessary for me to enter into at so late an hour as this.

But I wish to state the results of the action of the conferees as pre-

sented, for I desire to correct certain impressions under which the conferees reported last evening touching one of the subjects of disagreement, that in regard to the Pension Bureau. There were four subjects-matter referred to the committee as matters of disagreement between the two Houses by the last reference made. The one numbered in the Senate amendments 21, 24, and 25, covers the item of the contingent fund of the Senate, which it is understood involves the employment of clerks for the Senators. This is an item of $24,000, as it appears by the increase made in the Senate upon the House provision, but in fact involves an appropriation of $34,000.

The conferees have not been able to agree upon that, and it is the only subject, it will be observed, that remains as a matter of final disagreement. The other three subjects are embodied in the report as having been agreed upon.

The first is as to the salaries of collectors, and deputy collectors, and others under the internal-revenue system, which is Senate amendment No. 80.

The conference yielded their disagreement, which increases the amount of appropriation for collectors, and deputies, and other officers connected with the service, $100,000. The House, it will be remembered, reduced the number from eighty-six, the number now existing, to forty-three; and it reduced the amount to be appropriated for the payment of the same $100,000. That sum the Senate amendment restores, and strikes out the provision, which would be amendment No. 81, reducing the number of collection districts to forty-three.

So that subject of the internal-revenue districts as affected by these amendments of the Senate 80 and 81, by restoring the law as it is now and increasing the appropriation $100,000, has been agreed upon, the House receding.

The next amendment, also involved in the internal-revenue system, is No. 87, and is the provision in the aggregate for the agents, gaugers, storekeepers, and others employed in connection with the internal-revenue system. The Senate amendment appropriated $136,000 as an increase over the amount appropriated by the House. That item embraces the salaries for the special agents, and is virtually, with the exception of one matter to which I will ask attention in a moment, the restoration of the estimates as they came to the House last December. In that connection I will say the only concession made by the Senate was as to the number of special internal-revenue agents.

The number now provided by law is thirty-five. The number provided in the bill as reported by the House committee was twenty-five. The House reduced the number to five. The Senate amendment 87 increases the number to twenty-five, ten less than the present number. The Senate yields the increase to the extent of five special agents; and this report fixes the number at twenty, being fifteen more than the House bill provided for and fifteen less than the present law. That is the concession as to the interval-revenue system made by the Senate.

All the other provisions, as will be seen, touching the internal-revenue collection districts and customs districts are yielded by the House, the amendments of the Senate being accepted.

As to the fourth subject-matter covered by amendments numbered 207 and 212, in relation to the Pension Bureau, I stated last evening that the adherence by the House to its disagreement was a matter of form, and that the increase of the appropriation for that bureau was designed to cover the increased expense of the pensions anticipated by the passage of the Mexican pension bill. If that measure shall fail, then $266,400 covered by the amendments numbered 207 and 212 would properly be omitted from the bill, and the Senate would then recede from them.

Upon the other hand, if the Mexican pension bill passed, then the House would have to recede, leaving the $266,400 proposed by the Senate appropriated by the bill. I expressed last evening not only what was the understanding on the part of the House, but what was the understanding on the part of the Senate. But since then, in a communication from the Commissioner of Pensions, he insists that without any reference whatever to whether the Mexican pension bill should pass or not, the increased clerical force provided by the Senate amendments is absolutely necessary to the efficiency of his bureau, and asks that the sums included in these amendments should be appropriated; that the clerical force should be provided; that the number of additional officers contemplated should be provided in the bill. And the committee of conference have agreed to that item, which amounts to something more than I stated last evening. It amounts altogether to $273,400.

A MEMBER. What is the number of additional clerks?

Mr. HOLMAN. The number of additional clerks is something over two hundred.

Mr. CANNON. The number, I will say to my friend, is two hundred and forty-two over what the House bill provided for.

Mr. HOLMAN. I have a statement showing the exact number, but left it in the committee-room of the Committee on Appropriations.

Mr. MCMILLIN. I desire to ask the gentleman from Indiana a question. Are there two hundred and forty-two clerks in addition to the two hundred and fifty increase provided for in the House bill?

Mr. HOLMAN. Yes, sir.

Mr. MCMILLIN. So it is contemplated to give nearly five hundred additional clerks by the bill as amended by the Senate and proposed to be passed now?

Mr. HOLMAN. Yes, sir. The gentleman will remember when the increase of special agents was provided in the House bill there was a reduction I think of two hundred and thirty-six of the clerical force of the bureau.

Mr. HEWITT, of Alabama. Did not the Commissioner of Pensions ask for that?

Mr. HOLMAN. I will state that the bill as it came to the House and as it passed the House was exactly according to the then views of the Commissioner of Pensions. His estimates were carried out according to my present recollection—and I think I am accurate—exactly in the House bill in accordance with his recommendations both as to the reduction of the clerical force, in the main embracing the lower grades of clerks, and also as to the number of special agents, increasing them from two hundred and fifty to four hundred, and as to the appropriations required. The Committee on Appropriations reported and the House passed that portion of the bill exactly according to the estimates, without any deviation.

Mr. MCMILLIN. Was not the statement then made that the employment of the one hundred and fifty additional special agents would enable the Department to dispense with these lower-grade clerks who were dispensed with by the House bill?

Mr. HOLMAN. The view then expressed, if I remember it correctly, was that in the then condition of the business of the Pension Office the higher grade of clerks should be made more efficient than the lower grade and that the employment of the one hundred and fifty special agents whose salaries would be much higher than the average would greatly facilitate the business of the office. And both in the appropriation of every dollar asked for by the Commissioner of Pensions and in the action now as reported to the House by the conference the exact sum asked by the Commissioner has been provided for. There has been no attempt I believe to make any retrenchment whatever upon the sum required by the Commissioner of Pensions.

I am aware that I am occupying considerable time in this statement, but I wish to state the general result of this report. The effect of these concessions made in the report now before the House is to increase the appropriations over the House bill $509,400; that is to say, $236,000 in connnection with the internal-revenue system and $273,400 in connection with the Pension Bureau; making, in the whole, $509,400. This bill, as gentlemen will observe from the statement which was read, was increased by the Senate—including the $509,400—increased by the Senate $1,087,424.90. The House has yielded $816,484 of that amount and the Senate $270,940.

I only wish to add, Mr. Speaker, that the reason I was not able to sign the conference report made last evening, and the reason I am not able to sign the one made this evening, is on account of the large increase in the public employment in my judgment not required, and especially on account of the increase of salary in various bureaus and Departments of the Government—the House and Senate and all the Departments. I do not believe, in the present condition of the employment and salaries of this Government, that these increases either in the number of employés or in the salaries can be justified upon any ground of public necessity. I will only further add that as to the Pension Bureau and the increase of the clerical force there, I acquiesced in the action of my colleagues on the conference.

Mr. SPRINGER. Will the gentleman allow me one question?

Mr. HOLMAN. Yes, sir.

Mr. SPRINGER. Did I understand the gentleman correctly as saying that the Senate amendments increased the number of persons employed in the collection of internal revenue over the present law?

Mr. HOLMAN. No, sir; not over the present law. They correspond with the provision of the present law. That is to say, all the existing provisions remain in force, except that the number of internal-revenue special agents is reduced from thirty-five to twenty. That is the only concession that has been made on the part of the Senate in connection with the internal-revenue system. And no concession has been made in connection with the system for the collection of customs revenue. The only change made is the reduction I have mentioned in the number of special agents.

Mr. MCMILLIN. Do I understand the gentleman to say that the report as agreed upon makes no reduction in the number of customs collection districts?

Mr. HOLMAN. It makes no change whatever in the law as to that.

Mr. MCMILLIN. Then the recommendation of the Secretary of the Treasury stating that there can be and should be a reduction and consolidation of districts goes for naught?

Mr. HOLMAN. There is no change made in the law by the report of the committee of conference.

Mr. MCMILLIN. I wish that some advocate for disregarding these recommendations of the Secretary of the Treasury would give to the House some reason why the House should recede from the stand it has taken on that subject.

Mr. HOLMAN. I wish to say on that subject, that the reduction of the number of districts under the customs system would not necessarily reduce the number of ports of entry and delivery. We did not

provide for the reduction of the number of ports of entry and delivery, but we simply reduce the number of districts down to sixty-nine, and conferred upon the President the power to designate the ports of entry and delivery. Gentlemen will see that the only method by which retrenchment could have been accomplished in any event was through the appropriations of money hereafter to be made.

The law now provides that the Secretary of the Treasury shall report to Congress each year estimates of the sums of money required to carry on the system for the collection of customs revenue. Therefore the whole subject necessarily comes before Congress when it proceeds to make the next annual appropriation for the expenses of that system of revenue.

I attach a great deal more importance to the action of the conferees in regard to the internal-revenue districts. I think the number could have been reduced with absolute safety from eighty-six to sixty-three, according to the proposition of the Committee on Appropriations of this House. That could have been done with absolute safety, and that would have resulted in a saving to the Government of somewhere between $100,000 and $125,000; and the question comes home to us now, I think, whether or not the House can yield that point.

I desire to say one word more. According to the theory of the Constitution of the United States that branch of the Congress most immediately responsible to the people and more directly connected with them has been invested with the control of the expenditures of the public revenue. Revenue bills are to originate in the House of Representatives. But according to the practice of more recent years gentlemen will perceive that we merely formulate a bill and send it to the Senate. That bill is simply the foundation upon which to build the superstructure.

Mr. McMILLIN. And you do not know it when it comes back, do you?

Mr. HOLMAN. This bill comes back to us from the Senate with two hundred and eighty-three amendments, every one of which, I believe—there may have been one exception, which affected the question of the increase or decrease of expenditures directly or indirectly—provided for an increase of the appropriations from the public Treasury. I think that in one instance there was a transposition of some employment which would effect the reduction of the compensation of a single person in the public service.

Mr. SPRINGER. That must have been a mistake.

Mr. HOLMAN. And the question is how much the House of Representatives shall be held responsible for the appropriation of money from the public Treasury. While the House is conceding $876,484, the Senate, less responsible for the protection of the public Treasury than the House according to the theory of the Constitution, concedes but $270,940. It seems to be generally understood that as a matter of course the House will recede.

By the action of the Senate there have been increases of the salaries of employés of the House, of the salaries of the employés of the Senate, of the salaries of employés in every Department of your Government, with increases of the number of employés everywhere. It was thought that the liberal increase of officers during the last two years, and especially during the first session of the last Congress, would have rendered a further increase entirely unnecessary, for the time being at least. Yet I can call to mind at this moment scarcely a bureau in the Government in which there is not an increased number of employés, or increased salaries, or both.

I see nothing in the condition of the public business, with the exception of one single Department, the Post-Office Department, that justifies either an increase of the number of officers or an increase of the salaries. In a few instances the House endeavored to reduce salaries and to equalize them, as in the case of the subtreasurer at Boston, who was receiving a larger salary than other subtreasurers; and in other instances where the House thought it was entirely proper that there should be a moderate equalization of salaries, of course the House made a concession.

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

Mr. HOLMAN. Certainly.

Mr. HENLEY. The question is this: Notwithstanding this multiplication of officers and officials, is it not a matter of fact that all of the Departments of the Government are greatly behind in their business; and if so, why? That is the fact.

Mr. HOLMAN. I am not aware that that is generally the fact; there may be instances where such is the case. I think it will be frequently found in this Government that the multiplication of offices does not advance the public business. On the contrary, the employés of the Government embarrass and jostle each other in the attempt to perform their public duties. The efficiency of the various Departments of the Government, according to my experience, is not found to be increased by an increase of salaries, and seldom by an increase of the number of employés. I now call the previous question.

Mr. HANCOCK. I hope the gentleman will not call the previous question——

Mr. HOLMAN. Of course I yield to the gentleman from Texas all the time he wishes.

Mr. HANCOCK. Mr. Speaker, I desire to occupy the time and attention of the House a very few minutes. I do so because I think the statement of my colleague on the committee is unfair and his deductions are not warranted by the facts. There is an increase to the amount that he states, but very little of that is in consequence of salaries. In the House there is an increase of $500 to the Doorkeeper. In the Senate the total increase on the subject of salaries, as I now recollect, does not amount to as much as a thousand dollars. I believe my statement on this point will be borne out by the facts.

The gentleman has alluded to the great hardship of not having been able to equalize, as he terms it, the salaries paid to the different subtreasurers. The facts about that matter are just these: The subtreasurer at Boston, under the law as it now stands, receives a salary of $5,000. The committee which prepared this bill in the House reduced that salary to $4,500. The Senate insisted upon maintaining the old law on this point, and adopted an amendment appropriating $5,000. How much there is censurable or wrong about that I am not prepared to determine. I do not think it a very grievous matter. One side or the other may be right or may be wrong. At any rate, the Senate was very persistent and determined, and their conferees stated a good many reasons which seemed to be with them controlling why the salary should not be reduced.

The increase, then, in this bill results mainly from two causes: first from the amendment of the Senate restoring the law as it has existed with reference to the collection of internal revenue. In the bill as it now stands there is no change in this respect except in regard to agents, who are reduced from thirty-five to twenty. The Senate refused to reduce the number of collectors from eighty-four or eighty-six—I think eighty-four is the present number—to sixty-three. The increased sum in this particular is the difference between the payment of eighty-four men and the payment of sixty-three. Whether or not very nearly as much money would not be required to pay deputies to take the places of the principals whom it was proposed to dispense with is a matter I am not prepared to determine. It was insisted and urged that the economy, if any, would be very small.

Upon that point we certainly have not a great deal to complain of; and I see no cause whatever to justify the position of the gentleman from Indiana in seeking to call upon the country to look upon this action of the House as something that is wonderfully wrong and should bring down censure and condemnation upon everybody who does not happen to agree with him.

Upon this matter a question has been asked which I want to answer. The gentleman from Tennessee has asked, with at least an *ex cathedra* air, for some one to show a reason why the provision put upon the bill in the House consolidating the customs districts was not adhered to. My answer to him is, simply because it was a mere *brutum fulmen*, not reputable to the House that passed it. It amounted to nothing, unless it might be the will and pleasure of the President to make the reduction contemplated. The only reduction made by the bill was a reduction of the number of collection districts, leaving the President at liberty to appoint as many officers as he might deem proper in the respective districts—a very vicious system of legislation, I think, and extremely anti-democratic; a species of legislation that should never be tolerated by any body of men claiming to be Democrats.

Legislation on this subject should be had. I think it a very proper subject for legislation; but I want to put on record my dissent—more than that I want to enter my earnest objection—to this system of legislation as being wrong, vicious in the extreme. It is a species of legislation that has been too long tolerated and should never be attempted upon an appropriation bill. Such bills are not the proper place for legislation of this character. The Constitution does not contemplate that laws for the general government of the country should be passed in this way. By such a system of legislation the committees having charge in conference of matters of this character are in a position which they are not entitled to occupy with reference to the influence they may exert upon the legislation of the country.

By this system it is placed within the power of one branch of the Government to insist that certain legislation shall be adopted and to take advantage of an appropriation bill in order to compel the other branch to agree to it, without fair, open, free, untrammeled discussion. Such a system of legislation is in my judgment vicious in the extreme.

The amendments of the Senate in connection with internal-revenue collection no doubt go a great way to swell these appropriations. The gentleman estimates the amount as $150,000, and probably he is right. But he has omitted to state several causes which have increased, and necessarily I think increased, this appropriation—matters in regard to which probably the Senate had more light than we had in considering them.

There is a large increase in the Sixth Auditor's Office. I believe all agree that this is necessary.

Mr. HOLMAN. But my friend must remember we largely increased the force in that office in the bill as it passed the House.

Mr. HANCOCK. We made an increase of thirty-seven clerks—exactly that number and no more.

Mr. HOLMAN. That is true.

Mr. HANCOCK. The Sixth Auditor came before the committee time

and again and proposed that we should examine his office and convince ourselves of the impossibility of keeping up the business of the office properly without the additional assistance that he asked. Should not the business of that office be kept up? Is it not the interest of the country that it should be? I leave gentlemen to answer that question for themselves.

Then there is the Patent Office, in which there is a large increase. I am not much more favorably disposed toward that office than is my colleague on the committee. I think it probable a great deal of wrong is perpetrated there upon the great masses of the people. Nor is that sufficiently answered by the reply that it brings in a large revenue. It has grown to immense proportions, far in advance of the anticipation of any one. But it is there and the popular will seems to desire to continue it, and we should make adequate provision for the discharge of the duties devolved on that bureau.

There is the Indian Bureau, where there has been a considerable increase, which is urged as a necessity, and a good portion of it growing out of a change of policy in reference to the education of the Indians. I do not approve of that. I can not have my way about these things or I would change them. I have had some little experience, and of course some little knowledge of the policy pursued by the Government toward the Indians.

I believe you will agree with me that from the landing of the Pilgrims at Plymouth Rock and the landing of the first settlers of Virginia at the mouth of the James River up to the present time it has been an unrelieved failure. There has never yet been a savage race civilized except through one channel, and that is the one of labor. It is the policy which has been pursued by the Spaniards who have settled south of us on this continent, and they have succeeded in making useful citizens out of a good many of them. There are now those enjoying the highest positions in their society who have not a drop of European blood in their veins. President Juarez himself was a full-blooded Indian, the chief-justice is another, and the president elected in August is deeply tinctured with Indian blood.

But you have adopted a policy. You say you must get the Indians together and educate and Christianize them. It is squandering a great deal of money, but at the same time it is furnishing remunerative positions to a number of meritorious persons I suppose. [Laughter.] These appropriations come in this way.

Then there is the Pension Office. The gentleman is much more in favor of pensions than I am; but that, too, has become the subject of sensational legislation, and no one can say whether Republican or Democrat has the ascendancy. They are as nearly alike on that subject as I have ever seen men in my life. All that is necessary is to say "pension" and pension it is, and so on indiscriminately.

I may not have another opportunity, and I wish to speak out my feelings on this subject. I say there has been the grossest injustice to the people of the United States. I have no objection to vote a pension to an invalid soldier, but will vote for it as cheerfully as another. But this profuse and profligate waste of public money by pensioning on every flimsy pretense is an act of injustice which can not fail to be appreciated by any one who will dispassionately look at it.

We have appropriated nearly $86,000,000 of money for this purpose; more than double the entire annual expense of the Government from 1840 to 1850. Another cycle will increase that to $100,000,000, and may perchance to $150,000,000 of public property in order to gratify aspirations of deserving statesmen. [Laughter.] I do not believe the gentleman from Indiana will get up and say, so far as we have provided the necessary force to issue pensions and pensions and pensions to go into his district, that it has been squandering so much money for that purpose.

I think, Mr. Speaker, that the report of the committee should be accepted. It is the best we could do; and I do not think we have done anything more than respond to the exigencies of different branches of the Government that demanded this change. There is where the money has gone, except the difference between collecting internal revenue by the mode proposed by the Senate and that by the House.

Mr. HOLMAN. I yield five minutes to the member for Tennessee [Mr. MCMILLIN].

Mr. MCMILLIN. Mr. Speaker, my distinguished friend from Texas is in error as to the "airs" with which I made the inquiries I addressed to him; at least I did not intend to assume any "*ex cathedra* airs."

The gentleman complains—and let us examine into his consistency—that the method of legislating upon appropriation bills was not contemplated by the Constitution and is vicious.

Following his argument to its legitimate conclusion and comparing his action with it, what do you find? It is highly constitutional, altogether commendable, and entirely proper to increase the number of officers by an appropriation bill and to increase their salaries, but it is quite the contrary to decrease the number or their salaries. He justifies the increase of officers, he justifies the increase of their salaries on an appropriation bill, but his virtuous and patriotic soul is wrought up when you come to diminish either the number or reduce the salaries. I have a high regard for the gentleman. He is my friend, and I take pride in the friendship.

Mr. HANCOCK. Let me interrupt the gentleman by saying that I did not justify or condemn.

Mr. MCMILLIN. Well, the gentleman makes that explanation. I understood him as holding to the position that the Constitution never contemplated anything of the kind; and I undertake to say now that he is the first lawyer of his reputation who ever asserted the opinion that it was not constitutional to legislate upon an appropriation bill.

But what did the House bill propose? It proposed to do simply what the Secretaries of the Treasury for ten long years, at least, had said ought to be done, that is, to diminish the number of these customs collection districts. We come forward to do the work; and yet when we undertake to do it the House, of which he is a member, is slapped in the face by him and told it is unconstitutional to proceed in that way. It is constitutional, according to the gentleman, to raise a salary, but not constitutional to get rid of a thousand useless officers whose services may be dispensed with—four hundred in connection with the collection of customs duties—and between six hundred and a thousand in the internal-revenue service.

Mr. HEWITT, of Alabama. Will the gentleman pardon me for interrupting him? Suppose a bill had been introduced here in reference to these custom collectors, what committee would it have gone to? Would it not have been the Committee on Ways and Means?

Mr. MCMILLIN. It would probably have gone to the Committee on Ways and Means.

Mr. HEWITT, of Alabama. That committee then would have had jurisdiction, would it not?

Mr. MCMILLIN. Yes, sir; I admit your case in the broadest sense, but there is also a rule which the gentleman should remember that makes it legitimate to act on an appropriation bill where you diminish the amount of the appropriation or decrease the salaries, and where that action is in the direction of economy there is no man who will deny that it is proper and legitimate.

Mr. Speaker, the amendments of the Senate involved here present a reduction of expenditures in the collection and internal revenue and customs duties by more than $1,000,000. The House, as I intimated before, by this action gets rid of more than 1,000 officers, probably as many as a thousand in the internal-revenue service alone. I think it is eminently proper to muster out of the service some of the large number of internal-revenue officers who have swarmed over the country for long years past, and I trust that this House will stand by its action and never agree to abandon it. The House has already held that it was eminently proper by several votes, and I hope it will not abandon the contest.

The SPEAKER. The time of the gentleman has expired.

Mr. HANCOCK. I would like to correct one expression of the gentleman. I said that it was not contemplated by the Constitution.

Mr. MCMILLIN. Very well; the gentleman can have the benefit of his statement.

Mr. HOLMAN. I yield five minutes to the gentleman from North Carolina [Mr. COX].

Mr. COX, of North Carolina. Mr. Speaker, there is a question involved in this controversy of the gravest importance, and I trust the House will not suffer the bill to pass without giving it the most careful consideration. It is the amendment of the Senate which proposes to give to certain Senators clerks, and which is tantamount to an increase of their own salaries to the extent of $1,000 each.

While I recognize the entire independence of the two Houses and the propriety of not too critically scanning the internal workings of each other, yet when measures are proposed which in their effect tend to impair that perfect equality which is contemplated by the Constitution, we can not too carefully scrutinize them. It is not the amount involved which gives this proposition its importance, but the danger that underlies the concession of a principle which establishes a troublesome precedent.

As is well known, there are three co-ordinate departments of the Government, the legislative, the executive, and judicial. Each department is supreme in its own sphere, and the preservation of our liberties in a great measure depends upon a due recognition of this fact. The legislative department consists of a Senate and House of Representatives, whose rights and duties are defined by the Constitution. All bills raising revenue shall originate in the House of Representatives, to whom the people have confided the purse-strings of the nation, it being the more popular branch and also more directly amenable to them. The question in regard to fixing the pay of the employés of the Senate is one which must be regulated by law, and as no law can be enacted except by the concurrence of both branches of Congress, it must follow such matters should be approved by each. It is true that great disparity exists between the pay of the employés of the Senate and of the House, but it is insisted such should not be the case.

This inequality is of comparatively recent origin, and has led to frequent efforts on the part of this House to secure an equitable readjustment, but no satisfactory arrangement has been arrived at. It is not insisted that the duties of the employés of the Senate are more exacting and difficult than those of the House, and as their compensation is about 20 per cent. higher, the effect is to create discontent. The only suggestion proposed by Senators for equalizing the salaries is that we should in-

crease the compensation of our employés inasmuch as this inequality was caused by the reductions at our end of the Capitol. The gentleman from Illinois [Mr. CANNON] stated in his remarks on this amendment that the payment of thirteen months' salary for twelve months' service—a species of liberality commendable for its disinterestedness—originated from a desire to equalize the salaries of the two Houses. But it is known that the Senate, still keeping in advance, has likewise given their employés an extra month's pay. In this race who pays for the sport? The exclusive right of the Senate to regulate the salaries of its employés was submitted to rather than prolong an unending controversy; but to show in what light this prerogative was viewed by the Senate even so recently as in the Forty-sixth Congress, I invite your attention to the remarks made by Senator Houston, from Alabama, and Senator BECK, from Kentucky, when the subject was then under discussion.

Mr. HOUSTON. Mr. President, I suppose the compensation of employés is a matter of controversy between the two Houses that ought in some way or other to be adjusted so as to relieve the Houses of that difficulty and of that trouble. The Senator from Kentucky speaks of the House of Representatives regulating the pay of its own employés and the number of its employés, and of the Senate doing the same as to its. Now, that really in legal parlance can not be done. If we can convince the House that we need a certain number of employés at a certain compensation, then the House will accede to it. If the House can so convince the Senate, then the Senate ought to agree with the House. But the idea that each House can regulate the number and pay of its own employés without the concurrence of the other House I think is utterly untenable. If we have a judgment upon that subject and the House agree with us, then our judgment ought to be carried out. The compensation allowed to the employés of the two Houses is according to law. A law to be passed must have the assent of both Houses of Congress; and when we have such a law it is exceedingly unfortunate that trouble should exist between the two Houses and that one should compensate its employés higher than the other.

Mr. BECK. All I desire to say is that the committee had not time to go into the matter of regulating the compensation of employés now. When the regular session meets it is to be hoped that the difficulty that exists between the Houses will be adjusted and arranged. For the time being we thought the course we pursued the only safe thing to do, with new officers at the head of the employés of the Senate, with no absolute information as to whether the rule we followed is right or whether it is wrong, and the subject being now carefully considered by a committee of this body, and for the present we did not deem that this was the proper time to go into the matter.

* * * * * * *

Mr. HOUSTON. Now, sir, in my judgment the Senate has no more right to establish the pay of its own officers than it has to establish the compensation of the officers of the House. The same claim of power that would enable the Senate to say what its employés should receive would result in giving to the Senate the power to say what the employés of the House should receive. We must act on such a subject by a law, and it being a law the two Houses ought to act together and ought to agree upon something just to the employés of both, and thereby these difficulties in the future will be obviated. There being simply one committee now looking into the matter, I do not think that meets the difficulty, and I therefore shall vote against the amendment.

From this Senatorial discussion it will be seen it was not contended that the Senate could alone regulate the compensation of its employés without the concurrence of the House. Senator Houston boldly maintains that "it can not be done;" while Senator BECK apologized for not adjusting the salaries on the plea that there was not sufficient time in a short session; and an examination of the discussion, which was quite protracted, fails to show that any Senator then denied the position of the Senator from Alabama. It is fair to state, however, some of the Senators then insisted that on the score of expediency it was better for each House to regulate these matters for itself. But when an easement is once enjoyed, I care not how acquired, plausible reasons will ever be found by strong men for its continuance; for, like the statute of limitations, when it once begins to run all creation can not stop it.

The proposition now before the House goes a bow-shot farther than the question of regulating the number and compensation of the employés of the two Houses independently of each other, and is far more objectionable. To employ a clerk at a salary of $1,000 is virtually to increase a Senator's salary to that amount, and when the precedent is once established that by their own volition Senators can increase their salaries, though called by another name, without the concurrence of this House, what becomes of the doctrine clearly set forth in the Constitution that the compensation of Congressmen shall be regulated by law? The members of this House can not avoid their responsibility by throwing it upon the Senators when through their non-action or complaisance they permit this encroachment to be made. The Constitution contemplates the perfect equality of the two bodies as to pay as well as to rank, but by this action the salary of a Senator is raised to $6,000, while that of a member of this body remains at $5,000.

Now, I yield to no one in respect for the distinguished body at the other end of the Capitol, many of whose members I am gratified to call my friends, and far be it from me to impugn their motives, even though called on to criticise their acts. I wish to emphasize the fact that all our relations should be characterized by the utmost harmony and even knightly courtesy, but in order to accomplish this end and preserve thorough amity it is indispensable that the rights and prerogatives of the members of each House should be jealously guarded and respected, that there should be no invasion on our part of the prerogatives of the Senate, and we should permit no encroachment on their part upon our rights, even when as, in this instance, they are believed to be unintentional. Upon the character of the labors and responsibilities of the members of each House we will not dwell, as any observations on so delicate a subject might be considered invidious.

It is not improper, however, to remark that a large amount of the business imposed upon all of us arises from a neglect to provide proper tribunals upon which much of the private business and Department work should devolve. Unless reforms begin at home and Senators discontinue having their private clerks paid out of the Treasury, we may reasonably expect that it will not be long before the contagion will spread to members of this House. I know that I represent a generous and liberal constituency, who are perfectly willing to grant every facility to members of both Houses in the discharge of their laborious public duties; but at the same time I apprehend they will agree with me that the tendency to multiply offices and increase needless expenses in the administration of public affairs is a growing evil. For the nation is being divided rapidly into two classes, consisting of office-holders and pensioners on one side, with tax-payers and toilers on the other.

In the early part of this session I took occasion to call attention to the advancing strides toward extravagance in the House, which in in 1876–'77, with two hundred and ninety-three members, had one hundred and ninety-one employés, with an expenditure of $203,344, while in 1883–'84, with the same number of members, the employés had increased to two hundred and fifty-four, with an expenditure of $310,631; and now, through no spirit of discourtesy or hypercriticism, I call attention to the fact that in 1873–'74, with seventy-four Senators, the expenses of the Senate were $153,744, while in 1883–'84, with seventy-six Senators, the expenses were $305,593. I have been unable to obtain the total number of employés prior to 1878–'79. In that year, with the same number of Senators as at present, the number of employés was one hundred and seventy-eight, while, if this amendment shall be accepted, their number will be two hundred and twenty-five, or about three employés to each Senator. Yet while neither good taste nor duty may warrant this House in an attempt to dictate what force should be employed by the Senate, still we should insist that it must be employed according to law, and we should never surrender a principle which affixes an inferiority even in salaries upon the members of this House. Experience has shown that the disposition of the Senate to propose amendments in the way of large appropriations to bills originating in this House is rapidly destroying the very spirit of the Constitution. So much I feel it my duty to say in explanation of my opposition to concurring in the report submitted by the committee.

The SPEAKER. The time of the gentleman from North Carolina has expired. The gentlemen from Indiana has five minutes remaining.

Mr. HOLMAN. I shall yield that time to the gentleman from North Carolina if he wishes it.

Mr. COX, of North Carolina. I do not desire to occupy more time.

Mr. CANNON. I desire to say a word.

Mr. HOLMAN. I yield the five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I desire to say a word as to the increase of force in the Pension Office referred to by the gentleman from Indiana. The House bill as it passed dropped two hundred and eighty-five clerks and copyists in the Pension Office. The Senate amendments as agreed to by this conference committee restored all of those two hundred and eighty-five people except forty-three; so that the force in the Pension Office proper by this bill as amended by the conference report is forty-three less than the force now employed.

The gentleman from Tennessee [Mr. MCMILLIN] spoke of the one hundred and fifty special agents that were provided for in this bill by the House provision which received the assent of the gentleman from Indiana [Mr. HOLMAN], as well as of the House. There is such an increase. But those agents are for duty not in the Pension Office proper, but all over the United States; being rendered absolutely necessary to bring up the investigation of the different pension claims which are now about one year behind, and we are all receiving great complaints as to that.

I did suppose before to-day that this force of two hundred and eighty-five clerks and copyists who have been receiving small pay need not be appropriated for. But the Commissioner of Pensions and the Secretary of the Interior said to the committee, and have made a statement in writing, which I hold in my hand, that owing to a recent decision of the Secretary of the Interior and the changed condition of the business of the office since the Commissioner of Pensions submitted his annual report to Congress in December last, it was necessary, if this work was to be promptly and properly done, that the Senate amendments should be agreed to.

Mr. WILLIS. What changed condition of the business does the gentleman refer to?

Mr. CANNON. There is a change in consequence of the rulings of the Secretary of the Interior touching the allowance of pensions in certain classes of claims. This caused a changed condition of business in the Pension Office.

Now, I understood my friend from Indiana to say—and I understand that to be the fact if he did not say it—that he agrees to the action of the House conferees touching the concurrence in the Senate amendments as to this force in the Pension Office.

Mr. HOLMAN. I so stated.

Mr. CANNON. Yes, sir; so I understood the gentleman. Now I want to call the attention of the House to the fact that if it had not been for the agreement as to this force in the Pension Office, then the

million of dollars of increase placed upon this bill by the Senate would have been substantially divided into two parts, the House yielding substantially half and the Senate half. But when you take $273,400 and add it to what the House had already conceded, of course it swelled the amount. I think it just and proper that should be stated.

[Here the hammer fell.]

Mr. CANNON. I will take the floor in my own right just to complete a statement or two, and will not weary the House.

As to the increases of salaries that my friend from Indiana spoke of, I have not much to say. They have been referred to by the gentleman from Texas [Mr. HANCOCK]. So far as the substance is concerned in regard to this bill, the allegation deals not in fact, but is based on imagination only. A few salaries have been slightly increased; a few salaries have been slightly decreased; it is about equal. There is one increase of salary in the report made yesterday of $500 to the medical referee, from $2,500 to $3,000, Dr. Hood being the officer.

A MEMBER. And well deserved.

Mr. CANNON. In my opinion also, well deserved. I do not desire to say anything about that.

Mr. HOLMAN. I do not think any salaries were decreased.

Mr. CANNON. Oh, yes; some salaries were decreased in one of the subtreasuries and also in one of the mints.

Now then—— [Cries of "Vote!" "Vote!"]

If my friends really feel we ought now to have a vote I will yield. I do not want to tire the House. But they had fifty-five minutes on the other side, and it occurred to me that eight minutes—and I will try not to occupy more than that altogether—was not an undue time for me to take.

Now, my friend from Indiana, whose knowledge and ability I fully appreciate, has a pretty thorough acquaintance with the civil service of this Government. He and I agree in many particulars. In some we do not agree. For instance, my friend would regulate many things under the law by withholding appropriations as a matter of policy. In the Second Auditor's Office, for instance, claims of soldiers for pay and various other claims are regulated. He thinks it would not be wise to hasten that business, because there is a large accumulation of claims that ought not to be granted. I agree that is true. But the deficiency of clerical force hinders the meritorious business as well.

In regard to the Land Office my friend concedes, and it may be true, that the land laws need regulation and amendment. Very well; if so, let us amend the land laws. But he would limit the operation of those land laws, and in my opinion to the detriment of the settler and pioneer who goes West, by limiting the force in the Land Office so as to throw their work behind. Now, I do not concur with him in that, and I do not believe that the majority of the members on either side of this House will agree with him. Yet I do not doubt his perfect sincerity.

I want to say that in perfect good faith since I have been upon the Committee on Appropriations, in the last Congress and in this, I have not willingly given my assent to any proposition unless I believed it was for the public weal. And I want to say here and now that the wonderful growth in population, in enterprise, and in prosperity of this great Anglo-American race, as it reaches out and spreads over the continent, demands at the hands of those who control the purse-strings of the Government that they make such ample and prompt appropriations as will secure the performance of the business of that Government which that race supports, and which in turn should guarantee to the people proper protection and support. [Applause.]

I believe that this conference report should be adopted. It is not all that I would have it. If I had had my way about it and had been free in the matter, I would have receded still further from the disagreement to the Senate amendments. But, after all, in conference the two branches of the Legislature must give and take. If we could have it all our own way, then there would be no need of a Senate. If the Senate could have it all their own way, then there would be no need of a House. Legislation is wisely lodged in the co-ordinate branches of Congress, the House and the Senate, and in the Executive. In the very nature of things legislation means compromise. And I believe that upon this bill and upon other bills, more especially upon this bill, the compromises have been wise.

The report of the committee of conference was then adopted.

Mr. HANCOCK moved to reconsider the vote by which the report of the committee of conference was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 875) granting a pension to P. W. Bradbury;

A bill (H. R. 2574) granting a pension to Rosella Pegg;

A bill (H. R. 4180) granting an increase of pension to Rowland Ward; and

A bill (H. R. 5088) for the relief of Magdalena Cook.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. HOLMAN. I move that the House further insist upon its disagreement to the Senate amendments numbered 21, 24, and 25 to the bill making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

Mr. HANCOCK. And I now move that the House recede from its disagreement to the Senate amendments and agree to the same.

Mr. HOLMAN. I call the previous question on both motions.

Mr. KASSON. Let the amendments be read.

The SPEAKER. They will be read, of course.

The previous question was ordered.

The amendment of the Senate numbered 21 was read, as follows:

On page 5, after the words "for miscellaneous items exclusive of labor," strike out "$10,000" and insert "$34,000."

Mr. WHITE, of Kentucky. I understand that is the amendment which gives the Senate an increased contingent fund.

Mr. HOLMAN. Let the other amendments be also read.

The amendment of the Senate numbered 24 was read, as follows:

On page 5, in line 25, strike out "$62,770" and insert "$76,770."

Mr. HOLMAN. That is merely a change of the total.

The amendment of the Senate numbered 25 was read, as follows:

Strike out these words: "*Provided*, That no part of the money appropriated by this act shall be expended for clerical services for any Senator, Representative, or Delegate in Congress."

The SPEAKER. Under the rules of the House thirty minutes are allowed for debate, fifeeen minutes on each side. The gentleman from Texas [Mr. HANCOCK] on the one side and the gentleman from Indiana [Mr. HOLMAN] on the other will be recognized to control the time for debate.

Many MEMBERS. Vote! Vote!

Mr. WHITE, of Kentucky. I ask the gentleman from Texas [Mr. HANCOCK] to yield to me.

Mr. HANCOCK. I will yield five minutes to the gentleman.

Mr. WHITE, of Kentucky. I do not think I shall occupy the five minutes, but I desire to be heard on one amendment. In addition to what the gentleman from North Carolina [Mr. COX] has said in opposition to this increase of the salaries of Senators I desire to call the attention of members of this Forty-eighth Congress to the debates which will be found upon pages 2100 to 2103 of volume 108 of the Globe for March 3, 1873.

At that time the leading members on both sides of this House, in both branches of the Forty-third Congress, after the labor of the term for which they were elected was through, appropriated to each Senator and member back pay by an increase of their salaries from $5,000 to $7,500 a year. That action by the Forty-third Congress was condemned and the salary-grabbers repudiated by the people at the polls. I remember that in my own State of Kentucky the Legislature passed resolutions condemning every Kentucky member of Congress who voted for or who dodged the vote but took that increase of salary.

Mr. DAVIS, of Illinois. Did not Massachusetts elect Ben. Butler governor after that?

Mr. WHITE, of Kentucky. And did not a subsequent Kentucky Legislature, contrary to public opinion, re-elect one of those "salary-grabbers" to the United States Senate? And did not this House, when it became Democratic, in the Forty-fourth, the Forty-fifth, and the Forty-sixth Congress, elect as its Clerk one of those "salary-grabbers?" Such things only go to show, as has been shown on this floor in regard to land grabbing, which now demands the forfeiture of unearned land grants, that in reference to these matters no one party can stand up and say that it is less guilty than the other. It has so happened that the leaders on both sides in the two branches of Congress, when there was any plundering of the Treasury to be done, have agreed upon that matter. Both parties have unscrupulous adherents, and both parties are equally guilty.

Now, the amount in question in this case is small; but the proposition for this small increase of allowance to Senators is what is known in the backwoods as an "entering-wedge" that is driven into the rail-cut preparatory for the glut which is to split the log open. The proposition is that we shall vote to the Senate a contingent fund from which to hire private secretaries, not for all Senators, but for those who are so unfortunate, perchance, as not to have already a secretary—acting as a committee clerk, but possibly doing the personal business of the chairman also.

More than that. The Senate not only uses the power it has under the Constitution to advise and consent to nominations by the President, but it lays its hands upon the House of Representatives and appoints a Senator's son and Senator's brother to the subordinate positions of this House.

In the Forty-fourth Congress, as I remember very well, the most intelligent colored man in this Capitol was removed by the Democratic Clerk of the House from his position in the library of the House; but when it was ascertained that a Democrat competent to perform the duties could not be found, that colored man was, on motion of the gentleman from Indiana [Mr. HOLMAN], reappointed to his place. But this House has gone a step farther and put a kinsman, a brother, as I understand, of a Democratic Senator in the place of that colored man, the

latter being retained in a subordinate position possibly in order to "coach" the other. I am constrained to believe that the duties of the position were never better performed than in the Forty-fourth Congress when the place was held by this colored man, who by virtue of long service and faithful performance of duties for which he was so well fitted should never have been removed.

The SPEAKER. The time of the gentleman from Kentucky has expired.

Mr. WHITE, of Kentucky. This is a step in the direction of additional salaries. [Cries of "Regular order!"]

The SPEAKER. The first question is upon the motion of the gentleman from Texas [Mr. HANCOCK] that the House recede from its disagreement to the amendment of the Senate and agree to the same.

Mr. HOLMAN. I feel obliged to ask for the yeas and nays on this question.

Mr. WHITE, of Kentucky. Let us have the yeas and nays. We have plenty of time. We are obliged to wait for the conference reports to come in.

A MEMBER. It is now half past 1 o'clock.

Mr. WHITE, of Kentucky. There is no necessity for hurrying. There is a great principle involved in this case.

The question being taken on ordering the yeas and nays, there were—ayes 24, noes 90.

Mr. LONG. I call for tellers on ordering the yeas and nays.

Tellers were ordered; and Mr. LONG and Mr. HOLMAN were appointed.

The House again divided; and the tellers reported—ayes 41; more than one-fifth of the last vote.

So the yeas and nays were ordered.

The question was taken; and there were—yeas 72, nays 93, not voting 159; as follows:

YEAS—72.

Adams, G. E.	George,	Johnson,	Price,
Atkinson,	Goff,	Kean,	Ranney,
Bayne,	Graves,	Lacey,	Robinson, J. S.
Belford,	Greenleaf,	Libbey,	Rosecrans,
Boutelle,	Hancock,	Lore,	Rowell,
Breckinridge,	Hatch, H. H.	Lyman,	Shelley,
Brewer, J. H.	Hemphill,	McCoid,	Skinner, C. R.
Broadhead,	Henderson, T. J.	McCormick,	Spooner,
Calkins,	Henley,	Mitchell,	Steele,
Cutcheon,	Hepburn,	Morrill,	Stewart, J. W.
Davis, G. R.	Hewitt, G. W.	Muldrow,	Sumner, C. A.
Davis, R. T.	Hiscock,	Ochiltree,	Thomas,
Dibble,	Horr,	O'Neill, Charles	Valentine,
Ellis,	Houseman,	O'Neill, J. J.	Vance,
Evans, I. N.	Howey,	Parker,	Wadsworth,
Ferrell,	Hunt,	Perkins,	White, Milo
Funston,	James,	Peters,	Whiting,
Garrison,	Jeffords,	Potter,	Woodward.

NAYS—93.

Adams, J. J.	Follett,	Neece,	Turner, H. G.
Alexander,	Foran,	Nutting,	Turner, Oscar
Bagley,	Forney,	O'Hara,	Van Alstyne,
Bennett,	Gibson,	Pierce,	Van Eaton,
Blount,	Glascock,	Pusey,	Wallace,
Brewer, F. B.	Guenther,	Randall,	Warner, Richard
Browne, T. M.	Halsell,	Ray, G. W.	Washburn,
Brown, W. W.	Hatch, W. H.	Reed,	Weaver,
Buchanan,	Herbert,	Reese,	Wellborn,
Budd,	Hoblitzell,	Rockwell,	Weller,
Burnes,	Holman,	Rogers, J. H.	White, J. D.
Caldwell,	Jones, B. W.	Seney,	Williams,
Cannon,	Jones, J. H.	Seymour,	Willis,
Carleton,	Jordan,	Smalls,	Wilson, James
Cassidy,	Kleiner,	Springer,	Wilson, W. L.
Clay,	Laird,	Stephenson,	Winans, E. B.
Cosgrove,	Lanham,	Stewart, Charles	Winans, John
Cox, W. R.	Lawrence,	Strait,	Wolford,
Crisp,	Le Fevre,	Struble,	Wood,
Culberson, D. B.	Lovering,	Sumner, D. H.	Yaple,
Dargan,	Lowry,	Taylor, J. D.	York.
Dowd,	McMillin,	Taylor, J. M.	
Eaton,	Maybury,	Tillman,	
Finerty,	Miller, J. F.	Townshend,	

NOT VOTING—159.

Aiken,	Chace,	Ellwood,	Hurd,
Anderson,	Chalmers,	English,	Hutchins,
Arnot,	Clardy,	Ermentrout,	Jones, J. K.
Ballentine,	Clements,	Everhart,	Jones, J. T.
Barbour,	Cobb,	Evins, J. H.	Kasson,
Barksdale,	Collins,	Fiedler,	Keifer,
Barr,	Connolly,	Findlay,	Kelley,
Beach,	Converse,	Fyan,	Kellogg,
Belmont,	Cook,	Geddes,	Ketcham,
Bingham,	Covington,	Green,	King,
Bisbee,	Cox, S. S.	Hammond,	Lamb,
Blackburn,	Culbertson, W. W.	Hanback,	Lewis,
Blanchard,	Cullen,	Hardeman,	Long,
Bland,	Curtin,	Hardy,	McAdoo,
Bowen,	Davidson,	Harmer,	McComas,
Boyle,	Davis, L. H.	Hart,	Matson,
Brainerd,	Deuster,	Haynes,	Millard,
Breitung,	Dibrell,	Henderson, D. B.	Miller, S. H.
Brumm,	Dingley,	Hewitt, A. S.	Milliken,
Buckner,	Dockery,	Hill,	Mills,
Burleigh,	Dorsheimer,	Hitt,	Money,
Cabell,	Duncan,	Holmes,	Morgan,
Campbell, Felix	Dunham	Holton,	Morrison,
Campbell, J. M.	Dunn,	Hooper,	Morse,
Campbell, J. E.	Eldredge,	Hopkins,	Moulton,
Candler,	Elliott,	Houk,	Muller,
Murphy,	Poland,	Shaw,	Throckmorton,
Murray,	Post,	Singleton,	Tucker,
Mutchler,	Pryor,	Skinner, T. G.	Tully,
Nelson,	Rankin,	Slocum,	Wait,
Nicholls,	Ray, Ossian	Smith,	Wakefield,
Oates,	Reagan,	Snyder,	Ward,
O'Ferrall,	Rice,	Spriggs,	Warner, A. J.
Paige,	Riggs,	Stevens,	Wemple,
Patton,	Robertson,	Stockslager,	Wilkins,
Payne,	Robinson, W. E.	Stone,	Wise, G. D.
Payson,	Rogers, W. F.	Storm,	Wise, J. S.
Peel,	Russell,	Talbott,	Worthington
Pettibone,	Ryan,	Taylor, E. B.	Young.
Phelps,	Scales,	Thompson,	

So the House refused to recede from its disagreement.

The following additional pairs were announced:

Mr. PRYOR with Mr. KASSON, until further notice.

Mr. GEORGE D. WISE with Mr. SPOONER, for the rest of the day.

Mr. BARKSDALE with Mr. MCCOMAS, for the rest of the day.

The vote was then announced as above recorded.

Mr. CALKINS. I do not know whether when Mr. HUTCHINS went away he understood I was to vote in case there was not a quorum.

The SPEAKER. The gentleman had better let his vote stand, as there is barely a quorum.

Mr. HOLMAN. I am, as it were, in charge of the pair of the gentleman from New York [Mr. HUTCHINS], and I will relieve the gentleman from Indiana from any scruples about letting his vote stand.

Mr. CALKINS. Very well.

Mr. HOLMAN's motion that the House still further insist on its disagreement to the Senate amendments was agreed to.

Mr. HOLMAN. I move that the House further insist on its disagreement and ask for a further conference between the two Houses.

The motion was agreed to; and the Speaker appointed as managers of said conference on the part of the House Mr. HOLMAN, Mr. HANCOCK, and Mr. CANNON.

FORTIFICATION BILL.

Mr. RANDALL. I submit a privileged report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7440) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9 and 10.

That the House recede from its disagreement to the amendments of the Senate numbered 6 and 7, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, and 3, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"For the purchase of machine-guns of the latest improvement, $20,000.

"For the armament of seacoast fortifications, including the manufacture and conversion of heavy guns and carriages, projectiles, fuses, powder, and implements, their trial and proof, and all necessary expenses incident thereto, including compensation of draughtsmen on gun construction while employed in the Ordnance Bureau, $400,000, and not exceeding $15,000 thereof may be used for the expenses of experiments in the use of dynamite or other high explosive projectiles."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: Strike out from said amendment the following words: "Said sum to be expended under the direction of the Secretary of War;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out and the matter proposed to be inserted by said amendment insert the following: "And to make the same known to manufacturers of ordnance on their application, and to report the same to Congress at its next session for its approval;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following:

"SEC. 2. That hereafter all rifled cannon of any particular material, caliber, or kind, made at the cost of the United States, shall be publicly subjected to the proper test, including such rapid firing as a like gun would be likely to be subjected to in actual battle, for the determination of the endurance of the same, to the satisfaction of the President of the United States or such persons as he may select; and he is hereby authorized to select not to exceed five persons, who shall be skilled in such matters; and if such guns shall not prove satisfactory, they shall not be put to use in the Government service."

And the Senate agree to the same.

SAMUEL J. RANDALL,
WILLIAM H. FORNEY,
J. WARREN KEIFER,
Managers on the part of the House.
JOHN A. LOGAN,
H. L. DAWES,
F. M. COCKRELL,
Managers on the part of the Senate.

The report was concurred in.

The SPEAKER. The Clerk will read the statement accompanying the report.

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the bill (H. R. 7440) making appropriations for fortifications, and for other purposes, for 1885, submit the following written statement in explanation of the conference report:

The bill as agreed upon appropriates $700,000; being $100,000 less than as it passed the Senate and $105,000 greater than as it passed the House. It appropriates $30,000 more than the law for 1884 and $300,000 less than the estimates for 1885.

SAM. J. RANDALL,
WM. H. FORNEY,
Managers on the part of the House.

Mr. RANDALL. Mr. Speaker, the report itself explains very fully the exact condition of the bill at this time; but I want to say a word in another direction, and I say it on the first appropriate opportunity that is presented to me. Since time has been allowed me to make an examination I find that I was in error, and I say it so that there may be no mistake hereafter. I allude to the bursting of three cannons to which I referred some time ago.

Gentlemen present may remember that there was a controversy on that point in the House. I was in error in the statement I then made, and it was not surprising that I was led into an error; for it appears that three cannon of the same kind, but not three of the four—these were two of 8-inch and one of 11-inch, the cannon as stated by the gentleman from Louisiana [Mr. ELLIS] ordered by act of Congress; those were never finished, being condemned before completion. The Government advanced some $58,000 upon them to the South Boston Iron Company and $48,000 to another firm. Subsequently there was legislation which checked the further progress of the manufacturing of these guns.

Mr. ELLIS. The steel was also condemned by General Benét.

Mr. RANDALL. But there was also legislation upon the subject, as I recollect. General Benét, however, condemned as well the steel, and in consequence of the misfortune of the firm manufacturing one or more of these guns the Government lost this loan of $58,000. The other part, the steel part, condemned by General Benét, cost $48,000; so that I think the Government lost by that matter alone about $106,000.

Mr. ELLIS. I think about that sum.

Mr. RANDALL. I make the statement now, as I always love to correct myself when I am in error.

The SPEAKER. The question is upon the adoption of the conference report.

The conference report was agreed to.

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

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. If there be no further reports of conference committees the gentleman from Alabama is entitled to the floor for thirty minutes.

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

Mr. RANDALL. I hope not, Mr. Speaker. I have the conference report on the sundry civil bill in my hand; and as soon as the Senate returns the bill to the House I shall be ready to present it.

Mr. HEWITT, of Alabama. Let us take a recess for ten or fifteen minutes.

Mr. RANDALL. I am afraid if that is done members will go away from the Hall.

Mr. HEWITT, of Alabama. I do not insist upon the motion.

Mr. WHITE, of Kentucky. Mr. Speaker, by the vote that has just been taken on the disagreement between the Senate and the House conferees on the legislative bill I think it must be pretty clear that we shall not conclude our labors to-night. It is now past 2 o'clock in the morning, and there is no quorum here.

Mr. LYMAN. Oh, yes; there was a quorum present on the last vote.

Mr. WHITE, of Kentucky. Evidently there is not a quorum within the Hall at the present time, no matter what may have been here on the last vote.

The SPEAKER. What motion does the gentleman make?

Mr. WHITE, of Kentucky. I move that the House do now adjourn.

The motion was not agreed to.

Mr. HEWITT, of Alabama. I yield to the gentleman from Illinois [Mr. SPRINGER] for a moment.

Mr. HOLMAN. Will the gentleman from Alabama allow me a moment?

Mr. HEWITT, of Alabama. Not out of my time. [Cries of "Regular order!"]

Mr. SPRINGER. I desire to ask unanimous consent—— [Cries of "Regular order!"]

The SPEAKER. The regular order is demanded all over the House.

Mr. SPRINGER. If gentlemen will hear me a moment I want to ask unanimous consent to make a statement [cries of "Regular order!"], and I am doing this in the interest of the business pressed upon me by my committee. I desire to state it to the House and ask their consent—— [Cries of "Regular order!"]

The SPEAKER. The Chair would recognize the gentleman but can not, since the regular order is demanded. The gentleman from Alabama is entitled to the floor.

Mr. HEWITT, of Alabama. Mr. Speaker, I would like to ask unanimous consent to take from the Speaker's table one or two House bills with Senate amendments granting pensions.

Mr. HERBERT. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. HERBERT. Some ten or twelve days ago the House passed, as a substitute for the Senate bill, a bill to count the electoral vote. That was forwarded to the Senate and the Senate rejected the substitute. Thereupon conferees were appointed. These conferees have not reported to the House, as I understand.

I am informed that the Senate conferees have made a report to that body of disagreement. If there has been a disagreement, I desire to ask the Chair if it is not the duty of the conferees on the part of the House to report the subject back, in order that the House may be placed in possession of it.

The SPEAKER. The Chair does not think that is a parliamentary inquiry.

Mr. RANDALL. Has the notice been given to the House of a disagreement?

Mr. EATON. I would like to say a word in reply to the lecture of the gentleman from Alabama.

Mr. HEWITT, of Alabama. This does not come out of my time.

Mr. EATON. In the first place, the gentleman is mistaken when he says that the report has been made in the Senate.

Mr. HERBERT. I was informed by one of the conferees it had been made.

Mr. EATON. The statement was made, I am informed by Mr. HOAR, one of the conferees on the part of the Senate, that the conferees had not yet been able to agree; that is all.

Mr. RANDALL. If the report was made to the Senate, it would have to come here before we could act upon it.

Mr. HERBERT. I think the House should have possession of that subject, so as to take such action as it sees proper. I wanted to call the attention of the House to it.

The SPEAKER. The gentleman from Alabama is entitled to the floor and has thirty minutes of his time remaining.

Mr. HEWITT, of Alabama. I ask unanimous consent to take from the Speaker's table a couple of bills——

Mr. WHITE, of Kentucky. I call for the regular order. That is not part of the gentleman's speech.

The SPEAKER. The gentleman from Kentucky calls for the regular order, which is equivalent to an objection.

MEXICAN-WAR PENSIONS.

Mr. HEWITT, of Alabama. When I yielded to the gentleman from Indiana [Mr. HOLMAN] for a conference report I was stating that the precedents for service pensions had in view distance of time from the war, the lapse of time from the close of the war, and not the age or the disability of the soldier. In the case of the Revolutionary soldiers it was thirty-five years after the close of the war that the service pension was granted.

But, Mr. Speaker, in granting that pension it was granted not to persons that were disabled, but to such soldiers as had served such a length of time in the war of the Revolution, and to all that class without distinction of age or disability. In the war of 1812 some fifty-odd years had elapsed from the close of the war to the time when the pension was granted. About the year 1858, thirty-five or forty years after the close of that war, this House passed a bill granting pensions to all soldiers of that war, regardless of the disability or age of the soldiers. The pensions were conferred upon all of them that had served for sixty days. That bill was defeated in the Senate in consequence of an extravagant statement made by the then Commissioner of Pensions. The war then came and the granting of those pensions was postponed until 1871.

Thirty-seven years after the close of the Mexican war, following the precedents that have been made upon this subject, I have favored the pensioning of the soldiers of that war and of the Indian wars prior to the war with Mexico, making no distinction between them as to age, as to poverty, or as to disability, and following strictly the precedents. But, Mr. Speaker, if these precedents are to be laid aside and a departure is to be taken from them, then I shall never vote to pension any of the soldiers of the Indian wars or of the Mexican war either. If we are not to follow the precedents, then let us stand upon the invalid-pension system, and let us carry that out and do justice to the soldiers under that system.

Mr. WHITE, of Kentucky. Will the gentleman yield to me for a question?

Mr. HEWITT, of Alabama. If it comes out of my time I can not.

Mr. WHITE, of Kentucky. I yield the time for it out of my time.

Mr. HEWITT, of Alabama. The gentleman has no time to yield. The gentleman has heretofore occupied all the time he has had in this House.

Mr. WHITE, of Kentucky, rose.

The SPEAKER. The gentleman from Alabama declines to yield.

Mr. HEWITT, of Alabama. There is another objection to this bill. I call the attention of my friend from Indiana [Mr. BROWNE] to the amendment to the second section of this bill. He will remember that when the rules were suspended and the Townshend bill passed he objected to that bill upon the ground that a soldier that served in the Mexican war and afterward joined the Union Army and was wounded and was drawing a pension on account of that wound in the Union service was excluded by that bill from a pension; and he objected to it upon that ground. The gentleman was mistaken in his objection. That bill which the gentleman from Illinois [Mr. TOWNSHEND] intro-

duced and which the Committee on Pensions reported gave the soldier in the Mexican war who afterward joined the Union Army and was wounded and was receiving a pension for that wound, it gave him in addition to that $8 a month.

Mr. STEELE. Will the chairman of our committee yield to me to say that we did not report the Townshend bill? Mr. TOWNSHEND took our bill.

Mr. HEWITT, of Alabama. That is true. Now a Republican Senate, professing to be the peculiar friend of the Union soldiers of this country, strikes that out and excludes the Mexican soldier who afterward volunteered and went into the Union Army. If he is receiving a pension, it denies him a pension for his services in the Mexican war.

I ask you gentlemen who have been struggling here day after day and hour after hour, are you willing to strike in this way at the Mexican soldier who did service in the Union Army—are you willing to deny him a pension for services in the Mexican war because you find he gets a pension for his wounds received in the service of the Union?

There is another objection, and it has been urged by my friend from Indiana [Mr. STEELE] and by my friend from Iowa [Mr. STRUBLE] against the passage of the Mexican bill. I do not believe I violate the secrecy of the committee-room and I do not think the gentleman will object to it when I say that one of the grounds of objection to the bill was that there were over 200,000 applications of soldiers who had been wounded or claimed to have been wounded for pensions in your Pension Bureau, lying there year after year, to be disposed of; and it was said that if we passed this Mexican pension bill it would come in the way and postpone these matters. The idea was to wait until these applications that have now accumulated there in the Pension Bureau had been disposed of, so as not to interfere with them. That was the objection urged then.

Mr. STEELE. Our objection was that you were willing to provide for pensioning soldiers who fought against us, but you would not provide the means for giving pensions to those who fought for us.

Mr. HEWITT, of Alabama. I know that was one of your objections. You not only want to put all these Mexican soldiers on the pension-rolls, but you put in another class of soldiers, soldiers that were not wounded in your service, soldiers who did not contract disease in your service that disabled them; a class that may now be disabled for some cause not at all connected with the service. You want to admit their claims and place them in the Pension Bureau, and so retard the progress of action upon the applications that are now there for invalid pensions, for men who ought to have been pensioned years ago.

Mr. STEELE. This bill will pension all disabled soldiers.

Mr. HEWITT, of Alabama. You put a new class of applications in the Pension Office; you extend your pension-list. Now, why should not this bill be resisted? Can any gentleman tell me what this bill is going to cost the country?

Mr. JOSEPH D. TAYLOR. I can.

Mr. HEWITT, of Alabama. No; you can not.

Mr. JOSEPH D. TAYLOR. I can tell you.

Mr. HEWITT, of Alabama. I do not want to hear it now.

Mr. JOSEPH D. TAYLOR. You asked a question and I want to answer it.

Mr. HEWITT, of Alabama. I will answer it for you.

Mr. JOSEPH D. TAYLOR. Then you ought to do that.

Mr. HEWITT, of Alabama. My dear sir, I want some official data.

Mr. JOSEPH D. TAYLOR. I will give you official data.

Mr. HEWITT, of Alabama. The gentleman is the representative of a good large number of soldiers in his district who would like to have pensions, and the gentleman would like to get that soldier vote. Therefor I would look with some degree of caution upon any estimate he would make.

Mr. JOSEPH D. TAYLOR. Will you allow me, then, to ask you just one question?

Mr. HEWITT, of Alabama. Certainly.

Mr. JOSEPH D. TAYLOR. Did you not, at the time we were considering the Mexican pension bill which you reported, when we had an all night session——

Mr. HEWITT, of Alabama. The time you were resisting it.

Mr. JOSEPH D. TAYLOR. Yes, sir. Did you not say that you would support measures which were substantially the same as the Senate amendments to this bill, provided they were brought in at another time and not annexed to this bill?

Mr. HEWITT, of Alabama. No; I did not say that.

Mr. JOSEPH D. TAYLOR. That you had no objection to them?

Mr. HEWITT, of Alabama. I told you then, and I tell you now, and I will tell the country now, that I am ready to support a bill that will give widows pensions of $12 a month.

Mr. BROWN, of Pennsylvania. Does not this bill do that?

Mr. HEWITT, of Alabama. It does a great deal more than that.

Mr. BROWN, of Pennsylvania. And so——

Mr. HEWITT, of Alabama. I would like to yield, but I have not time.

Mr. BROWN, of Pennsylvania. I only want to prompt you on this bill.

Mr. HEWITT, of Alabama. I do not need prompting; I understand it, I think. I also favored an amendment which makes the reception of a soldier by the Government in its service *prima facie* evidence that he was sound when he entered that service.

Mr. JOSEPH D. TAYLOR. That is in this bill.

Mr. HEWITT, of Alabama. That is in this bill, and I approve it. But I want to tell you gentlemen that we passed such a provision through this House a good long while ago. Now, if your Republican Senators over there were so much in favor of it, why did they put it on a bill which they knew could not be passed?

Mr. JOSEPH D. TAYLOR. How did they know you were going to oppose it here.

Mr. HEWITT, of Alabama. They knew it could not pass; they did not want it to pass, and a great many of you do not want it to pass.

Mr. WHITE, of Kentucky. You will probably hear from the soldiers this fall.

Mr. HEWITT, of Alabama. I have many a Union soldier in my district. I have in my district two counties that furnished two regiments of soldiers for your service. And I want to have the gentleman understand that those Union soldiers are my warm friends. I am not an enemy of the Union soldier, and all of you who have served with me on the Pensions Committee know that I am not.

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

Mr. HEWITT, of Alabama. Certainly.

Mr. CUTCHEON. Will the gentleman now withdraw his point of order against this bill, and allow it to be considered and passed upon section by section, without making any point of order?

Mr. HEWITT, of Alabama. I will tell the gentleman now that so far as I am concerned he may repass the bill if he wants to, and then I would advise him to go over to his Republican friends in the Senate and test them there, and ask them to pass the bill we have already sent there, and see whether they are for it or not. It is not necessary for them to pass another bill and send it over here.

Mr. PETERS. Allow me to ask the gentleman from Alabama——

Mr. HEWITT, of Alabama. If you will extend my time I will talk all night and answer all your questions.

Mr. CUTCHEON. The gentleman has not answered my question whether he will now withdraw his point of order.

Mr. HEWITT, of Alabama. There is too much that is wrong in this bill now; of course I can not do that. I say that if there was a desire upon the part of the friends of the Union soldiers to pass this bill, why was it delayed from the 3d of March until a few days ago before it was sent back to this House from the Senate?

Will you go before your Union soldiers and explain to them why those who profess to be their particular friends delayed this measure until an hour when they knew it would be impossible to pass the bill, if it was to be allowed any decent consideration?

Mr. JOSEPH D. TAYLOR. Will the gentleman allow me to answer a question which he asked?

Mr. HEWITT, of Alabama. No; I can not yield now.

Mr. Speaker, there is here presented to the country the extraordinary spectacle of an attempt to force through this House without debate and without consideration in the very last hours of the session a bill which in my opinion will involve an expenditure of from fifty to sixty million dollars per annum; which will saddle upon this country a debt of two thousand million dollars. Are you willing to go to the country in this Presidential race and tell the tax-paying people that you voted to pass without discussion or deliberation a bill which would saddle upon them a debt of two thousand millions?

Mr. WHITE, of Kentucky, rose.

Mr. HEWITT, of Alabama. Take your seat, my dear friend; you have occupied enough time already.

Now I repeat, Mr. Speaker, there is not a reasonable thinking man in the North who will not indorse the resistance to the passage of this measure under the gag. I do not believe that any of the noble soldiers who fought in the war from love of country will approve such a measure being forced through in this way.

Mr. STEELE. The other bill was forced through.

Mr. HEWITT, of Alabama. One wrong does not justify another. That is a sufficient answer on that point.

Mr. PETERS. Will the gentleman from Alabama allow me——

Mr. HEWITT, of Alabama. Mr. Speaker, how much more time have I? When that question is answered I can decide whether I will yield.

The SPEAKER. The gentleman has nine minutes.

Mr. HEWITT, of Alabama. Then I can not yield.

Mr. PETERS. We will extend your time.

Mr. HEWITT, of Alabama. If you will extend my time I will answer.

Mr. PETERS. Will not the gentleman allow this bill to be considered and passed with the provisions he approves, and let it go to the Senate, trusting to their good faith as to whether they will or will not concur?

A MEMBER. We want to get the bill into a conference.

Mr. HEWITT, of Alabama. My dear sir, do you not know that you

have a Presidential race just ahead of you? Do you not know that you have a Congressional race just ahead of you?

A MEMBER. We will take our chances upon that.

Mr. HEWITT, of Alabama. Do you suppose that we could trust you or my Democratic friends here from the North on that subject during a political excitement? I tell the gentleman that when the Presidential race and the Congressional race are over we will then consider this bill.

Mr. WHITE, of Kentucky. You are making a political question of the matter.

Mr. HEWITT, of Alabama. Gentlemen on the other side want to make it a political question; I do not. This question should not be carried into the Presidential race. I do not believe that any man can be justified in legislating for the promotion of party interests or party success.

Mr. PETERS. I simply propose that the bill be passed here with the provisions which the gentleman approves and sent to the Senate.

Mr. HEWITT, of Alabama. I do not believe in that kind of legislation.

Mr. PETERS. You have said you approved increasing the pensions of widows.

Mr. HEWITT, of Alabama. I do; and I will vote for that measure at any time. If you will detach it from this bill, I will give it my hearty support. But from what we have seen during this Congress, it is wholly unnecessary to send such a bill to your Republican friends in the Senate.

Mr. PETERS. Let us try them and place the responsibility on the Republican party.

Mr. HEWITT, of Alabama. We have already tried them. We sent them in this bill one or two provisions which they could have passed and ought to have passed in the interest of the Union soldiers of the country, but they refused to do so.

Mr. BROWNE, of Indiana. They have passed them.

Mr. HEWITT, of Alabama. How have they passed them? They have put the bill in a shape in which they knew it could not be passed; and one Senator declared it was done to defeat the bill; that the bill was loaded down for the purpose of defeating it.

I repeat, Mr. Speaker, that my opposition to this bill is not on account of any hostility to the Union soldiers of this country.

Mr. WHITE, of Kentucky. You have been fighting this bill for four days.

Mr. HEWITT, of Alabama. And that to your mind is evidence that I am an enemy of the Union soldier? It is a hard matter for you gentlemen on the other side to believe that a man who fought you in the late war can entertain a good opinion of your soldiers. You never committed a greater mistake in your lives than in entertaining the idea that we cherish any hostility toward those men. The Union soldiers have warm and firm friends among the soldiers in the Southern confederacy.

Mr. O'NEILL, of Missouri. This is Sunday, and let us stop politics and attend to business. [Laughter.]

Mr. HEWITT, of Alabama. My opposition, sir, has not been on any such ground. My opposition has been against forcing a bill through of so much importance to the people of this country in the last hours of the session.

I reserve the remaining portion of my time.

The SPEAKER. The gentleman has four minutes remaining.

Mr. BROWNE, of Indiana. I do not know whether the House is in a temper to hear a calm and candid discussion of this matter or not. I confess I am somewhat surprised the gentleman from Alabama should oppose the consideration of this bill upon the ground, as he alleges, that sufficient time for its examination has not been given by this side of the House. Does the gentleman remember when this original bill was introduced it was passed by this House over our protest under a suspension of the rules, cutting off all amendments, limiting the debate to but thirty minutes?

Mr. HEWITT, of Alabama. I was opposed to that at that time.

Mr. BROWNE, of Indiana. I protested this act should not be passed, taking, according to the estimate of the Commissioner of Pensions, not less than $54,000,000 from the Treasury, without giving the House an opportunity to discuss the measure and offer amendments. The gentleman supported the bill then.

What next? The gentleman opposes the second section of this bill because it does not give a pension to a soldier who may have served in the Mexican war and who subsequently in the Union service may have received a wound by reason of which he is entitled to a pension of $8 a month. I am surprised at that, because, if I remember correctly, the very bill the gentleman brought into this House excluded from pensions that very class of soldiers.

Mr. HEWITT, of Alabama. That is a mistake.

Mr. BROWNE, of Indiana. If I am mistaken in regard to the provision of the gentleman's bill I am not mistaken in regard to this, that every Mexican pension bill brought into this House by gentlemen on the other side, from the Forty-fifth Congress to the present time, contained the identical provision contained in this bill.

Mr. HEWITT, of Alabama. Will the gentleman yield to me for a moment?

Mr. BROWNE, of Indiana. Certainly.

Mr. HEWITT, of Alabama. On my own motion that provision of the bill which had been introduced by myself and others, which in operation would have excluded Union soldiers, was stricken out. If you will examine my report you will find the reason why it was done.

Mr. BROWNE, of Indiana. I am not mistaken in the historical fact that every Mexican pension bill which has been brought into this House from and including the Forty-fifth Congress up to the present time contained this provision. The gentleman stated it was stricken out on his own motion.

Mr. HEWITT, of Alabama. The bill brought in by the committee did not contain it.

Mr. BROWNE, of Indiana. In the first place Mexican soldiers were placed on an exact equality with those who served in the Union army in the war of the rebellion. The disabled Mexican soldier is entitled to the same rate of pension with the Union soldier. The general law puts them on terms of perfect equality in that regard. It makes no discrimination whatever between the two classes of soldiers.

What is the gentleman's bill, and what is this? He protests now, as I understand him, against purely service pensions. But the gentleman's bill provided for a service pension to every soldier in the Mexican war who simply appeared on some muster-roll of the army during the Mexican war.

He does not by this bill require any service whatever, and yet the fact has been developed in this debate that quite 40 per cent. of all the enlistments in the Mexican service were made after the last battle of that war had been fought.

But the gentleman was not willing to stop there. He put in his drag-net in the shape of his Mexican war pension bill and took into it all the Indian wars in which the United States had been engaged, and I was even surprised that he did not provide for the blood-hounds that Van Buren imported from Cuba to hunt down fugitive negroes in the Florida swamps. He ought to have provided for them, for they doubtless rendered very efficient service in that direction.

Mr. HEWITT, of Alabama. I would like to ask the gentleman where he read that history or got the information from?

Mr. BROWNE, of Indiana. And his bill, covering the Mexican war and all of the Indian wars and all of the disturbances in the Southern States in the shape or nature of wars, gave a pure service pension, and nothing else.

Now, how has this bill been improved in that regard? It still retains the service provision, but cuts out in the first place the Indian wars. That is the saving. Not only that, but it was proper to be done for reasons I could give if I had time to enter into the history of these wars, because it deprives of a pension, it excludes from a pension, a class of soldiers that did not know service and who attempted to perform no service. I have a letter from a citizen of my own State, who informs me that in a certain city in that State a company was made up for the Mexican war, but remained in camp in the city in which it was enlisted a sufficient length of time to entitle them to pension under the general bill; and that they never left the city of their enlistment. They never crossed the Ohio River. They were never *en route* to the scene of conflict; and this bill, therefore, is greatly improved in this, that it requires that the applicant for a pension shall have either participated in a battle in that war or shall have served at least fourteen days in Mexico or on the frontiers of Mexico, or shall have been *en route* for the field of action.

The gentleman objects that this bill as amended by the Senate extends the provisions of the pension laws to widows who were not at the time of the service the wives of the soldiers.

The SPEAKER. Will the gentleman from Indiana suspend to receive a message from the Senate and a conference report?

Mr. BROWNE, of Indiana. Certainly, reserving my time.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) making appropriations for the sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

Also, that the Senate further insisted on certain amendments specified to said bill disagreed to by the House of Representatives.

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

A bill (S. 2203) to donate a cemetery site on the public lands to the city of Kirwin, in the State of Kansas.

ENROLLED BILL SIGNED.

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

A bill (S. 28) to confirm the status of John N. Quackenbush as a commander in the United States Navy.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. I now call up the message from the Senate and desire to submit a conference report on the sundry civil appropriation bill.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 7, 9, 18, 21, 24, 27, 28, 29, 31, 32, 50, 53, 54, 55, 57, 58, 59, 60, 61, 65, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 88, 89, 90, 91, 92, 93, 95, 96, 99, 100, 101, 103, 107, 108, 110, 115, 116, 119, 125, 127, 129, 130, 131, 132, 143, 144, 145, 151, 154, 159, 160, 166, 168, 171, 172, 174, 175, 179, 180, 182, 183, 189, 197, 199, 202, 203, 204, 206, 207, 208, 209, 210, 213, 214, 215, 216, 226, 231, 232, 233, 234, 236, 237, 241, 242, 244, 245, 248, 249, 250, 251, and 252.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 6, 8, 10, 11, 12, 13, 15, 16, 17, 19, 20, 22, 23, 25, 26, 30, 33, 34, 35, 39, 41, 42, 43, 44, 45, 46, 47, 49, 51, 52, 56, 62, 63, 66, 67, 87, 94, 102, 104, 105, 111, 112, 113, 118, 121, 123, 133, 134, 136, 138, 139, 140, 141, 142, 147, 148, 150, 152, 155, 156, 162, 164, 165, 167, 169, 170, 173, 178, 181, 184, 185, 186, 187, 190, 192, 193, 194, 196, 198, 200, 205, 211, 212, 217, 218, 219, 221, 222, 223, 225, 230, 235, 238, 239, 247, 259, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 302, 303, and 304; and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$5,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 4 and 5, and agree to the same with amendments as follows: In lieu of the sum proposed in each of said amendments insert "$7,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$125,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 36, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$140,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: At the end of said amendment insert the following: "*Provided*, That a report in detail of all such inspection shall be made to the Secretary of the Treasury, who shall annually transmit the same to Congress;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 48, and agree to the same with an amendment as follows: Strike out the amended paragraph; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$170,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 97, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$120,600;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 98, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$14,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 106, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendment insert the following: "And hereafter, whenever it is practicable, contracts for the transportation of moneys, bullion, coin, notes, bonds, and other securities of the United States, and paper, shall be let to the lowest responsible bidder therefor after notice to all parties having means of transportation;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 114, with an amendment as follows: In lieu of the sum proposed in said amendment insert "$20,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 120, and agree to the same with an amendment as follows: In lines 7 and 8 of said amendment strike out the words "not to exceed one hundred thousand dollars;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 122, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following: "To establish and maintain quarantine stations, and to provide proper shelter for and care of neat cattle imported, at such ports as may be deemed necessary, $25,000, to be expended by the Commissioner of Agriculture under the supervision of the Secretary of the Treasury;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 124, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "To enable the several Executive Departments, the Department of Agriculture, and the Smithsonian Institution to participate in the World's Industrial and Cotton Centennial Exposition to be held at New Orleans, La., under act of Congress of February 10, 1883, as follows: For the War Department, $15,000; for the Navy Department, $10,000; for the State Department, $10,000; for the Treasury Department, $12,000; for the Interior Department, $125,000; for the Post-Office Department, $10,000; for the Department of Agriculture, $25,000; for the Department of Justice, $3,000; for the Smithsonian Institution (including the National Museum and Commission of Fish and Fisheries), $75,000; for necessary incidental expenses of administration by the board, including office rent, fuel, gas, stationery, telegrams, and expressage, $15,000; in all, $300,000; to be disbursed under the direction of the board of United States Executive Departments appointed under executive order of May 13, 1884; and no expense of any kind beyond the amounts herein provided for shall be incurred by any of the said Departments or any officer thereof on account of said exposition.

"To enable the several Executive Departments of the Government, including the Department of Agriculture and the Smithsonian Institution, to participate in the Cincinnati Industrial Exposition, to be held at Cincinnati, Ohio, during the months of September and October, 1884, $10,000; and to participate in the Southern Exposition, to be held at Louisville, Ky., from August 16, to October 25, 1884, $10,000; in all $20,000: *Provided*, That in case more than the said sums is required for the execution of this provision the same shall be paid by said expositions."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 126, and agree to the same with an amendment as follows: In lines 7 and 8 of the amendment strike out the words "amounting to $47,362;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 128, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$21,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 135, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following: "For constructing terraces north of the Capitol, section marked A, as shown on printed plan accompanying the letter of the Secretary of the Treasury (Executive Document No. 9, first session Forty-eighth Congress), $60,000, including wages of mechanics and laborers: *Provided*, That the work under this appropriation shall be confined to the north front of the Capitol building, and shall not extend westward beyond the line of the west front of the Senate wing of the Capitol;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 137, and agree to the same with an amendment as follows: In line 2 of the said amendment strike out the word "lower;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 146, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 149, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$350,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 153, and agree to the same with an amendment as follows: Strike out all of said amendment after the word "acre," in line 6, and insert in lieu thereof "$45,561, in full payment for said land;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 157, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$386,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 158, and agree to the same with an amendment as follows: In lieu of the words stricken out by said amendment insert the following words: "Director, subject to the approval of the;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 161, and agree to the same with an amendment as follows: Strike out "June 30" and insert "January 1;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 163, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$30,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 176, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$10,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 177, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$49,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 188, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$6,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 191, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$12,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 195, and agree to the same with amendments as follows: In line 1 of said amendment strike out the words "two stories" and in lieu thereof insert the words "one story;" and in lieu of the sum proposed in the amendment insert "$15,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 201, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$20,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 220, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$20,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 224, and agree to the same with an amendment as follows: In line 1 of said amendment, after the word "act," strike out the words "be and the same is hereby" and in lieu thereof insert the words "during which said publications shall be subject to the order of Senators, Representatives, and Delegates, and shall be;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 227, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$60,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 228, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 229, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 240, and agree to the same with an amendment as follows: Restore the matter proposed to be stricken out by said amendment, and strike out, in line 21, page 75 of the bill, the word "sum" and insert in lieu thereof the word "sums;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 246, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$35,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 291, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$2,250,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 292, 293, 294, 295, 296, 297, 298, 299, 300, and 301, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following: "For printing and binding for Congress, including the proceedings and debates, $1,153,170; for the State Department, $10,800; for the Treasury Department, $270,000; for the War Department, $157,500 (of which sum $12,000 shall be for the Catalogue of the Library of the Surgeon-General's Office); for the Navy Department, $63,000; for the Interior Department, $340,000 (of which sum $10,000 is appropriated for rebinding tract-books for the General Land Office); for the Department of Justice, $9,000; for the Post-Office Department, $180,000; for the Agricultural Department, $22,000; for the Supreme Court of the United States, $18,000; for the supreme court of the District of Columbia, $1,350; for the Court of Claims, $9,000; and for the Library of Congress, $6,080. And no more than an allotment of one-half of the sum hereby appropriated shall be expended in the two first quarters of the fiscal year, and no more than one-fourth thereof may

be expended in either of the two last quarters of the fiscal year, except that, in addition thereto, in either of said last quarters, the unexpended balances of allotments for preceding quarters may be expended;" and the Senate agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, and 317, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by said amendments insert the following: "That the Joint Committee on Public Printing is hereby instructed to examine into the numbers printed of the various documents, reports, bills, and other papers published by order of Congress, or of either House thereof, and of the CONGRESSIONAL RECORD, and to report a bill, in December next, making such reductions in the numbers and cost of printing, and such changes and reductions in the distribution of said publications, as they may deem expedient, with a report giving their reasons therefor; and that the said committee is also instructed to investigate the printing and binding for the Executive Departments, executed at the Government Printing Office and at the branch printing offices and binderies in the various Departments, and report a bill, in December next, making such reductions in expense and imposing such checks as they may deem expedient, with a report giving their reasons therefor; and said committee is further instructed to make any other investigations calculated in their opinion to reduce the cost of the public printing, and report the result thereof; and the said committee is hereby authorized to summon and to examine experts and witnesses, and to call upon the heads of Executive Departments and the Public Printer for such information regarding the preceding matters as they may desire; and any expenses necessarily incurred in making the investigations aforesaid shall be defrayed equally from the contingent funds of the two Houses of Congress;" and the Senate agree to the same.

The committee of conference is unable to agree on the amendments of the Senate numbered 243, 253, 254, 255, 256, 257, 258, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270.

SAM. J. RANDALL,
WM. H. FORNEY,
THOS. RYAN,
Managers on the part of the House.

W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

The SPEAKER *pro tempore* (Mr. SPRINGER). The Clerk will now read the written statement accompanying the report.

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes, submit the following written statement in explanation of the conference report:

The committee of conference has agreed upon all of the amendments of the Senate except 18 of the whole number of 317.

The amendments of the Senate not agreed to relate to that portion of the bill making appropriations for expenses of United States courts and strike out all of the provisions of the House which fix a salary compensation for attorneys, marshals, and clerks, together with the legislation relating to the same and which was placed upon the bill in the House on the report of the Committee on Expenditures in the Department of Justice.

The Senate added to the bill $4,036,290.69, of which sum it is agreed by the conference that the Senate recede from $2,732,060.31 and that the House agree to $1,278,930.38. The amendments not agreed to increase the bill as it passed the House $26,000.

SAM. J. RANDALL,
WM. H. FORNEY,
THOS. RYAN,
Managers on the part of the House.

Mr. RANDALL. I move that the report be adopted.

The report was agreed to.

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

The latter motion was agreed to.

Mr. RANDALL. I am now ready to answer any question any gentleman may wish to ask me in reference to any item in this bill in which he may feel an interest.

Mr. WILLIS. I would like to ask the gentleman from Pennsylvania in regard to item 124. I wish to know whether we are to understand by that that the Cincinnati and Louisville exhibitions are to have the benefit of these exhibits and that the limit of cost at those places is to be $10,000?

Mr. RANDALL. That is the agreement. The amendments of the Senate about which the conferees were unable to agree relate, as stated, to expenditures in the Department of Justice. I do not think it inappropriate to say that the Senate were firm and fixed in their determination not to allow what they term in that body to be legislation on an appropriation bill. The two conferees representing the majority of the House were equally firm in asserting this was a beneficial provision, and consequently disagreement is reported to the House for such action as the House may see fit to take.

It is proper for me to say, however, that the Senate recognized the fact that the appropriation for the carrying on this Department of the Government, the Department of Justice, is not required to the same extent as during the preceding year; in fact, as the report states, that while the Senate and the House have been unable to agree as to legislation, yet the amount of money appropriated to carry on this service is actually $20,000 less than the amount fixed in the provision passed by the House.

The gentleman from Kansas [Mr. RYAN] has the figures, I think, on that point, and he will give them. He can answer now, if he will.

Mr. RYAN. I will follow the gentleman.

Mr. RANDALL. Very well.

Now, the Senate proposes, if the House will recede from the amendments in dispute, the following:

To reduce from marshals	$29,000	
To add for their salaries	12,700	
Net reduction		$16,300
To reduce from attorneys	50,000	
To add for their salaries	20,100	
Net reduction		29,900
Total net reduction		46,200
To add for courts in Utah		26,000
Reduction under House bill		20,200

I now yield to the gentleman from Kansas.

Mr. RYAN. Mr. Speaker, this amendment, known to the House as the Springer amendment, provides an entire new system for compensating Federal court officers, the marshals and their deputies, United States attorneys, and the United States commissioners. It is legislation important and elaborate. It covers some eighteen pages of closely printed matter. It overturns a system which has existed since the foundation of the Government. It passed this body under a suspension of the rules, so no member had an opportunity to criticise or amend it.

Mr. RANDALL. Excuse me. That amendment did not pass under a suspension of the rules. It was open to debate and amendment.

Mr. RYAN. I beg pardon. At all events it went to the Senate on this bill at a time when it could not be fully considered in the last hours of the session. The Senate had no opportunity to give the subject careful consideration, and the Senate conferees seemed to think it unjust and unfair that we should thrust upon the Senate legislation of this magnitude and importance in this manner and expect them to agree to it. They were firm, apparently, at least in their purpose not to agree to it.

So far as I am personally concerned I am friendly to the legislation. I believe it to be wise, and I think it would be well and for the best interests of the service if it were enacted into a law. I shall move that the House recede from its disagreement with the Senate in regard to these amendments, and if that prevails I shall submit other amendments, the effect of which will be to make provision for the marshals, the attorneys, the clerks, the commissioners, the jurors, and the witnesses, and for the support of prisoners, and the rent of court-houses, and miscellaneous items, covering this whole subject.

Mr. WHITE, of Kentucky. Allow me to ask the gentleman if he will submit amendments covering the salaries of marshals under a different system of making payments than at present?

Mr. RYAN. Under the existing law.

Mr. WHITE, of Kentucky. Recognizing the fee system as it stands?

Mr. RYAN. Yes, sir.

Mr. WHITE, of Kentucky. I hope it will not be agreed to.

Mr. RYAN. I have some hope that it will prevail.

I want to say to the House that if these motions are adopted that I propose to offer, the Springer amendment will be stricken out, but provision will be made for the courts in Utah, and $600,000 will be provided for the marshals, the same as the current year; $325,000 for the attorneys, the same as the current year; $160,000 for the clerks, the same as the current year; and $100,000 for the commissioners, whereas $130,000 is provided for the current year. It will also provide $460,000 for jurors, whereas $450,000 is provided for the current year; $500,000 for witnesses, whereas $600,000 is provided in the current year; $300,000 for the support of prisoners, the same as in the current year; $50,000 for the rent of court-houses, the same as for the current year; and $300,000 for miscellaneous expenses, whereas $310,000 is the current year's appropriation.

I understand the effect will be, so far as dollars and cents are concerned, that if these motions prevail the bill will carry $20,000 less than it would if the Springer amendment were adopted.

Mr. HISCOCK. I would like to inquire of the gentleman from Kansas whether these provisions that he refers to and to which he will offer an amendment are not the Senate amendments to the bill?

Mr. RYAN. They are the Senate amendments with amendments.

Mr. HISCOCK. And simply change the amounts?

Mr. RYAN. Yes, sir.

Mr. HISCOCK. Then would you change the amount here, or simply move to recede from the disagreements and agree to the Senate amendments with amendment—strike out the Springer amendment and send that to the conference?

Mr. RYAN. I would not, because in point of fact they are substantially agreed to by the conference on the part of the Senate and there would be no objection to them, I think.

Mr. RANDALL. I now yield twenty minutes to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. I shall be briefer than that and will not occupy any longer time than is absolutely necessary.

I desire the attention for a short time of the gentleman from Kansas, who has stated his intention to move to recede from our disagreements and agree to the amendments of the Senate. He has said that he will

then propose certain amendments also to the Senate propositions and which will reduce the amount carried by the bill as it stands $20,000. Mr. Speaker, this is the most delusive proposition I have ever heard in any deliberative body. The gentleman proposes to reduce the amount paid to jurors $100,000 and to witnesses $50,000. Now, is that below the appropriations for the current year, or does it include the appropriations and deficiencies?

Mr. RYAN. The appropriations for 1884 I have already stated to the House in comparison with those proposed.

Mr. SPRINGER. You propose less than the appropriations for the current year, including deficiencies?

Mr. RYAN. Yes, sir.

Mr. SPRINGER. That is the way I understood the gentleman. Now, I want to call attention of the House to this fact, that while it is not proposed to change the machinery under which the expenses of courts are incurred, the gentleman proposes to reduce the amounts appropriated for that purpose. During the last fiscal year there was expended for the fees of witnesses $660,000; that is the amount of the appropriations and deficiencies estimated and appropriated already. And now the gentleman proposes to appropriate $500,000. There is a clear deficiency, to come in next session, of $100,000 in the fees of witnesses. How can you restrain or reduce the fees that witnesses are to earn in the courts of the country? It is beyond your control. Unless you change the legislation the same laws are in force, and yet you propose to reduce the amounts paid to them. There is evidently a deficiency to begin with of $160,000 on the fees of witnesses.

Under the existing laws the witnesses get so much per day and they get 6 cents a mile for traveling between their residences and where the court sits. Under the proposed amendment they get the actual amount paid to the railroad company; which will not average over 3 cents per mile in all the States, while it is a little above that in the Territories, so that instead of paying 6 cents per mile for the travel of witnesses and jurors as the present law contemplates, under the amendment you pay in the State of New York 2 cents a mile. Therefore under the portion of the bill which the Senate has rejected you are reducing the expenses for witnesses by the difference between 6 cents and 2 cents a mile for the travel which they make in that State. And so it is with all the travel that is made by marshals, deputy marshals, attorneys, witnesses, and jurors in all of the courts of the country; and hence the substantial reduction of the mode of incurring expenses which this amendment produces.

Mr. BELFORD. Will my friend permit me to remind him of the fact that you can not travel over a railroad in Colorado unless you pay 10 cents a mile?

Mr. SPRINGER. I understand that the State of Colorado and the Territories are exceptions. But the whole expense of running the United States courts in the State of Colorado is small.

Mr. BELFORD. I will state to the gentleman that the court was compelled at one time to suspend its operations in consequence of the fact that the appropriations were not adequate.

Mr. SPRINGER. No doubt in the State of Colorado this is an injustice to witnesses, and therefore the gentleman from Colorado should support this amendment because this amendment will allow him all he pays for his railroad travel. But as it is he is compelled to go to court and get 6 cents a mile, when he pays the railroad company 10 cents a mile. Such inequality as this exists all over the Territories; while in the great State of New York you pay the witness, the juror, 6 cents, and he pays the railroad 2 cents a mile. It is such legislation as this that we are perpetuating by the existing law, and which we will perpetuate if we concur in the Senate amendment to this bill.

The committee of which I have the honor to be the chairman early began the investigation of this case. We were instructed to do so by the House. And we were requested to do so by the President of the United States. In his message to this House in December last he said:

District attorneys and marshals—

They should be paid wholly by salaries, instead of in part by fees, as is now the case. The change would prove to be a measure of economy, and would discourage the institution of needless and oppressive legal proceedings, which, it is to be feared, have in some instances been conducted for the mere sake of personal gain.

Mr. BROWN, of Pennsylvania. Now, is it not a mistake not to introduce a separate bill for the purpose of carrying out the recommendation of the President?

Mr. SPRINGER. I have introduced a bill, but the only place where it can be enacted is on an appropriation bill. You can not make these changes unless you accompany them with appropriations which are to pay the expenses. If this legislation should be injected into the middle of a current year you would have to stop at once and change the whole system; because we appropriate salaries in this amendment, and under the old law we appropriated fees.

Mr. BROWN, of Pennsylvania. You could make your appropriation to fit your new law.

Mr. SPRINGER. You could make it on an appropriation bill, and then you come down just exactly to where this brings you—to an appropriation bill. And this is the proper appropriation bill, and therefore we have placed the amendment upon this bill.

Not only did the President make this recommendation, but the Attorney-General in very eloquent and earnest language urged this House to do away with this corrupting fee system. He said in his report last fall:

The practice of compensating the United States marshals by fees is an expensive one. Examiners of the Department of Justice who have been detailed to examine their accounts report that in order to make the maximum fees of the office $6,000 per annum, unscrupulous marshals, in some instances through their deputies, have encouraged frivolous prosecutions, outraging the rights of citizens, and involving the United States in unnecessary and excessive expenses. It is estimated—

I call your attention to this language of the Attorney-General:

It is estimated that it costs the Government ten dollars' expenses for every dollar's emoluments of the marshal.

In order that our marshals may earn $6,000 each the Government must expend $60,000. That is the existing law, which it is now proposed to perpetuate by receding from our position. Under the bill as it now stands, as proposed by the committee of which I am chariman, instead of costing the Government $60,000, it will cost $6,000 only.

The Attorney-General goes on to say:

Thus it will appear that it would be to the interest of the Government to give the marshal a fixed compensation, so as to remove all inducements to practice frauds upon the Government on the one hand or wrongs upon the citizen on the other. If the deputy were to be paid fees for executing process it would insure the same efficiency as the present fee system, and at the same time relieve the Department of the extraordinary expenses complained of, as the marshal would have no interest in encouraging such practices.

That is what this bill does, precisely following the recommendations of the President and the Attorney-General, and doing so with a labor that in my judgment is unparalleled in the history of Congress since I have been a member, in the diligence with which we have pursued the subject for the purpose of arriving at the truth. And the members of the committee will bear me out in saying that there has been no partisanship displayed, and we have uniformly acted as a unit and not been divided on this important question. Now let us see what the Attorney-General says has been the practice under the present system:

Since my report to Congress, other investigations have been made by officers of the Department of Justice charged with the duty of examining the accounts of court officers in the several districts, which have confirmed my opinion as to the urgent necessity for the proposed legislation. Citizens have been repeatedly arrested on frivolous and trumped-up charges, and similar outrages have been practiced in some districts to such an extent as to render the Government odious to the people, making them hostile to the courts of the United States.

The results of these investigations in detail have been given to your committee in the testimony of the examiners of the Department of Justice and in their reports.

A strong argument in favor of a change in the law is that the most faithful and conscientious officers, attorneys, and marshals desire it, while any change is opposed by persons who are wrongfully using the process of the court at the expense of the citizen and the Government, harassing the one and plundering the other.

Experience has shown that few persons are able to resist the temptations to increase their fees, though they differ in their methods. Those wholly depraved render accounts for which no service whatever has been performed. Others, more fearful of detection and punishment, though equally dishonest, increase their compensation by charging for distances greater than they have traveled; and still others seek every opportunity to manufacture cases, arresting persons reported to have committed any trivial infraction of the law, no matter how irresponsible and worthless the accuser.

The effect of the fee system is demoralizing, and men naturally honest and disposed to do right at first yield in time to the temptation it offers to increase their compensation by questionable means, and there is a disposition among officers to create if possible a condition of circumstances that will enable them to secure their maximum.

Disinterested people generally agree that the fee system has been a failure. The remedy is to compensate court officers, as far as practicable, by fixed salaries.

I could read further from the views of the Attorney-General on this subject, but I will not worry the patience of the House.

Mr. WHITE, of Kentucky. Will the gentleman allow me——

Mr. SPRINGER. In one moment, please. Now, as to whether this is hasty legislation. Your committee has considered this subject all winter, and when the first draught of the bill was prepared it was sent to the several Departments of the Government which were required to execute it. The result of the investigation by the departmental officers is detailed in a letter from the Attorney-General to the chairman of the committee, from which I will read:

GENERAL: I have not the experience to say whether the bill submitted to me is so perfect in its details as to insure a just and efficient administration of the law, but it has been examined with care three times by the First Comptroller and the First Auditor of the Treasury and the chiefs of their respective divisions of the judiciary, and four times, by my direction, by officers of the Department of Justice who have a practical knowledge of such matters, and they all concur in the opinion that the bill as framed will protect the rights of the citizen and the interests of the Government, and prevent in the future a repetition of the proceedings which, in some instances, have made an action in the United States courts in effect a confiscation of property.

* * * * * * *

As the general provisions of this bill are commended by those who have a practical knowledge, and as a change in the law is demanded by every consideration of economy and expediency, I earnestly recommend the bill to Congress, with the changes mentioned above, for its favorable consideration.

I will say that so far as the changes suggested by the Attorney-General are concerned they are all embodied in the provisions now before us. That provision to which he took exception in regard to the compensation of special counsel was ruled out on a point of order made by my colleague [Mr. CANNON]. Therefore there has been eliminated from this measure before it passed the House every single item which

was objected to by any of the accounting officers of the Treasury Department.

It was examined three times in the Treasury Department on three different draughts of the bill, and their propositions were concurred in by the committee. It was examined four times in the Department of Justice by all the law officers there who had any experience in the courts. They have pronounced this measure one of economy and expediency, and not only that but one for the relief of the oppressed people of this country who are harassed by frivolous prosecutions.

Gentlemen on the other side may hardly believe me when I tell them that in one county in the State of Alabama every citizen was arrested on frivolous charges. And in one county in the State of Texas on one occasion every voter was summoned as a witness in the courts and carried to an adjoining county at great expense to the Government in order that the marshal might earn his fees, when it was testified that twenty witnesses in the suit would have been ample to cover every point at issue in it.

This unlimited power on the part of the deputy marshals enables them to raid the country and summon the citizens of a whole county and compel them to go from one part of the State to another, to drag them to where the court is, or before a commissioner where they can not give security for costs, where they will be away from their friends and those who know them and will vouch for them, and so multiply the costs in the suit.

Not only this; but it has encouraged and sanctioned the worst system of constructive mileage and constructive meals and constructive service that has ever been known in any country in the world. I will give an instance which has been established before the committee and which is an illustration of many others. In the State of Illinois, where I had supposed these things did not exist, the marshal, as was shown by the evidence, made a contract with three of his deputies by which they were to earn, first, his $6,000 and after that their maximum of $3,000 each, making the net earnings of that court, in order to realize the maximum of these officers in the conspiracy, $15,000. In order to do this, what was done? Writs were sent to Cairo by mail and mileage charged both ways, as if some one had traveled the whole distance. Persons were arrested in the court-house at Springfield, at the very door of the marshal's office. The costs upon the writ at the outside would have been properly only $2.50. But that marshal or some of his deputies deliberately sat down in the office and wrote up a fee-bill which went upon the hypothesis that the marshal had sent a guard for the person arrested and had brought him back under guard. There were charges for travel and meals both ways, and the fee-bill amounted in that single case to $55.

The machinery under which such outrages as these are perpetrated is still in existence. The proposition before the House to-night is that this machine shall be continued after you have been advised of the enormities which have been practiced under it. I hope this House will stand by the legislation which it has adopted. The President has recommended it; the Attorney-General has approved it; the Comptroller of the Treasury has commended it; all the law officers of the Department of Justice have examined it and pronounced it a vast improvement, a great reform.

Every honest marshal, I believe, in the country has commended this proposition, even though its effect may be to reduce his salary. I have letters here which I could read to the exhaustion of the patience of members—letters from all parts of the country, saying that this measure is imperatively demanded by every consideration of justice to the Government and justice to the citizen.

It has been shown, Mr. Speaker, that these oppressions on frivolous prosecutions have become so great in some localities that, as appears by one of the official departmental reports, the officers of the Government are regarded as public enemies. This system has in many localities made the Government odious in the enforcement of its criminal law, because the Government has perpetrated such outrages upon its citizens. The laws should be administered in a spirit of fairness and justice, so that even the citizen who has done wrong shall respect and revere the arm which punishes him. But under this system the officer of the law is regarded as a tyrant and the Government of the country as an engine of oppression.

I ask the House to stand by this proposition. If Senators would only take time to have some of their supernumerary secretaries read these provisions over to them they would understand the measure and would agree that it should be passed.

Mr. RANDALL. I yield five minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. Mr. Speaker, the gentleman from Pennsylvania [Mr. BROWN] asks why bills on this subject have not been introduced and referred to appropriate committees. In the last Congress I introduced three bills covering fully all the propositions embraced in this amendment offered by Mr. SPRINGER to the appropriation bill in this Congress, and had them referred to the Judiciary Committee. In the present Congress I again introduced those bills and they went again before the Judiciary Committee. The committee of which the gentleman from Illinois is chairman took up this subject when it began the investigation of expenditures in the Department of Justice, and with the aid of the Attorney-General and the appropriate officers of the Treasury Department considered these questions fully. I had frequent conferences with the Attorney-General and these officials of the Treasury Department in relation to these bills. Not only the present Attorney-General favors these changes, but his predecessor, Mr. Devens, was in favor of them. I have made this matter a special study for years past, and have been during that time attempting in every possible way to give to my colleagues on this floor such information as would secure the passage of some measure of this kind through Congress. Perhaps no bill ever sent from this House to the other was more thoroughly and fairly considered before asking the action of the House upon it than the bill containing these three propositions as to marshals, district attorneys, and commissioners.

All the officers of the Treasury Department whose business it is to pass upon the accounts of marshals, district attorneys, and commissioners have considered every one of these propositions. The salaries of the different marshals and district attorneys throughout the United States have been adjusted with reference to the accounts which have been presented from year to year and passed upon by these officers, who aided in perfecting the measure.

How, then, can the Senate say that this question has not been fairly considered? The consideration, too, has been entirely non-partisan. I think I ought to say here that this country owes thanks to Attorney-General Brewster for the fairness and thoroughness with which he has investigated this whole subject. Under his direction and control the frauds with which we are now familiar have been unearthed. Not only in Texas, Alabama, South Carolina, and other States South, but even in the Attorney-General's own State of Pennsylvania the whole system has been shown to be rotten to the core. The people demand reform. The system is vicious. It must be cut up root and branch. We must no longer make sale of justice. Nothing was ever more palpably shown to be needed than the passage of this bill, and, as I have said before, no bill was ever more thoroughly and carefully considered.

It seems to me, Mr. Chairman, the Senate ought to take time under these circumstances to consider this question, to read over and consider this bill, and ought to pass it. For myself, I believe if this Congress should remain in session from now to the first Monday of next December simply for the purpose of passing this bill, the time would be well spent.

[Here the hammer fell.]

ENROLLED BILL SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a bill (H. R. 7440) making appropriations for fortifications and other works of defense, and for the armament thereof, for the fiscal year ending June 30, 1885, and for other purposes; when the Speaker signed the same.

SUNDRY CIVIL BILL.

Mr. RANDALL. I now yield to the gentleman from Colorado for five minutes.

Mr. BELFORD. Mr. Speaker, it was my fortune during the Territorial period of Colorado to occupy a position on the bench for six years. All the abuses described by the gentleman from Illinois [Mr. SPRINGER] were practiced at that time, until I personally interfered and declared they should go no further. Poor men, practically without a dollar, were carried over my district and because they could not pay their fees were put into jail under alleged violation of the Government law and by Government officers, by what was called the United States marshal and the district attorney.

MESSAGE FROM THE SENATE.

A message was received from the Senate, by Mr. MCCOOK, its Secretary, announcing the passage without amendment of a bill (H. R. 4985) supplemental to and amendatory of an act to incorporate the Mutual Fire Insurance Company of the District of Columbia.

The message also announced that the Senate further insisted on its amendment 158 to 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, and asked a conference on the disagreeing votes of the two Houses, and had appointed as managers of said conference on its part Mr. ALLISON, Mr. HALE, and Mr. COCKRELL.

SUNDRY CIVIL BILL.

Mr. BELFORD. I say these men were dragged all over that district—for what purpose? Because they had gone there and cut a stick of timber to cook their beefsteak, or because they had sawed out a board to build their houses, when the Government would not sell the land because it was mineral land. On account of these things these men became so offensive to our Western people that, although they were Government officers, we drove them out of the State; and thank God for it!

How could we get a log to build our cabins unless we went to the public domain? How could we cut a log to build our churches unless we went on the public domain that the Government would not sell us because it was mineral? Yet every poor devil in that State who had not money enough to cook his beefsteak or erect a church or construct his

house was brought into court by these snobby officials sent out by the Government, and their chief occupation was to rob the pioneers who had made a great and magnificent Commonwealth that contributes to this nation over $30,000,000 a year.

I believe in fixing the salaries of these men, limiting them absolutely and conclusively, affording them no opportunity whatever to oppress and outrage the people. What has been done in the past may be done in the future; and let us girdle the possibilities of the future by the magnificent mandates of public law, and stop these oppressions and robberies that to my personal knowledge went on there for years and years.

Just stop that gavel for a moment, Mr. Speaker. I stopped those abuses, and because I stopped them the Government of the United States removed me from my position as a judge of that Territory. I propose now to get even with the Government that was blindly enforcing the law covering abuses about which it knew nothing.

[Here the hammer fell.]

Mr. RANDALL. I yield to the gentleman from Maine.

Mr. REED. I wish to address the House a few moments on this subject, because it seems to me there has been one or two erroneous impressions given by gentlemen who have spoken. In the first place the gentleman from Alabama [Mr. HERBERT], and I am a little bit surprised a gentleman of his careful forethought should make such a suggestion, says to us there is no reason in the Senate objection; they have not had time to consider this bill because the Attorney-General and two Auditors have considered it. Well, it now so happens the Attorney-General and the two Auditors are precisely the individuals who have no right to pass legislation and the Senate of the United States are people who have that right. It seems to me that he has confounded the objection of Senators that they have not had time to consider it with the general idea that somebody else had the right to consider it.

Now, allow me to make a few suggestions, for I do not think it is an entirely one-sided subject, in opposition to the views expressed by some gentlemen upon this floor.

Mr. HERBERT. Will the gentleman allow me a moment?

Mr. REED. Assuredly.

Mr. HERBERT. I wish to state to the gentleman that I simply meant to suggest the idea that if the Senate should undertake to consider bills of this kind they would be compelled in the very nature of things to apply to the Departments for full and thorough information on the subject, and that full and thorough information is furnished by the results of this bill. They would have to look there to get the information they ought to have, and which this committee has furnished in the preparation of this bill.

Mr. REED. That is just exactly the time they have not had, and consequently the gentleman from Alabama admits the proposition.

But I wish to make a suggestion or two in regard to the general merits, not for the purpose of urging upon the House my views with reference to the subject, but merely for the purpose of showing that sensible or plausible views at least may be entertained upon the other side. It is one of the great evils and difficulties of legislation that men take up a case of occasional outrages and paint the whole subject that color. That is undoubtedly a very grave mistake. There are outrages and there are evils under any system of law, but if we undertook to repeal all laws that men twisted or made injurious use of we should not have any revised statutes of the United States.

Mr. Speaker, I have been enabled to give some slight examination to this subject myself. Originally it was presented to the Judiciary Committee, and at the first sight the plausibleness on the face of it took me as well as others. Why not? I said. The county attorneys in the various States of the Union have salaries paid to them, and they perform their duties faithfully; what reason, then, can there be why the same system shall not work equally well in the United States court? That was, I say, my first impression; but, sir, a careful consideration of the subject will satisfy any man that the cases are totally different. Now you want to set against human self-interest the self-interest of other people, and unless you do it, in a long run you are going to be beaten.

I remember some gentleman very anxiously and earnestly came here to repeal every inducement for the prosecution of frauds upon the tariff, and it was done with a great hurrah, with the applause of the newspapers and the general good-will of good men throughout the whole country. But when the subject is probed to the bottom it will be found that it has resulted in frauds upon the revenue which are a disgrace to the country and an injury to the legitimate business of the country. It has been such an injury that all the money the informers got in their dubious way would not pay one-tenth of 1 per cent. of the damage.

Now, the reason why salaries are not as good for district as for county attorney is because of the different nature of the crimes over which the courts have jurisdiction. The county attorney prosecutes mostly what are known as common-law crimes; and every lawyer knows how difficult when you come within the range of common-law crimes it is to procure convictions. The United States cases are not common-law crimes; and there is not that public feeling of assisting a prosecuting officer that is exhibited in the case of crimes against the States. On the contrary, the counties do not regard smuggling or moonshining as very serious crimes, and there is not a public sentiment to aid and assist the prosecutor.

You have every measure of self-interest arrayed against the Government, and the only self-interest arrayed upon the other side is that which is paid for by the public. I grant you that such a system sometimes leads to outrages on the part of bad men. There is no question but what it does. But as a general system it has been in existence here a hundred years, and in most parts of the United States it works well. And the discovery of a few scoundrels, the discovery of violations of the law, while that should arouse our just indignation it should not be made an excuse for wholly overturning the system which has been so long established in this country and has worked so well. I desire simply to say that I do not talk about this on the merits except so far as it may indicate that there is a reasonable ground for giving the Senate, the co-ordinate branch of the Government, a fair opportunity to examine into the matter.

Mr. RYAN. I offer the motion which I send to the desk, and upon that I call the previous question.

Mr. RANDALL. I desire to yield five minutes to the gentleman from Kentucky [Mr. WHITE].

Mr. RYAN. I withhold my motion until the gentleman from Kentucky shall have spoken.

Mr. WHITE, of Kentucky. For ten years past I have been calling attention to the abuses of the present system by which marshals and district attorneys receive the maximum of fees instead of fixed salaries; and the uniform answer is given that my motive must be because I wanted to screen moonshiners. The gentleman from Maine [Mr. REED] who has just taken his seat seems to think that that is the motive that must influence gentlemen who oppose this fee system. He does not exactly say that——

Mr. REED. I did not say so, nor did I insinuate so.

Mr. WHITE, of Kentucky. The gentleman is assisting indirectly, perhaps not wittingly—but it is a fact he is assisting that idea carefully promulgated all over the United States by the men who have during the last six or eight years secured such legislation as would enable the large whisky monopoly, which now has 100,000,000 gallons in bonded warehouses to ripen at the expense of the United States, to throw dust in the eyes of the legislative body.

Now, there is a line of duty to be performed by the marshal and the district attorney and the United States commissioner. But they frequently overstep that line. The record shows that they do not detect the great violations by which the Government loses thousands of dollars in big distilleries, but that they are continually hunting up tea-kettle, tea-cup, and coffee-pot cases, and dragging poor men hundreds of miles to be tried. The records of the Department of Justice and of the Revenue Department all confirm me in the assertion that that is done not to carry out the duties they are sworn to perform, but on account of the manner in which they are paid. They manage to run up costs in order to secure the maximum fees allowed. Now, if you change the system so as to pay these officers fixed salaries, my opinion is that these tea-kettle and coffee-pot cases, these trivial and often imaginary cases which for the most part have in them nothing but fees, would come to an end. You could find such cases here in this Capitol, on every street in this city. The men who keep the restaurants in this Capitol building, in either wing of it, by a joint resolution, have no right to sell intoxicating liquor. But does any gentleman who hears me doubt if he wanted to get a glass of wine, or a glass of beer, or a milk-punch, or a whisky-straight in a tea-cup he can get it in this Capitol? Yet you know that a joint resolution of the two Houses of Congress prohibit the sale of intoxicating liquors on the Capitol grounds, and no one has a Government license or city license to do so. Why, sir, what would you think if the United States marshals should raid on them?

Now apply that to North Carolina, Virginia, Tennessee, or Kentucky, and imagine a man, not a member of Congress but a poor man, living fifty or a hundred miles from a railroad, who had gone to one of the saloons or little distilleries operated according to law there and bought a gallon of whisky or apple brandy. If he should turn around and give a pint of it to a man passing on the road and that man the next day should give him a little tobacco, raised by his own labor on his little farm in that remote section, that act would be construed by the beneficiaries of the miserable fee system into a violation of the law, and both parties would be dragged to the nearest, or rather I should say to the most remote, Federal court simply to run up costs against the United States and to secure the largest fees possible. This is not an imaginary case. The records are full of such cases.

Then add to that the payment of constructive fees that not only in Illinois and Texas but in my own State have been going on for years. You may say these things should go unnoticed. It is true they are not noticed as to the officers who violate the law in that way. But see how the man who violates the simple letter of the law is punished. He is dragged to the most distant Federal court. He is not able to pay his fees for his witnesses to attend; he is dragged off to where he can not get anybody to go on his bond. And what is the result? He must confess judgment, because that is recommended by his attorney as the quickest way to get free; and then eke, yes, eat it out at the Govern-

ment's expense. Such outrages can only be obliterated by abolishing the fee system and paying fixed salaries to worthy officers.

[Here the hammer fell.]

Mr. SPRINGER. I desire to make a brief reply to the argument of the gentleman from Maine [Mr. REED]. In doing this I think I can produce a better authority than my own individual one. I will produce the authority of the Attorney-General. In his letter from which I have already quoted he says:

It has been suggested that district attorneys and marshals would be less attentive to their duties if paid by salary. I do not believe there is anything to fear from this source, and I do not think this objection will commend itself to Congress; for if a district attorney or marshal neglects his duty he will doubtless be complained of by the judge or he will be reported to the Attorney-General, either through examiners who will visit every judicial district semi-annually, or the officers of other Departments, or in some other way, and such unfaithful officer can then as now be removed from office.

Now, as to the conclusion, the Attorney-General further states, and that answers the other argument of the gentleman from Maine, and I am sorry he has ranged himself in the class the Attorney-General has described:

A strong argument in favor of a change in the law is that the most faithful and conscientious officers, attorneys, and marshals desire it, while any change is opposed by persons who are wrongfully using the process of the court at the expense of the citizen and the Government, harassing the one and plundering the other.

The Attorney-General gives as the expression of his Department, based upon information obtained from all of the officers with whom he has come in contact, that the honest class desires the change while the dishonest class does not.

Mr. REED. I do not see any particular reason for the gentleman from Illinois ranging me in either class.

Mr. SPRINGER. I did not arraign the gentleman.

Mr. REED. I would like a moment's time.

Mr. SPRINGER. I have all the time that is allowed, and I have the right to reply to the gentleman and have replied in a manner which it was proper for me to reply in. I have simply stated what the law officer of the Government has said. And it is the opinion of the committee of which I am chairman that those who advocate the fee system are those who are profiting by it for illegitimate and unlawful purposes, while the officers of the Government desire a change in the system.

Mr. REED. I would now like to say a word.

The SPEAKER. The time has expired for debate on the pending proposition. The Chair understands that the gentleman from Kansas [Mr. RYAN] desires to submit a motion.

Mr. RYAN. I submit the proposition which I send to the Clerk's desk.

The SPEAKER. The gentleman from Kansas moves that the House recede from its disagreement to the amendments of the Senate and agree to the same.

Mr. RANDALL. I understood that the gentleman desired to move that the House recede from its disagreement and agree with an amendment.

Mr. RYAN. The other motion will follow.

The SPEAKER. The Clerk will read the proposition of the gentleman from Kansas.

The Clerk read as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 243, 258, 260, 261, 262, 263, 264, 265, 266, 268, 269, and 270, and agree to the same.

Mr. RYAN. I now yield five minutes of my time to the gentleman from Maine [Mr. REED].

Mr. REED. I have no reply to make——

Mr. SPRINGER. One word before the gentleman proceeds. My attention has been called by the gentleman from Texas [Mr. WELLBORN] to a remark of mine which would seem to indicate that I consider that the gentleman from Maine placed himself in the class described by the Attorney-General. I did not mean to say that, and if I did say it I withdraw those words.

Mr. REED. Then I will make no reply to them but will proceed to a point upon which I desire to speak. I am glad the gentleman has withdrawn that remark, for it was rather an unpleasant statement to me and would have called for a reply.

Mr. SPRINGER. I do not desire to reflect upon the gentleman in the slightest.

Mr. REED. I simply desire to say in reply to the suggestions which the gentleman has quoted from the Attorney-General that in my judgment—and the House will understand that I am only presenting some impressions which might possibly show that there were grounds for giving the Senate an opportunity to consider this matter—the Attorney-General has the impression that good persons desire to receive salaries, and that there will be no ill effect to follow from the giving of salaries, because there is such an opportunity to prosecute and to remove from office district attorneys.

My experience in life has been different from that of the Attorney-General. I have found that in all official positions laxity must proceed almost to the extent of crime before the removal of the officer from office takes place, especially when the officer is surrounded by a community desirous of violating the law.

I have pointed out that United States laws do not punish things which are evil in themselves, but evils which are only statute evils. The very community which the man is in will be the very last to complain of him for quietly drawing his salary and quietly neglecting the enforcement of the laws.

And this gives me an opportunity of saying more plainly than I said before that the danger I fear is that the self-interest of the community may prove too strong for the sense of public duty of the officer. I do not mean by that that he will neglect his duty to such an extent as to make himself liable to removal from office. But I do mean that there will be such a lax administration of law that in the end the expense of the Government will be much greater than any saving that can be made as to the matter of fees.

Mr. HISCOCK. I would like to ask the gentleman from Kansas a question.

Mr. RYAN. Very well.

Mr. HISCOCK. As these appropriation bills have come in here from time to time I have discovered, I think, that all of the legislation which those bills carried has been eliminated from them. I believe that in all instances legislation has been stricken out by the Senate.

Mr. RANDALL. Oh, no.

Mr. HISCOCK. Now, I suppose the gentleman from Kansas must know about what the sense of the Senate is on that subject. Is it a principle with the Senate that our appropriation bills should not carry legislation?

Mr. RANDALL. I would like to answer that question. I would ask the gentleman if it is not new legislation for Senators to provide clerks for themselves?

Mr. TUCKER. And they insist upon our receding from any legislation which we may have put upon these bills.

Mr. REED. We will stand by you in that matter of the clerks.

Mr. RYAN. So far as this bill is concerned the Senate conferees have agreed to surrender any legislation that was put on the bill that was objected to by the conferees on the part of the House.

Mr. SPRINGER. If the gentleman from New York will look at page 51 of the bill he will find page after page of legislation put on by the Senate.

Mr. RANDALL. Yes; and the case is the same on every bill where it suits them to put on legislation.

Mr. HISCOCK. If I may be allowed a single moment, I wish to say that in times past both the Senate and the House have been accustomed to put legislation upon appropriation bills; but as I remember—and I will appeal to the gentleman from Pennsylvania to say whether I am correct in the statement—the rule has been that whenever legislation has been proposed by one House upon a general appropriation bill and objected to by the other it has always gone out.

Mr. RANDALL. We have an instance to-night when it does not go out, because the Senate chooses to insist.

Mr. HISCOCK. In what instance?

Mr. RANDALL. Why, sir, in the matter of clerks to Senators. I will give another instance—the appropriation of $250,000 asked for the Nicaragua matter, upon which we are compelled to vote blindly. That was put in by the Senate.

Mr. CANNON. That is under a provision of the Revised Statutes.

Mr. HISCOCK. I presume the Senate will say in reference to that $250,000 that it is not legislation, that it is simply the appropriation of a sum of money under a statute. There is a statutory provision that a certain sum may be put at the disposal of the Administration or the President for use as a secret fund. Now, I do not understand that it is new legislation for the Senate to ask that a certain sum be appropriated for such use. Hence I must differ with the gentleman from Pennsylvania on that question.

Mr. RANDALL. Why, on the naval bill the Senate has undertaken to compel us to agree to new legislation.

Mr. HISCOCK. Mr. Speaker, I have supposed that if we are to reach any understanding whatever between the two House we are to reach it upon the basis that all which is in fact new legislation shall go out of all the bills.

Mr. RANDALL. In the discussion in the Senate in reference to the provision for the construction of the new cruisers one of the Senators from Maine stated distinctly, in reply to a question by a Senator from Delaware, that he wanted the House again to have an opportunity of expressing its objection in regard to the cruisers.

Mr. HISCOCK. I know nothing about that.

Mr. RANDALL. I do; here is the record.

Mr. HISCOCK. Well, take the case of the new cruisers if you please. It has been ruled in this House by one of the ablest parliamentarians of the House that the placing upon an appropriation bill of a sum of money for the construction of a new cruiser or ship is not new legislation. It was so held in the last Congress by the then chairman of the Committee of the Whole House on the state of the Union, the gentleman from Iowa [Mr. KASSON], who certainly is regarded as a very able

parliamentarian. I will admit, however, that it is a question upon which I myself have very serious doubts.

Mr. RANDALL. Then I do not need to answer you on that point.

Mr. HISCOCK. I repeat that in regard to any provision in a general appropriation bill which is confessedly new legislation, and is objected to by the House other than that in which it originated, the rule always has been that it should go out of the bill. We have had serious contests upon questions of that kind, and such has always been the result. Hence it seems to me that if this is the ground upon which the Senate places itself, we have nothing to do but to agree to that rule, if we expect the two Houses to come together upon these appropriation bills.

Mr. RYAN. I yield five minutes to the gentleman from Pennsylvania [Mr. BAYNE].

Mr. BAYNE. Mr. Speaker, I rise not so much for the purpose of discussing this question as more particularly to enter my protest against this kind of legislation, and against the spirit and meaning of the proposition known as the "Springer amendment."

Mr. SPRINGER. You must admit that this measure would have saved a good deal of money in Western Pennsylvania if it had been enforced there.

Mr. BAYNE. I do not care whether it applies to Pennsylvania or elsewhere; I say that the adoption of this proposition will eliminate from the administration of justice in this country every element that should make it effective. There is nothing more certain than that the marshals, district attorneys, and other officers are stimulated to the efficient performance of their duties by the fees they receive. There is nothing more certain than that when officers of this class are paid stated salaries they neglect their duties.

Mr. SPRINGER. The gentleman will allow me to say that he misapprehends this proposition. Under the present law the deputies are obliged to divide their fees with the marshal, who performs no duty. Under the provision now proposed the deputy gets the whole amount of the fees, and will be better paid for honest work than under the existing law.

Mr. BAYNE. That does not meet the case.

Mr. SPRINGER. It does. You said he must have an incentive. He earns more for honest work under this than under the old one.

Mr. BAYNE. That is not the effect of it. We have tried this system in Pennsylvania.

Mr. SPRINGER. It has worked out and exposed the fact of a defalcation there to a vast amount.

Mr. BAYNE. It is working a serious disadvantage there. The sheriff's office paid, when fees were allowed, some $60,000 a year, and with six officials the office was well and efficiently carried on. Since they have adopted the system of paying salaries there are fourteen or fifteen men employed, and the surplus is a mere nothing that goes into the county treasury. In Allegheny we find the same thing. The district attorney received fees until a few years ago, when they paid him a salary, and the amount that goes into the treasury of the county is merely a nominal sum.

Neglect, sir, arises on every hand when you adopt a system of this kind. The only thing which will stimulate the active prosecution of duties by officers is they shall have fees. The principle of this proposition is essentially vicious. It is calculated to disarm the administration of justice of that energy and efficiency which should characterize it and go with it everywhere.

Mr. SPRINGER. Would the gentleman encourage officers in making frivolous prosecutions for the mere purpose of collecting fees?

Mr. BAYNE. No, I would not. I would impeach them. You say under your bill when a man lacks in duty he can be relieved. Why can not you under the present law impeach a man and remove him when he neglects his duty? If you can reach the one you can reach the other. The difficulty is no greater in the one case than in the other. If it is in the power of the Government to censure or hold amenable to the law an officer for violation of duty, it is equally within its power to make amenable to the law any officer for neglect of duty. You can reach the offending party in either instance; but the fact that the Government fails to bring these men to account who have been lax in the discharge of their duty indicates that it is much easier to make out a case against a man who affirmatively violates the law than against a man who merely neglects his duty. Therefore you see the fault you visit on the present system is visited with double force on the system you propose.

Mr. SPRINGER. The gentleman says it is easier to prosecute the actual offender than a man who neglects his duty.

Mr. BAYNE. Yes.

Mr. SPRINGER. Does he not know the marshal of the western district of Pennsylvania was a defaulter to a large amount, and has he moved his impeachment? Were you swift to come here and arraign him because he was defrauding the Government?

Mr. BAYNE. Have gentlemen been swift to do it on that side of the House?

Mr. SPRINGER. Did you do it?

Mr. BAYNE. I will answer the gentleman Lola Montez fashion. Has anybody been swift to bring to justice any man who has summoned witnesses from the whole country into the United States courts for the purpose of piling up the fees? Has anybody been swift to do that?

Mr. HERBERT. I have been doing it right along at the Department of Justice.

Mr. BAYNE. I did not know about the defalcation in that office. [Here the hammer fell.]

Mr. RYAN. While I believe myself this legislation to have much merit, yet its merits are at least debatable. There is a difference of opinion among men who are well informed in regard to it and who are honest and conscientious in the judgment they have formed. But it is not now so much a question of the merits of this controversy as whether the House ought to in the last hours of the session insist on this legislation when they have given the Senate of the United States no fair opportunity to consider it.

What are the facts? Here is legislation that overturns a system that has lasted since the very foundation of the Government. Do you expect the co-ordinate branch of this Congress, a part of the lawmaking power, the Senate of the United States, to accept the action of the House in regard to this measure without mature consideration? If you do, it seems to me you are expecting from that body what they ought not to be required to yield. I think it a fair thing for this House to do if we desire an early adjournment, if we desire that in the next twenty-four hours this Congress shall be adjourned, that we recede from this legislation, and therefore I call the previous question on the motion I have sent to the Clerk's desk.

The previous question was ordered.

The SPEAKER. The question now is on agreeing to the motion of the gentleman from Kansas that the House recede from its disagreement to the amendments of the Senate indicated and agree to the same.

The question was taken.

The House divided; and there were—ayes 64, noes 30.

Mr. SPRINGER. No quorum.

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

Mr. SPRINGER and Mr. RYAN were appointed tellers.

Mr. CULBERSON, of Texas. I ask the yeas and nays.

The yeas and nays were not ordered.

The House again divided; and the tellers reported—ayes 78, noes 38.

Mr. SPRINGER. I have to insist upon a quorum on a measure of this kind.

The SPEAKER. The tellers will resume their places.

The House again divided; and the tellers reported—ayes 83, noes 45.

Mr. SPRINGER. I do not desire to prolong this struggle at this late hour after the House has been in session about twenty hours continuously. I withdraw the point of no quorum and let the vote stand. But I give notice to the House that I shall not withdraw this measure from the consideration of Congress. I shall be a member of the next Congress as I am a member of this, and I will agitate this subject until it becomes the law of the land. [Applause.]

Mr. RYAN moved to reconsider the vote by which the motion was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. RYAN. I now offer a further motion, which I send to the desk.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

That the House recede from its disagreement to the amendment of the Senate numbered 253, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$600,000;" and after said amendment insert as a new paragraph:

"For compensation of the district marshals of the United States, $12,700."

The motion was agreed to.

Mr. RYAN moved to reconsider the vote by which the motion was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. RYAN. I now offer the following:

That the House recede from its disagreement to the amendments of the Senate numbered 254, 255, 256, 257, and agree to the same with amendments as follows: In lieu of the sum proposed in the amended paragraph insert "$325,000;" and insert as a new paragraph:

"For compensation of the district attorneys of the United States, $20,100."

The motion was agreed to.

Mr. RYAN moved to reconsider the vote by which the amendment was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. JOSEPH D. TAYLOR. I move that the House do now adjourn. [Cries of "No!" "No!"]

Mr. GIBSON. I move that the House take a recess until 9 o'clock.

Several MEMBERS. Say 10 o'clock.

Mr. GIBSON. Very well; I will modify it, and say 10 o'clock.

The SPEAKER. The motion to adjourn is pending. The question is first on that motion.

The motion was not agreed to.

Mr. GIBSON. I now insist on my motion for a recess.

Mr. HOLMAN. Mr. Speaker, it seems to me that it will facilitate the adjournment of Congress if the recess be postponed until a later hour—as late as 2 or 3 o'clock. The Chairman of the Committee on Appropriations is now on the floor, and I hope he will express his views upon that subject.

Mr. GIBSON. I am willing to name any hour that will suit the Committee on Appropriations.

Mr. HOLMAN. I think if a recess is taken until 2 o'clock the business will be in a better shape than if we remain in session during that time.

Mr. RANDALL. I see the gentleman from Missouri [Mr. BURNES] is on the floor, and I hope he will express his opinion.

Mr. BURNES. I beg to say, sir, that I would accept the proposition of my friend and colleague on the committee from Indiana if I thought it would facilitate the business of the House, but I am quite sure that there is one matter that can not be considered at 3 o'clock if the members of this House, or some of them at least, once retire. I will say I am conscious, in fact I am certain, that if this House takes a recess or adjourns it had better be until Monday morning, because we ought to go on now without a recess and conclude this matter, or else adjourn until Monday morning, for, as I have said, you can not consider a single matter until Monday if you do not consider it now. [Cries of "Go on!"]

The SPEAKER. The question is upon the motion of the gentleman from West Virginia [Mr. GIBSON] that the House now take a recess till 9 o'clock.

The motion was not agreed to.

CONSULAR AND DIPLOMATIC BILL.

Mr. BURNES. I submit a conference report on the consular and diplomatic appropriation bill.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate numbered 158 to the bill of the House No. 6770, making appropriations for the consular and diplomatic service of the Government for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have been unable to agree on the amendment of the Senate numbered 158.

J. N. BURNES,
R. W. TOWNSHEND,
W. D. WASHBURN,
Managers on the part of the House.
W. B. ALLISON,
EUGENE HALE,
F. M. COCKRELL,
Managers on the part of the Senate.

The SPEAKER. The question is on the acceptance of the report.

Mr. BELFORD. I desire to have that amendment read.

The SPEAKER. That is not involved in the question as to the acceptance of the report. It will come up afterward.

The report was accepted.

Mr. BURNES. I move that the House further insist on its disagreement to the Senate amendment numbered 158.

The SPEAKER. The amendment will be read.

The Clerk read as follows:

To meet the necessary expenses attendant upon foreign intercourse, to be expended under the direction of the President, pursuant to the requirement of section 291 of the Revised Statutes, $250,000, or so much thereof as may be necessary.

Mr. BURNES addressed the House. [See Appendix.]

Mr. BLOUNT. Mr. Speaker, the scheme to build the Nicaragua Canal is not a new one to this country. During the last Congress a bill was reported at the instance of the gentleman who owned this concession providing for a guaranty of 3 per cent. on $75,000,000 for twenty years. Among the incorporators are U. S. Grant, E. D. Morgan, Daniel Ammen, S. L. Phelps, now the Peruvian minister, who according to the newspapers has strong confidential relations with these parties here, who is now in this capital, and has been stated a few days ago to hold confidential communications with the Committee on Foreign Affairs in connection with this important work. That scheme, sir, was argued for months before the Committee on Foreign Affairs, of which I had the honor at that time to be a member. Among the first arguments urged in favor of that measure was that it was exceedingly important that this Government should take hold of it; that they desired their own country should have control of that canal, the regulation of its freights, the regulation of transportation across it. It was alleged as an inducement that now the commerce of the country had to go by way of Cape Horn.

We were told, sir, by these gentlemen with an unqualified declaration that the Panama Canal could not possibly be built. We were told that at that very time every laborer had been withdrawn, and that they could not command the money for the purpose; and yet before the expiration of a very few weeks the evidence was before that committee that there were thousands of hands at work on the Panama Canal, and at the very hour this person, the Peruvian minister, who was agitating it before Congress, was alleging that there were no hands and no money, and the work could not be done. And a few weeks later Mr. De Lesseps, it was announced in the press of the country and before all men, had negotiated for all the money that was required for the work to carry out the project to its completion.

Then we were told that there was no difficulty about building it; that there were ample funds to be obtained in various directions and no difficulty at all upon the subject; and also that their desire was to interest the Government of the United States in it for the purpose of having control over it when completed. Months have elapsed and they have failed to accomplish anything, and now they are here attempting to terrify this House with the idea that France or England want to get control of it.

Mr. EATON. What evidence is there of that?

Mr. BLOUNT. What evidence is there of it?

Mr. EATON. If my friend will pardon me for a moment. He asserted that he had heard that S. L. Phelps had been before the Committee on Foreign Affairs.

Mr. BLOUNT. I did not, sir.

Mr. EATON. I so understood you.

Mr. BLOUNT. I stated that the newspapers of Washington announced that fact, and that I was not in confidential relations with the State Department, and could only speak from what I saw in the newspapers.

Mr. EATON. But I hope the gentleman will permit me a moment on this point.

Mr. BLOUNT. If the gentleman from Missouri will yield to me additional time I will submit to any interruption.

Mr. EATON. I supposed you would like to be set right.

Mr. BLOUNT. The gentleman from Connecticut will pardon me. I want to be perfectly courteous, but I have but a very few minutes and I must request not to be interrupted.

Mr. BURNES. It may be well for me to say in this connection that the gentleman to whom he alludes, who is the minister to a court of South America, was summoned to Washington via Nicaragua, and in all human probability in the interest of this appropriation. I do not know that he was paid to lobby on this floor for the enterprise.

Mr. BLOUNT. Mr. Speaker, I will proceed with my remarks. Now gentlemen are claiming that the Panama Canal can not be built. The country is full of such reports. But the distinguished engineer having control of that project, the man who built the Suez Canal with the solid voice of Europe crying out it was destined to be inevitably a failure; with all the governments of Europe throwing all the obstacles possible in his way, and yet conscious of his own power, conscious of the creations of his genius to enable him to overcome all obstacles that beset his way and to achieve a grand success—that distinguished engineer, with the confidence and capital of France at his back, is now pursuing the great work. So that as far as this allegation that we must go around by Cape Horn is concerned, there is nothing in it. There is nothing in it any longer. The commerce of the world is destined, in my judgment, to have this way across the Isthmus of Panama by the success of this canal.

Where, then, sir, is the necessity of our constructing this one? We are told that it is to keep France and England from getting control and violating the Monroe doctrine. What about Panama? Why not go there at once and look to that and see that no government is interfering at that point? My friend here on my right says you should have done it. Well, you did not do it, and you are not trying to do it to-day. There is something else in this, and I think my friend from Missouri [Mr. BURNES] in a confidential way has given some idea as to what it was.

Now, Mr. Speaker, the proposition, in the light of what we have known going on about this Capitol in connection with this scheme for months and years, does appear to my mind to create a ground for suspicion such as has been already suggested by the gentleman in charge of this report. What is it we are asked to do? To give $250,000 as a secret-service fund, while we in control of the revenues of the Government are not to be told what it is for! It will not do. The information is given recently that this secret-service fund is nothing less than an attempt to commit the Government finally to the building of this canal.

Mr. BRECKINRIDGE. Then we do not want it.

Mr. BLOUNT. No; as the gentleman from Arkansas says, we do not want it. We might have had it years ago if we desired it. I have heard of nobody seeking it from any authentic source. These gentlemen have gone and obtained a concession and they have had it for years; and if there is to be anything gathered from their conduct in attempting to influence legislation they got it for the purpose of making money out of it. But they failed to get the scheme through here in the light of debate.

The false statements in reference to the scheme were exposed as soon as made; and my judgment is, if we had the truth of this whole matter out to-day, if everything was uncovered and all the parties to this transaction were known and the scheme developed, this House would not dare to put its hand to this work.

Build the canal in Nicaragua? Is that the policy of the administration? Is that to be the policy of the party in power? Where do you get the authority to build a canal in a foreign country? If you build it in Nicaragua in the interest of commerce, what will you do down in South America? Why, sir, you will have a great deal of the same sort of work. British capital has gone there, and is building railroads all

over those countries. Shall we, apprehending something may occur, take up these railroad-building projects—and they are already proposed to us—in these South American republics? If we do this, we will not hesitate to go on with the other.

Mr. CULBERSON, of Texas. What do they propose to do with this money?

Mr. BLOUNT. My friend from Texas asks me how this $250,000 is to be used.

Mr. CULBERSON, of Texas. How do they propose to apply it?

Mr. BLOUNT. I will say to my friend I am not in the confidence of the administration, and can only guess about these matters and infer from what the gentlemen who are in its confidence have told us. I suppose, as it is a secret-service fund, that it is to be used for the purpose of corrupting some officials down in Nicaragua in the interest of this scheme. From what I can learn, and my information is semi-official, that is what it amounts to.

Mr. HENLEY. That is what I understand the friends of this proposition say.

Mr. BLOUNT. As I understand, it is simply to "set up" the Nicaraguan officials rightly; and when that is done then the concession is to be had. There are parties that have rights in Nicaragua and they have to be bought up. I suppose good faith on the part of those down there who have worked up the scheme requires that the parties to the scheme here should work up their part; and I am given to understand it will result in a clean sum of $100,000 to each one of the American gentlemen who are interested in the business. And then, when that is all done, we must start out on the scheme of building this canal. When you get the right of way, you get the right of way for a purpose. You must construct the work. Well, what is it to cost? We are told we must not ask anything about that; that is a confidential matter between the people in Nicaragua and the people who own the contract. And yet I can not help saying something about it, even although it should be considered an impertinence.

These gentlemen, when before the Committee on Foreign Affairs, claimed this canal would cost $40,000,000 to build it. But in making that estimate they took very good care not to say a word about the width of the canal at its bottom. I have before me this statement, which is correct:

> The canal is to be twenty-eight feet in depth and one hundred and fifty feet in width on the water surface. The true breadth of a canal is its breadth at the bottom.

And this estimate to which I have alluded is wholly defective as regards any statement of what that breadth is. If large enough for the largest vessels of commerce, the probability is the estimate would have gone very far, two or three times, beyond the amount of this estimate.

Mr. TOWNSHEND. If the gentleman will allow me, I can give the figures of Major McFarland, who was appointed by the Government to make an estimate. His estimate was that it would cost something about $140,000,000.

Mr. BLOUNT. That illustrates the way in which gentlemen get new ideas as new necessities arise. When before the Committee on Foreign Affairs they said it would cost forty and odd millions, and now the estimate has jumped up to $140,000,000 or $150,000,000.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. BURNES. I yield ten minutes to the gentleman from Alabama [Mr. HERBERT].

Mr. BRECKINRIDGE. I understood the gentleman was to yield to me.

Mr. BURNES. I yield to the gentleman from Arkansas [Mr. BRECKINRIDGE].

Mr. BRECKINRIDGE. About two minutes are all I want. A few days ago I had the pleasure of meeting in this city a very eminent engineer, Captain Eads, who is also engaged in constructing a line of intercourse across that neck of the continent. We have assurance of the Panama Canal being in rapid process of completion, and Captain Eads told me that he did not want any money from this Government or from any other government to construct his ship-railway across that part of Central America. He told me that he had or could get all the money he wanted from private parties, and the only thing he wanted from our Government was simply a general sentiment of good-will.

Now, sir, we should not control this system or the half of this oceanic system if we controlled this project that is presented to us at this time. We should gain nothing exclusive by this negotiation. But our security does not lie in that. Our security, Mr. Speaker, consists in our enunciation of the Monroe doctrine and in the world's consciousness of our ability and determination to maintain that doctrine. That is our security.

[Here the hammer fell.]

Mr. BRECKINRIDGE. I desire just a moment more.

Mr. BURNES. I yield to the gentleman the time he wants.

Mr. BRECKINRIDGE. Does not England know our sentiment on that subject? Does not Nicaragua know our sentiment on that subject? They both know it, Mr. Speaker, and we have no need of intrigue. We have no need of finesse; what we need is plain, frank, manly negotiation, if indeed there be need of anything at this time.

This, sir, is all we can need or ought to assent to, with a fair, liberal sentiment and policy toward the governments of the world, giving them distinctly to understand, not only the great nations but also the little State of Nicaragua, that we have got, if need be, thousands of millions of dollars for the maintenance of that national and continental position and policy, but not one cent for tribute. There, sir, is our security. It was enough when we were weak; it is enough since we are strong; and I trust this House will recognize the grand national principle and policy that underlies this question, and not simply the pittance of $250,000 that carries with it an avalanche of national disgrace.

Mr. HERBERT. This question has been suddenly sprung upon us, and there are perhaps very few members who understand what it means and where this policy we are to enter on is to carry us. I confess that I have no such information on this subject as would authorize me to attempt to instruct the House. When we vote away the people's money we ought to know what we are doing, and in my opinion the country is indebted to the gentleman from Missouri for the information he has given. Let us consider for a moment what this first step we are invited to take may involve. The amendment on its face seems to be very innocent. It is an appropriation of $250,000 to carry on "our foreign intercourse." We are told that this $250,000 is to be used, as I understand it, in securing the assent of Nicaragua that this concession now owned by some dozen gentlemen may be transferred to the United States. At present, according to its terms, it is not transferable. Unless Nicaragua alters or amends it, neither the Government of the United States nor of Germany nor of Great Britain nor any other government can obtain possession of it. This $250,000, then, is simply to be used in order that that concession may be so modified that we may have the privilege to pay $1,200,000 for it to the enterprising gentlemen who own it.

If that be the situation, if the Government of the United States seriously desires to enter upon the great work of constructing, owning, and controlling a canal across the isthmus, then it seems to me the cheaper and better way would be simply to assert our right, under the Monroe doctrine, if such right we have, to say that no other government shall be allowed to purchase that concession, and then to wait until the 24th of next October shall come, and not pay $1,200,000 to these twelve gentlemen who are asking it at our hands, but simply get the concession then from the State of Nicaragua. [Here the hammer fell.] How much time did I have?

The SPEAKER *pro tempore* (Mr. SPRINGER). The gentleman had five minutes. The gentleman from Missouri [Mr. BURNES] desired to reserve a portion of his time for himself.

Mr. HENLEY. The gentleman from Missouri intended to yield two or three minutes to me, and I will yield it to the gentleman from Alabama [Mr. HERBERT].

Mr. HERBERT. I thank the gentleman. I want simply to say that if we are to undertake the construction of a canal across that isthmus, then we ought to count the cost. There are I understand three routes, the one called the Tehuantepec route, the other the route by way of Lake Nicaragua, and the other the Panama route. De Lesseps contends that the Panama route is the cheapest route.

We saw recently a report from an engineer officer made to one of our Departments that $60,000,000 had already been expended upon the Panama Canal. According to my recollection this engineer states that only one-thirtieth portion of the work necessary to complete that canal has been accomplished by that $60,000,000. If that calculation be correct, then thirty times $60,000,000 would make $1,800,000,000 which that Panama Canal is to cost. If this House is to embark this Government upon the building of a canal in competition with that Panama Canal, and if it is to cost anything like $1,800,000,000, it is well that the people should know it and that we should vote understandingly.

[Here the hammer fell.]

Mr. BURNES. I now yield to the gentleman from North Carolina [Mr. COX] five minutes of my time.

Mr. COX, of North Carolina. I will reserve that time till later.

Mr. WASHBURN. I certainly will not weary the House at this unseasonable hour by anything but the very briefest remarks in relation to this proposition.

Mr. EATON. If my friend will permit me, I desire to say to my friend from Georgia [Mr. BLOUNT] that I think he made a mistake in supposing that I desired to cross him at all.

Mr. BLOUNT. Not at all.

Mr. EATON. I simply desired to say this: that as a humble member of the Committee on Foreign Affairs of this House I never saw Mr. Phelps, and he never appeared before the committee to my knowledge, and I never heard of his appearing there in the world.

Mr. BLOUNT. The gentleman did not understand me to say that he appeared there.

Mr. EATON. The gentleman said that some newspapers said so. I therefore put my assertion against that newspaper report.

Mr. BLOUNT. If the gentleman from Minnesota [Mr. WASHBURN] will allow me, I stated that I knew nothing about it.

Mr. EATON. I understand that.

Mr. BLOUNT. That it seemed to be a confidential matter, and that

I had read in the newspapers that Mr. Phelps was to be heard before the Committee on Foreign Affairs and the Committee on Appropriations.

Mr. EATON. He never was heard before the Committee on Foreign Affairs.

Mr. WASHBURN. Since the gentleman from Missouri [Mr. BURNES], my distinguished colleague on the Committee on Appropriations, has seen fit to refer to what took place in what I supposed was a confidential conference, I will say this: there was a conference which I supposed was confidential, for reasons that are obvious to any one.

In this conference it was made apparent that conditions were likely to arise in the next six months which would make it very important to have the fund provided for in this amendment, by which very desirable and advantageous negotiations could be carried on; and the representations made in the presence of the Committee on Foreign Affairs and the Committee on Appropriations were so strong that at the time there seemed to be no dissenting voice as to the propriety of having this appropriation made.

So far as regards the statement which has been made and repeated here, that this appropriation is to be expended to private parties, I will say that such an impression is entirely erroneous. On the contrary, it was stated and reiterated that under no circumstances was one single dollar of this appropriation to be paid to any individual or corporation or association; that this syndicate or company or whatever you may call it was not in any case to reap any benefit from this appropriation. This statement was made in answer to interrogatories, and it was reiterated in the most forcible terms.

Mr. BURNES. Will my colleague on the committee allow me at this point to call his attention to the fact that he was not present, I believe, at the first interview upon the subject.

Mr. WASHBURN. I was present at the interview to which I refer, which I suppose was a confidential interview.

Mr. BURNES. That was the interview of the two committees?

Mr. WASHBURN. And the only interview of which I have any knowledge.

Mr. BURNES. I would like the gentleman to answer me a question (I trust he will pardon the interruption), because he has made a statement that has not to me quite the look that I desire. He says that this meeting was a confidential meeting, not to be mentioned. I ask him to state now whether it was not distinctly agreed that if the matter had to come before the House we should take the liberty of dealing with this question free from all restraint?

Mr. WASHBURN. I never heard any such agreement or any such suggestion. Other gentlemen can speak for themselves.

Mr. BURNES. Then I ask was the gentleman present at the first interview upon this question?

Mr. WASHBURN. I was present at one interview only; and that was a conference made up of the Committee on Foreign Affairs and the Committee on Appropriations.

Mr. BURNES. Then I will not pursue the gentleman with my inquiries any further.

Mr. WASHBURN. And the reason this conference was confidential was not that the Department or the Government has any secrets from the American people, but because in conducting negotiations of this kind it will not do and it is not proper to herald everything to the world, as gentlemen here propose to do.

Several MEMBERS. Why not?

Mr. WELLER. "Let your light shine."

Mr. WASHBURN. I presume the Department has no secrets from the American people and wishes to have none, but it desires to act in the best interests of the country; and it is very strange and very pitiable if we have an administration which we can not trust with negotiations of this character to so limited an extent.

So far as concerns these vast appropriations which are talked of not a dollar can be appropriated except by act of Congress. When gentlemen talk about the $1,200,000 to be paid to buy up this syndicate, when they talk about the millions and millions of dollars that it would require to construct this canal, they must bear in mind that not one dollar can be paid to anybody until it has first been appropriated by Congress.

Mr. SPRINGER. Suppose we get this concession; suppose everything is honest and fair, and no undue influence is used; what are we going to do with it when we get it?

Mr. WASHBURN. We will settle when we get it what it is best to do. So far as I am concerned, I want to see ocean and ocean connected by a canal.

Mr. SPRINGER. With Government money?

Mr. WASHBURN. Whenever this is done, I want that canal under the control of this Government and no other.

Mr. SPRINGER. Our Government to pay for it?

Mr. WASHBURN. That is for Congress to decide when the time shall come.

Now, if by negotiations looking to the future there are any points to be saved, it seems to me it is proper to make an appropriation of this kind to take such steps as may be necessary to save any important points. The Government is not committed to anything. It simply places itself in a position to hold the vantage ground, if you please—nothing more. This is all that is asked in this appropriation.

I will not take further time, but will yield ten minutes to my friend from New York [Mr. POTTER].

Mr. POTTER. Mr. Speaker, I know nothing about confidential communications or interviews or meetings of committees of conference alluded to. I know none of the parties who are supposed to be connected with this concession. I never knew until it was stated by the distinguished gentleman from Missouri that General Grant or that he who was my intimate friend, Hon. E. D. Morgan, had anything to do with it. I can only say if Mr. Morgan did have anything to do with it it was not with any unpatriotic purpose or any purpose unworthy of an American citizen of the highest order.

I did, some years ago, at the request of the Senator from California, investigate with him as well as I could by such surveys as he furnished the several routes for building canals to connect the Atlantic and Pacific Oceans. The result of that investigation was that in my judgment the Nicaragua route was by far the most feasible, far the most practicable for the construction of the canal.

It was in a perfectly healthy country with a river accomplishing a part of the distance that needs only deepening and widening to connect it with Lake Nicaragua, which, if I recollect aright, is about ninety miles in length, and on the average five or six in width, and of sufficient depth to float ships of considerable draught.

Mr. EATON. The largest draught.

Mr. POTTER. I am speaking simply of the results of the investigation made personally as an American without a particle of pecuniary interest, and with the sole purpose of ascertaining whether such a canal could be built to serve the beneficial purpose for which it is designed. I came to the conclusion as a somewhat practical man that the canal was perfectly practicable, and that it could be built for a sum inside of $100,000,000 and at the outside I believe for half that sum; and that it would be of immense and ever-increasing benefit to the commerce, the progress, and development of this continent, with the destiny of which, I agree as much as any other member on this floor, the American people are charged.

Now, sir, without going into the detail of this thing, for I know nothing about these negotiations, I understand this proposition to be simply to put at the disposal of the treaty-making power of this Government, at the disposal of that power upon which the Constitution has devolved the power of making treaties and to negotiate such as it shall find it clearly and undoubtedly the interest of this country to make. I do not understand that acquiring this passage across the Isthmus of Nicaragua would be any yielding of the Monroe doctrine. I do not understand we are required to go to war with England or France for the purpose of enunciating and maintaining the Monroe doctrine in regard to a canal, which I believe, and which I think most practical men believe, will turn out in the end to be a magnificent failure. I would not and do not believe the executive department of the Government would undertake to purchase this concession or to acquire it in any way until they shall ascertain with certainty not only that they will get a good title, but that it will be in every way practicable, and that it can be constructed within such cost as will be for the best interest of this country.

I am a Democrat, and I think as strict as any man on the doctrine of State rights and proper limitations of the powers of the National Government, and I find no difficulty in any way or anything in the Constitution to prevent this Government from constructing if need be a highway for its commerce, its armies, its fleets, for our merchant fleets, to enable it to take such a position as we ought to take based upon the trade and commerce of the Pacific and of South America.

I find no difficulty in the Constitution in accomplishing that object. We have a right to construct military highways. We have a right to provide for commerce. It will not be denied that this purpose is strictly and entirely national; and if it accomplishes the security and inures to the benefit of the vast interests of the commerce of this country upon this great continent which is ours, then it becomes a public policy to develop and care for it.

Now, sir, I am not afraid, in view of these vast possibilities, to trust to the Executive of this nation and to the treaty-making power of this Government the paltry sum of $250,000 upon his responsibility and upon the responsibility of his advisers, the Senate. I am not afraid to trust him to make these negotiations. I think it will be in very safe hands. He will not go beyond it. Charged with the interests of the American people, he dare not go beyond that sum. I believe, sir, that we ought to place this amount under his responsibility, subject to the treaty-making power of this Government; and I therefore voted for it and I shall vote for it again.

Mr. HENLEY. Let me interrupt the gentleman for a moment, as I would like an explanation of what he means when he speaks of giving this to "the treaty-making power." I understand this fund is to be taken into a sort of secret-service arrangement. The Senate has nothing to do with it.

Mr. POTTER. I understand the Senate helps to make appropriations in the first place. It is a part of the treaty-making power. No treaty will be accomplished for this or any other purpose if the Senate

does not agree to it; and I understand further that this has been considered by the Senate, considered at length, and that they are entirely or quite unanimous in their opinion that the interests of the country require this appropriation to be made.

Mr. BURNES. It would be unjust, sir, to the gallant Senators from my State to sit here and allow that statement, unparliamentary in the first place, to pass uncontradicted; and it is unjust to them in the second place. It was not unanimous, sir, I assure you.

Mr. WASHBURN. Very nearly.

Mr. POTTER. I do not know how that is, but such was my information.

Mr. BURNES. It was not unanimous by any means.

Mr. POTTER. It was very nearly so as I am informed.

Mr. HENLEY. But the Senate has nothing to do with it.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. TUCKER. Will the gentleman from Minnesota allow me to ask a question?

Mr. WASHBURN. I will yield to the gentleman for that purpose.

Mr. TUCKER. I would like to ask the gentleman from Minnesota if there has been any communication from the executive department to either branch of Congress as to the purpose for which it desires this appropriation of $250,000?

Mr. WASHBURN. I think there has been no written communication so far as I know.

Mr. BURNES. Not a word.

Mr. TUCKER. Are we then to love darkness rather than light? [Laughter.]

Mr. McCOID. You did when you bought Louisiana; you would not have got it in any other way.

Mr. CANNON. Under section 291 of the Revised Statutes this appropriation is to be made if at all. A statute was passed by the fathers in 1793 and amended in 1810, under which many confidential appropriations have been made by the generation before the last, by the last generation, and by this generation.

Mr. WASHBURN. I now yield fifteen minutes to the gentleman from Louisiana [Mr. HUNT].

Mr. HUNT. Mr. Speaker, I am reminded by the course of this debate of what took place when Mr. Adams was a member of Congress, and a young gentleman (and I presume he was a new member like myself) called during the discussion for the vouchers of the secret-service fund. Thereupon Mr. Adams said: "The gentleman can call and call and call until he is gray."

It is difficult for me to understand how diplomatic matters that are important in their character, and particularly in those negotiations that are preliminary, can be made the subject of public exploration and discussion. But if the complaint of the learned gentleman from Missouri [Mr. BURNES] is addressed to this condition of things, and that of the distinguished gentleman from Virginia [Mr. TUCKER] and that of the distinguished gentleman from Georgia [Mr. BLOUNT] as well, I have only to say to them that they complain of that secrecy which is the inevitable and natural and necessary condition precedent to such a state of affairs as is under consideration.

But, Mr. Speaker, the situation is so grave, that I consider the statement that has fallen from the gentleman from Missouri deserving to be corrected. He has risen here and given the House to understand that Congress should enter upon the future of the country in reference to its South American relations under the protection of what he calls the "Monroe doctrine;" and this, he went on to tell us, is the doctrine by which we are at liberty to do what will best consult our national happiness.

The gentleman had better go to the books. I commend him to the perusal of Mr. Calhoun. I commend him to the exercise of that caution with which he habitually speaks, and which he has lost sight of on the present occasion.

Mr. BURNES rose.

Mr. HUNT. I do not yield.

The Monroe doctrine was this: It was a declaration by President Monroe that this continent was not to be considered any longer in a condition *feræ naturæ;* that it was to be considered as under the dominion of existing public law. This was one branch of the Monroe doctrine; that the American continent was not to be considered as subject to colonization.

The second branch of the Monroe doctrine—I recollect it well, and there is but one other remaining point—was that the United States would not see with indifference the free republics which had wrested their liberty from the dominion of Spain reduced by the absolutists of Europe to slavery again.

Mr. BURNES rose.

Mr. HUNT. I do not yield. When Mr. Calhoun at a later period of his life was called upon to speak upon this subject, he in the lifetime of Mr. Adams declared the doctrine with that accuracy for which he was remarkable, in order that it might receive correction and no correction was given, and the doctrine as declared by these two great men is known by publicists and can be found in the horn-books.

No, sir. The United States never declared any such doctrine as this: that in order to promote their national happiness they could act as they pleased with the states of the civilized world or with the governments of South American countries. That would be preposterous; that would be impossible doctrine; that would be against the language of proud equality and of national freedom which governs the relations between states.

Now, sir, having spoken on the misty difficulty in which the gentleman who opened this debate found himself, and having shown what the Monroe doctrine was, it remains for me to say that it is well believed that the Clayton-Bulwer treaty has been violated. It has been violated in the departure of Great Britain from her obligations of neutrality and in the notorious settlement by her on the continent where she had obligated herself not to settle.

The gentleman from Missouri takes the ground that where one party to a treaty has violated the treaty it is manly and right for the other party to carry on diplomatic colloquy with regard to it. I say it is not. I say that is not law; I say that is not sense; I say that is not the doctrine of contracts; for where a contract between equals is violated by one party, that violation releases the other party to the contract from the obligations entered into. I say, if our Government has just ground to know that Great Britain has broken faith we are free from the obligations of the contract.

But, sir, one step further. The gentleman says if it comes to the worst under the Monroe doctrine we might go to war, and I suppose to possess ourselves of this Nicaragua canal. That has been the loose, uninformed, unintelligent opinion of the effect of the Monroe doctrine, which, however, does injustice to its authors, and is not in accordance with correct history; neither is war, on vague, general, declamatory views, the object and policy of civilized, Christian states.

What, then, are we brought to, Mr. Speaker? We are brought to determine a proposition to give the Department of State $250,000 with which to enter upon diplomatic relations. I have no confidential relations with the Department of State. I have no political ties which bind me to the President. I do not hesitate to say, however, Mr. Speaker, that whenever, in my judgment, it is patriotic to trust him I will do so. [Applause on the Republican side.] If the President of the United States has violated his oath of office, if the Secretary of State is unworthy of trust, there are the laws of the country to which we will hold the President and hold the Secretary. But there is one comforting reflection which I have in speaking my mind freely on this subject. It is this: That there has never been a President of the United States guilty of conduct which can truthfully be described as criminal or infamous.

Now, Mr. Speaker, is it a great thing to place at the President's disposal $250,000? The gentleman from Georgia [Mr. BLOUNT] sees in the proposition chimeras dire; he sees more devils than vast hell can hold. In what? In the prospect to give the Chief Magistrate of the United States $250,000. Why, sir, President Lincoln had, I think, as a secret-service fund as much as eight millions at his disposal. But the gentleman from Georgia sees in the pending proposition a disposition to do what? To contract a debt of $120,000,000 for constructing this Nicaragua canal. Now, can one dollar be appropriated without the leave of this House? Can a single dollar be drawn from the Treasury without that leave? And has it come to this, that we can hold no governmental relations unless the breath that goes out in our utterances is tainted with suspicions of the highest officers of the Government? I protest against the idea of the Monroe doctrine to which I have referred. When the absolutists of Europe had suppressed the spirit of revolution which broke out in the southern portion of the continent, Spain turned her eyes to her provinces which had succeeded in wresting their liberty; and the propositions of which I spoke a few minutes ago were put forth with careful accuracy; they were no filibustering pronunciamentos; they were no general bluster, no mere loose talk about national happiness. Mr. Monroe never talked that way; Mr. Calhoun never talked or thought that way. Mr. Adams, the Secretary of State, was incapable of it.

So it is, Mr. Speaker, that we find ourselves on familiar ground, I hope on American ground. I hope that we have a Chief Magistrate animated by an American spirit. I do not like this misty talk, these quasi-confidential reports, which according to one gentleman it seems are not confidential, and according to another gentleman are confidential. That is not, I submit, the way to speak of the public business; that is not right. This is not a place to appeal to prejudice. These are transactions between great public functionaries upon matters of high international moment.

I am not prepared to say whether or not this canal is going to be a great success. But this I will say, that by the route around Cape Horn the advantages of distance and time are exclusively with European nations. Sailing from European ports ships go with directness past the eastern point of South America to the Cape of Good Hope. On the contrary, vessels sailing from our American ports are obliged to sail far to the eastward, and then turn to the southward and westward to the point where their courses intersect those of European ships, thus losing greatly in the matter of distance. The construction of this water route

will reverse the conditions I have referred to. From gulf ports like New Orleans, for instance, the advantages would be enormously increased.

If, then, Mr. Speaker, I am right, the Monroe doctrine interferes with no rightful power of development in the way of international intercourse on the part of foreign nations with the South American governments; it interferes with no capacity on their part for treaty stipulations; it derogates from no right of sovereignty in any foreign nation in carrying on international relations with these South American republics; it interferes with no right on the part of the United States to acquire by purchase that which we may deem valuable as a great water way.

Who does not know that in the progress of negotiations, in the establishment of our frontier lines, in our treaties with Great Britain from the time of the Revolution and until the recent treaty of Washington, and through all the intricate mazes of the treaties with regard to the fisheries, Great Britain has always been arrogant, grasping, and the steady enemy of the peace, progress, and power of this country? Who does not know that she has interposed herself in the pathway of traffic between this country and the Pacific coast, and clutched that traffic which has been so eloquently spoken of here by my honorable colleague [Mr. ELLIS] and deprived the United States of it?

For my part, Mr. Speaker, nothing that an American Representative can do to support his country, to support its administration if need be for the national honor, to support his Government in directing wisely and strongly its foreign relations with Great Britain or any other power, will I leave undone, conscious as I am that I stand erect, untouched by any affiliations the propriety of which can be questioned, and look solely to the development of the peace, prosperity, happiness, and glory of the Republic. [Applause.]

Mr. WASHBURN. I now yield ten minutes to the gentleman from Connecticut [Mr. EATON].

Mr. EATON. Mr. Speaker, I do not desire to enter into this discussion at all, and for this reason: Whatever I may know in regard to the intentions of the Government of the United States or its officers has been obtained under such circumstances as to be strictly confidential. I can not talk about it; I will not talk about it. My friend from California [Mr. HENLEY] laughs. I have a right, I apprehend, to my own convictions of what is my duty.

With other members of the Committee on Foreign Affairs I have been in consultation with the State Department for four months, three months before the two committees met in "joint convention," if I may use that phrase; and I want to say—for this I have a right to say—that never, in any consultation with the Secretary of State, at any time during those four months, has he uttered one word which would imply that one dollar of the money which this Congress is asked to appropriate is to be used for private purposes—not one dollar. Never in my presence has the Secretary of State used any language that could be tortured into such an intention. That is as far as I choose to go in this matter.

One word on another point: I thank my friend from Louisiana [Mr. HUNT] for his correct statement of the Monroe doctrine. We have outgrown the old Monroe doctrine. We are every day, and we have been for years, going further than the old Monroe doctrine went.

Now, one word with regard to this treaty which has been spoken of, the Clayton-Bulwer treaty. I undertake to say that there is not in this country a well-informed international lawyer, not one, who will not say that this treaty is to-day simply null and void. It requires no abrogation. Great Britain herself has violated every principle of the Clayton-Bulwer treaty. I do not regard it in the light of law at all. I do not know any well-informed man who has examined the subject who does so regard it. In that treaty Great Britain pledged herself and we pledged this country that no settlement should be made anywhere within the territory designated. To Great Britain was conceded merely the right to cut logwood, &c., at some points. She has overstepped the provisions of her own treaty. She has made a large settlement in violation of its terms. Therefore, I say the treaty is null and void.

Mr. BURNES. I desire to ask my friend from Connecticut whether it is not a fact that no notice of any intention to abrogate this treaty has ever been given by our Government to England?

Mr. EATON. In reply to that I will say——

Mr. BURNES. Wait a moment.

Mr. EATON. That is one question. Let me answer that before you put another. No notice has been given, and none is required.

Mr. BURNES. Wait one moment. You are answering two questions—Yankee-like. [Laughter.]

Mr. EATON. I suppose I guessed what you would say next.

Mr. BURNES. Now, not as a constitutional lawyer, but as an ordinary Missouri lawyer, I ask you this question: If you enter into a contract with your colleague [Mr. SEYMOUR] that you will do a certain thing in a certain way, and he is to do a certain thing in a certain way, and you find he has not done exactly what you think he ought to have done under the contract, would you give him notice that you were going to regard the contract as annulled, or would you violate your side of the contract without any sort of notice? What would be your view of the duty of a party in such a case in the private relations of life, or the international duty as between great sovereignties who may be involved in international controversies?

Mr. EATON. I answered that question substantially at the beginning of my remarks when I said that no notice had been given of abrogation or desire to abrogate the treaty, and I said no notice was necessary because the other great contracting party has rendered the treaty null and void.

Mr. BURNES. Great Britain denies that, you know.

Mr. EATON. I do not know about that; I have not the time now to go into the correspondence between our State Department and Great Britain.

Mr. BURNES. It has been a subject of correspondence.

Mr. EATON. One word further. A contract between private individuals the interpretation of which may be determined by the supreme court of the District of Columbia, or the supreme court of the State of Connecticut, or the supreme court of Missouri, is one thing; a contract between two great powers is quite another thing. I do not care to go into an argument to show the difference between a contract to which private individuals are parties and a treaty between sovereign powers. When one of the parties to such a treaty has rendered the treaty null and void, it is null and void as to both.

There is no court to go before except that great court of last resort. Nobody can try it—nobody except an army.

Mr. BAYNE. Permit me to ask a question.

Mr. EATON. I will.

Mr. BAYNE. Suppose after the treaty had been nullified by Great Britain the United States had availed itself from time to time of the benefits of that treaty, let me ask the gentleman whether in the light of that circumstance he would regard the treaty as void?

Mr. EATON. I beg my friend's pardon; that is hardly a proper question. [Laughter.] The reason is the great point at issue between these two sovereign powers was the occupation or non-occupation of that territory.

Mr. BURNES. What territory? Do you allude to British Honduras?

Mr. EATON. All the territory in the vicinity of British Honduras or Lake Nicaragua; all that territory.

Mr. BURNES. Does the gentleman claim that England holds one inch of territory in Honduras or on the South American continent which it did not hold when the Clayton-Bulwer treaty was made?

Mr. EATON. Yes.

Mr. BURNES. I beg the gentleman's pardon.

Mr. EATON. Yes.

Mr. BURNES. On the contrary, our claim or that of our Government is that England has established what seems to be a government over British Honduras, and not that she has extended her territory. I defy the gentleman to show she has extended it one inch.

Mr. EATON. It is the first time in the history of England that I remember she has not extended her territory when she had the opportunity. [Laughter.]

Mr. BURNES. She has not.

Mr. EATON. But I am not talking about that. My belief is my friend is mistaken; but that is not the point. The point is, here was a treaty in regard to the manner in which certain countries or parts of territory, no matter who the owner was, should be occupied. Neither the United States nor Great Britain was at liberty to establish any great basis on any of that territory, whether British territory or American territory, whether belonging to Honduras, Nicaragua, or any other state. That was the essence, the gravamen of the treaty.

The SPEAKER. The gentleman's time has expired.

Mr. WASHBURN. I will yield more time to the gentleman from Connecticut.

Mr. EATON. I do not wish to say a word more. If this is not a proper time to do this thing, why gentlemen will refuse to do it. But I will undertake to say this: After examination of months into this great question, for it is a great question in my judgment, the United States will be false to herself, false to her honor, false to her glory, and false to that great future which we think is looming up for her, unless she does take some step to procure the right of way across that Lake Nicaragua to build a canal there.

Mr. BELFORD. Let me ask the gentleman a question.

Mr. EATON. Certainly.

Mr. BELFORD. Can not you do that better by a railroad than by a canal?

Mr. EATON. I know gentlemen think a railroad can take up an 8,000-ton ship and carry it with perfect ease.

Mr. BELFORD. Allow me another question. Does not the value of commerce practically consist in expedition of transportation?

Mr. EATON. Beyond all question; and therefore I say to my good and esteemed friend from California [Mr. HENLEY] that the building of this canal (it will certainly be built some time) will shorten the distance between New York and California, as compared with the Panama Canal, 2,600 miles.

Mr. BELFORD. Let me ask the gentleman another question. We have a railroad from the city of Denver to the old City of Mexico.

Mr. EATON. I am glad there is a road with two such good ends as Denver and Mexico.

Mr. BELFORD. We are going to build that road across the Isthmus of Panama and through the Argentine Republic and down into Brazil.

Mr. EATON. I hope so.

Mr. BELFORD. If we do that, can not we transport all the commerce of those territories in one-third of the time it could be done by vessels?

Mr. EATON. I can not go into computation about that matter now.

Mr. BELFORD. I know you can not.

Mr. BLOUNT. Since my friend from Connecticut has stated that he felt restrained to some extent in reference to making a statement about this matter by reason of the propriety of preserving secrecy, and I say it with great respect, I would like to ask if he regards it a proper question whether he believes that the purpose of this whole matter is not that the Government shall eventually build this canal across the isthmus?

Mr. EATON. Mr. Speaker, I will answer that question partly. I can not answer fully. I am not the Government; perhaps it it my misfortune that I am not. But this I would say, the object of the Government is to obtain the right to build; that is the object. I hope that the time will come when it will be built by this Government, owned by this Government; and I had as leave make that purchase and have such right to do it certain as our esteemed great Democratic leader had to buy Louisiana from a foreign government.

Mr. SPRINGER. But when he bought it it was ours.

Mr. EATON. And so will this canal be.

Mr. HENLEY. I hope the gentleman from Connecticut will be allowed time to answer a question that I would like to ask him.

It is proposed, although this matter is surrounded with so much mystery that it is difficult to say what is proposed and what is assumed to be the case, to make an appropriation of $250,000 for the purpose of initiating steps to acquire the right to the concession which had been previously granted to these twelve men.

Mr. EATON. No.

Mr. HENLEY. I so understood it.

Mr. EATON. Perhaps I ought not to say no. I do not want to say it. If you asked me if I believed that was the intention I should say no, I do not believe it.

Mr. HENLEY. I understand that to be the case, and it is disclosed by the friends of the measure here. Now, what specific data has the House, what information has the gentleman or any gentleman upon this floor which is authentic and upon which we could rely as to the present value of this concession? Information has reached me that Nicaragua will be only too glad to grant free to any one, not for $250,000 or for $1,000,000, but will give without charge to any one this same right of way and concession who will come with capital and give earnest of his intention to build the canal. Therefore, as I understand, we are offering a great deal of money for absolutely nothing.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCOOK, its Secretary, announced that the Senate had agreed to the amendments of the House of Representatives to the amendments of the Senate numbered 253, 254, 255, and 257 to the sundry civil appropriation bill, and further insisted upon its amendment numbered 267, disagreed to by the House of Representatives on said bill.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The Chair will state that by reason of a clerical error in one of the amendments proposed by the gentleman from Kansas one of the amendments of the Senate was omitted. If there be no objection the House will now dispose of it.

Mr. RYAN. I move that the House recede from its disagreement to the amendment of the Senate numbered 267, and agree to the same.

Mr. GIBSON. What is that amendment?

Mr. RYAN. It is one of the sections of the Springer amendment, which was omitted by an error. Standing alone it has no connection with the bill.

The SPEAKER. The question is on agreeing to the motion of the gentleman from Kansas.

The motion was agreed to.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

The House resumed the consideration of the conference report on the consular and diplomatic appropriation bill.

Mr. HENLEY. I hope the distinguished gentleman from Connecticut will not imagine that I meant any disrespect in the question which I asked him a short time ago.

Mr. EATON. By no means. I could not imagine such a thing of the gentleman.

Mr. HENLEY. Of course the gentleman knows that nothing of the kind was intended.

Mr. EATON. Certainly. Now a word further. I want to say in the first place that my friend from California in his question assumes a thing that I know nothing about, something that has not come to my knowledge.

Mr. HENLEY. It has been stated here on the floor.

Mr. EATON. I do not know it. Now, another thing: Has my friend read the clause of the amendment itself? I will answer that long question of his by asking him to read this clause:

> Two hundred and fifty thousand dollars, or so much thereof as may be necessary.

Then, if there is no need for any of it, none of it is necessary, and it will not be used. I do not believe the Department of State will use it. For these *concessionnaires* will not get one dollar of this money if Nicaragua desires to give instead of sell the right of way. Not a dollar will be used.

Mr. HOLMAN. Will the gentleman from Connecticut allow me a question upon this alleged concession?

Mr. EATON. Let it be very short.

Mr. HOLMAN. I find that article 8 of this concession reads as follows:

> This concession is transferable to the construction company only.

Another corporation, also organized in Colorado, as the gentleman will remember, which is to be organized by the provisional society, the society to which this concession was made:

> And in no case can it be transferred to a foreign government or power; nor can the company cede to any foreign government any of the lands granted in this concession; but it may transfer them to private parties with the same restriction.

Now, is not the gentleman from Connecticut aware of the fact, or is he aware of the fact that up to this hour what has transpired on the part of the Government through its State Department in connection with this subject has been with the gentlemen who are members of this Interoceanic Canal Company and not at all with Nicaragua? Have not all the steps that have been taken up to this time been taken with and in relation to this canal company and their executive committee?

The SPEAKER. The additional three minutes allowed to the gentleman from Connecticut have expired.

Mr. EATON. I can answer the gentleman in one moment. I do not know any such thing. On the contrary I know differently.

Mr. HOLMAN. I think the gentleman is laboring under very great misapprehension as to the fact.

Mr. WASHBURN. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. I did not desire to say one word about this amendment, and would not have done so were it not that I was stricken with absolute surprise by the remarks of the gentleman from Missouri [Mr. BURNES] who opened this discussion. I frankly say I do not know much about the merits of the proposed route for a canal across the isthmus to which he addressed himself. I am a member of the Committee on Appropriations; and on one occasion to which that gentleman and others have referred I did meet with certain gentlemen who composed the Committee on Foreign Affairs and certain matters were there discussed, and I was very much surprised by the remarks of the gentleman from Missouri, because if that was the only interview, either he or I totally misunderstood the substance of it; and I thought I paid very close attention to what took place at that interview.

So far as I know or believe from what information I have, I do not understand that one dollar of this money, in the event it is voted under section 291 of the Revised Statutes, as a confidential fund, to the President, is to go to any corporation or to any person, in any way, shape, or form, for the purchase of a concession. Now, then, Mr. Speaker, I do want to say this in reply to the suggestion that has been made by more than one gentleman.

Mr. GIBSON. Will the gentleman from Illinois yield to me for a question?

Mr. CANNON. I can not yield; I have only five minutes.

Why, gentlemen, is it possible that the United States is to play a horn and beat a drum whenever it desires to negotiate a treaty or perform any other governmental function in order to give everybody notice of our intentions?

Mr. BLOUNT. Will the gentleman allow me——

Mr. CANNON. I have said I can not yield when I have only five minutes and require that time to complete what I have to say; otherwise I would take pleasure in yielding to the gentleman.

I say again I have not exhausted the merits of this question, nor do I apprehend, with my limited knowledge, that I could exhaust it in one month, or perhaps in two or three months. But I do say this: We have an executive branch of the Government. The President is amenable to public opinion and is soon to go out of office. I have always understood him to be a reputable citizen, and I know he has the confidence of the whole country to a wonderful degree. And under the statute of 1793 authorizing this confidential fund to be expended by the President in our foreign intercourse, I believe appropriations have been made to every administration that has been in power since the formation of the Government to the present time. In view of this law and practice, having the interests of the country at heart, I am not ready to stand here and withhold the sum of $250,000 that that Executive would like to have possession of to use within his discretion, in whole or part, in the foreign intercourse of this Government, he all the time being responsible to Congress, responsible to public opinion, responsible to the whole people.

[Here the hammer fell.]

Mr. WASHBURN. I reserve the balance of my time.

Mr. TOWNSHEND rose.

Mr. COX, of North Carolina. I had understood I had five minutes remaining.

The SPEAKER. The gentleman from North Carolina is entitled to the floor for five minutes.

Mr. TOWNSHEND. If the gentleman from North Carolina desires to proceed now, I will take the floor after he has spoken.

Mr. COX, of North Carolina. Mr. Speaker, in considering the proposition now before the House, it is not proper to impugn the motives of any gentlemen connected with this transaction, for in the recommendations submitted we must see that their conduct has been honorable and patriotic.

The discussion has taken a very broad and somewhat eccentric range. My cool and unimpassioned friend from Louisiana [Mr. HUNT] has entertained us with a dissertation on the Monroe doctrine, the Clayton-Bulwer treaty, the law of contracts, &c.; my friend from New York [Mr. POTTER] has discussed the desirability and practicability of the Nicaragua Canal; while other gentlemen have been impatient at the seeming mystery with which the measure is surrounded. Now, what is the real matter upon which we are called to act? It is simply this, that we should place $250,000 as a secret fund at the service of the President, to be used in his discretion in negotiating some foreign treaty.

We are told that the specific purposes for which this fund is to be used can not be disclosed without imperiling the success of the contemplated negotiation, but our Democratic training causes us to be dissatisfied with this partial granting of confidence, and the imagination is excited with specters of deep design, and produces a general assault on the whole line of those who advocate the measure. I was present at the conference of the two committees when the purpose of this appropriation was fully presented and considered, and the reasons for withholding the information, which have been criticised, were fully explained. My friend from Minnesota [Mr. WASHBURN] is rather comprehensive in his statement when he says that all present seemed to favor this measure. He will doubtless recall the fact that there was no vote taken which would indicate the views of members before the committees separated.

A secret-service fund has always been employed by this Government, as it is by every other, but I venture to say in our whole history it has never exceeded at any one time $30,000, and usually much less. The weaker the Government and the more perilous its position the greater is the necessity for the employment of such a fund. The present proposition to appropriate $250,000 for this service when the Government is at perfect peace with all the world and the American name feared and respected abroad, is not calculated to impress us with that confidence which should command our support. The discussion has disclosed the fact that notwithstanding the information possessed by the Committees on Foreign Affairs and Appropriations, instead of their members being united in support of this measure, they entertain very different and widely diverging views in regard to the necessity and propriety of the appropriation. Therefore they do not present such a union of council as is calculated to impress this body with the necessity for this departure from our American policy of frankness and fearlessness in all our negotiations with foreign nations.

Another thing will strike us as singular, that while we are called on to make this secret-service appropriation for a secret purpose, the remarks which have fallen from different members of the House indicate that we are dealing with no secret at all, and if this be true it is proper we should discuss the proposition itself instead of involving it in a shroud of mystery. If secrecy is necessary, of which I have not been convinced, then only would this appropriation be justified without disclosing all the facts. We as representatives of the people are simply their trustees in regard to the money in the Treasury, and when appropriations of this kind requesting large sums for this secret-service fund are asked for we have a right to demand that good and cogent reasons should be given for our compliance, or else they should be so overwhelming in their nature as to compel the members of the committees to whom the facts have been disclosed to present greater harmony in their recommendations. As before remarked, I have not been convinced of the necessity for this amendment to our consular and diplomatic bill, and therefore can not recommend its adoption by this House.

Mr. BURNES. How much time remains?

The SPEAKER. The gentleman has one minute remaining.

Mr. BURNES. I will yield that one minute to my friend from Louisiana [Mr. ELLIS].

Mr. ELLIS. I thank the gentleman, but I do not want it.

The SPEAKER. The gentleman from Illinois [Mr. TOWNSHEND] is recognized as entitled to the floor.

Mr. TOWNSHEND. I was about to remark, when I sought the floor a few moments ago, that the further discussion of this matter would be in the nature of inflicting punishment upon the members of this House. But as I am a member not only of the Committee on Appropriations but also of the conference committee which has brought in this report, I feel that it is due to myself to occupy at least a few minutes in stating the reasons why I have not concurred in the Senate amendment.

I will say that I really regret that any discussion has taken place upon this question. It is difficult to discuss the reasons that have prompted the request for this appropriation without divulging matters which I do not feel ought to be brought before this House. I will say that I have arrived at the conclusion I have reached in joining my friend from Missouri [Mr. BURNES] without finding it necessary to reflect upon anybody, either an official or a non-official.

I think the reasons are apparent and clear enough without indulging in any reflections upon the motives of any one, and without—and I will not say that any one has done so—invading the secrets of the committee of conference.

I have studied the questions as well as I could, in order that I might be enabled to arrive at a just and fair conclusion upon this important question. And in one or two words only I will state the grounds upon which I base my opposition to the amendment of the Senate.

We find there is a grant which was made to certain individuals for the construction of a canal across the Isthmus at Nicaragua. That grant contains a clear, distinct, unequivocal provision that it can not be assigned to the Government of the United States or to any other government.

The next difficulty I have found in this case is this: A treaty exists which England does not admit has yet been abrogated, either by any action of hers or by her non-action. That is a treaty that specifically and unequivocally declares that the Government of the United States will not acquire the exclusive right to the construction of a canal across the Central American isthmus without the co-operation or consent of Great Britain.

A word or two more. Suppose that we appropriate this $250,000, and suppose, as gentlemen seem to have taken it for granted, it is to be used for the purpose of acquiring the rights enjoyed by this private corporation who hold a grant from Nicaragua, what use can we make of them? We can not make any use of them, because, in the first place, the grant itself declares that we can not acquire the title to the grant. In the second place, we can not make any use of the grant without involving ourselves in complications with Great Britain, to say the least of it.

Then, as it appears to me, if this $250,000 is used for the purpose of enabling this private corporation to accomplish what is necessary to be accomplished by it in order to avoid a forfeiture of the grant in October next—if any of this money is expended to enable that corporation to preserve that franchise, that grant, then whatever use is made of it the benefits resulting from it will inure to the corporation, with no benefit whatever to this Government.

These are the reasons which have controlled my action in withholding my assent from the amendment of the Senate. I will not trespass further upon the patience of the House; but in accordance with promise will yield ten minutes to the gentleman from Colorado [Mr. BELFORD].

Mr. BELFORD. Mr. Speaker——

Mr. BURNES. I rise to a point of order. If I have been correctly informed, each side in this debate was limited to an hour.

The SPEAKER. No limitation has yet been put upon the debate. The previous question has not been demanded.

Mr. BELFORD. I do not know, Mr. Speaker, what the love-birds of Africa, who constitute these two committees, may have finally concluded upon; but one thing to my mind is certain—this scheme ought not to be adopted; this amendment ought to be repudiated.

We have running from Denver in my State to the old City of Mexico a line of railroad. We propose to run that road across the Isthmus of Panama through South and Central America, Argentine Republic, and the Empire of Brazil, so that the tourist may take a Pullman palace-car from the city of New York and travel without interruption till he sips his coffee under the shadow of the palace of the Emperor of Brazil.

For what reason should we build the canal here proposed? What will best promote commerce? The expedition of transportation. That is the great solvent of the future. We are entitled to control the entire commerce of this continent, and we can only do so by the influence of railroads, which reduce the time occupied in the transportation of goods. Who control the commerce of Mexico? Foreigners. Who control the entire commerce of the Argentine Republic? The Italians. Who control the commerce of these other states? The subjects of France and England and Germany. We have had no ability to compete with them, because we had no vessels that could carry goods with equal promptitude.

Now, suppose that instead of constructing a canal of this kind, evidently in the interest of private speculators, we go to work and construct that railroad from the City of Mexico across the isthmus, through South and Central America. Can we not transport all our commerce upon that route in seven days instead of four weeks; and can we not, by the great gain in point of time, overcome the competition of European powers? I think this scheme for a canal is an idle project, and I propose to vote against it. I shall do so on the principle that there is a better way; that instead of giving $250,000 for the construction of this canal, we ought to give $250,000 to construct the railroad as I have described. When we get it constructed we shall make England and France and Germany bow their heads in reverence to the commerce which

we shall control, the commerce of the continent, to all of which we are justly entitled. With these views I shall vote against the amendment.

Mr. TOWNSHEND. Now, if my friend from Colorado [Mr. BELFORD] will call the previous question——

The SPEAKER. The gentleman from Missouri [Mr. BURNES] has one minute remaining.

Mr. BURNES. I will occupy that minute in calling the attention of my genial, accomplished, and esteemed friend from Louisiana to a statement of the Monroe doctrine as given in the message of President Monroe in 1823:

The occasion has been judged proper for asserting, as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintained, are henceforth not to be considered as subjects for future colonization by any European power.

[Here the hammer fell.]

Mr. BURNES. I regret I have not time to read the second and third utterances of President Monroe on the same subject. In the third he says that the peace and quiet (which are synonymous with the happiness) of the people of this country will be involved in any attempt to interfere either with the existing institutions or the governments of these people.

I now move the previous question.

Mr. WASHBURN. I move that the House recede from its disagreement to the amendment of the Senate and agree to the same.

The previous question was ordered.

The question being taken on the motion of Mr. WASHBURN it was not agreed to, there being—ayes 41, noes 48.

Mr. BURNES. I move that the House further insist on its disagreement to the amendment of the Senate.

The motion was agreed to.

The SPEAKER. Does the gentleman from Missouri move that a further conference with the Senate be requested?

Mr. BURNES. Yes, sir.

The SPEAKER. If there be no objection, it will be so ordered.

There was no objection; and the Speaker announced the appointment of Mr. BURNES, Mr. TOWNSHEND, and Mr. WASHBURN as the conferees on the part of the House.

Mr. RANDALL. I would like to consult the wish of the House in relation to a recess to a later hour in the day. There are members of the conference committees who do not desire to be out of the House when important questions between the two Houses are being discussed and disposed of. I am quite willing myself to continue to sit here, but I am pressed on all sides to submit a proposition to the House. We have now been here nearly twenty-two hours, and if we could take a moderate length of time in recess perhaps we could get along better. I would suggest 3 o'clock p. m.

Mr. WHITE, of Kentucky. Oh, no; say 10 o'clock a. m.

Mr. BLOUNT. I suggest that we follow the lead of those having charge of conferences.

Mr. CALKINS. It is usual to follow the suggestion of the chairman of the Committee on Appropriations in such matters.

Mr. RANDALL'S motion was agreed to; and accordingly (at 7 o'clock and 20 minutes a. m., Sunday, July 6) the House took a recess until 3 o'clock p. m.

AFTER RECESS.

At 3 o'clock p. m. (July 6) the House resumed its session, and was called to order by the Speaker.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted in the following cases:

To Mr. ENGLISH, for ten days, on account of important business.

To Mr. HATCH, of Missouri, indefinitely.

To Mr. COSGROVE, for the remainder of the session.

To Mr. POTTER, for one week, on account of important business.

To Mr. JOHNSON, indefinitely.

MEXICAN PENSION BILL.

On motion of Mr. TOWNSHEND, by unanimous consent, the Mexican pension bill with Senate amendments was ordered to be printed.

EDUCATIONAL BILL.

Mr. JOSEPH D. TAYLOR. Mr. Speaker, I ask unanimous consent to present to the House the book I hold in my hand. This beautiful volume contains the names and post-office addresses of 5,000 men who petition this Congress to pass without delay a bill granting Federal aid on the basis of illiteracy to promote the cause of education. Judge Tourgée sent petitions like the one on the second page of this book to the subscribers of the Continent, a magazine of which he is the editor and publisher, and when the petitions were signed and returned to him he cut off the printed heading and caused the names, with one heading, to be bound in this volume, as he states in the first page. Other like volumes will be forwarded by him as the names are sent in. These petitioners specify certain provisions which they insist should enter into any bill which shall become a law. Judge Tourgée has probably given more attention to this subject than any other man in the United States, and hence his interest in this matter. I ask that the petition on the second page and the explanation on the first page of this volume be printed in the RECORD as a part of my remarks. This book will be placed in the Library, where it can be seen by any member desiring to examine it.

The Clerk will please read the statement of Judge Tourgée and the petition.

NEW YORK, *June* 4, 1884.

In presenting the following petition to the members of the House of Representatives for their consideration I desire to state that it was made up under my immediate personal supervision, the headings of the separate papers of which it is composed being simply cut off and the petitions pasted into the volume in the order in which they were received.

No attempt was made to reach specific individuals or classes. The petitions were sent only to the regular mail subscribers of the Continent magazine and such others as made special application for them. The volume contains some 5,000 signatures of men of all parties and of every shade of political thought.

This volume contains only the first installment of the signatures already received; others will be prepared and forwarded from time to time until the question is finally settled. It is believed that almost every name is that of an intelligent and substantial citizen. Every State and Territory is represented. The utmost care has been taken to make the petition worthy of the representatives of the people. In the hope that it may tend in some measure to guide in the correct application of a great and beneficent principle, I have the honor to subscribe the same.

ALBION W. TOURGÉE.

"Make the spelling-book the scepter of national power!"

A PETITION.

To the Senators and Members of the House of Representatives of the Congress of the United States:

Whereas the Government of the United States fostered and protected the institution of slavery for three-quarters of a century; and

Whereas the said institution of slavery was based upon ignorance and rendered necessary laws which prohibited, by the extremest penalties, the education of the slave; and

Whereas the said institution prevented the development of diversified industries, discouraged the establishment of public schools, and created throughout the South a very numerous ignorant class, known as "poor whites;" and

Whereas at the close of the war of rebellion 4,000,000 of ignorant slaves were made free, and, as an unavoidable and intended result of national legislation, were thereafter enfranchised and became equal political factors with the other citizens of the various States; and

Whereas the said 4,000,000 of freedmen have now increased to more than 6,000,000, and because of generations of degradation and repression the greater part thereof are still illiterate; and

Whereas in sixteen of the States of the Union 40 per cent. of the voters are confessedly unable to read the ballots which they cast, and a large portion of the rest of the population of said States are unable to do more than merely spell out a few words with difficulty, and are in no useful sense able to read and write; and

Whereas this population is increasing faster than was ever known before in the history of any people, and the number of illiterates is year by year increasing at a still more rapid rate; and

Whereas 83 per cent. of the power of a majority in the House of Representatives and the Senate of the United States, as well as in the electoral college, is exercised by these communities, two-fifths of whose voters are neither able to comprehend their political duties, to understand how to perform them, or to see to it that what they do produces the results they intend; and

Whereas the States of the South are not actually able, because of the impoverishment of slavery and the losses attendant upon war and emancipation, to provide schools for so great a multitude of the illiterate; and

Whereas "the only remedy for darkness is light; for ignorance, knowledge;" and

Whereas this mass of uninstructed power is perilous to the nation's life and a menace to the liberty of every citizen in the land: Therefore,

We whose names are hereto attached, resident as set forth herein, profoundly impressed with a sense of national peril, and fully satisfied that justice, good policy, and the highest statesmanship demand such action at our hands, do respectfully and earnestly petition you, our agents and attorneys, the Senators and Representatives from the various States of this Union, to take instant measures for the cure of this evil and for averting this impending peril, and do abjure you to make no delay in this business, which so nearly concerns your oaths to promote "the welfare of the United States;" and

Whereas many riots and murders and outrages of various kinds have disturbed the peace and disgraced the civilization of those States, and we believe that only the general enlightenment of all classes of the people can repress such evils, can prevent a conflict between the races at no distant day which must result in the most horrible of all forms of civil war, we implore you also, by your sworn obligation, to provide for the national defense and the general safety of the land, that you without delay make such appropriation and provision for the promotion of intelligence and education as, without extravagance or unnecessary expenditure, shall most speedily and certainly tend to the immediate reduction of the ratio of illiteracy, especially in the Southern States, and among all races and classes of citizens.

While submitting to your wisdom the details of the measure designed to secure the object in view, we would respectfully suggest that in our opinion it should contain the following elements:

1. The funds should be distributed according to illiteracy, and the schools devoted to each race should receive the amount to which the illiteracy of that race entitles them.

2. It should be devoted wholly to the promotion of primary education, or the eradication of illiteracy, and should be applied only to the payment of teachers.

3. It should be disbursed directly to each school district, according to the illiteracy therein, and only paid upon satisfactory proof that a primary school, or schools, under the charge of competent instructors, has been in operation in said district for a specified time during the year for which the appropriation is made.

4. That the appropriation should in no case exceed one-half the legitimate expenses of the school to which it is given, the remainder to be supplied either by State or local taxation, or by private contribution, and the payment thereof to be shown before disbursement of the national fund is made.

5. That the proportion of the fund assigned for the illiterates of one race shall in no case be disbursed to schools for the other race, nor the appropriation for one year be applied to the support of schools during another year.

With these provisions, and such others as your wisdom may dictate, we believe that an expenditure of ten or even twenty millions of dollars a year for a period of ten years might be economically and effectively disbursed, and would accomplish more in securing the prosperity, good government, and security of the United States than any other possible use to which the same could be applied.

And your petitioners will ever pray, &c.

On motion of Mr. HEWITT, of Alabama, by unanimous consent, the House (at 3 o'clock and 3 minutes p. m.) took a recess for fifteen minutes.

AFTER RECESS.

At 18 minutes after 3 o'clock p. m. the House resumed its session.

Mr. RANDALL. Mr. Speaker, I desire to make a motion to take a recess for an hour. In support of that motion it is proper for me to say I of course am reluctant to keep the House in session on this actual day, but in one hour it will be sufficiently developed by consultation of conferees whether an agreement is likely to be reached to-day.

I believe in all probability the consular and diplomatic bill will come from the Senate with such action as will secure its immediate presentation to the President.

The deficiency bill is still in conference.

The conferees on the naval bill are unable to agree. In obedience to a suggestion a bill has been prepared by each side looking to an appropriation for six months for the support of the Navy, which may be a solution of the difficulty between the two Houses. That would leave out of course for six months any appropriation for monitors or duplication of cruisers. Still it will contain an appropriation looking to the completion of the cruisers. It will embrace also for six months an appropriation of $500,000 for armament. It was inserted by vote of the House over the recommendation of the committee, and the conferees on the part of the House felt in duty bound to recognize that vote of the House in that particular. Otherwise they would not have done it.

Mr. BROWNE, of Indiana. Will the gentleman allow me to say that on last night in the middle of my speech he took me off the floor to present a report from the committee of conference on one of the appropriation bills, with the right reserved and accorded to me of resuming and concluding my remarks some time between now and next December. Now, instead of taking a recess, I would be glad, with the indulgence of the House, to entertain them for about three-quarters of an hour. [Laughter.] If it be the sense of the House that I may proceed and conclude my remarks now it will be more satisfactory to me.

Mr. RANDALL. The gentleman from Indiana will permit me to state that I did not take him off the floor except by his own consent.

Mr. BROWNE, of Indiana. By no means. I yielded the floor at the suggestion of the gentleman, and for that reason I appeal to him to allow me to proceed now.

Mr. RANDALL. I think the gentleman from Indiana had better take a later time in this session.

Mr. BROWNE, of Indiana. In this session?

Mr. RANDALL. There are not many members present yet, and I feel obliged to press the motion. I am satisfied that by the expiration of that time it will be demonstrated beyond all doubt whether there will be agreements between the two Houses in the matters now in controversy.

Mr. MILLS. Do you expect that we will be allowed to adjourn to-night?

Mr. RANDALL. Yes, sir; undoubtedly—at least that is my hope.

Mr. HOLMAN. Permit me to state that with reference to the fourth bill, to which the gentleman from Pennsylvania has not referred, there is but a single item of disagreement. I refer to the legislative bill.

Mr. RANDALL. I have not said anything about that bill because the gentleman from Indiana himself who had charge of the bill was present on the floor, and I preferred that he should make the statement himself.

The SPEAKER. Does the gentleman from Indiana desire to be heard?

Mr. HOLMAN. Only to say that with reference to this fourth bill, the gentleman from Pennsylvania having mentioned three others that are pending—that with reference to the legislative bill there is but a single item in controversy between the two Houses, and that question will be presented at an early date for the action of the House.

Mr. RANDALL. I now ask that the motion I have made be submitted to the House.

Mr. VALENTINE. I hope the gentleman from Pennsylvania will not urge the motion for a recess. A gentleman on the other side of the House occupied an hour last night in the discussion of this Mexican pension bill, and it is only proper that this side should have the opportunity of a reply.

Mr. RANDALL. This is Sunday, and I do not want to encourage or to do anything that will bring up a debate of an acrimonious or a political character on to-day.

Mr. VALENTINE. The debate on the other side partook of that character.

Mr. RANDALL. I only want to stay here on Sunday as a necessity to get clear of the appropriation bills.

Mr. BROWNE, of Indiana. The speech on the other side was made on Sunday.

Several MEMBERS. Oh, no.

Mr. MILLER, of Pennsylvania. It commenced after 12 o'clock last night.

Mr. RANDALL. I dislike to do anything that seems discourteous to the gentleman from Indiana, but I must insist upon the motion in the interest of the completion of the appropriation bills, and for the reason I have stated.

The question was taken. The House divided; and there were—ayes 52, noes 21.

Mr. SMALLS. No quorum.

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

Mr. RANDALL. I want to urge upon the gentleman who makes the point of a quorum as against the recess, that there are members of the conference committees that do not want to be absent from the House when it is in session if it is possible for them to be here, and as the only business in my judgment that should be transacted on this day is the necessary business relating to the conferences, I hope the point will not be insisted upon.

Mr. STEELE. That could readily be arranged if the members of the conference committee desired to be present.

Mr. HISCOCK. Who made the point of order?

The SPEAKER. The Chair understands the gentleman from Nebraska to have made it.

Mr. VALENTINE. I did not make the point of order.

Mr. SMALLS. I made it, but at the suggestion of gentlemen arouud me I will withdraw it although I would like to hear the speech of the gentleman from Alabama [Mr. HEWITT] answered.

Mr. BROWNE, of Indiana. May I be permitted to say a word?

I thought it was but right that I should have an opportunity of simply stating how this Mexican pension bill now stands with the Senate amendments, in order that the country may know precisely the issue that had been dividing the parties here during the last three days. I do not desire to make anything like a partisan or political speech; but after the gentleman on the other side [Mr. HEWITT] has consumed an hour, if the House shall think it best now that I say nothing at this stage of the session; that this side should say nothing; that we should stand mute; that we should submit this case, and that that is fair, I will submit to the judgment of the House.

Mr. RANDALL. There is no effort on my part to gag anybody.

Mr. HOLMAN. Allow me to say to my colleague from Indiana that it is scarcely fair to say that there has been a division between the parties on this question.

Mr. BROWNE, of Indiana. I referred in that statement to the two sides as divided upon this bill. I spoke in no political sense at all. I know that there are Democrats favoring it and Democrats opposing it.

The SPEAKER. The point of no quorum having been withdrawn, the motion for a recess is agreed to.

And accordingly (at 3 o'clock and 32 minutes p. m.) the House took a recess for one hour.

AFTER THE RECESS.

The recess having expired, the House (at 4 o'clock and 42 minutes p. m.) resumed its session.

ORDER OF BUSINESS.

Mr. THOMPSON. I ask unanimous consent—— [Cries of "Regular order!"]

Mr. SCALES. I ask unanimous consent to present a Senate resolution referred to the Committee on Printing for present action.

The SPEAKER. The resolution will be read, subject to objection.

The Clerk read as follows:

Resolved by the Senate (the House of Representatives concurring), 1. That the Joint Committee on Public Printing is hereby instructed to examine into the numbers printed of the various documents, reports, bills, and other papers published by order of Congress, or of either House thereof, and of the CONGRESSIONAL RECORD, and to report a bill in December next, making such restrictions in the numbers and cost of printing, and such changes and reductions in the distribution of said publications as they may deem expedient, with a report giving their reasons therefor; and that the said committee is also instructed to investigate the printing and binding for the Executive Departments, executed at the Government Printing Office, and at the branch printing offices and binderies in the various Departments, and report a bill in December next making such reductions in expenses and imposing such checks as they may deem expedient, with a report giving their reasons therefor; and said committee is further instructed to make any other investigations calculated in their opinion to reduce the cost of the public printing, and report the result thereof; and the said committee is hereby authorized to summon and to examine experts and witnesses, and to call upon the heads of the Executive Departments and the Public Printer for such information regarding the preceding matters as they may desire; and any expenses necessarily incurred in making the investigations aforesaid shall be defrayed equally from the contingent funds of the two House of Congress.

2. Said committee is hereby authorized to sit during the recess for the purposes of the first section hereof and in the discharge of its usual duties.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

Mr. CHACE. I object.

ORDER OF BUSINESS.

The SPEAKER. The regular order is demanded.

Mr. HOLMAN. I move that the House take a further recess of one hour. I wish to state that the report of the committee of conference on the sundry civil bill will be reported to the House to be presented to the two Houses at quite an early moment, to be followed by the report on the naval appropriation bill. By taking a recess for the period of one hour the business of Congress will be very much promoted.

Mr. TUCKER. I ask the gentleman from Indiana to withhold his

motion for a moment to allow me to present a report from the Committee on the Judiciary.

The SPEAKER. If there be no objection the gentleman from Virginia [Mr. TUCKER] will send up his report.

There was no objection.

PUEBLO OF SAN FRANCISCO.

Mr. TUCKER, by unanimous consent, from the Committee on the Judiciary, reported back a resolution relating to the grant to the pueblo of San Francisco, and moved that it be laid upon the table and that the accompanying report be printed.

The motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. The question is on the motion of the gentleman from Indiana [Mr. HOLMAN] that the House take a recess for one hour.

Mr. O'NEILL, of Pennsylvania. I think it might be well to extend the recess until 7 o'clock.

The SPEAKER. The gentleman from Indiana states that the report on the sundry civil bill will be ready in a short time, to be followed by the report on the naval bill.

Mr. BROWNE, of Indiana. I find, after consultation with gentlemen who are in favor of the amendments of the Senate to the Mexican-war pension bill, that they believe it is but just to them, to the House, and to the country that I should correct some of the mistakes that were inadvertently committed in the argument of the gentleman from Alabama [Mr. HEWITT]. I hope, therefore, while the conference committees are absent and are engaged in other work, the House will not take a recess, but that I will be permitted to proceed to make that statement. I had the floor at the time the gentleman from Pennsylvania [Mr. RANDALL] entered the House with a conference report, and yielded it because I did not desire to obstruct that business, in which the whole House and the country are so deeply interested. Having been thus courteous to the House I do think I am not asking too much when I appeal to it to allow me to proceed.

Mr. HENLEY. My recollection is—I appeal to the House for its accuracy upon that point—that the gentleman from Indiana had approximately the same amount of time that the gentleman from Alabama has had.

Mr. BROWNE, of Indiana. The gentleman from California is very much mistaken. He is mistaken by over forty-five minutes; that is all.

Mr. HENLEY. I do not think so.

Mr. HEWITT, of Alabama. I hope the gentleman will be granted the privilege of addressing the House.

The SPEAKER. But the gentleman from Indiana has made a motion for a recess for one hour.

Mr. HISCOCK. Will not the gentleman from Indiana [Mr. HOLMAN] consent that we remain in session for debate only on this question, no other business to be transacted?

Mr. HOLMAN. I made the motion I did out of deference to the common sentiment of our country in regard to the employments proper for the Sabbath day. I think Congress should show a decent respect for the opinions of their constituents in regard to the Sabbath, and that no other business should be done to-day than that which is necessary to be done. That is my sentiment; but I will not insist on the motion. I withdraw the motion for the recess.

Mr. YOUNG. I renew it. I move that the House take a recess until 6 o'clock.

Mr. BROWNE, of Indiana. I regret my colleague [Mr. HOLMAN] did not make that suggestion when the gentleman from Alabama [Mr. HEWITT] was addressing the House.

Mr. COX, of New York. I hope my friend from Tennessee [Mr. YOUNG] will be generous to the opposition and not insist on his motion for a recess.

Mr. YOUNG. I should be very glad to hear the gentleman from Indiana on this important question. But if he addresses the House other gentlemen will want to be heard, and I should like to have an opportunity of discussing the question myself.

Mr. PETERS. I give notice that I shall insist on a quorum on the motion for a recess.

The SPEAKER. The question is on the motion of the gentleman from Tennessee [Mr. YOUNG] that the House take a recess until 6 o'clock.

The House divided; and there were—ayes 38, noes 58.

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

MEXICAN-WAR PENSIONS.

The SPEAKER. The gentleman from Indiana [Mr. BROWNE] is entitled to the floor. He has forty-eight minutes of his time remaining.

Mr. BROWNE, of Indiana. Mr. Speaker, when I yielded the floor I was proceeding to say that the gentleman from Alabama [Mr. HEWITT] criticises the amendments to this bill—one of them, at least—because in the case of widows the pension is not confined to those who were wives of the soldiers at the time they performed the services or at the time of their discharge. The amendment as it stands is in accordance with the uniform rule pursued in pension cases. Our legislation has rarely limited pensions to widows who were wives when the deceased husbands were in the service. In every instance in which pensions have been granted to those who have subsequently died because of disabilities incurred in the service they have gone to the surviving widows, without regard to the time of marriage. Until now the propriety of this legislation has never been challenged. Whether or not this be a correct principle, it will add a very small sum to the pension account, and I shall not stop to discuss that question further. I doubt the sincerity of this objection, and fear it is used as a mere pretext by those who are unwilling to give the Union soldier any relief by this bill.

The gentleman from Alabama insists that the amendments enlarge the provisions of the original act so far as the soldiers of the Mexican war are concerned. In that he is evidently mistaken. For, as I said this morning, they not only cut off from a right to pension all those whose names appeared on the roll, but who actually performed no service in that war, but they restrict the service pension to two classes: First, to those who have attained or may hereafter attain the age of 62; and secondly, those who are subject to a disability or dependence of such character as is equivalent to some of the causes prescribed or recognized in the pension laws of the United States. And this as a service-pension is most generous.

The men who fought at Lexington and Monmouth, and Saratoga, Bunker Hill, and Yorktown were not allowed a service-pension until June 7, 1832, fifty years after the close of the Revolution, and when its survivors were of the average age of 75 years. And then no provision was made for the surviving widows. They were given a pension for the first time by the act of July 4, 1836. No Revolutionary soldier was entitled to a pension under the act of 1832 unless he had served at least six months. We did not give a soldier of 1812 a short-service pension until March, 1878, nor until the average age of the soldiers of that war was 86 years. By this most liberal bill we require of the Mexican war soldier a service of fourteen days only, and that he shall have but attained the age of 62. In the light of these undeniable facts, who will say this measure is illiberal to the Mexican war soldier? Who would put him above the heroic men of 1776 and 1812?

But, sir, I have shown that this bill as it is amended restricts rather than enlarges the class of claimants to whom pensions would have been given under the original act. My friend, therefore, is mistaken, very badly mistaken, when he objects to this bill because it increases the expenditures from the Treasury. It does exactly the reverse.

He next insists that the bill discriminates against the Mexican soldier and in favor of the soldier who performed service in the Union Army in the late war. Here he commits a still graver mistake. But before proceeding to discuss that point I hope he will allow me to call his attention to the fact that every one of the Mexican soldiers, those who were actually in the service and those who were not in it, has been given by the liberality of the American Congress a land-warrant for one hundred and sixty acres of the public domain. Every man of them has received his land-warrant or his land-scrip or its equivalent who was in the service of the Government in the Mexican war.

The legislation of Congress on that subject began by providing that those who had served a given length of time should receive a land-warrant for one hundred and sixty acres, another class serving less time should receive eighty acres, and still another class forty acres. But by subsequent legislation all of them, without regard to the time of service, were given each one hundred and sixty acres of the public domain. The record shows that these men got their land to the last acre. In this they have been favored above the Union soldier.

This land bounty has never been accorded to the Union soldier of the late war. No matter how long he may have served, how valuable or how distinguished his services may have been, he has never received and perhaps never will receive from the Government of the United States a single acre of the public domain. Those who oppose this bill will certainly never vote him a land-warrant.

Mr. HEWITT, of Alabama. I ask the gentleman to yield one moment. I would like to ask him if a large number of the Union soldiers did not receive a bounty in money.

Mr. BROWNE, of Indiana. Yes, a very large number of them received bounties in money; which were not given to the soldiers of the Mexican war. But a very large number (a fifth or sixth of the whole number, perhaps ten times as many as all who were engaged in the Mexican war) received no bounty at all, or, if any, a very insignificant one. But, sir, were these wars equal—equal in duration, in sacrifice, in suffering, in danger, in results, in anything?

Now let me call the attention of gentlemen of the House to the fact that by several acts of Congress there was given to the soldiers of the war of 1812, of the Mexican war, and of the various Indian wars which the gentleman from Alabama included in his bill, and for the passage of which he seems to be so anxious, an aggregate of over 62,000,000 acres of the public lands. What an empire was this! How munificent this gift!

Mr. HEWITT, of Alabama. I would like to state to the gentleman that if he will examine the records he will find that two-thirds of that land was stolen from the soldiers.

Mr. BROWNE, of Indiana. Stolen from them? How stolen? You surprise me.

Mr. HEWITT, of Alabama. I perhaps should not say two-thirds, that is a little extravagant. But at least one-fourth of the land granted to the soldiers of the Indian wars and of the Mexican war was absolutely stolen from them.

Mr. BROWNE, of Indiana. By whom? Certainly not by the Government.

Mr. HEWITT, of Alabama. You will find by an examination of the records in New York and other States that the land-warrants were obtained from the soldiers and sold to other parties.

Mr. BROWNE, of Indiana. Suppose that were true; I am talking about what the Government did. The fact the gentleman states, if historically correct, does not affect the generous disposition of the Government of the United States toward these men. That these soldiers were swindled is no fault of the Government.

Mr. HEWITT, of Alabama. I beg your pardon.

Mr. BROWNE, of Indiana. Allow me to proceed. Let me say that of this 62,000,000 acres of bounty lands given to these soldiers over 16,000,000 acres went to the soldiers of the Mexican war alone. Now, let us look at that for a moment. Sixty-two millions of acres makes 96,875 square miles, or the equal of a territory 311 miles square; a domain twice as large as the great State of Indiana. The Mexican war soldiers alone got a territory two-thirds as large as that State. Yet the gentleman talks about the legislation of Congress discriminating against the soldiers of the Mexican war. Sir, they have been favored by that legislation above all others, as I have shown, and as I will show as I proceed.

The next thing the gentleman has asserted is that this eighth section, taken I suppose in connection with the other provisions of the bill, will take from the Treasury of the United States the immense sum of $2,000,000,000. I would have been gratified had the gentleman favored the House with the figures by which he reached that startling conclusion. Pardon me for asserting that this estimate is absurd.

I have had something to do in figuring upon estimates for pensions upon this and other bills, and am safe in saying that the gentleman's statement is a fearful exaggeration. Now let us see. To be brief, according to the highest estimate made by any one who understands the question this bill in the aggregate, including every class of pensioners contemplated by it, will not put upon the pension-rolls more than 250,000 names. Remember that there are now pending in the Pension Bureau from two hundred and fifty to three hundred thousand applications for pensions, a large percentage of which will go upon the pension-roll under the law as it now stands.

If claimants for pensions under the eighth section of this bill are taken from those who have applications now pending, and many will be, the result as to these will not be to increase the pension expenditures at all, for if they are not paid under this act they will be paid under the general law. However this may be, I put the highest number of beneficiaries under these amendments at 250,000. The average pension will be about $100 a year, and the amount to be met therefore will be $25,000,000 for the first year. But we must remember that these pensions, under the eighth section, are granted only to a class of disabled or diseased or infirm persons, and that death from year to year will rapidly diminish the roll. And it is not within the possibility of things that it can reach $2,000,000,000 or $1,000,000,000 or $500,000,000.

I believe sincerely that the total cost of the Senate amendments to this bill will not be equal to the sum the Government has paid as interest on the national debt for a single year. The opposition to this measure set up its cost simply to frighten the timid.

But again, it is claimed that this bill by the eighth section discriminates against the soldier of the Mexican war and in favor of the Union soldier. Let us see. The first section gives, as I have already attempted to show, a service-pension to those who have attained the age of 62, and to those who are disabled or who are dependent, and pensions are provided for those who served from one to fourteen days. That is what is done for the soldier of the Mexican war. If he served from one to fourteen days, if he has attained or shall attain the age of 62 years, or if he suffers under a disability or is dependent, he receives a pension.

How is it as to the Union soldier, under the provisions of the eighth section? In the first place, he must have served three months—not merely one day or fourteen days. In the next place, the language is:

Who has or shall become disabled from any cause not the result of his own gross carelessness, &c.

In the first place, he must have served three months; in the second place, he must be suffering from a disability which is not the result of his own vicious habits or disreputable conduct. What further than that?

And shall also be dependent upon his own labor for support, or shall be chargeable upon the charity of others who are not by law required to give him support.

All these things must concur before the Union soldier can receive a pension under the eighth section of this bill. He must have served three months; he must be disabled in a pensionable degree, and he must be dependent upon his own labor or upon the charity of other people for support.

Now, let me stop here and appeal to gentlemen on both sides. As a matter of justice to the soldier who has faithfully and heroically served his country, ought not the Government, when that soldier becomes disabled and dependent, to put him upon the pension-roll and save him from becoming the object of private or public charity, whether he is to be supported by others who are under no obligations to support him, or whether he must be committed to one of the common poor-houses of the country? Can it be possible that any one denies this obligation of the country?

Mr. McMILLIN. Will the gentleman yield to me a moment?

Mr. BROWNE, of Indiana. Always to my friend from Tennessee.

Mr. McMILLIN. The gentleman has described two classes of cases provided for under this bill, the cases of soldiers of the Mexican war and the cases of soldiers of the late war. Now, does not the gentleman think it unjust to give to the widow of the soldier of the Mexican war only $8 a month, and to the widow of a soldier of the late war $12 a month? Does he not think it unjust to give to the totally disabled soldier of the Mexican war $8 a month, and to the totally disabled soldier of the late war $24 a month? There is what I conceive to be the great injustice of this bill, which I think no man can justify.

Mr. BROWNE, of Indiana. I have attempted to show that while the provisions of this bill are extended to soldiers of the Mexican war who performed from one to fourteen days' service—a class of soldiers every one of whom has received one hundred and sixty acres of the public lands; a benefit which has not been given to the Union soldier—this bill is not objectionable as creating a discrimination or an inequality between these two classes of soldiers.

Mr. McMILLIN. But that remark does not apply to all of either class. A portion of the Union soldiers received $300 bounty, and a portion of the soldiers of the Mexican war, who are to get but $8 a month for total disability, served not only three months but a year or more than a year.

Mr. BROWNE, of Indiana. But will the gentleman permit me to say that under this eighth section a disabled Union soldier may receive only $8 or $4 or $2 or $1 a month, while in every instance the soldier of the Mexican war is to have $8 a month? Under the eighth section of this bill the pension to be received by the Union soldier is to be fixed according to the degree of disability, while to the Mexican soldier, without regard to the degree of his disability, the bill grants a pension of $8 a month absolutely.

Mr. McMILLIN. But where the disability is total the soldier of one class gets $8 a month and the soldier of the other class $24 a month. There is the injustice of which I complain.

Mr. BROWNE, of Indiana. That may be true. I do not say that this measure, taken as a whole, does not contain some inequalities and defects. But the gentleman will permit me to say to those who have united with my friend from Alabama [Mr. HEWITT]—I do not say that this remark includes the gentleman, and it does not make any difference whether it does or not—do you not know that by your tactics you have prevented us as well as yourselves from suggesting any kind of amendment to these provisions put upon the bill by the Senate? You have absolutely tied the hands of this House so that we have not been able to amend this bill at all in order to meet the objections which you now make to it.

Mr. McMILLIN. But there is no man here deluded enough to believe that there can be at this stage of the session a single amendment accomplished to remedy the "inequalities" of which the gentleman speaks. The gentleman does not say that he believes such amendment practicable.

Mr. BROWNE, of Indiana. I do not know what might have been accomplished. I only know we had no opportunity to try. I attempted to reach this measure a week ago and was voted down.

Mr. McMILLIN rose.

Mr. BROWNE, of Indiana. If the gentleman will indulge me, I have a line of argument I desire to follow.

Mr. McMILLIN. I was going to call the gentleman's attention to the fact, in response to what he said, that his motion to adopt the amendment of the Senate is the very injustice we speak of.

Mr. BROWNE, of Indiana. It does not come with good grace for gentlemen to talk about the bad faith of denying motions to adopt amendments and all that when they put a bill through this House under a suspension of the rules which they now confess was extravagant and would take millions of dollars from the Treasury of the United States.

Mr. McMILLIN. The bill which came from the Senate is no more like the one which went from the House——

Mr. BROWNE, of Indiana. No; it is very much improved, I admit. It is juster if not cheaper.

Now, Mr. Speaker, I have attempted to show that when you take this whole measure together there is in it no injustice, extravagance, or inequality of which the gentleman or the country have a right to complain, and I have attempted to show in the second place that the eighth section, to which so much objection was made by the gentleman from Alabama, is absolutely just to both the Union and Mexican war

soldiers. I do not believe the gentleman from Alabama, with all his courage, would dare put himself upon record as voting against it. He may stand up and be counted against it, but when the roll is called this record "that doth make cowards of us all" would probably show his name in its favor.

Mr. HEWITT, of Alabama. I never vote standing up when I would not vote upon the record.

Mr. BROWNE, of Indiana. The gentleman may have that courage.

Mr. TOWNSHEND. I hope the gentleman from Indiana will let me make a suggestion as to the amount of cash which will be required to pay these pensions. The Commissioner has informed me twice that he had made a careful computation of the amount which would be required to pay these pensions, and that the provision relating to Union soldiers would amount to $12,000,000, and the provision relating to Mexican soldiers to $4,000,000, and that he is satisfied it will cost no more.

Mr. BROWNE, of Indiana. I am very thankful to the gentleman for giving the House that information. I said that the amended bill would cost twice that much, and am willing to stand by it if it should, to stand by it at all costs, for it is right. Let us see what this bill provides as it now stands.

Mr. COX, of New York. Will the gentleman from Indiana answer a question?

Mr. BROWNE, of Indiana. I do not know whether I can, as the gentleman from New York often asks questions that are very puzzling.

Mr. COX, of New York. Do you not think this bill has been handicapped and loaded down in order to reject it?

Mr. BROWNE, of Indiana. Do I so think? No.

Mr. COX, of New York. Yes; has not the Mexican pension bill been handicapped with amendments in order to destroy it?

Mr. BROWNE, of Indiana. The only objectionable part of the bill is the Mexican war part of it.

Mr. COX, of New York. You do not answer my question.

Mr. BROWNE, of Indiana. No, sir; not on our side. I have not heard such an intimation before.

Mr. COX, of New York. The Senate loaded it down to reject it.

Mr. BROWNE, of Indiana. I have heard rumors of certain gentlemen professing to support the bill who were not in earnest about it.

Mr. COX, of New York. I am rather simple about it, but did you not handicap the bill with these amendments?

Mr. BROWNE, of Indiana. I have no doubt you are simple about it. The opposition can not escape by this route, even by your help.

Mr. COX, of New York. Yes; it means the truth, and that is all there is about it.

Mr. BROWNE, of Indiana. What is the next amendment of the Senate? It is simply to increase the pension of the widows of private soldiers from $8 to $12 a month. This applies to widows of all soldiers in all our wars. The simple statement of the fact is all I need say in its defense. That is all; the statement makes its own argument that we propose to give these widows the pitiful sum of $12 a month. I take it for granted nobody but the gentleman from Alabama and those who have obstructed the passage of the bill are opposed to this amendment.

Mr. HEWITT, of Alabama. If the gentleman had listened to me last night he would have known that I said that I would vote for that part of the bill.

Mr. BROWNE, of Indiana. The next amendment is that where one drawing a pension from the United States because of disability dies leaving a widow and infant children, that a pension shall inure to the widow and the infant children without proof that the death was actually the result of the disability. In other words, when the pensioner who needs the pension in his own lifetime for the support of his wife and children dies, the widow and infant children shall be entitled to succeed to the pension without proof, as is now required by law, that the death actually occurred by reason of the disabilities for which he is put upon the pension-roll in the first instance; and the mere statement of that proposition is all I care to say in its defense. Its justice has not prevented gentlemen from filibustering for three whole days to defeat it.

What next? The law as it now is gives a pension to the infant children of deceased soldiers until they reach the age of 16 years. That is the existing law.

Now, this next provision extends the pension to the infant children of deceased soldiers after they have passed beyond the age of 16 years in the event they are of unsound mind, insane, or idiotic, or are in other respects helpless and unable to take care of themselves.

This section, therefore, simply declares that the helpless condition of infancy continues as to these children after they have attained the age of 16 years. In the case of children in perfect health and sound mind the pension terminates at 16 years; but when they are helpless because of unsoundness of mind or disease of body the pension continues to them, as it ought to do; and I challenge any gentleman to controvert the propriety of that provision in the Senate amendment. I want to see who has the courage to deny a pension to this helpless class of soldiers' orphans. And what next?

The next continues the pension to the dependent father and mother, where the soldier son has left no widow or minor children, under almost the same conditions that continues the husband's pension to the widow. Where the pensioned soldier died from his disability leaving no dependent children or widow it continues the pension to the father or mother when it is shown that the father or mother were dependent upon their own labor for support, or are dependent upon the charitable contributions of others who are under no legal obligation to afford them that support. Let me here quote this section. It is as follows:

SEC. 12. That in considering the claims of dependent parents the fact and cause of death and the fact that the soldier left no widow or minor children having been shown as required by law, it shall be necessary only to show by competent and sufficient evidence that such dependent parent is without other present means of comfortable support than his or her own manual labor, or the contributions of others not legally bound for his or her support; and such as may be found to be entitled to $8 a month under existing laws shall receive in lieu thereof $12 a month from the date of this act.

That, Mr. Speaker, is a humane provision which simply gives a pension to the old mother or father of a son who is dead, because of wounds or disabilities incurred in the service. This section confines the pension to cases where the proof of fact has been made that the death was the result of wound or disabilities incurred by the soldier in the service of the United States, and in that event the Government comes forward and says to the parents of the soldier who has given his life, who has laid himself down in the valley of death because of his patriotism and his heroism—the Government says it will provide for that father and mother if they are so poor as to be dependent upon their daily labor for their maintenance, or are dependent upon the charities of others. Is not this right? It will enlarge the pension-roll but little, and the few this section will add to it will not remain upon it long. These old men and women are rapidly passing away. Before they are all gone let the nation testify its regard for the sacrifices of their dead sons by giving them a little pension.

The last of the Senate amendments is one that I think every member of the House who has had any experience in the Pension Bureau recognizes as most eminently wise, just, and proper. It provides that where the Government of the United States has accepted the services of its citizen, has accepted him into the military service, that that acceptance shall be *prima facie* evidence of the fact that he was sound at the time of his enlistment. It simply applies, what ought to be the rule in such cases, the doctrine of estoppel as against the Government and forbids it to deny the soundness of its citizen soldier after it has voluntarily accepted his services. It must be remembered that it is only *prima facie*, and may be set aside by proof of the fact that the disability existed prior to or at the time of his enlistment, and in that event no pension will be given.

The present law, which requires from the pension claimant affirmative proof of soundness at enlistment, is not only a great hardship but it has defeated thousands of meritorious claims. We all know this. No one denies it or dares attack this amendment.

Now, gentlemen, I have gone over the amendments of the Senate to this pension bill. I admit that I was opposed to the Mexican war pension bill, and could not have voted for it as originally presented to the House. But after these amendments, after the adoption of these very judicious amendments on the part of the Senate, I am heartily in favor of it. With certain amendments, which I mentioned in the discussion at the time, I would have supported the original Mexican war pension bill. In regard to the Mexican war soldier I then said:

Now, what do I say in regard to these sixty-day men? Here is an amendment I propose to offer to the bill. I propose—and I speak for myself—to give every man who actually served in Mexico or participated in any battle in the Mexican war a pension, without regard to the time of his service. I propose, in the second place, to put on the pension-roll every man who was on the muster-roll of the Army of the United States for sixty days in that war who will show he was in such pecuniary condition as to need the assistance of the Government in his maintenance.

As to the Union soldiers and their interests, I said:

I insist that when this bill is considered it shall come into the House, so that we may have an opportunity of amending it and by our amendments seek to do justice to the soldiers of the war for the Union.

As the bill has at last been amended to meet in a large measure my views in these, I have given it my sincere support.

Mr. HEWITT, of Alabama. Will the gentleman pardon me a moment? The section that he has just referred to in regard to proof of soundness I would be willing to extend still further. I would go further than even the Senate goes, because when the Government accepts the services of the soldier, after it has made its examination and declared him sound and accepted him into the service, the Government ought to be estopped from denying his claim in that respect.

Mr. BROWNE, of Indiana. I submit to the gentleman from Alabama whether it is exactly fair for him, after speaking an hour, to repeat his speech in the body of mine. I desire to be kind and indulgent to all gentlemen upon the floor. I understand the gentleman to occupy the position that this is a just provision of the bill. I do not want to put him in a false light. I have undertaken to state the facts exactly as they appear, and I have not said anything else. I have attempted to show to the House that the amendments of the Senate are wise and judicious, and that they are such as patriotic men may assent to. It is such a bill as should pass the House without obstruc-

tion from any quarter. I have attempted to show that the expenditures involved in this measure have been exaggerated—I hope not intentionally exaggerated; but that they have been frightfully exaggerated is certain.

I have attempted to show that it is impossible in the nature of things that this measure can cost the Treasury of the United States one-fourth or more than one-fourth of the sum named by the gentleman from Alabama.

How much time have I remaining?

The SPEAKER *pro tempore* (Mr. THOMPSON). The gentleman has eighteen minutes of his time remaining.

Mr. TILLMAN. Will the gentleman from Indiana permit me to suggest one difficulty? The gentleman from Illinois [Mr. TOWNSHEND] stated a moment ago that the Commissioner of Pensions had stated the cost of this bill would be about $12,000,000 a year for Union soldiers. Now I wish to ask the gentleman from Indiana if the clause be retained in the bill granting pensions on the ground of dependence—dependence either on the labor of the soldier or upon private charity—whether that is not such an unknown quantity that no man can approximate an accurate estimate. In that connection will the gentleman please permit me a minute longer?

Mr. BROWNE, of Indiana. I have agreed to give some time to one or two gentlemen. But if the House will extend my time long enough I have no objection to the request of the gentleman from South Carolina.

Mr. TILLMAN. I think the House will be willing to extend the gentleman's time. Will not that provision offer a premium for pauperism; or, will it not offer an inducement to the soldier to be improvident or vicious and to look forward to the prospect expressed in the song of the English pauper:

> Hang sorrow, and drive away care,
> The parish is bound to find me?

Will it not also stimulate soldiers who have but little visible property to sell that property so as to have the evidence of their possessing no means of keeping them from being dependent put out of the way? That is the unknown quantity, in my judgment, that will make these pensions aggregate the sum suggested by the gentleman from Alabama. I would thank the gentleman from Indiana if he would address himself to that view of the subject; for I assert in all seriousness, not only speaking for myself but for my section, that we are willing to vote liberal pensions to the widows of the Union soldiers, to their orphans, and to every soldier who was disabled in the service; but we are not willing to vote for pensions to those men who have been disabled by their own immoral act, or who are dependent or may become so when the Government shall have offered this premium for improvidence and vice or, as I said a moment ago, pauperism.

Mr. BROWNE, of Indiana. The gentleman from South Carolina [Mr. TILLMAN] is always frank and always candid. As regards any estimate of the cost of a pension bill there is always an uncertainty about it, and accuracy is impossible.

Mr. TILLMAN. But to grant pensions on the ground of general dependence is a new principle, is it not?

Mr. BROWNE, of Indiana. It is not altogether a new principle.

Mr. JOSEPH D. TAYLOR. It is the law now.

Mr. TILLMAN. I suppose that there may be a few exceptional cases in which pensions have been given on the ground of special dependence.

Mr. BROWNE, of Indiana. I hope the gentleman from South Carolina will not interrupt me further, and I would like to have my time extended, as I have agreed to give away some portion of it.

I say briefly it is impossible to state accurately what the cost will be. The estimate of the cost I have made is this: Under the provisions of the bill as it now is, limiting the age of the Mexican soldier to 62 and of the widow to 62, and with the provision contemplated by the bill as to dependency, I believe it will cost the first year about $4,000,000. But after persons have arrived at that age and are in addition to that disabled they can not live long, and it will be in the very nature of things a very short time until that roll would entirely disappear. After we have reached 62 years it is but a step to the grave. I will not attempt to give an estimate as to the annual per cent. of decrease that would occur to the Mexican war soldier roll. It is clear, however, that it will soon pass away. Under the limitations of the bill, as amended, the Mexican war roll will be neither large nor expensive.

Now, in the next place, I have estimated the beneficiaries provided for by the bill, leaving out the Mexican soldiers, at 210,000—I think a very liberal estimate—and the average pension $100 a year; making for the first year $21,000,000, and a total of $25,000,000.

And I may make the same remark in regard to this list which I made a moment ago. This includes the class of old people, that is, the dependent fathers and mothers, who must necessarily be old because the Union veterans are now old men and their fathers and mothers are older than they; so that the class of those that are dependent must necessarily very rapidly disappear from the pension-roll. They can not stay there long.

Mr. TOWNSHEND. I think the gentleman from Indiana has made too large an estimate. The Commissioner of Pensions has told me twice he has made a careful computation in his office of the cost of this bill, and he asserts it can not exceed sixteen and a half millions all told.

Mr. BROWNE, of Indiana. Let it be so. How much time have I left?

The SPEAKER *pro tempore*. The gentleman has eleven minutes of his time remaining.

Mr. BROWNE, of Indiana. Now, I can not tell the number of those who are dependent; but allow me to say, under the liberal provisions of the pension laws and their administration by the Pension Office a large proportion of these are being taken up on the pension-roll under the general law, and I do not believe this class will be large or that it will add largely to the expenditure. About that, however, I may be mistaken.

In the next place, I do not believe that this will be an inducement to pauperism; I do not think it. Men generally shrink from pauperism or poverty. I know that human nature is depraved and will resort, in order to obtain money, very often to measures that are not reputable; but I am not willing to believe that this thing will be done to any considerable extent. I know that the true soldier is incapable of such a thing. My answer to all that is that this submits the conditions, the proofs, the practice in the Pension Office, the character of the evidence to be received to the Secretary of the Interior; he provides the rules under which the proofs are to be made, and it is very easy for him to require the applicant for the pension to show whether or not recently before his application he has disposed of any part of his means; and the Secretary may by rule provide against contingencies of this character and confine the benefits of this bill to those who are honest claimants.

No, no! He who was a true soldier is an honest man, and I do not fear that the generosity of the people will be imposed on. He who does so under the guise of a soldier or of a soldier's dependent relative will receive the contempt, the merited contempt, of every honest man and every faithful and patriotic soldier. It is no more possible to take advantage of these than of other provisions in the pension laws.

And in conclusion permit me to say that, regarding the provisions of these amendments as just, I believe they ought to be granted to the Union soldiers of the country. I believe they are entitled to receive these benefits. I believe a great and magnanimous people are willing to accord these benefits to them.

More than that, I think that when the nation is strong and vigorous, its commercial condition healthy, millions of dollars in its Treasury, with a taxing power without limit; when we are taking in from taxes upon tobacco and spirits $100,000,000 a year, and when we can add to that a tax upon the incomes of the rich if the exigencies of the case require it—while we can pay these just pensions, meet the demands of this beneficent measure without its being a burden upon our people, I do not think we ought to stop and count its cost. The soldier of the nation did not stop to count the peril or the sacrifice when the drumbeat and the bugle-blast called him to the battlefield.

Mr. BROWNE, of Indiana. I yield to the gentleman from Kentucky.

Mr. BLACKBURN. I thank the gentleman from Indiana [Mr. BROWNE] for his courtesy. In all this discussion I have not said one word. I simply desire now to send to the Clerk's desk and have read a letter from a constituent of mine upon the Senate amendments to this bill. His character will be vouched for by every one who knows him and his intelligence is illustrated by his letter. His politics are stated in the letter. He is a consistent Republican, having never voted the Democratic ticket in his life.

Mr. BROWNE, of Indiana. That is good.

Mr. BLACKBURN. This letter expresses my views so clearly and so fully, that I will ask the gentleman to give me the courtesy of having it printed in the RECORD.

Several MEMBERS. Let it be read.

Mr. BLACKBURN. Very well; I ask to have it read.

The Clerk read as follows:

CYNTHIANA, KY., *June* 25, 1884.

DEAR SIR: I am one of the surviving soldiers of the Mexican war and a Republican at that, but the action of the United States Senate yesterday in its amendments to the House bill granting pensions to the survivors of that war is exceedingly displeasing to me and my comrades, and it is to be hoped that the House of Representatives will never disgrace itself by concurring in them.

If we can not be placed on the pay-rolls upon an equal footing with the men who served in the war of 1812 we do not crave that distinction. We brought a world of wealth to our country, and now, after a lapse of more than thirty-seven years, if the Congress of the United States is still unwilling to recognize our trials and sufferings in that war, we beg of you and the rest of the members of your honorable body to see that we are not insulted and humiliated by restrictions.

Hoping that the House of Representatives will never suffer the bill to pass in its present form,

I am, dear sir, very truly and sincerely, yours,

A. WILLIAMSON.

Hon. J. C. S. BLACKBURN,
Washington, D. C.

Mr. BROWNE, of Indiana. It was unanimously understood that because of the interruptions while I was speaking I should have ten minutes' additional time.

Mr. BLACKBURN. That is right.

Mr. BROWNE, of Indiana. I have, I think, about eight minutes of my own time remaining.

The SPEAKER. The gentleman has five minutes of his original time.

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

Mr. BROWNE, of Indiana. If it is not to come out of the little time allowed me, and I take it for granted that it is not, I am entirely willing.

Mr. JORDAN. I understood the gentleman to say that in order to pay the large amount of pensions that might be required by passing this bill he was in favor of having an income tax imposed in this country. I would like to ask him first whether he is in favor of such a tax as that; and, secondly, whether in his judgment the increase of pensions provided by this bill would require an increase of taxation in this country?

Mr. BROWNE, of Indiana. I answer the first question by saying unhesitatingly—yes. If my record had been of sufficient consequence to have attracted the attention of the gentleman, he would have known that I have put myself on record as in favor of that kind of tax whenever the necessities of the Government required it.

To the second question, I answer that I do not believe it will be necessary to resort to any further taxation beyond that which now exists in order to pay this increased pension-roll.

Mr. JORDAN. Then you do not believe that there is any necessity for an income-tax now?

Mr. BROWNE, of Indiana. I have answered my friend's question. I now yield three minutes to the gentleman from Pennsylvania [Mr. MILLER].

Mr. MILLER, of Pennsylvania. Very early in the first session of the Forty-seventh Congress I took occasion to state, when a bill was under discussion to grant a pension of $50 per month to the widow of the late General Alex. Hayes, of Pennsylvania, that while I would not vote against any reasonable bill which gave a higher rate of pension than $8 a month to the widows of officers of the Union Army, I thought that the rate of pensions to the widows of private soldiers should be largely increased, and that the widow of the private soldier should receive as large a pension as the widow of an officer. The Senate amendment to the Mexican pension bill, now under discussion, grants an increase from $8 to $12 per month. It is conceded that bill can not now pass this session. Gentlemen on both sides have stated to-day that they were willing to vote for a separate proposition increasing the rate to $12 per month. I therefore send to the Clerk's desk and ask to have read as part of my remarks such a bill, and I ask unanimous consent that it may be put on its passage.

The Clerk read as follows:

A bill to increase the rate of pension payable to widows of deceased soldiers from $8 to $12 per month.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all widows of soldiers and sailors who as such are now receiving under existing laws, general or special, the sum of $8 per month, by reason of the death of such soldiers and sailors in service or from a disability contracted in the military or naval service of the United States, and in line of duty, shall from and after this date be entitled to and receive the rate of $12 per month in lieu of said rate of $8, and all such widows who shall hereafter be found to be entitled to the rate of $8 per month under existing laws shall be entitled to and receive the rate of $12 in lieu of said rate of $8.

Mr. MILLER, of Pennsylvania. That is the provision of section 9 of the Mexican war pension bill as amended by the Senate, and I ask unanimous consent that it be now put upon its passage.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. MILLER] that the bill which has been read by the Clerk be now put upon its passage?

Mr. TURNER, of Kentucky. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TURNER, of Kentucky. Is it in order to make a request for unanimous consent at this time?

The SPEAKER. The gentleman from Indiana [Mr. BROWNE] yielded to the gentleman from Pennsylvania [Mr. MILLER].

Mr. TURNER, of Kentucky. But is it in order to submit a request for unanimous consent?

The SPEAKER. It is in order at any time to make a request for unanimous consent.

Mr. MILLS. I understand the Committee on Invalid Pensions have reported the same thing.

Mr. TOWNSHEND. That is all right.

Mr. TURNER, of Kentucky. I call for the regular order.

The SPEAKER. The regular order is called for, which is equivalent to an objection.

Mr. MILLER, of Pennsylvania. Do I understand the gentleman from Kentucky [Mr. TURNER] to object to passing this bill at this time?

The SPEAKER. The gentleman has objected.

Mr. MILLER, of Pennsylvania. I regret that any one should make objection to the passage of this proposed bill. The subject has been considered by a committee of this House, and a bill similar to this has been unanimously reported, but at this late day of the session it is impossible to reach that bill in regular order. All gentlemen upon both sides of this House admit that the rate of pension now paid to the widows of private soldiers ought to be increased. Without unanimous consent it is utterly impossible to pass the measure at this time. All admit it is just, right, and proper. All admit that unless such a measure passes by unanimous consent the widows of the private soldiers must take the pittance they now receive by law, while the widows of officers receive the increased rate. In behalf of the widows of the private soldiers who fell in the service, or who have since died of disabilities contracted in the line of duty, in behalf of those who have no voice in making our laws, and who must accept what we offer, in behalf of the widows of the gallant dead, I ask the gentleman from Kentucky [Mr. TURNER] to withdraw his objection.

[Here the hammer fell.]

Mr. TURNER, of Kentucky. Mr. Speaker, I demanded the regular order.

The SPEAKER. That is equivalent to an objection.

Mr. TURNER, of Kentucky. I did not say I objected to the bill.

The SPEAKER. But that is the effect of the demand for the regular order.

Mr. TURNER, of Kentucky. I know that; but I do not want to be placed in a false position. I expressed no opinion as to the merits of the bill. We passed a bill under the two-thirds rule pensioning Mexican veterans. The Senate loaded it down with amendments and virtually killed the bill. The gentleman from Alabama [Mr. HEWITT] has been trying for two days to get consideration of another bill pensioning Mexican veterans reported from the Committee on Pensions. I want to see that bill taken up and passed, and I do not want it obstructed by propositions of any character offered out of order. That is the reason I demand the regular order. I do not want to be misunderstood or placed in a false position. When the bill referred to by the gentleman from Pennsylvania [Mr. MILLER] comes up in regular order let it take its regular course under the rules. But I am opposed to these propositions offered out of order.

Mr. BROWNE, of Indiana. I yield two minutes to the gentleman from Pennsylvania [Mr. BROWN].

Mr. BROWN, of Pennsylvania. After the passage of the Mexican pension bill through the House I took some pains to investigate the amount necessary to pay pensions under that bill. I desire now merely to ask permission of the House to insert in the RECORD some statistics with reference to that subject, and to enlarge a little upon the effect of the Senate amendments.

The SPEAKER. If there be no objection the gentleman will have leave to print.

Mr. TOWNSHEND. If the gentleman will disclaim any intention to make any partisan remarks, I will not object.

Mr. BROWN, of Pennsylvania. I do that.

Mr. TOWNSHEND. Then I make no objection.

Mr. HENLEY. I call attention to the fact that the gentleman from Nebraska [Mr. VALENTINE] on the other side of the House has objected to any requests of this sort coming from this side. However, we take a Christian's revenge and do not make any objection in this case.

The SPEAKER. There is no objection, and the leave requested by the gentleman from Pennsylvania is granted.

Mr. BROWNE, of Indiana. I yield three minutes to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Speaker, I confess to a little surprise that any gentleman in this House should refer to the incorporation of some amendments intended to ameliorate the condition of the pension laws in regard to the Union soldiers and their dependents as necessarily "handicapping" a bill in behalf of the veterans of the Mexican war. The bill originally passed by this House in regard to soldiers of the Mexican war provided for a service pension of $8 per month. The Senate of the United States in several directions enlarged the operations of the bill as affecting Mexican war pensioners, and then at a late stage in the session, after it had been demonstrated that the House of Representatives was likely to fail to act upon any of the important measures called for by thousands of the people of this country for the liberalization and simplification of the pension laws in regard to the soldiers of the late war, it ingrafted upon the enlarged Mexican pension bill the series of amendments which have come before the House, and Congress is asked to enact a measure which provides liberally for soldiers of the Mexican war and at the same time does some degree of justice to several classes of persons entitled to pensions in connection with the late civil war.

It is no part of my purpose in the three minutes at my command to undertake to discuss in detail the merits of these propositions, but I state what will be attested by nearly every gentleman on this floor, when I say that no class of legislation which has claimed the attention of Congress at this session has been urged upon this body with more earnestness, with more generality of interest on behalf of all classes of the people of this country, than these measures demanding that we shall liberalize our pension laws in such a way as will enable the Government to discharge some part of its duty to the soldiers who are now disabled, after having served their country in time of war, to the widows of such soldiers, to their orphan children, and to the aged and dependent mothers who gave their sons to perish in defense of the nation's life.

[Here the hammer fell.]

Mr. BROWNE, of Indiana. I yield the residue of my time to the gentleman from Ohio [Mr. JOSEPH D. TAYLOR].

Mr. JOSEPH D. TAYLOR. Mr. Speaker, how much is there remaining of the gentleman's time?

The SPEAKER. Three minutes.

Mr. JOSEPH D. TAYLOR. I will ask an extension of three minutes, as I am not in the habit of talking very much.

The SPEAKER. If there be no objection, the gentleman will be allowed to occupy six minutes.

There was no objection.

Mr. JOSEPH D. TAYLOR addressed the House. [See Appendix.]

Mr. BROWNE, of Indiana. As both sides have had equal time, I move we take a recess until half-past 6 p. m.

Mr. HEWITT, of Alabama. The gentleman yields to me to submit a motion.

Mr. BROWNE, of Indiana. Certainly.

Mr. HEWITT, of Alabama. I move the Committee of the Whole House on the state of the Union be discharged from the further consideration of the bill I send to the Clerk's desk and that it be put on its passage.

The Clerk read as follows:

A bill (H. R. 4009) to increase the pension of widows and dependent relatives of deceased soldiers and sailors.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the passage of this act the rate of pension for widows, minor children, and dependent relatives now on the pension-roll, or hereafter to be placed on the pension-roll, and entitled to receive a less rate than hereinafter provided, shall be $12 per month; and nothing herein shall be construed to affect the existing allowance of $2 per month for each child under the age of 16 years. And all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 2. That no claim agent or attorney shall be recognized in the adjudication of claims under this act, nor shall any such person be entitled to receive any compensation whatever for services or pretended services in making applications thereunder.

Amend the title so as to read: "A bill to increase the pensions of widows, minor children, and dependent relatives of deceased soldiers and sailors."

The SPEAKER. Is there objection?

Mr. BUCHANAN. Regular order.

Mr. BROWNE, of Indiana. I now renew my motion to take a recess until 6.30 o'clock.

Mr. WOLFORD. I hope the House will not take a recess now. Some of us want to be heard on this bill.

Mr. BROWNE, of Indiana. I promised to make this motion.

Many MEMBERS. Say 7 o'clock.

Mr. BROWNE, of Indiana. If the House desires it I will modify the motion for the recess until 7 o'clock.

The motion was agreed to; and accordingly (at 5 o'clock and 50 minutes p. m.) the House took a recess until 7 o'clock.

AFTER THE RECESS.

The recess having expired, the House (at 7 o'clock p. m.) resumed its session.

PENSION BILLS.

Mr. BAGLEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table House pension bills with Senate amendments thereto, and move concurrence in the amendments of the Senate thereon. This will perfect the legislation in reference to about a half dozen of these bills.

The SPEAKER. Is there objection?

There was no objection, and it was ordered accordingly.

Bills of the following titles were accordingly taken from the Speaker's table, the Senate amendments read, severally considered, and concurred in:

A bill (H. R. 1042) for the relief of Mrs. Sarah Sinfield;

A bill (H. R. 1897) granting a pension to Catharine Hunter;

A bill (H. R. 2979) granting a pension to Nancy Ellis;

A bill (H. R. 4417) granting an increase of pension to Jacob Miller; and

A bill (H. R. 6530) to increase the pension to Richard Jobes.

Mr. BAGLEY moved to reconsider the several votes taken by which the Senate amendments were concurred in; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. HOLMAN. I move that the House now take a further recess for fifteen minutes.

The motion was agreed to; and accordingly (at 7 o'clock and 7 minutes p. m.) the House took a recess.

AFTER THE RECESS.

The recess having expired, the House (at 7 o'clock and 23 minutes p. m.) resumed its session.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the bill (H. R. 7235) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1884, and for prior years, and for those certified as due by the accounting officers of the Treasury in accordance with section 4 of the act of June 14, 1878, heretofore paid from permanent appropriations, and for other purposes.

Also, that the Senate had passed without amendment the bill (H. R. 5888) granting a pension to Ellen O'Brian.

The message also announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested, namely:

A bill (S. 671) for the relief of Elon A. Marsh and Minard Lafever; and

A bill (S. 1751) to amend an act entitled "An act to provide a building for the use of the United States circuit and district courts, the post-office, internal-revenue office, and other Government offices, at Erie, Pa., and making an additional appropriation therefor."

ENROLLED BILLS SIGNED.

Mr. GLASCOCK, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill of the following title; when the Speaker signed the same, namely:

A bill (H. R. 4985) supplemental to and amendatory of an act to incorporate the Mutual Fire Insurance Company of the District of Columbia.

ORDER OF BUSINESS.

Mr. WELLER. I understand that there are some pension bills that have been passed by the Senate, which have come to the House and have been favorably reported by the House committee, and now on the Speaker's table. I move that these be taken up by unanimous consent and passed. I understand that it can be done in about twenty minutes.

The SPEAKER. The Chair will state to the gentleman that the bills to which he refers are in Committee of the Whole House on the Private Calendar.

Mr. WELLER. Then I ask unanimous consent to discharge the Committee of the Whole House on the Private Calendar from the further consideration of Senate bills granting pensions. [Cries of "Regular order!"]

DEFICIENCY APPROPRIATION BILL.

Mr. RANDALL. Mr. Speaker, I desire to make a privileged report. I present the report of the conference committee on the general deficiency bill.

The SPEAKER. The report will be read.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 7235) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1884, and for prior years, and for those certified as due by the accounting officers of the Treasury in accordance with section 4 of the act of June 14, 1878, heretofore paid from permanent appropriations, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 5, 6, 7, 8, 9, 10, 22, 39, 47, 48, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 17, 21, 92, and 122, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$80,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 85, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$70,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 86, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$40,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 87, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$301,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 101, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "$5,816," and insert after said amendment, as a new paragraph, the following:

"For clerks to Senators, $27,666."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 110, and agree to the same with an amendment as follows: Restore the matter to be stricken out by the said amendment, and in line 8 thereof, after the word "subject," insert the words "excepting $5,000 thereof;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 117, and agree to the same with an amendment as follows: In lieu of the sum proposed in said amendment insert "$87,500;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 138, with an amendment as follows: Restore the matter proposed to be stricken out by said amendment, and in line 7 thereof, after the word "case," insert the words "which case shall be preferred in the order of the docket of said court."

SAM. J. RANDALL,
JAMES N. BURNES,
W. H. CALKINS,
Managers on the part of the House.

EUGENE HALE,
W. B. ALLISON,
F. M. COCKRELL,
Managers on the part of the Senate.

The statement accompanying the report was read, as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses on the bill (H. R. 7235) making appropriations to supply deficiencies for the fiscal year 1885, and for other purposes, submit the following written statement in explanation thereof:

The amendments of the Senate upon which the two Houses disagreed involved the appropriation of $759,222.54, of which sum it is agreed that the Senate yield $507,529.63, and that the House agree to $251,692.91.

The bill as finally agreed upon appropriates $9,996,616.61, being $274,849.96 in excess of the bill as passed in the House, and $835,461.63 less than as passed the Senate.

SAM. J. RANDALL,
W. H. CALKINS,
Managers on the part of the House.

Mr. RANDALL. It is proper I should state to the House *seriatim* the effect of the report of the conference committee. There were in all twenty-three points in dispute. The first five related to one subject; that is, the paving around the public buildings. From this the Senate recede.

The next relates to the payment of expenses incurred in the fiscal year 1883 in relation to the employment of certain internal-revenue officers who were selected to traverse different States with a view to prevent any unlawful distillation of spirits from fruit. The amount asked for was $6,758.31. The House did not appropriate for that purpose. The Senate inserted the appropriation. The Senate recede, and the money, therefore, is not appropriated.

The next is amendment numbered 11, which relates to the salaries and expenses of agents and subordinate officers of internal revenue. The House made no provision. The Senate inserted $150,000, based upon a communication from the Commissioner of Internal Revenue, that owing to certain changes of the internal-revenue law this amount of money was necessary. The Senate and the House have come to an agreement in relation to the amount by inserting $80,000, instead of $150,000 as in the Senate amendment.

The next amendment of the Senate as to which there was disagreement, numbered 19, related to certain claims on the part of the States of California, Oregon, and Nevada. These grew out of the act of 1861 levying twenty millions of direct taxes on the States. A repayment of 15 per cent. was provided for in case of prompt payment by the States. These three States did not pay quite on time. But there has been allowed to the State of Kansas under the circumstances this 15 per cent.; and after a good deal of argument pro and con the conferees on the part of the House receded and allowed the amount of money to these three States under that clause in the act of 1861, believing that, Kansas having received payment under like circumstances, it was unjust not to give to these three additional States the amount.

A MEMBER. How much is that?

Mr. RANDALL. The amount is $43,151.17.

The next amendment, numbered 21, was for the payment of a judgment obtained against William Higby in the State of California. The House recede from disagreement to that amendment. The Senate inserted the appropriation. There was no remedy, as the House conferees thought, in relation to that matter. Being a judgment, they had to accede, and the House recedes from its disagreement.

The next is amendment numbered 22, to enable the Secretary of the Treasury to reimburse the amount paid for expenses of commission appointed to go to Louisiana in April, 1877, $3,950.73. That was indebtedness, as the conferees on the part of the House thought, not authorized by law; and the Senate recede.

The next is amendment numbered 39, which relates to certain claims under the act to aid in the improvement of the Fox and Wisconsin Rivers. This subject is well understood in the House, and I need not enlarge particularly upon it. Part of this $10,000 was a claim against the company before the United States resumed control of the work. The United States originally granted lands in connection with this improvement to promote it. The United States subsequently resumed ownership and control and has appropriated a large sum of money to that improvement. These claims grew out of and are adjusted under the State law of Wisconsin. They are not judgments but claims. The House did not originally insert them. The Senate recede from their payment.

The next amendments are numbered 47, 48, and 49, and relate to the payment of certain claims in connection with contracts for the construction of the monitors, the first one being an amount alleged to be due to Harlan & Hollingsworth; the next to William Cramp & Sons, and the third to John Roach. The House did not insert these and the conferees on the part of the House did not think that they could come in here as claims. The Senate recede from the payment of them.

The next point of controversy relates to the fees of United States attorneys and United States marshals. The amount asked for by the Attorney-General was $90,000. The amount allowed by the House was $50,000. The Senate increased that to $90,000, and a compromise has been effected by making the amount $70,000.

The same has been done in relation to the fees of marshals. The House inserted $25,000 for that purpose, the Senate increased it to $75,000, and the amount agreed upon in conference is $40,000.

The next item of difference was amendment numbered 101, about which a great deal of feeling was exhibited in conference. The words inserted by the Senate were, "for miscellaneous items, $33,482." A part of that was intended, and so stated in conference, to pay the clerks of Senators who had been employed under the authority of a resolution of the Senate which provided for their payment out of the contingent fund of the Senate. I need not go over the record of the controversy between the two Houses on this subject; it is known to all whom I address here.

The House conferees did not feel disposed to accede to the payment of these clerks, at least in that way; yet they recognized the fact that the clerks had been appointed, had rendered service, and were without pay. The suggestion was made that that was not a desirable way of making provision for their payment, and the conferees determined to separate the amount which was to be paid to the Senators' clerks from the rest of the appropriation, and agreed to substitute these items for the one inserted by the Senate:

For miscellaneous items, $5,816.
For clerks to Senators, $27,666.

The House conferees thought it the more desirable way to have the amount of appropriation and the object for which it was intended appear plain and distinct upon the face of the law, so that the Senators themselves and that body should take all the responsibility in connection with it. The House conferees were brought to agree to this change because they thought the House had made its opposition to this mode of employing clerks sufficiently expressive, and because they also realized the fact that it was idle to continue the struggle any longer, for the Senate was as determined in this respect as the House possibly could be. We have to leave this to others.

The next point of difference was the Senate amendment numbered 110. The House inserted an appropriation of $25,000 for the Agricultural Department for the investigation of infectious and contagious diseases of domestic animals. By the passage of an act relating to the disease of pleuro-pneumonia that appropriation was made in part unnecessary. Therefore, the amount of $25,000 was reduced to $5,000, and that latter amount was given so that in case of necessity there might be a sum of money to provide for any danger that might hereafter arise in that regard.

The next point of difference was upon the amendment of the Senate numbered 117, which appropriated $175,000 to provide for the payment for land taken for a reservoir under the "act to increase the water supply of the city of Washington, and for other purposes." That amount was inserted by the Senate, the estimate having reached that body after the passage of the bill by the House, or at least having reached the Committee on Appropriations of the House after the bill had been reported. The conferees agreed upon the sum of $87,500, which was deemed sufficient for the present.

The next point of difference was Senate amendment numbered 122, which is known as the provision for a bar against claims presented to the auditing officers of the Treasury Department and a restriction as to the time of presentation. The original paragraph as inserted by the House upon the recommendation of the Committee on Appropriations was prepared with the approval and concurrence of the Secretary of the Treasury and the officers who have connection with these claims in their administration of the affairs of that Department. The Senate decided that it was new legislation and were unwilling to have it in this bill, because as they alleged they had not had time to sufficiently examine the subject so as to be able to pass an intelligent judgment upon it. I do not understand the Senate to be hostile to that provision, but they want it to come in, as they allege, in the regular order, outside of an appropriation bill.

The next point of disagreement involves certain claims of customs officers or inspectors, amounting in the aggregate to about $180,000. They are claims made by customs officers for the difference between what was allowed to them by the Secretary of the Treasury and what the auditing officers of the Treasury Department subsequently decided they were entitled to. The House inserted an appropriation for that purpose, but accompanied it with a proviso that before any of this money should be paid to the claimants there should be a test case in the Court of Claims, so that there should be a judicial determination of the subject whether the United States Government was under obligations to pay this amount. After a great deal of hesitation the Senate conferees agreed to yield this point, provided the decision of that test case by the Court of Claims could be expedited. To reach that this language is inserted: "Which case shall be preferred in the order of the docket in said court."

That, Mr. Speaker, is a full statement of the work of the committee of conference on this bill. And now, unless some one desires to speak upon it, I demand the previous question on agreeing to the report of the committee of conference.

Mr. CALKINS. Will the chairman of the committee give me a moment for a brief statement?

Mr. RANDALL. Certainly.

Mr. CALKINS. I desire to speak for a moment with reference to Senate amendments numbered 5, 6, 7, 8, and 9, making appropriations for paving the streets around public buildings. I want to make the statement for the purpose of setting the members of the conference committee right. While I believed, and still believe, that the Government of the United States ought to provide for this paving, while one of the other members of the conference committee, the gentleman from Missouri [Mr. BURNES], believes with me on that subject and could not and did not yield, I finally yielded my judgment to that of the chairman of the committee, who seemed to feel that the Government of the United States ought not to be charged with this expense; and he and I alone are responsible for the action of the conference committee in this regard.

I make this statement in justice to one of the conferees. I may say further that this was the last item of disagreement, and we had to yield it in order to reach an agreement upon the bill. I do not wish to speak with reference to any of the other questions.

Mr. HOLMAN. Mr. Speaker, as will be seen, the only item about which there is any difference on the part of the House conferees is amendment 101 of the Senate, appropriating $27,666 for the pay of clerks of Senators during the last fiscal year. To avoid the necessity of bringing that subject again to the attention of the House I wish to present the question now, inasmuch as the same question is involved in the remaining point of disagreement between the two Houses on the legislative, executive, and judicial appropriation bill. I take it for granted, Mr. Speaker, that if the House should concur in this report, including this item of $27,666, such action ought to be considered as instruction to the conferees on the legislative bill as to the character of the report that shall be made upon the same subject embraced in that bill.

In other words, I take it for granted, and I think I express the views of my associates on the conference committee upon the legislative, executive, and judicial appropriation bill, that the House would prefer this appropriation should be definite and specific rather than in the form of an appropriation for general contingencies of the Senate. The committee of conference on the legislative bill must report on one of two forms. Either they must report a disagreement (which would result in the House concurring in that amendment or insisting upon the disagreement and asking a further conference) or they must report in favor of concurrence in this amendment, which would simply be an appropriation of $44,000 for contingencies of the Senate.

Thus the House will see it is quite important that the question should be settled on this bill; for although this sum of $27,666 is for a deficiency for the service of the last year, yet if the House should accept this as a proper provision on this bill it would scarcely be consistent with the duty which one House owes to the other or with the courteous relations which should prevail between the two bodies that this House should at the same time refuse to make a corresponding appropriation for the current year.

I hope, therefore, in deciding whether this report shall be accepted it will be taken for granted, unless some gentleman objects to some other part of this bill, that the only matter about which there is any disagreement on the part of members is as to this item of $27,666. If this report should be adopted, the House would seem to instruct the committee on the legislative bill to make a report concurring on the appropriation of a definite sum for the payment of clerks of Senators.

Mr. MCMILLIN. In order to get the exact sense of the House and in order that the instruction if given may be the real sense of the House, can we not devise some means—I submit the question to the gentleman from Pennsylvania [Mr. RANDALL] and the gentleman from Indiana [Mr. HOLMAN]—to vote upon this question separately?

Mr. HOLMAN. No, sir; that can not be done. But this is the point I was seeking to present: If no gentleman objects to any other portion of this report, then as a matter of course this one item, Senate amendment 181, is the only matter for consideration. I believe the House unanimously agrees that these other items are properly adjusted by the conferees, leaving that one subject only to be acted on if the report should not be adopted.

Mr. RANDALL. I demand the previous question on the adoption of the report.

Mr. PAYSON. Mr. Speaker, I desire to make a parliamentary inquiry. Is it permissible under the rules to demand a separate vote upon amendment 101?

The SPEAKER. The question is upon the adoption of the report as an entirety. The proposition is not divisible.

Mr. CANNON. I will say to the gentleman, however, that if the report be not adopted it will go back to conference.

The SPEAKER. All the amendments embraced in this report would go again to the conference committee.

Mr. HOLMAN. But with the understanding that there is but one item about which there is any disagreement.

Several MEMBERS. Oh, no!

Mr. RANDALL. The simple question is whether we shall continue in session or accede to the amendment of the Senate.

Mr. COX, of New York. I rise to a parliamentary inquiry.

Mr. BELFORD. I have risen to one, or tried to do so.

The SPEAKER. The gentleman from New York rose first.

Mr. COX, of New York. I simply wanted to ask the Speaker whether this report is amendable or debatable.

The SPEAKER. It is debatable unless the previous question, which has been demanded, be ordered. But it is not amendable.

Mr. BELFORD. I wish to know whether it is proper to offer an amendment to come in at the end of the bill. I send it to the Clerk's desk to be read.

Mr. RANDALL. I have demanded the previous question and this debate is not in order.

The SPEAKER. It is not subject to amendment even if the previous question had not been called.

The previous question was ordered; and under the operation thereof the report was adopted. [Applause.]

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

The latter motion was agreed to.

NAVAL APPROPRIATION BILL.

Mr. RANDALL. I submit the following report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate, except the one numbered 41, to the bill (H. R. 4716) making appropriations for the naval service for the fiscal year ending June 30, 1885, and for other purposes, having met, after full and free conference have been unable to agree.

SAM. J. RANDALL,
W. S. HOLMAN,
W. H. CALKINS,
Managers on the part of the House.

EUGENE HALE,
JOHN A. LOGAN,
JAS. B. BECK,
Managers on the part of the Senate.

The SPEAKER. The statement accompanying the report will be read.

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 4716) making appropriations for the naval service for the fiscal year 1885 submit the following statement in explanation of the conference report:

The conference committee being unable to agree upon the amendments of the Senate leaves the bill in the same condition as when last considered by the House.

SAM. J. RANDALL,
WM. S. HOLMAN,
W. H. CALKINS,
Managers on the part of the House.

Mr. RANDALL. Mr. Speaker, the real and material points of controversy relate to whether additional money shall be appropriated to build what is known as iron-clad monitors, and whether there shall be any money appropriated to duplicate what is known as cruisers. The Senate conferees were unwilling to recede from the amendments of the Senate in these particulars. The House conferees, or a majority of them rather, were equally determined. There was but one way open and that was that the appropriations for the support of the Navy should be provided for temporarily.

After the report is disposed of I will then submit a bill providing for the temporary support of the Navy, which I will when it is before the House further explain.

Mr. CALKINS. I ask the gentleman to yield to me for ten minutes. [Cries of "Vote!"]

Mr. RANDALL. If general discussion is to be had——

Mr. CALKINS. I do not wish to enter into any general discussion [Cries of "Vote!"]; all I want is ten minutes.

Mr. RANDALL. I will yield ten minutes to the gentleman. Does the gentleman wish to speak to this report or to the Navy bill?

Mr. CALKINS. Yes, I would rather do that if the gentleman will permit me.

Mr. RANDALL. Certainly.

The previous question was ordered; and under the operation thereof the report was adopted.

Mr. RANDALL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

TEMPORARY NAVAL BILL.

Mr. RANDALL. I present the following bill and ask for its consideration.

The Clerk read as follows:

A bill (H. R. 7509) making temporary provision for the naval service.

Be it enacted, &c., That for the purpose of providing for the expenses of the naval service for the six months ending December 31, 1884, there is hereby appropriated out of any money in the Treasury not otherwise appropriated one-half, or 50 per cent., of the sums of money and for like purposes, and continuing the same provisions relating thereto, as were appropriated for the purposes of the fiscal year ending June 30, 1884, by the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1884, and for other purposes," approved March 3, 1883, except as hereinafter declared, subject to the limitations and conditions in respect to the disbursements of the appropriations hereby made that were imposed by said act and the other laws of the United States upon or in respect to appropriations made by said act: *Provided*, That nothing is appropriated by this act "for special ocean surveys and the publication thereof," or "for the purchase and manufacture, after full investigation and test in the United States, under the direction of the Secretary of the Navy, of torpedoes adapted to naval warfare or the right to manufacture the same," and for the fixtures and machinery necessary for operating the same.

That the clause under the heading of "Bureau of Yards and Docks" commencing "For general maintenance of yards and docks" is amended so as to appropriate for the six months herein provided the sum of $110,000.

That under the heading of "Increase of the Navy" in said act, in lieu of the paragraphs thereunder preceding the heading of "Naval Academy" there is substituted the following:

For continuing work upon the three new steel cruisers and one dispatch-boat authorized by act of Congress approved March 3, 1883, as follows: Chicago, $349,133.45; Boston, $231,853.28; Atlanta, $231,853.27; Dolphin, $108,660; in all $921,500; the four pivot guns of the Chicago to be mounted on Clark's deflective single-gun turrets or V shields of the same weight as is now allowed for the mounting and armor protection of the guns: *Provided*, That it shall not change the contract entered into by the Government for the construction of said vessels.

For completion of steam machinery and boilers, with necessary fittings for sea-service of steel cruisers and dispatch-boat, under contract with John Roach, as per act approved March 3, 1883: United States steel cruiser Chicago, $220,000; United States steel cruiser Boston, $155,000; United States steel cruiser Atlanta, $155,000: United States dispatch-boat Dolphin, $90,000; in all, $620,000. For completing equipment, outfit of three new cruisers, and one dispatch-boat, now in course of construction, $78,600. For navigation outfit of the four new steel cruisers, $30,000. For ordnance outfit of the three new steel cruisers and one dispatch-boat, $500,000.

Nothing herein contained shall be construed as appropriating money for or authorizing the continuation of work upon the double-turreted monitors Monadnock, Terror, Amphitrite, and Puritan; and any unexpended balance now remaining of the appropriations contained in said act, approved March 3, 1883, for engines and machinery for the said double-turreted monitors, shall be covered into the Treasury, except such part thereof as may be required under existing contracts made for the engines and machinery of the three last-named monitors.

The SPEAKER. If there be no objection this will be considered as the second reading of the bill.

There was no objection, and it was so ordered.

Mr. RANDALL. I ask that the bill may be considered in the House as in Committee of the Whole; and I now ask the previous question upon the bill.

Mr. REED. I understand the previous question will give fifteen minutes on each side.

The SPEAKER. There will be fifteen minutes on each side after the previous question is ordered.

Mr. RANDALL. I am willing to divide the time.

The SPEAKER. If there be no objection the request of the gentleman from Pennsylvania that the bill be considered in the House as in Committee of the Whole will be considered as agreed to.

There was no objection.

Mr. RANDALL. I now demand the previous question upon the engrossment and third reading of the bill.

The previous question was ordered.

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

The latter motion was agreed to.

Mr. RANDALL. Will the gentleman allow me to go on first?

Mr. CALKINS. I would rather that the gentleman should explain the provisions of the bill before I take the floor.

Mr. RANDALL. This bill provides for carrying on the Navy as to pay of officers, as to pay of retired officers, as to pay of the petty officers and men, and as to the miscellaneous pay the same as under the last clause of the present law, providing only 50 per cent., however, for the six months. The exceptions relate first to ocean surveys, $10,000; and then as to $100,000 which was appropriated in the last bill in relation to the purchase and testing of torpedoes, no part of which, or a small part perhaps of which only has been expended. Therefore there has not been inserted anything for that purpose for the coming six months.

Yards and docks have been made an exception, because there was $264,000 appropriated in last year's bill, $64,000 of which was made immediately available, and $200,000 remain of the appropriation for the past fiscal year. It will be seen that the amount of $110,000 given is in excess of the amount really asked for the past fiscal year.

The monitors are made an exception. There was $1,000,000 appropriated in the last bill and there is none in this.

For steel cruisers there was appropriated last year $1,300,000. The appropriation to the cruisers for their completion has been provided for in full in this bill, as originally provided in the bill reported from the Committee on Appropriations; and the reason why this bill does not restrict them to 50 per cent. as in other cases, aggregating in this case $2,150,000, is because the entire sum it was believed should be made available for any portion of these vessels which may be completed within the next six months, and therefore this bill embraces the appropriations in full to complete the cruisers. This bill also contains in full $500,000 to be used for their armament.

In the aggregate, if in the next six months the amounts shall bear the same relation to the support of the Navy as these appropriations bear toward the support of the Navy for the first six months of this year, the reduction under the appropriation for the now current year below the appropriations for the last year will be somewhere in excess of half a million of money. Necessarily the amount of money appropriated for the first six months by reason of these appropriations in full to complete and arm the cruisers will be a million over what is the average; while the amounts in the next six months will be a million under the average. So that there will naturally be a difference when we come to make the appropriations for the coming six months on this basis of two millions and more. That is all I have to say.

Mr. CALKINS. The exact situation of affairs at this juncture is this: The House and the Senate are unable to agree on the bill which was reported by the Committee on Appropriations of this House making appropriations for the current fiscal year for the Navy, and that bill remains in conference under this disagreement just as it was when the last report was made. But to supply the money necessary to run the Navy Department until the next session of Congress this bill has been introduced. Its provisions have been explained by the chairman of the committee. I am free to say myself that under no circumstances would I ever be willing to yield as a matter of principle the building of the Navy which is provided for in the Senate amendments that are now upon the bill. I never could yield them. I would rather sit here all summer and run into the next session than yield to it. But recognizing the fact that some concessions should be made in order that the House may adjourn at an early day, I see no better way than to pass the bill which has been introduced by the chairman of the Committee on Appropriations, leaving the original bill in conference to be taken up at the assembling of Congress at its next session.

This is about all I desire to say in reference to the merits of the bill. It is about as good a bill under the circumstances as could be introduced and passed, because it misses all points upon which the difference between the two Houses seem irreconcilable. Of course I may say the two points of difference are with reference to the completion of the four monitors and the building and construction of seven new steel cruisers.

I desire to say one thing further, and then I will yield to the gentleman from Maine [Mr. REED] to complete the discussion on our side. In closing my service in this House I am glad to say to the members of the House and to the country that my last effort here was for the building up of the American Navy; that my last words spoken here in discharge of public duty were in favor of making the Navy of the United States what every patriotic citizen from one end of the country to the other desires. [Applause.]

The time will come, and shortly, Mr. Speaker, when this House, no matter how it is composed or what shades of political differences divide it, will have a demand made upon it by the people which it can not resist for the building of a navy. This House must yield to their superiors. That time is fast coming. If there is a general sentiment upon any subject throughout the country among men of all shades of political opinion it is that this country must have a navy. I have taken occasion several times during this session to point out the specific needs of building up this branch of the service, this arm of the nation. I shall not repeat again what I have already said on former occasions, but I take pleasure in saying that before long, I have no doubt, the flag of our country, that has been prostrated for the last ten years, will again float in the breeze of heaven from the mast-head of our ships; that our Navy, that has fallen almost into decay, will again be restored, and that this nation in the future as in days past will be as proud of the Navy of the United States as it was when men bearing the most illustrious names that adorn our history were in command of it. [Applause.]

I append the following remarks in answer to the speech made by the gentleman from Pennsylvania [Mr. RANDALL] the other day in debate:

Opposition to the building of new cruisers rests ostensibly upon the objections raised in certain quarters to details in the plans of those already under construction. On the strength of these objections to special and minor points it is represented that the vessels now building will be total failures; and further, that any vessels hereafter built by the advisory board will be identical with the first, and therefore they, also, will be total failures. These two assumptions have been shown again and again to be wholly unwarrantable, but they are repeated and reiterated with as much confidence as if they were new propositions.

Whatever vessels you build, or wherever you build them, some technical person or persons, some professional man or men under the Navy Department must finally decide as to the details. That the decision will be attacked is to be expected. In so complex a matter as the construction of a ship there must needs be a diversity of professional opinion; and if the work of construction is to cease whenever an irresponsible individual raises objections to the details of designs, no ships could ever be built for the Navy. The attack on the cruisers is based chiefly on inferences drawn from the expressions of Mr. Wilson and Mr. Isherwood. The opinions given by these two officers are unofficial and irresponsible, as the advisory board under the law exercise a controlling authority over the designs. Possibly this fact may account in part for their present critical attitude.

Mr. Wilson, as Chief of the Bureau of Construction, and Mr. Isherwood, as a former Chief of the Bureau of Steam Engineering, are not perhaps desirous that this or any other advisory board should find its way smooth, since the existence of such a board serves to diminish the almost independent control formerly exercised by these bureaus over the designs of ships and engines. These officers were members of the first advisory board, a body composed of some of the most distinguished men in the service, and their action at that time in dissenting, with two others, from the report of the ten members who formed a majority of the board, went far to render its whole work abortive.

The views of Chief Constructor Wilson are fully discussed in a letter of the Navy Department printed with the documents which were laid before the Senate Committee on Appropriations, when considering this bill. The Secretary says:

NAVY DEPARTMENT, *Washington, March* 5, 1884.

* * * * * * *

The statement that Mr. Wilson says that all the cruisers will be a failure, is a misleading exaggeration. Mr. Wilson's objections to certain points in the steel cruisers were few and clearly defined. The one now in question was that the Boston and Atlanta ought not to have open forecastles and poop-decks. Because they have such, he stated before the Senate Committee on Naval Affairs that

he thought that while in smooth water they would have speed, yet in a heavy sea they would be practically failures as sea-going vessels, as their speed would be knocked down by forcing their bows into the sea, which would also be likely to roll on board aft as they ascended into it. He did not pretend that the seaworthiness of the ships would be affected nor their speed in smooth water lessened, but only that the high speed could not be maintained in rough weather.

No such incautious or reckless word as "failure" was used by Mr. Wilson on the 2d of April, 1883, when the design to adopt open forecastles and poop-decks was submitted to him. He only stated that the "alterations made necessary" in the plans could not be "recommended or indorsed" by his bureau, "as it believes that very many essential and necessery features and qualities which an efficient and useful naval vessel of this class should have will be sacrificed by it." The changes, then, thus mildly dissented from were made upon the recommendation of the Bureau of Ordnance and of the naval advisory board, in order to give a greater range of fire to the two heavy fore and aft guns, and are explained in my statement to the Senate committee, as follows:

"Complaint has been made from time to time that the line officers of the Navy desire to have ships comfortable for cruising, and not fighting ships, and I was very much gratified to receive a proposition to make these two ships distinctly fighting ships; and when I understood the question I adopted the recommendations without the slightest hesitation. The statement of Chief Constructor Wilson that these ships will be failures because this plan is adopted of an open forecastle and open poop is an erroneous statement, which he should not have made, in my judgment. He qualified his statements, when revising his testimony, by saying that they will be failures as sea-going vessels. Whether they can make as much speed when they are being driven against a heavy sea as if they were differently constructed, I do not undertake to say, but, as has been stated by the members of the board, such is not the object sought in constructing a fighting ship.

"Their capacity to ride out a gale, or make way against a head sea, is not the point to be considered, and all the disadvantages of having an occasional wave strike over the bows when they go into a head sea, and of having the water come down on the poop when they rise from the water, which Mr. Wilson thinks should have prevented this construction, notwithstanding all the sea-going members of the board think differently, are a mere inconvenience which it was, in my judgment, very wise in these ships to run the risk of, in order to get this effective range of fire. The safety and seaworthiness of the ships is not affected in the slightest degree, in my judgment, unless you are to assume that a cruising war vessel is to be built for the purpose of driving across the North Atlantic Ocean as do the great passenger and mail steamers.

"The ACTING CHAIRMAN. Has anything developed in the construction of these vessels that in your judgment impairs their efficiency as general cruising vessels in addition to fighting vessels?

"Secretary CHANDLER. Nothing whatever; subject to the remarks I have just made. They are not built for North Atlantic passenger steamers.

"The ACTING CHAIRMAN. Do you believe there is anything in their construction that makes them particularly dangerous in storms?

"Secretary CHANDLER. Nothing whatever."

It should be borne in mind that the naval advisory board, consisting of three line officers, with Admiral Shufeldt at the head, one naval constructor, one chief engineer, and two accomplished naval architects from civil life, were unanimous upon all the points of difference with Mr. Wilson; and that by law the ships could not be built without their consent, while they could be without his. With their judgment on every point went my own, so far as it was of any value.

Mr. Wilson proposed to bore the bottoms of these new steel cruisers full of holes, and cover them with four inches of wood and copper sheathing, which would increase the weight and displacement, subject the steel sides to destruction by electric action, and require frequent repairs at navy-yards. He desired to fit them with extensive sail-power, so that they could cruise by wind instead of steam. He preferred open gun-decks to covered gun-decks. He objected to so placing the batteries of the Boston and Atlanta as to make them effective war vessels, for fear a little water would come on board in a storm at sea. These four were all his objections. The Department, by the advice of the advisory board, wisely overruled him; and he designed the hulls of the ships contrary to his own views on these points.

CHIEF ENGINEER ISHERWOOD.

The weight that may be attached to the opinions of Mr. Isherwood, who is extolled by the opponents of this bill as being the most eminent engineer officer in the Navy, may be gathered from a slight examination of his career. Mr. Isherwood was appointed Engineer-in-Chief of the Navy in March, 1861, and he was Chief of the Bureau of Steam Engineering from July, 1862, to March, 1869. This bureau succeeded in expending from October, 1862, to March, 1869, in a period of six and a half years, the sum of $37,000,000. During this time some hundred pairs of engines of various sizes were constructed, at a cost of $20,000,000. Of these, only eleven are now in vessels in commission, the Lancaster, Pensacola, Hartford, Richmond, Omaha, Lackawanna, Shenandoah, Ossipee, Monocacy, Yantic, and Tallapoosa.

So far as the efficiency of the engines is concerned objectors might designate these vessels also as total failures, for none of them have any considerable speed. The same may be said of the five engines built during this period which are now in vessels laid up, namely, the Franklin, Benicia, Plymouth, Ticonderoga, and Florida, except in the case of the Florida, whose model would have made her a fast vessel with almost any engines. Two out of the one hundred engines built are now in navy-yards. The remaining eighty-two have been sold, with vessels or separately, as old material, fifteen of them never having been placed in any vessel.

In this vast accumulation of machinery made by the bureau in six years and a half were five pairs of "geared engines," constructed upon a favorite theory of Mr. Isherwood's, according to which the power was to be transmitted by means of cog-wheels. This more than doubtful experiment, which foreign engineers have never been induced to repeat, cost the Government three millions and a half. Of the five engines so built four have been broken up and sold as old material. Two of them were never put into any vessel. The only one still in the service, that of the Florida, cost $795,000, while the present appraised value of the vessel, engines and all, is only $52,700.

It is only fair that after such a statement of his record Mr. Isherwood's own opinion of his merits should be appended. It is expressed, with no excess of modesty, in a letter written by him in June, 1883, urging the President to appoint him Chief of the Bureau of Steam Engineering, although he had little more than a year to serve, in order that he might have the increased rank and pay which retirement during the term of chief of the bureau brings with it.

The letter is as follows:

111 EAST THIRTY-SIXTH STREET, NEW YORK, *June* 18, 1883.

SIR: The position of Chief of the Bureau of Steam Engineering in the Navy Department having become vacant on the 15th instant by the placing of its late incumbent, Chief Engineer William H. Shock, on the retired-list, I take the liberty to lay before you this my application to be Chief Engineer Shock's successor, with some reasons for your consideration why I should receive the appointment.

The position has no political importance, it is purely professional, and the selection for it is confined by law to a few chief engineers of the Navy. Now, I am by seniority at the head of that corps, being the oldest chief engineer in the Navy by commission, and in all military organizations this seniority is recognized as carrying precedence with it, and there is sound reason for such recognition. In the present case it gives me no legal claim to the appointment, but it certainly forms a moral one in the absence of better qualifications in my competitors.

That the longest service, other things equal, should be rewarded with promotion to the highest position, is in all similar corps and organizations considered to be right and proper, forming in fact a great part of the inducements to remain a life long in them with devotion to the attainment of professional excellence. The propriety of giving the highest position to the oldest member of such organizations as the Engineer Corps of the Navy is so well indorsed by the universal practice of all civilized governments that it is certainly unnecessary for me to do more than state it. With regard to my professional fitness for the position I am obliged to say the following facts for myself, and I hope they will be received with candor, considering they are necessary to the purpose of this communication. They are, however, well known throughout the Navy and admit of easy verification:

I have been an engineer during my whole life, was specially educated for it, practically and theoretically, and there is nothing connected with engineering in its broadest sense that I am not able to do, from the mining of the ore to the making of the metal; from the working of the ladder, including the construction of the special tools for doing it, to the designing and building any kind of machinery and any kind of iron vessels. In a word, I am master of all the processes from obtaining the metal to its final combination in the hull and machinery of any kind of iron steamships.

My professional writings, which are voluminous, both in special books and in the periodical literature of engineering, have the highest reputation, and are considered an authority in Europe as well as in the United States. As an engineer in the highest sense of the word, I believe it is conceded that I have no superior, and in my own corps most certainly no equal.

I was originally appointed Engineer in Chief of the Navy by President Lincoln, and the appointment was one of the first made at the commencement of his administration. At that time the Bureau of Steam Engineering did not exist. It was created later for me, and I held the position of its chief uninterruptedly to 1869. I have thus, under two titles, performed the duties of the office for about eight consecutive years, embracing the entire period of the war.

During that war I designed and built more marine steam-engines than most engineers ever saw, and every one of them perfectly fulfilled its object. In their design and construction I was pitted against the best engineers in the United States, both in the Navy and in private employment, who competed against me and invariably without success. I produced the best and fastest cruisers and ironclads of their tonnage (the Wamponoag may be taken as a specimen of the first and the original Miantonomoh of the last) that have ever steamed in ocean, and in all cases gave satisfaction to my superiors in the Navy Department, whose confidence in me as engineer and man remained unshaken to the last.

If it be said that my length of service as chief of bureau should be sufficient, I reply that being retired from the bureau, which, if appointed now, I shall be from age limitation in the latter months of your administration, carries with it increased rank and correspondingly increased pay, and I respectfully submit I am more entitled to these as compensation for my greater services than any engineer in my corps. On the other hand, if the question be viewed wholly in the light of the public interests, then only the professional qualifications of the person will be considered and other considerations will have no place in determining the selection, and on this ground alone I am willing to rest my candidacy.

Within the last few years I have had the advantage of a long professional tour over Europe, and have visited every workshop and examined every steamship, merchant or naval, of any importance there, as well as every public and private workshop and dock-yard in Western Europe.

I am a native of New York city, and am and always have been a citizen of it.

If appointed now I shall be placed on the retired-list of the Navy by law on the 6th day of October, 1884, which will give you the selection of my successor.

Believing that I have submitted all the material points of the case, I have the honor to be, sir,

Very respectfully, your obedient servant,

B. F. ISHERWOOD,
Chief Engineer United States Navy.

To His Excellency the PRESIDENT OF THE UNITED STATES.

ARE THE MONITORS FAILURES?

Those who oppose the reconstruction of the Navy are in the habit of stigmatizing as a total failure every vessel whose construction or completion is advocated by the naval administration. As the cruisers under construction and the cruisers not yet designed are total failures, so the five partly finished monitors come under the same designation. The phrase has become a catchword in the mouth of the opposition, and the repeated and detailed refutation of all specific objections has no effect in stopping the cry. Boards of officers have again and again examined the monitors and recommended their completion. The modifications made in the original designs have secured their efficiency in all points about which a doubt existed.

The following statement is found in the document laid before the Senate committee in reference to the naval appropriation bill:

There are only two courses of action now open. If the vessels are inefficient no more money should be expended upon them; they should be broken up at once and the material utilized in other ways; if, on the other hand, they will be efficient, they should immediately be carried to completion, because there is no question that the country needs and desires an increase of its means of coast defense.

Three main points are referred to as elements of weakness in monitors: 1. Lack of buoyancy; 2. Unseaworthiness; 3. Vulnerability.

1. LACK OF BUOYANCY.

As stated in the report of the advisory board for December 15, 1883, given above, a doubt which at one time existed in reference to the buoyancy of the Puritan has been extended in the public mind to the other vessels. Apart from the Puritan there has never been any ground for such a doubt; and in the case of the Puritan it has been ascertained that in the calculations embodied in the earlier reports tending to show that the weight exceeded the buoyancy excessive weights were adopted for the turrets. Although the error was subsequently corrected, and the fact that the vessel is perfectly buoyant has since been repeatedly confirmed and published through official channels, the assertion that the Puritan will not float is still made from time to time, keeping alive a popular though entirely groundless impression.

2. UNSEAWORTHINESS.

The monitors now building, while they have been modified in accordance with the discoveries of modern science and the demands of modern warfare, are similar in their general proportions and distribution of weight to the vessels of the same frame built during the war. Additional safety has been secured by the use of iron hulls, double bottoms, and water-tight subdivisions, while in all other particulars governing their behavior at sea they are essentially the same.

The testimony in regard to the seaworthiness of the earlier vessels is conclusive.

Commodore John Rodgers states:

"The Monadnock behaved so well at sea as to inspire her officers not only with confidence but with enthusiasm at her performance as a sea boat."

Lieut. Commander F. M. Bunce states, in reference to the same vessel, after a successful passage from Philadelphia to San Francisco:

"This vessel is a most excellent sea boat, and has received no damage from any weather we have encountered. At sea she has never needed or received assistance of any kind whatever from other vessels, and therefore I regard her or any vessel of her class as thoroughly competent independent cruisers."

Commander J. C. Beaumont says of the Miantonomoh:

"She is an excellent sea boat, as safe and more comfortable than any vessel I ever served in."

Commander A. Murray, after a passage across the Atlantic in the Miantonomoh, states:

"Heavy weather does not appear to materially affect the speed or rolling of the monitor, for while the other vessels were lurching about and their progress checked by heavy seas, she went along comparatively undisturbed or unchecked."

Assistant Secretary G. V. Fox, after describing the same voyage, states:

"From these facts and the experience we have derived from the use of such vessels during the war, we may safely conclude that the monitor type of ironclads is superior to the broadside, not only for fighting purposes at sea but also for cruising."

3. VULNERABILITY.

The thickness of the armor of the monitors in inches is as follows:

Name.	Turret.	Deck.	Side (amidships).
Miantonomoh	11½	1	7
Terror	11½	1	7
Amphitrite	11½	1	7
Monadnock	11½	1	7
Puritan	15	3 and 2	12

In the first four monitors the thickness of the turret armor is sufficient to protect the battery of the vessel effectually from the attack of the great majority of naval guns in present use.

The only question that can arise is as to the side armor.

It is true that at point-blank range a projectile from a modern 8-inch (9-ton) gun will penetrate seven inches of iron armor, but the steel or steel-faced armor of these vessels represents a capacity for resistance equal to 25 per cent. more, or 8¾ inches' thickness of iron armor. Only the larger guns can be successfully directed against such armor.

Moreover it is one of the peculiar advantages of the monitor type of vessel that the exposed side rises only 30 inches above water, and in coast and harbor operations the light draught of the monitors enables them to choose a position where a larger vessel could not easily approach them. Under the existing limitations upon accuracy of fire with rifled guns a target composed of a horizontal band 30 inches wide, at a distance of from half a mile to a mile, is well-nigh impossible to hit. It can not therefore be denied that the four lighter monitors, with their powerful 10-inch guns, will be of material service for the purpose for which they are intended, namely, the defense of our harbors.

The remaining monitor, the Puritan, with 12 inches of side armor and 15 inches on the turrets, is a vessel of unquestioned power, and would be a formidable antagonist to any of the large armored vessels of the same class in foreign navies.

It has ever been claimed for the monitors that they were invulnerable, or even that they would be a match for the enormous iron-clad battle-ships of Europe, such as the Inflexible and Duilio. It would doubtless be a more complete protection to have a vessel like the Inflexible stationed near each of the great commercial harbors, but the expenditure necessary for this object would be two and one-half times as great as the total cost of the monitors when completed, as will be seen from the following statement of the actual cost of the two types of vessels:

INFLEXIBLE.	
Hull	$3,153,221 46
Machinery	711,781 02
Equipment	83,674 62
Total	3,948,677 10
MONITOR.	
Total cost of four monitors	$7,385,711 03
Ordnance	866,725 00
Cost excluding ordnance	6,518,986 03
Average cost of one monitor	1,629,746 51

Even if the theory upon which much of the opposition to the monitors is based, that large ironclads and heavy armor are indispensable, were correct, the fact would still remain that a considerable amount has already been laid out upon the monitors, and the real question is whether it is worth while to throw away all the benefits of this outlay only because a much greater outlay would have given a better result. The highest professional opinion has pronounced officially in favor of their completion and has declared that their total cost will be in no way exorbitant when compared with the results obtained. Common prudence demands that we should take immediate steps to remedy the defenseless condition of our coasts and harbors, and the most rapid and economical measure that can be recommended at the present time is to push the partly constructed monitors to completion.

I yield the balance of my time to the gentleman from Maine [Mr. REED].

Mr. REED. I desire, Mr. Speaker (Mr. COX, of New York, in the chair), to call your particular and personal attention to the observations I am about to make. In the course of debate upon the subject of the naval bill the gentleman from New York now occupying the chair made some statements which were startling to us on the other side. In endeavoring to defend the Democratic party for their refusal to assist in building a navy he furnished the House not only with the criticisms of the naval constructor and of the late chief engineer, Mr. Isherwood, but also with some statements purporting to come from the Admiral of the Navy. I read from page 5856 of the CONGRESSIONAL RECORD, from the speech of the gentleman from New York, made July 1, which will be found there:

The Admiral says:

"I am nevertheless well satisfied that it would be most unwise to vote $4,000,000 for the construction of seven steel cruisers next year until we have some evidence that the Chicago, the Boston, the Atlanta, and the Dolphin are of the proper type or types to enable our naval officers "to keep alive the knowledge of war."

And he asks—

Meaning the said Admiral asks—

Are these the types of ships that are "capable on brief notice of being expanded into invincible squadrons?"

The gentleman from New York proceeded:

I perceive the emphasis of the recommendation of your great Admiral. I would not go back on that recommendation, nor on the testimony of your skilled and ingenious builders and engineers.

I will read a copy of a letter from the Admiral of the Navy, dated Washington, D. C., July 3, 1884:

WASHINGTON, D. C., *July* 3, 1884.

SIR: I beg leave to acknowledge the receipt of your letter of July 3, and have to say that the only opinion I recollect to have expressed with regard to the steel cruisers were in my last annual report to you and in my evidence before the Senate Naval Committee, which was published, and which I believe you have seen.

My opinion expressed in that evidence was that we should not only build the proposed steel cruisers, but as many more as we could get.

In looking over my report to you I can see nothing bearing on the quotation you make from the CONGRESSIONAL RECORD.

I made some criticisms on the Chicago, Atlanta, and Boston with regard to their want of sail-power and the advisability of building in the future a larger class of vessels.

I have not only been in favor of voting four millions for the construction of seven steel cruisers next year, but went rather farther in that direction perhaps than prudence would dictate.

I am quite satisfied that I have had no correspondence with any one on this subject. As I have no copies of letters bearing on this matter I am unable to furnish you with any.

I think you will find on examination that the quotation is not a literal one from my report or from my evidence, and I feel sure I have said nothing of the kind in conversation.

Possibly Mr. COX has been misquoted, or this may be a quotation from some other person's communication to him.

I have the honor to be, very respectfully, your obedient servant,

DAVID D. PORTER, *Admiral.*

Hon. WILLIAM E. CHANDLER,
Secretary of the Navy.

Of course I had a very natural curiosity to know what distinguished admiral had been confounded with the Admiral of the Navy, and set myself to search. And one of the first things that I met was a commendation with the usual modesty of the gentleman from New York directed to his own speech printed that identical day, July 1, which he says was "printed carefully;" and the House, knowing his habit, would have no doubt of that being the fact. And if my friend Governor LONG will kindly look at the passage there [indicating] in the speech of the gentleman from New York printed July 1, page 5809 of RECORD, and note the quotations and compare it with what I will read, he will see where this matter came from.

I am nevertheless well satisfied—

The "I" in that case was the gentleman from New York; the "I" in the other case was the Admiral of the Navy—

I am nevertheless well satisfied that it would be most unwise to vote $4,000,000 for the construction of seven steel cruisers next year, until we have some evidence that the Chicago, the Boston, the Atlanta, and the Dolphin are of the proper type or types to enable our naval officers "to keep alive the knowledge of war."

And then the gentleman asks:

Are these the types of ships that are "capable on brief notice of being expanded into invincible squadrons?"

Is it there? [To Mr. LONG.]

Mr. LONG. Yes.

Mr. REED. My friend informs me that it is an exact copy. Now, I do not remember but one historical parallel to this. George IV, an accomplished gentleman—and there the parallel is perfect with my friend from New York—a man who had been busy about great affairs—and the parallel continues [laughter]—had become so interested in those great affairs that he actually labored under the hallucination that he was present at the battle of Waterloo [laughter], and he insisted upon the Duke of Wellington indorsing his statement.

Now, the gentleman from New York [Mr. COX] has been at the head of the Committee on Naval Affairs. While he is sometimes subject to these hallucinations, as, for instance, when he was led to make a tariff speech at a time when the subject was not under consideration,

he has evidently so devoted his mind to the subject of the Navy, has evidently become so fired with enthusiasm upon the subject, has so absorbed himself in it, that he has forgotten his own personality—a great matter [laughter]—and for the moment has imagined himself to be the lord high admiral of the American Navy. [Great laughter.]

I do not know, Mr. Speaker, that I can add anything to this. [Renewed laughter.] I will reserve the remainder of my time.

The SPEAKER. The gentleman has three minutes of his time remaining.

Mr. CALKINS. I desire to ask leave to extend my remarks upon this subject. I will say that there will be nothing in them personal to any member of the House; they will be in reference to Mr. Isherwood.

There was no objection, and leave was granted accordingly.

The SPEAKER. The gentleman from Pennsylvania has six minutes of his time remaining.

Mr. RANDALL. I yield to the gentleman from New York [Mr. COX].

Mr. COX, of New York. I desire to say in the first place that if ignorance and impudence would make a statesman the gentleman from Maine [Mr. REED] would make a Bismarck. [Laughter.] I do not know what I have done to call forth this remarkable pasquinade upon me. I have said nothing except what I have quoted from the public records. If Admiral Porter has made any other statement than those which the public reports contain, I do not know it.

I am straightforward in my work here. I found that record and I made use of it. I was placed on the Committee on Naval Affairs without my knowledge and without being competent. And then this great big magnificent man from Maine twits me with my ignorance, while I am all the time trying to study more than he knows. [Laughter.]

I have made this statement about these cruisers, so and so, and I have proved it by Admiral Porter and by all who care to have any knowledge or experience on this matter of building ships. And now at the last moment of this session my mild friend from Indiana [Mr. CALKINS], the candidate for governor of that State, yields to this man from Maine, with his gall-bladder all reeking with meanness toward the Democratic party, to attack a small man in the House at this late hour of the session. [Great applause on the Democratic side.]

Now, I like to be good on Sunday, but who is there in all the United States of America or the everlasting universe that could be good on Sunday with the provocation of so mean a man as that? [Renewed laughter.]

Mr. REED. The gentleman from New York [Mr. COX] has made a characteristic speech, in which he has avoided the facts which I stated. The charge which I have made is that he has put into the mouth of the Admiral of the Navy what the Admiral of the Navy did not say. And I have proved it over the signature of the Admiral, and I have proved that the gentleman from New York made the statement *ipsissimis verbis*—if he can understand that much Latin applied to himself. [Laughter.] And he retorts with gross personal allusions. Well, what can you expect? The source warranted it; his course of life would lead us to expect it, and I purpose to pay no attention to that portion of it.

Mr. COX, of New York. I have lived an honest man; you are not as honest a man as I am.

Mr. REED. I admit——

Mr. COX, of New York. You ran the railroad business; I never did. [Applause on the Democratic side.]

Mr. REED. No; and the gentleman from New York never ran anything that required a head. [Laughter and applause on the Republican side.] The gentleman from New York pleads his size. I admit the insignificance of it. If he pleads littleness in every other respect I will admit it. [Laughter.]

Now, here is the plain charge—and it is repeated in Democratic newspapers—that the Admiral of the Navy has made certain statements, and his words purport to be given. I have proved that he never said it, and I have proved that the gentleman from New York himself said it. He quotes himself, causing his statement to be promulgated over this country as a statement of the Admiral of the Navy. And you have heard his reply.

Mr. COX, of New York. That is not true.

The SPEAKER. The time of the gentleman from Maine has expired.

Mr. COX, of New York. His time ought to have expired long ago. This is a poor, pitiable apology.

Mr. RANDALL. Mr. Speaker, it is not my wish at this time to indulge in any sentimental politics. On the contrary, I prefer not to do so, not to do anything that may disturb the harmony of our relations just at this time, when we are about to separate to be judged of as to what we have here done by our own immediate constituencies. It is proper, however, that I should say this much: that the appropriations for the Navy proposed in this bill bear an average relation to the appropriations for these objects which have been made for the past ten years.

No matter how much men may seek to play the demagogue, there is not, I feel certain, within these walls any man who is unfriendly to the American Navy. That Navy is manned by officers and men equal in skill, courage, and endurance to any navy in the world. But I must say that for the past ten years the great enemy of the American Navy has not been foreign navies or their threatened purposes, but the real enemy of the American navy has been its civil administrators during that period. [Applause on the Democratic side.] And we stand here to-night with a purpose in the future, as we have tried to do in the past, to reform all the abuses of the civil administration to which I have referred. And I am not going to allow gentlemen on the other side to criticise our action in connection with the Navy of the United States without reminding them of the derelictions of duty of their own party officials in the past in these particulars.

It was my purpose to-night to present a summary of the appropriations, to give the facts and figures of our action here during the present session of Congress in connection with the amounts of money we have voted to carry on the Government. But I am not able to do so, for the bills are not yet passed. I shall, however, claim the indulgence of the House to insert in my remarks, when I have the power to do so, these figures, giving the assurance that I shall insert nothing but what is directly connected therewith. When that shall have been done, the House and the country will find that the majority in this House have exercised a wise and discriminating economy which can not fail to receive the commendation of every fair-minded man in the United States who has the intellect to understand the facts.

The SPEAKER. The time for debate on this question under the rules has expired.

Mr. HISCOCK. I ask consent to print in connection with this bill some remarks and statistics.

The SPEAKER. The gentleman from New York asks leave to print in the RECORD some remarks concerning general appropriations. The Chair hears no objection.

Mr. CANNON. I desire similar leave.

The SPEAKER. If there be no objection leave will be granted.

There was no objection.

Mr. COX, of New York. I desire, with the consent of my friend from Pennsylvania, to ask leave to print in the RECORD the statement of Admiral Porter on this matter, so as to confute the statement made by the man from Maine.

Mr. REED. I can not agree to that. I gave the gentleman notice that I intended to bring this question up, and I gave him an opportunity to be prepared to support his statement.

Mr. RANDALL. I thought I had settled all that.

The SPEAKER. Objection is made to the request of the gentleman from New York [Mr. COX].

Mr. COX, of New York. The gentleman never gave me notice. I shall print in the RECORD, unless there be objection, the document I have mentioned.

Mr. REED. If I can be allowed one minute.

Mr. COX, of New York. I can not be allowed a minute. [Cries of "Regular order!"]

The SPEAKER. Objection is made.

Mr. COX, of New York. Every word I have said can be printed.

Mr. REED. I withdraw my objection.

Mr. COX, of New York. I ask to print the report of Admiral Porter, so as to confute the gentleman and prove every word I said to be true.

Mr. REED. I give him leave.

Mr. COX, of New York. I do not ask you.

The SPEAKER. Is there objection by any gentleman?

Mr. COX, of New York. As the Chair asks any gentleman, of course I object.

The SPEAKER. Does the gentleman from New York ask leave to print the report?

Mr. COX, of New York. I did; but the gentleman from Maine objected.

The SPEAKER. The Chair hears no objection, and leave is granted accordingly.

Mr. COX, of New York. I will place in juxtaposition extracts from my speech, in which I quoted from Admiral Porter, and the corresponding passages in the Admiral's report to the Secretary of the Navy. These will show that I have followed the text of the report. The language referred to by the gentleman [Mr. REED] was my own—he must have known it was my own—and which I inadvertently credited to Admiral Porter.

The following is the language I attributed to Admiral Porter in my speech of June 30 last, as published in the RECORD on the pages indicated below:

The Admiral holds the opinion that an effective cruiser "should not only be fitted with a full area of square sails, but she should have all the usual jibs and try-sails, and have light stays between all the masts where the latter could be set," in addition to full steam-power. (Page, 389.)—*Record*, page 5809, second column.

The following is the language used by Admiral Porter in his report to the Secretary of the Navy, made part of the latter report. The pages referred to are those of the last annual report of the Secretary of the Navy:

A ship of war for cruising, then, should not only be fitted with a full area of square sails, but she should have all the usual jibs and try-sails, and have light stays between all the masts where the latter could be set.—*Report of Secretary of the Navy*, 389.

Under date of November 19, 1883, Admiral Porter made a report to the Secretary of the Navy, in which he calls the attention of the Secretary to the fact that "in case we should have a war with any foreign nation all ports will be closed against our cruisers so far as obtaining coal or munitions of war is concerned. Our vessels," he says, "after consuming their coal must either lie idly by until a supply is sent from home or make an effort to reach the United States under sail, with perhaps fuel enough to run a blockade at the end of their cruise. Without full sail power," says the Admiral, "a ship of war"—cruiser—"would make but slow progress under these circumstances." (See last annual report of the Secretary of the Navy, volume 1, page 390.)—*Record*, page 5809, first column.

In case we should have a war with any foreign nation all ports will be closed against our cruisers so far as obtaining coal or munitions of war is concerned, and our vessels after consuming their coal must either lie idly by until a supply is sent from home or make an effort to reach the United States under sail, with perhaps fuel enough on hand to run a blockade at the end of their cruise. Without full sail power a ship of war would make but slow progress under these circumstances.—*Report of Secretary of the Navy*, 390.

He does not agree with the advisory board or the Secretary in respect to the speed of the Atlantic merchant steamers, or that proposed for our cruisers. He says that "a large portion of the ocean commerce is now carried on by swift steamships, many of which average fifteen knots across the Atlantic;" and that "in time of war the greater part of the enemy's commerce would be carried in such vessels." "Now and then," he says, "a comparatively slow steamer might fall a prey to our cruisers, but this would not often happen."—*Record*, page 5809, second column.

A large portion of the ocean commerce is now carried on by swift steamships, many of which average their fifteen knots across the Atlantic, and in time of war the greater part of an enemy's commerce would be carried in such vessels. Now and then a comparatively slow steamer might fall a prey to our cruisers, but this would not often happen.—*Report of Secretary of the Navy*, page 390.

Admiral Porter tells the Secretary that "nearly all the European steamship lines, Messageries, Peninsular, and Oriental, &c., are composed of large and fast vessels, capable of overcoming the resistance of the heaviest seas, which would swamp a vessel of small dimensions attempting to force her way in chase."—*Record*, page 5809, second column.

Nearly all the European steamship lines, Messageries, Peninsular, and Oriental, &c., are composed of large and fast vessels, capable of overcoming the resistance of the heaviest seas, which would swamp a vessel of small dimensions attempting to force her way in chase.—*Report of Secretary of the Navy.*

The Admiral regards it as absurd to apprehend a war between England and the United States, "since their interests are so mixed up in commercial enterprises." But in the event of such a war he says that "most of the fast steamships of Great Britain would be withdrawn from commerce and armed with heavy batteries." He says "the ocean would swarm with these converted merchant steamers, and they would effectually control it." Why does the Admiral make this statement? Because he does not regard the proposed steel cruisers—those being built and those proposed—as effective cruisers. "In case of such a war," he asks, "how long would it take for a steamship like the Oregon or the Alaska [English merchant steamers] to overhaul and capture small 'commerce destroyers?'"—*Record*, page 5809, second column.

It may seem absurd to apprehend a war between England and the United States[since their interests are so mixed up in commercial enterprises, but should such a calamity occur, most of the fast steamships of Great Britain would be withdrawn from commerce and armed with heavy batteries]. In such a case how long would it take for a steamship like the Oregon or the Alaska to overhaul and capture small "commerce-destroyers?" The ocean would swarm with these converted merchant steamers, and they would effectually control it.—*Report of Secretary of the Navy*, 390, 391.

The coal capacity of such steamers would be, as the Admiral says, "tremendous." "They would carry six months' provisions, and their commanders might laugh at Atlantic seas."—*Record*, page 5809, second column.

Their coal capacity would be tremendous; they could carry six months' provisions, and their commanders laugh at Atlantic seas.—*Report of Secretary of Navy*, 392.

"Take the Chicago, for example," says Admiral Porter. "It is said she will have only 14,000 square feet of canvas in her principal sails. Any seaman knows that so small an amount of canvas can only be considered 'auxiliary,' and would only propel the vessel through the water in a very fresh breeze." "With the very peculiar rig of the Chicago, without bowsprit and jibs projecting beyond the bow, no vessel would work under sail in smooth water, much less in a heavy sea."—*Record*, page 5809, second column.

Take the Chicago for example. It is said she will have only 14,000 square feet of canvas in her principal sails. Any seaman knows that so small an amount of canvas can only be considered "auxiliary," and would only propel the vessel through the water in a very fresh breeze. With the very peculiar rig of the Chicago, without bowsprit and jibs projecting beyond the bow, no vessel would work under sail in smooth water, much less in a heavy sea.—*Report Secretary Navy*, 388.

"I am not," says Admiral Porter, "an advocate for extremes, but am certain that no ship will be a first-class cruiser unless she has sail enough to send her thirteen knots through the water off the wind and ten knots by the wind. That is the speed of our old first-class frigates and ships of the line with their full bows. The finer lines of to-day ought to do better."—*Record*, page 6564, second column.

I am not an advocate for extremes, but am certain that no ship will be a first-class cruiser unless she has sail enough to send her thirteen knots through the water off the wind and ten knots by the wind. That is about the speed of our old first-class frigates and ships of the line with their full bows. The finer lines of to-day ought to do better.—*Report Secretary of Navy*, 389.

He considers that modern cruisers, "with the enormous weight of boilers and machinery carried low down," have "a stability not possessed by the old-fashioned sailing ships of war," and that "they could carry top-gallant sails when the latter would have to take a reef in the topsails."—*Record*, page 5810, first column.

It may be said that the comparatively narrow beam of modern ships is opposed to their carrying sail according to the ordinary rule, but the great length of these vessels, with the enormous weights of boilers and machinery carried low down, gives them a stability not possessed by the old-fashioned sailing ships of war, and they could carry top-gallant sails when the latter would have to take a reef in the topsails.—*Report of Secretary of the Navy*, page 389.

"I will," he says, "suppose a case of two ships of war meeting at sea, of equal size and weight of metal. The machinery of both vessels may be injured, and both may have to depend on their sails. The one that is the best rigged and with the position of the center of effort of the sails so fixed that the steamer will work as well as the old-fashioned sailing ships (which can be accomplished) will sail around the other vessel and compel her to surrender." We are told by the Admiral that the desired result "can be accomplished."—*Record*, page 5810, first column.

I will suppose a case of two ships of war meeting at sea, of equal size and weight of metal. The machinery of both vessels may be injured, and both may have to depend on their sails. The one that is the best rigged and with the position of the center of effort of the sails so fixed that the steamer will work as well as the old-fashioned sailing ships, which can be accomplished, will sail around the other vessel and compel her to surrender.—*Report Secretary Navy*, page 389.

"It may be argued," says Admiral Porter, "that the proposed ships will not be required to maneuver, and that they will always work in important cases under steam." This argument might apply to heavy ironclads, but certainly not to cruisers. In respect to the latter he well says that "it is necessary to guard against every contingency," and that "even in time of peace every effort should be made to economize coal, the careless expenditure of which eats up the public treasure." "What a steamship consumes in coal would in a few years buy a new vessel." The Brooklyn is a very much smaller ship than the Chicago, yet this old-fashioned vessel can spread 8,000 square feet of canvas more than is intended for the Chicago.—*Record*, page 5810, first column.

It may be argued that the proposed ships will not be required to maneuver, and that they will always work in important cases under steam; but in war it is necessary to guard against every contingency, and even in time of peace every effort should be made to economize coal, the careless expenditure of which eats up the public treasure. What a steamship consumes in coal would in a few years buy a new vessel.—*Report of Secretary of the Navy*, 388 and 389.

When England and France assumed a hostile attitude to the United States during the late civil war Congress appropriated money for 65,890 tons of fast steamers, "real commerce-destroyers"—(I still quote from Admiral Porter's report to the Secretary)—"all larger than the proposed Boston class, and eleven of them as large or larger than the proposed Chicago."—*Record*, page 5810, first column.

Now, here is a case where Congress appropriated money for 65,890 tons of fast steamers, real commerce destroyers, all larger than the proposed Boston class, and eleven of them as large or larger than the proposed Chicago. I hardly think the foreign governments referred to would have been impressed with such vessels as the proposed Dolphin class.—*Report Secretary Navy*, 391.

"Had these vessels been built of iron" (as they ought to have been), says the Admiral, "we might not at this day have been complaining of a decayed navy, since, if properly taken care of, they must still be serviceable." How many millions has Congress appropriated to maintain a navy since that time?—*Record*, page 5810, first column.

Had these vessels been built of iron we might not at this day be complaining of a decayed navy, since, if properly taken care of, they must still be serviceable.—*Report of Secretary of the Navy*, page 391.

On the 2d of July, I was reported (on page 5856 of the RECORD, which contains the proceedings of the 1st of July) as follows: "I said very feebly yesterday what I say to-day more vigorously, that I would rather have one good large iron-clad steamer at a cost of $4,000,000 than your whole fleet of forty-million-dollar cruisers. These cruisers can not fight the present iron-clad vessels of the world. To make these vessels, according to Admiral Porter, able to compete with the vessels of the world—this is the crucial test of a navy worth having—the Admiral says:

I am nevertheless well satisfied that it would be most unwise to vote $4,000,000 for the construction of seven steel cruisers next year until we have some evidence that the Chicago, the Boston, the Atlanta, and the Dolphin are of the proper type or types to enable our naval officers "to keep alive the knowledge of war."

And he asks:

Are these the types of ships that are "capable on brief notice of being expanded into invincible squadrons?"

I perceive the emphasis of the recommendation of your great Admiral. I would not go back on that recommendation, nor on the testimony of your skilled and ingenious builders and engineers. I would not in a time when this armament is growing.

The language here attributed to Admiral Porter I took in the hurry of debate from page 5809 of the RECORD. They were my own words, as any one might have seen from the RECORD by the following language then used:

NON-COMBATANT SQUADRONS.

Now, while I have not sufficient naval knowledge to say that we should not direct our attention mainly to providing a navy of steel cruisers for the pleasure and accommodation of our officers before we embark to any considerable extent in the building of fighting ships, I am nevertheless well satisfied that it would be most unwise to vote $4,000,000 for the construction of seven steel cruisers next year until we have some evidence that the Chicago, the Boston, the Atlanta, and the Dolphin are of the proper type or types to enable our naval officers "to keep alive the knowledge of war." Are these the types of ships that are "capable on brief notice of being expanded into invincible squadrons?"

This language had relation to my comments upon the report of the Secretary of the Navy and the action of the advisory board, as any one would see who will read the foregoing part of my speech. On the hasty glance I cast on it I did not observe that the quotation marks did not refer to Admiral Porter. They referred to the Secretary's language. The above extracts from the report of Admiral Porter to the Secretary of the Navy abundantly support the position I took against the addition of new cruisers to our fleet. No one can read Admiral Porter's report without seeing that he takes substantially the same grounds that I took against them.

Mr. REED. I desire leave to reply.

Mr. RANDALL. That will be lost on the House.

Mr. REED. What I have said has not been lost.

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

Mr. RANDALL 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.

APPROPRIATIONS COMMITTEE.

Mr. RANDALL, by unanimous consent, submitted the following resolution:

Resolved, That the Committee on Appropriations, or such subcommittee as they may designate, are hereby authorized to sit during the vacation, for the purpose of considering and facilitating the business of the committee in advance of the next regular session, to be convened at such time as the chairman of said committee may order.

Mr. RANDALL. It is the usual resolution adopted at a long session, so as to enable the Committee on Appropriations to assemble and transact business prior to the meeting of the second session, in order to have the bills prepared in some degree in advance.

Mr. KASSON. Do not the rules provide for the meeting of the Committee on Appropriations?

The SPEAKER. Not that I know of.

Mr. KASSON. I thought there was such a provision for the meeting of the Committee on Appropriations in advance.

The SPEAKER. There is not.

The resolution was adopted.

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

The latter motion was agreed to.

EXCUSED FROM COMMITTEE SERVICE.

Mr. CALKINS. I ask by unanimous consent that I be excused from further service on the Committee on Appropriations; and I do this now so that the Speaker may appoint my successor.

There was no objection, and it was ordered accordingly.

LEGISLATIVE, ETC., APPROPRIATION BILL.

Mr. HOLMAN. I submit the following privileged report.

The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate numbered 21, 24, and 25 to the bill (H. R. 7069) "making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 24 and 25, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with amendments as follows: In lieu of "thirty-four" insert "ten," and after the word "dollars," in the amended clause, insert "for clerks to Senators, $24,000;" and the Senate agree to the same.

WM. S. HOLMAN,
JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House.

W. B. ALLISON,
P. B. PLUMB,
F. M. COCKRELL,
Managers on the part of the Senate.

The SPEAKER. The statement accompanying the report will now be read.

The Clerk read as follows:

The managers on the part of the House of the conference on the disagreeing votes of the two Houses to the amendments of the Senate to the bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year 1885 submit the following statement in explanation of the conference report:

It is recommended that the House recede from its disagreement to the amendments of the Senate, and agree to the same with an amendment which inserts in the bill the following:

"For clerks to Senators, $24,000."

WM. S. HOLMAN,
JOHN HANCOCK,
J. G. CANNON,
Managers on the part of the House.

Mr. HOLMAN. Mr. Speaker, I hope I will have the ear of the House for a few moments.

Mr. WHITE, of Kentucky. I rise to a question of order. I ask how much time the gentleman is going to allow for debate on this?

Mr. HOLMAN. How much time does the gentleman want?

Mr. WHITE, of Kentucky. About ten minutes.

Mr. HOLMAN. The gentleman shall have that time. I hope the House will understand that this report in this form recommends the appropriation of this money, it is true, but it is purely a formal report under the parliamentary rules for the purpose of bringing the subject in this formal manner before the House.

It is not to be assumed on the part of the House that the majority of its managers at this conference favor the principle declared in the report. I have already explained the reason why the report in this form is presented, and I desire to present it again. If the committee of conference simply reported a failure to agree, then the question would be, shall the House recede? And if the House not only declined to recede, but on the contrary adopted the amendments of the Senate, then it would not show upon the face of the law that the $20,000 was being appropriated for clerks of Senators, but simply that a given sum of money was appropriated for the contingent expenses of the Senate, to be applied as the Senate might think proper. Therefore, for the purpose of presenting the subject in a tangible form, the conferees on the part of the House consented to this form of report, recommending as a matter of form to the House to agree in the proposition of the Senate embodied, not in terms, but in effect, in the original proposition of the Senate for $24,000, which sum they proposed to appropriate for the present fiscal year, beginning on the 1st of the present month, for the compensation of clerks of Senators.

As a matter of course, Mr. Speaker, if the House shall adopt this report that is the end of the controversy between the two Houses, and the legislative, executive, and judicial appropriation bill becomes a law. It appropriates $24,000 for the clerks of Senators in that event. If the House does not agree to this report, the subject goes as a matter of course to another conference. That is all.

I am exceedingly anxious to place this matter clearly before the House, for I do not wish that the majority of the House conferees should be placed in the attitude of in effect recommending the appropriation of this $24,000, as their judgment is against the appropriation for that purpose, and I trust we have been successful at least in presenting the reasons why the report has been presented in the form in which it stands.

I now yield ten minutes to the gentleman from Kentucky [Mr. WHITE].

Mr. WHITE, of Kentucky. Mr. Speaker, the amount of money involved in this demand of the Senate is very small. We have given that much money frequently to various objects. But, sir, that is not the question. There is a principle involved in this demand. It was a small tax that led to the war of the Revolution. It was not the amount of the tax, but the principle involved in the tax which led to the throwing of the tea overboard in the Boston harbor. So it is in this case. It is not the $24,000 that I object to, but the principle it involves. If the Senate can say that the House shall give this $24,000 to hire private secretaries for them, they arrogate to themselves the right also to demand that we shall give to them a carriage and a span of Kentucky trotters, a coachman, and a lackey. It is clearly intended as an increase of the salary of the Senators, and there is no dispute but that is what it amounts to.

Now, sir, we are brought to face this question fairly. In the Forty-third Congress the distinguished chairman of the Committee on Appropriations [Mr. RANDALL], now in this House, made this remark on a similar bill to increase the salary of Members and Senators from $5,000 to $7,500, known as the back-pay salary grab. In that discussion the gentleman from Pennsylvania [Mr. RANDALL] said:

When I went into this conference on this bill I found there were three overshadowing questions beyond all others which were in controversy between the two Houses. The first one that met us in committee was this question of salaries. Upon that question I have uttered no doubtful sound and have made no doubtful record in this House. I have declared to the country and to my constituents that I believe I have earned $7,500 a year since I have been in this Congress, and that I can not live here for less with my family in any sort of decency.

Now, sir, there is the whole issue in a nutshell. We knew and the Senators knew when they were elected that the salary was fixed at $5,000 for each year. Can a member of Congress live in Washington for $5,000 a year? We thought so when we were candidates. If Congressmen can not perform their duties and can not live in decency in Washington for $5,000 a year, then pass a new law to take effect at the beginning of next Congress. Representatives of the people are equal in rank if not superior to United States Senators, and it is not just nor proper that a Senator who is elected for six years and receives the same salary, the same allowances for stationery, the same allowance for mileage, nay, more, when there is an extra session of Congress shall be allowed more salary than is received by the Representatives of the people who under the Constitution hold the purse-strings.

The Senators are chosen, as I say, for six years, while a Member is elected for but two years. Are we prepared to say that $5,000 salary a year, which we knew we were to receive when we were elected to Congress, and $5,000 a year which the Senators knew they were to receive when they were elected to the United States Senate, is not sufficient? It is the high living indulged in, perhaps, after reaching Washington which leads to demands for increase of salaries. The gentleman from Pennsylvania [Mr. RANDALL] said in the closing hours of the Forty-third Congress, on the 3d day of March, 1873, that he could not live here for less than $7,500 a year with his family; and therefore he voted with the majority to increase the compensation $2,500 to each and every Representative and Senator. The Senate took the same view of the matter, and in order to assure the passage of that back-pay grab they proposed to give the President of the United States $50,000 a year.

The country spoke with no uncertain sound on that salary grab. It condemned the act, repudiated most of the members of Congress who voted for it. Not a single member from the State which I have the honor in part to represent who voted for that salary grab occupies a

place on the floor of this House to-day; not one. There are very few of them from other States. Some of the Democratic members who took the salary grab have been able to weather the storm more than the Republicans who took it; which shows again that the Republican party is more sensitive to questions of honor than the Democratic party. [Applause and laughter.]

Now, sir, I call the attention of the House to the Constitution, article 1, section 6, paragraph 2:

> No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States, which shall have been created, or the emoluments whereof shall have been increased during such time.

Does not every member know, does not the whole country know that this increase of $24,000 for the Senate to hire private secretaries amounts to an increase of a thousand dollars a year of the salary allowed to each member of the Senate to give to some member of his family; and are we not in that respect violating the Constitution; for "inasmuch as ye do it unto the least of them" ye do it unto the Senators? [Laughter and cries of "Vote!" "Vote!"]

I need not discuss this further. I merely want to put myself squarely on the record; and for one, although the amount is only $24,000, before I will grant one dollar to the superiority of the foreign embassadors of the States who consent to appointments after they have advised the President to make them, whereby the Republican minority in the South is traded off for the support of Democratic Senators, which results in the success of one faction over another faction of the Republican party in the North, all of which tends to the disruption and destruction of the Republican party—before I consent to that I am willing for one to stand here, if a quorum will stand with me, until next December.

Mr. HOLMAN. I yield to the gentleman from Tennessee [Mr. YOUNG].

Mr. YOUNG. It appears to me that the question involved in the report just submitted is a very important one. I confess I do not distinctly understand what the recommendations of the committee of conference are. I understand this, however, so far as my personal convictions go, that we ought not to vote for such a measure as this. I have no disposition to protract this session of Congress. I have no disposition to reflect in any way on gentlemen on this floor who entertain different views.

But I feel I owe it to myself and to my constituents to express to the House my disapprobation of this measure. In itself it may be right. The salary of every Representative and of every Senator perhaps ought to be greater than it is. Perhaps they ought to have this clerical assistance. I know members of the House need it. But I know this in addition—that the people who sent us here do not expect us to pass this measure, and, therefore, I desire to record my vote against it.

Mr. HOLMAN. So far as the appropriation bills are concerned this is the last of them, with the exception of the diplomatic bill, which will undoubtedly be returned to the House in a few minutes; and this is the last item upon which this House will have occasion to act so far as the general appropriations are concerned. I trust, sir, that notwithstanding the lateness of the hour this question will be decided according to the judgment of each member on this floor. In my judgment this money ought not to be appropriated. It is virtually and necessarily simply an increase of the salaries of a part of the members of the National Legislature—that and nothing less. I do not think the appropriation should be made. I do not think that any haste to leave this Capitol should justify any variation from the dictates of reason and judgment in deciding upon this question. I do not think the appropriation should be made.

I yield to my colleague on the committee, the gentleman from Illinois [Mr. CANNON], such time as he may desire.

Mr. CANNON. I desire only to occupy a minute or two.

I did not intend to say a word about this, Mr. Speaker, and would not now were it not that a day or two ago, when this subject was discussed to a certain extent by the House, I announced my opposition to this appropriation. Being upon the conference committee and having united with the gentleman from Indiana and the gentleman from Texas in recommending the adoption of the conference report, it is due to myself that I should say that action was taken in view of the action of the House in adopting the conference report upon the deficiency bill.

I do not regard this matter as an open question now, for the reason that within the last hour, when the conference report upon the deficiency bill was adopted which appropriated $26,000 or $27,000 to pay for these clerks for the year just closed, the principle was established, and this appropriation is but to pay for the same clerks for the year which has just commenced.

I do not care about discussing this question further. I perhaps might say that I hope in the future this will be corrected, either by doing away with this pay for Senators' clerks, or by a well-considered and judicious law, if pay there must be to any clerks, that will make it exactly equal as between the House and the Senate. It is not so much the amount of money that is involved that gives me trouble in connection with this question, but it is the fact that we have already yielded and are proposing to yield further to a distinction between the two co-ordinate branches, when my conviction is that hereafter as heretofore they should stand exactly upon the same platform touching this and all other pay and perquisites.

The SPEAKER. What motion does the gentleman from Indiana [Mr. HOLMAN] submit?

Mr. HOLMAN. We make the report with the usual recommendation as a matter of form, with the view that if the vote taken on the deficiency bill is to be regarded as an instruction, and if the appropriation is made, it shall appear on its face what it is for; that it shall appear on the face of the law that the money is appropriated not for general contingencies but for clerks of Senators.

It is for that purpose and because of the implied instructions given by a former vote of the House that the conferees of the House have submitted this subject in its present form, with the understanding, however, that the majority of the House conferees, the gentleman from Illinois [Mr. CANNON] and myself do not concur in the appropriation of this money, but on the contrary believe that the salaries of members of the House and of Senators are high enough.

Mr. MILLER, of Pennsylvania. Allow me to ask the gentleman a question.

Mr. HOLMAN. Certainly.

Mr. MILLER, of Pennsylvania. Do I understand from the gentleman from Indiana that he is going to vote against this conference report?

Mr. HOLMAN. If the gentleman will call the yeas and nays, perhaps I will.

Mr. MILLER, of Pennsylvania. I trust that if the gentleman does this side of the House will follow him.

The SPEAKER. The question is upon agreeing to the report of the committee of conference.

Mr. COX, of North Carolina. Upon that I call for the yeas and nays.

Mr. HOLMAN. For the purpose of bringing this subject before the House for action, I move *pro forma* the adoption of the report.

The question was taken upon ordering the yeas and nays, and there were 19 in the affirmative.

The SPEAKER. That is not one-fifth of the last vote.

Mr. MILLER, of Pennsylvania, and Mr. PAYSON called for a count of the other side.

The negative vote was counted, and there were 105.

The SPEAKER. Upon ordering the yeas and nays upon agreeing to the report of the committee of conference the ayes are 19, the noes 105. The ayes not being one-fifth of the whole vote, the yeas and nays are refused.

Mr. WHITE, of Kentucky. No quorum has voted.

The SPEAKER. It does not require a quorum to decide the call for the yeas and nays.

Mr. WHITE, of Kentucky. I call for tellers on ordering the yeas and nays.

Tellers were not ordered, there being but 10 in the affirmative—not one-fifth of a quorum.

The SPEAKER. The yeas and nays are refused. The question is upon agreeing to the conference report.

The question was taken; and upon a division there were—ayes 70, noes 48.

Mr. WHITE, of Kentucky. No quorum.

Mr. MILLS. Do not make that point and require us to stay here all night.

Mr. WHITE, of Kentucky. There is important legislation to be done besides this.

The SPEAKER. It can not be done without a quorum.

Mr. WILLIS. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIS. Can any business whatever be done without a quorum?

The SPEAKER. Of course not; the Constitution prohibits it.

Mr. WHITE, of Kentucky. Members of Congress are paid by the year, and ought to be here.

The SPEAKER. The question is not debatable. The point of order is made that no quorum has voted. The Chair will appoint as tellers Mr. WHITE, of Kentucky, and Mr. MILLS.

The House again divided; and the tellers reported that there were—ayes 100, noes 69.

Before the result of the vote was announced,

Mr. WHITE, of Kentucky, said: Now that we have a quorum I ask for the yeas and nays.

The SPEAKER. The yeas and nays have been asked for and refused by the House.

Mr. WHITE, of Kentucky. Can not I ask for them again?

The SPEAKER. Only by unanimous consent, the House having already voted not to take the question by yeas and nays.

Mr. WHITE, of Kentucky. Then I ask unanimous consent for the yeas and nays.

Many members objected.

The SPEAKER. Objection is made. Upon this vote the tellers report ayes 100, noes 69. The ayes have it, and the report of the committee of conference is agreed to.

Mr. HOLMAN moved to reconsider the vote by which the report of

the committee of conference was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 1042) for the relief of Mrs. Sarah Sinfield;
A bill (H. R. 1897) granting a pension to Catherine Hunter;
A bill (H. R. 2979) granting a pension to Nancy Ellis;
A bill (H. R. 4417) granting an increase of pension to Jacob Miller;
A bill (H. R. 5888) granting a pension to Ellen O'Brian; and
A bill (H. R. 6530) to increase the pension of Richard Jobes.

ORDER OF BUSINESS.

Mr. WELLER. I rise to a question of order.

The SPEAKER. The gentleman will state it.

Mr. WELLER. On the convening of the House this evening I made a motion that we proceed to the consideration of certain pension bills.

The SPEAKER. That is not a point of order.

Mr. WELLER. I was about to state the point of order.

The SPEAKER. The gentleman will state it.

Mr. WELLER. I want to know whether it will be necessary for me to renew that motion, or whether the Speaker will submit it to the House.

The SPEAKER. The gentleman must decide for himself whether it is necessary for him to make the motion or not.

Mr. WELLER. I did not hear the Chair.

The SPEAKER. The gentleman did not make the motion. The gentleman arose and attempted to make it, but it was not made.

Mr. MILLS. I want to ask a kindness of the House in this our closing hours of the first session of the Forty-eighth Congress. I want the House to do me the favor to permit Senate bill No. 62, providing for the erection of a public building at Waco, Tex., to be taken from the Speaker's table and passed at this time. The judges of both the circuit and district courts certify that there is no place there for the court to be held. The bill has passed the Senate, has been recommended favorably by the committee of the House and is on the Speaker's table, and it will take but a moment to pass it.

Mr. BLACKBURN. That is right.

Mr. GUENTHER and others objected.

The SPEAKER. Objection is made.

Mr. WHITE, of Kentucky. I call for the regular order.

Mr. HOLMAN. I move that the House now take a recess for thirty minutes.

The SPEAKER. That is a privileged motion under the rules of the House.

The question was taken upon the motion of Mr. HOLMAN; and upon a division there were—ayes 111, noes 17.

So (no further count being called for) the motion was agreed to; and accordingly (at 9 o'clock and 25 minutes p. m.) the House took a recess until 9 o'clock and 55 minutes p. m.

The recess having expired, the House resumed its session.

DISTRICT OF COLUMBIA EXPENSES.

Mr. HOLMAN. There were certain items struck from the deficiency bill by the conferees proposing appropriations to be paid from the funds of the District of Columbia. After this was done the gentleman having charge of the subject became satisfied that those appropriations, amounting to about $5,000, should be made. I ask unanimous consent that a joint resolution covering these matters may now be introduced, and, if there be no objection, passed.

There being no objection,

Mr. HOLMAN introduced a joint resolution (H. Res. 286) for the payment of certain persons therein named for clerical services in making clerical and "assess" books; which was read a first and second time.

The SPEAKER. If there be no objection the House will proceed to the consideration of this resolution.

There being no objection, the joint resolution was read, as follows:

Resolved by the Senate and House of Representatives, &c., That the Secretary of the Treasury be, and he is hereby, authorized to pay the following named persons for clerical services in making clerical and "assess" books, namely: To F. G. Cowie, $138; to G. A. Hall, $435; to W. E. Morgan, $505; to John S. Bell, $180; to Thomas B. Shoemaker, $45; to William Griffin, $700; to E. W. W. Griffin, $900; to R. E. Fish, $900; to Frank Wilson, $900; to J. F. Thompson, $171; to Charles D. Merwin, $30; in all, $5,704, out of any money appropriated for the District of Columbia not otherwise specifically set apart for other purposes.

Mr. CALKINS. I desire to say that the statement made by the gentleman from Indiana in regard to this matter is entirely correct.

Mr. RANDALL. While this proposition is right, I wish it understood that there was no error in the report upon the deficiency bill; these items were not omitted by mistake.

Mr. HOLMAN. I did not intend to have it understood that these appropriations were omitted by an error. They were intended to be stricken out of the deficiency bill.

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

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

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had agreed to the report of the committee of conference on the amendments of the Senate numbered 21, 24, and 25 to the legislative, executive, and judicial appropriation bill.

ORDNANCE AND GUNNERY.

Mr. HISCOCK. I send a resolution to the Clerk's desk to be read; and if there be no objection, I will ask for its immediate consideration.

The Clerk read as follows:

Resolved, That a select committee of seven Representatives be appointed by the Speaker to inquire as to the capacity of steel-producing works in the United States to make steel of suitable quality and sufficient in quantity to furnish metal for guns of high power, and metal plates and other material for the construction of vessels of war, and for the armor or sheathing for such vessels.

2. That said committee shall also inquire as to the character and sufficiency of machinery and machine-tools in the navy-yards, and also in private foundries and machine-shops in the United States, for the construction of engines suitable for vessels of war, and for manufacturing guns for the proper armament of such vessels, and of the seacoast defenses, and for the purpose of constructing iron and steel ships of war.

3. Said committee shall also inquire into the best locations in the United States for manufacturing guns, engines, and armor for vessels, and for building iron and steel ships of war, and the best method of manufacturing and building the same, whether by the Government or by contract with private persons.

4. Said committee shall have power to sit in the vacation of the House at any place in the United States, to send for persons and papers, and to appoint a clerk and messenger, and may report by bill or otherwise.

5. The expenses of said committee, and of witnesses summoned before it, shall be paid out of the contingent fund of the House, to be certified by the chairman of the committee, and audited and allowed by the Committee on Accounts.

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

Mr. COX, of North Carolina. I object.

EXCUSED FROM COMMITTEE SERVICE.

Mr. KASSON. I ask to be excused from further service on the Committee on Ways and Means.

There being no objection, Mr. KASSON was excused.

GOVERNMENT WHARF AT WILMINGTON, N. C.

Mr. GREEN. I ask unanimous consent to take from the Speaker's table for immediate consideration Senate bill 1251, to authorize the purchase of a wharf for the use of the Government in Wilmington, N. C. This bill is designed simply to authorize the purchase of property in Wilmington, N. C., for the benefit of the revenue-marine service, and for other purposes.

Mr. DUNN. I object.

COMMITTEE APPOINTMENTS.

The SPEAKER. The Chair announces necessary changes which have been made in the committees of the House by reason of vacancies which have occurred.

The changes announced by the Speaker are as follows:

Committee on Ways and Means (to fill vacancies)—THOMAS M. BROWNE, THOMAS B. REED.

Committee on the Judiciary—ABRAHAM X. PARKER, EDWARD K. VALENTINE (to fill vacancies occasioned by the resignations of THOMAS M. BROWNE and THOMAS B. REED).

Committee on Agriculture—E. H. FUNSTON (to fill vacancy occasioned by the resignation of THOMAS P. OCHILTREE).

Committee on Post-Offices and Post-Roads—THOMAS P. OCHILTREE (to fill vacancy).

Committee on Manufactures—ROBERT SMALLS (to fill vacancy).

Committee on Labor—E. H. FUNSTON (to fill vacancy).

Committee on Militia—ROBERT SMALLS (to fill vacancy).

Committee on Patents—J. R. CHALMERS (to fill vacancy).

Select Committee on the Law respecting the Election of President and Vice-President—J. R. CHALMERS (to fill vacancy occasioned by the resignation of ABRAHAM X. PARKER).

Committee on Appropriations—JOHN D. LONG (to fill vacancy).

Committee on Banking and Currency—JOHN KEAN, Jr., in place of BENJAMIN S. HOOPER.

Committee on Public Buildings and Grounds—HARRY LIBBEY, in place of JOHN KEAN, Jr.

Select Committee on Public Health—BENJAMIN S. HOOPER in place of HARRY LIBBEY.

Committee on Commerce—WILLIAM P. HEPBURN in place of JOHN D. LONG.

Select Committee on American Ship-building and Ship-owning Interests—LEWIS E. MCCOMAS in place of JOHN D. LONG.

ORDER OF BUSINESS.

Mr. HOLMAN. I move a recess for half an hour.

Mr. WEAVER. I ask the gentleman to withhold that motion for a moment. I desire to ask unanimous consent to take from the Speaker's table and put on its passage the bill (S. 2348) to authorize the increase of the capital stock of the First National Bank of Omaha, Nebr. This is a matter to which no one will object when the bill has been read.

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

The SPEAKER. The question recurs on the motion to take a recess.

Mr. WHITE, of Kentucky. I move that the House do now adjourn, and on that motion I ask for a division.

The House divided; and there were—ayes 1, noes 94.

So the House refused to adjourn.

The SPEAKER. The question recurs on the motion to take a recess for thirty minutes.

The House divided; and there were—ayes 77, noes 9.

Mr. WHITE, of Kentucky. No quorum.

The SPEAKER appointed Mr. WHITE, of Kentucky, and Mr. HOLMAN as tellers.

The House again divided; and the tellers reported—ayes 99, noes 2.

Mr. WHITE, of Kentucky. I ask we proceed to the consideration of the Mexican pension bill.

The SPEAKER. That is not in order while the House is dividing.

Mr. WHITE, of Kentucky. No quorum has voted, and I move that there be a call of the House.

The motion that there be a call of the House was disagreed to.

Mr. WHITE, of Kentucky. It is now nearly midnight. We are waiting for the Senate. They are now engaged in an active debate, and we had as well go home as to stay here. Why should we waste time by taking recess after recess? I moved that the House adjourn, and it has refused to do so. As it will not adjourn let us proceed to business. Here is the Mexican pension bill returned with amendment, and let us take it up and send it back to the Senate. Here also is the educational bill.

The SPEAKER. The gentleman from Kentucky is out of order.

Mr. WHITE, of Kentucky (at 10 o'clock and 25 minutes p. m., July 6, 1884). I move the House do now adjourn.

The motion was disagreed to.

Mr. DAVIS, of Illinois. I ask unanimous consent to take up House bill 260.

Mr. HOLMAN. I withdraw the motion for a recess.

THANKS TO SPEAKER CARLISLE.

Mr. HISCOCK. I notice that Mr. Speaker CARLISLE is temporarily absent from the chair, and I offer a resolution to which there will not only be no objection, but which, in my judgment, will be unanimously adopted, as expressing the sentiments of every member of the House. I ask the Clerk to read it. [Applause.]

The Clerk read as follows:

Resolved, That the thanks of this House are due and are hereby tendered to Hon. JOHN G. CARLISLE, Speaker of the House of Representatives, for the ability, efficiency, and strict impartiality with which he has discharged the arduous and responsible duties of his office during the present session of Congress.

[Applause.]

The question was submitted to the House on the adoption of the resolution.

The SPEAKER *pro tempore* (Mr. SCALES in the chair). The resolution is unanimously adopted. [Applause.]

Mr. HOLMAN. I move to take a recess for half an hour.

Mr. DAVIS, of Illinois. I ask unanimous consent of the House that House bill 260 be put on its passage.

Mr. DUNN. Regular order.

Mr. DAVIS, of Illinois. I ask the gentleman to withdraw his demand until I can make a brief statement. The bill has been reported from the Committee on the Judiciary.

Mr. DUNN. I have no objection to the gentleman making a statement, but I will renew my demand after he has concluded.

Mr. WHITE, of Kentucky. Is a recess demanded for conference committees to meet or to go to the Senate to hear the discussion?

Mr. HOLMAN. The latter, I presume.

Mr. WHITE, of Kentucky. The Senate is enjoying a hilarious debate which will last till Monday morning, and as it is now near midnight I move the House adjourn.

The motion was disagreed to.

Mr. HOLMAN'S motion was agreed to; and accordingly (at 10 o'clock and 25 minutes p. m.) the House took a recess for thirty minutes.

AFTER THE RECESS.

The recess having expired, the House at 11 o'clock and 5 minutes p. m. resumed its session.

Mr. WELLER. I now move, and hope there will be no objection to the motion, to discharge the Committee of the Whole House on the Private Calendar from the further consideration of certain pension bills passed by the Senate and which only wait the action of the House to become laws.

Mr. DUNN. Regular order.

Mr. WELLER. I hope the gentleman will not insist upon that demand. These are bills that can be disposed of in twenty or twenty-five minutes, and I hope he will withdraw the objection.

Mr. DUNN. Regular order.

DIGEST OF POINTS OF ORDER.

Mr. BLACKBURN. Mr. Speaker, I ask consent to offer the resolution which I send to the desk, and I am sure it will commend itself to the House as a proper measure if they will hear the reading of it.

The SPEAKER. The resolution will be read, subject to objection.

The Clerk read as follows:

Resolved, That the resolutions of February 23 and August 7, 1882, directing the compilation and printing of questions of order decided in the Committee of the Whole House on the state of the Union on general appropriation and revenue bills be extended so as to include the Forty-sixth, Forty-seventh, and Forty-eighth Congresses.

Mr. BLACKBURN. I will state that this is simply in accordance with the resolution formerly adopted by the House, and is necessary to enable the chairman of the Committee of the Whole House on the state of the Union to know what has been the rulings of the committee in such cases.

Mr. DUNN. Let me ask if some such resolution was not introduced on yesterday?

Mr. BLACKBURN. No; not this resolution.

Mr. DUNN. There was a resolution in reference to the Digest introduced on yesterday.

Mr. BLACKBURN. That related to the printing of the Digest of the Rules, but this resolution refers to the compilation of points of order and decisions upon them.

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

Mr. HOLMAN. Reserving the right to object I would like to state that I do not remember the effect of that resolution.

Mr. BLACKBURN. I will read it for the gentleman. I have it here before me.

On the 23d of February, 1882, on motion of the gentleman from Maine [Mr. REED] the following resolution was adopted:

That the Journal Clerk be directed to compile for the use of the House all questions of order raised and decided in Committee of the Whole House on the state of the Union, upon the consideration of appropriation and revenue bills from the Fortieth to the Forty-sixth Congress inclusive, and the necessary expenses incurred in copying and indexing the same shall be paid out of the contingent fund of the House, subject to the approval of the Committee on Accounts.

That was the resolution reported by the gentleman from Maine [Mr. REED], then and now a member of the Committee on Rules of this body. This is simply to carry it on to embrace the Congresses specified in the resolution in order that the chairman of the committee may be guided by such decisions as have been made in the Committees of the Whole House by his predecessors.

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

There was no objection.

The resolution was adopted.

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

The latter motion was agreed to.

ORDNANCE AND GUNNERY.

Mr. HISCOCK. Mr. Speaker, I understand the gentleman from North Carolina is willing to withdraw his objection to the resolution I offered before the recess, and I now ask that it be taken up for present consideration.

Mr. COX, of North Carolinia. That is correct. I withdraw the objection.

The SPEAKER. The resolution will be reported to the House.

The Clerk read as follows:

Resolved, That a select committee of seven Representatives be appointed by the Speaker to inquire as to the capacity of steel-producing works in the United States to make steel of suitable quality and sufficient in quantity to furnish metal for guns of high power, and metal plates and other material for the construction of vessels of war, and for the armor or sheathing for such vessels.

2. That said committee shall also inquire as to the character and sufficiency of machinery and machine-tools in the navy-yards, and also in private foundries and machine-shops in the United States, for the construction of engines suitable for vessels of war, and for manufacturing guns for the proper armament of such vessels, and of the seacoast defenses, and for the purposes of constructing iron and steel ships of war.

3. Said committee shall also inquire into the best locations in the United States for manufacturing guns, engines, and armor for vessels, and for building iron and steel ships of war, and the best method of manufacturing and building the same, whether by the Government or by contract with private persons.

4. Said committee shall have power to sit in the vacation of the House at any place in the United States, to send for persons and papers, and to appoint a clerk and messenger, and may report by bill or otherwise.

5. The expenses of said committee, and of witnesses summoned before it, shall be paid out of the contingent fund of the House, to be certified by the chairman of the committee, and audited and allowed by the Committee on Accounts.

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

Mr. WELLER. I do not quite like that resolution, but in hopes that the pension bills to which I have referred may be properly considered after this is disposed of, I will not make objection.

Mr. HOLMAN. I withhold the right to object to that paper for a moment. There may be, and undoubtedly are, subjects that ought to be inquired into; but I submit to the gentleman from New York that the inquiry sought to be made by a gentleman from his own State [Mr. HEWITT] is at least of as much practical moment and the information more difficult to obtain than this, and more in my judg-

ment justifying an investigation through the committee than even the matters involved in the resolution which has just been read, for those are matters that can be obtained in other ways than through the report of a committee of Congress. I submit, therefore, to the gentleman from New York that the duties to devolve upon that committee should also relate to the inquiry sought to be instituted by his colleague; and I ask that the resolution of Mr. HEWITT be read in connection with this subject.

Mr. COX, of New York. I think the best way is to consider both the resolutions together.

Mr. HISCOCK. If the resolution which the gentleman from Indiana asks me to consent to have passed is the one to which I objected the other day, I say very frankly I shall not withdraw my objection. That resolution had for its purpose, as I believe and as I understood at the time, the investigation of Departments to a certain extent by a political committee. This is nothing of the kind. This is simply and solely for the purpose of investigating a subject as to which the House ought to have information, and it has nothing political in its character. Everything of that kind has been excluded from it. And if I am asked to make a bargain that something of a political character or a resolution which authorizes investigation must be incorporated in it, it may be as well understood first as last that I can not consent to it.

Mr. HOLMAN. I think the gentleman from New York should acquiesce in that proposition.

Mr. HISCOCK. I can not do it.

The SPEAKER. The gentleman from New York [Mr. HISCOCK] has asked unanimous consent to introduce a resolution for present consideration. Is there objection?

Mr. HOLMAN. Reserving the right to object, I have asked the gentleman to agree to the introduction of the other resolution which I have sent to the desk.

Mr. THOMAS. Of course the gentleman from Indiana has the right to reserve his objection; but I think the resolution introduced by the gentleman from New York [Mr. HISCOCK] ought to be passed. I remember when we were trying to secure the passage of the bill authorizing the building of the new cruisers the Committee on Naval Affairs found itself without any sufficient information as to the ability of the iron and steel manufacturers of this country to furnish necessary material out of which to build ships. In fact there seemed to be little or nothing generally known as to the capacity of this country to furnish the material to be ultimately adopted. An investigation was made by the Committee on Naval Affairs, running through some four months of time, and certain facts were disclosed before that committee and reported to the House which induced this House to adopt steel as the best material out of which to build ships. That point for that time was settled.

Now, another important point is to determine whether we have the ability to furnish the proper material for the construction of high-power guns. It is of importance that that matter should be dispassionately and thoroughly investigated, so that Congress at its next session may act wisely and intelligently upon a question which must of necessity come very soon before us for action.

Mr. WELLER. Will the gentleman yield to me for a question?

Mr. THOMAS. Yes, sir.

Mr. WELLER. I desire to inquire of the gentleman from Illinois if, in his opinion, it is wise to send out seven legislators to enter the field of science with reference to this matter?

Mr. THOMAS. That depends entirely on the selection of the legislators. If I were making the selection there are some members in my eye whom I would not send on such an expedition.

Mr. WELLER. I reciprocate the gentleman's sentiment.

Mr. THOMAS. For my part I have no expectation of being on the committee.

Mr. WELLER. I would inquire further of the gentleman from Illinois if it is not quite possible for this committee of seven to make a finding that will result in an advertisement of some particular firm or its work?

Mr. THOMAS. I hardly think the gentleman's estimate of the legislators of this country is justified by the character they bear here and at home. I am quite confident that the average legislator, the average member of Congress, has the good of his country at heart and his own reputation at stake sufficiently to prevent anything of the sort.

Mr. MCMILLIN. I will suggest to the gentleman from Illinois that going through the navy-yard a few days ago I saw they are already making very large and what are expected to be very fine guns out of American material.

Mr. HORR. The gentleman from Tennessee is entirely mistaken. The jackets for those guns were all shipped from abroad.

Mr. MCMILLIN. If I am in error, the officer in charge of the work, who went through the navy-yard with me, is in error also. He was my authority, and I supposed he was thoroughly informed on the subject.

Mr. HORR. Does the gentleman mean the rifled cannon they are now building there?

Mr. MCMILLIN. Yes, sir.

Mr. HORR. The jackets for that cannon were shipped from abroad. You can not make a piece of steel in the United States large enough for that purpose.

Mr. MCMILLIN. I am speaking of the guns. There are jackets as well. But the steel out of which the gun proper is made is produced here. It seems to me that if the steel that is put into the gun proper is not good it ought to be obtained elsewhere; and if it is fit for that it is fit for the jacket as well.

Mr. THOMAS. I want to say to the gentleman from Tennessee that the quality of American steel has been shown to be the best of any made in this age.

Mr. MCMILLIN. Then what is the need for a resolution to make an additional inquiry as to that question?

Mr. THOMAS. Because we think the capacity of our steel manufactories to furnish steel in large amounts has not yet been presented to Congress in such a shape as to be readily accessible.

Mr. MCMILLIN. Can it not be obtained by the Bureau of Statistics or by the Engineer Bureau?

Mr. THOMAS. I suppose it could.

Mr. MCMILLIN. Or by the Navy Department?

Mr. THOMAS. I suppose that if a resolution were introduced here directing either the Bureau of Statistics or the Navy Department to make an investigation and report it would be done. I think, however, that this House is quite as able to look up and prepare statistics for its own use as either of the bureaus or Departments; and it would be much more accessible when presented in the way in which committees of this House are accustomed to present matters of this kind, and it would be very much more satisfactory.

Mr. WELLER. Another question, if I may ask it?

Mr. THOMAS. Certainly.

Mr. WELLER. In your opinion would it not be better for this House to select five or seven scientific men, men who understand the business, rather than to take seven legislators, even such as the gentleman has not in his eye at present.

Mr. REED. I would like to say just a word in reply to that suggestion.

Mr. WELLER. I hope the gentleman from Illinois [Mr. THOMAS] will answer my question, unless he declines it.

Mr. THOMAS. No, I do not decline to answer it; I shall be very glad to do it. After some little experience here I have found that the intelligence of members of this House enables them to investigate such subjects as we are called upon to legislate about. It is proper for them to hear the opinions of experts and to report the facts to the House, and I think it would be done much more satisfactorily by the committee here proposed than by any body of scientific men that you might select.

Mr. MCMILLIN. I would like to ask the gentleman this question: does he consider it possible that we have a board of officers constructing large guns that are to cost from $100,000 to $200,000 each, or even $50,000 each, and those officers do not know good material when they see it, and do not know where it is produced?

Mr. THOMAS. I do not propose to answer for the intelligence of those officers, but I do assert that there are naval officers and men engaged in the construction of these guns who are able to determine that matter.

Mr. MCMILLIN. Do they not know more about it to-day than can be taught to any set of men, who do not understand it as scientists, between now and the next session of Congress?

Mr. THOMAS. I think that is a very safe proposition.

Mr. REED. It seems to me that the remark of the gentlemen from Iowa [Mr. WELLER] ought to be attended to.

Mr. WELLER. And I hope the gentleman from Maine will give it specific attention.

Mr. REED. Precisely. The proposition now before the House is not to create a scientific commission for the purpose of improving the manufacture of steel. It is to create a committee of this House to obtain information and transmit it to this House. One of the disadvantages that we lie under in our legislation here is that no one of the heads of the Departments charged with executive work has a position on the floor of the House which would enable him to explain the various measures which are before us. Therefore, while we have naval officers learned in their business and Army officers learned in their business, they can not come here on the floor and with the knowledge which they ought to have explain the facts which it is necessary for this House to understand.

It is very desirable that a committee should be appointed to obtain the necessary information in order that that information may be communicated to us in regard to questions as they may arise. It has been the custom for many years for Congress to do that. For instance, we had a Mississippi River committee, and I think the members of that committee gave this House a great deal of information. A great deal of information is to be obtained from the statements of individuals, and everybody knows that they are much more effective than statements which are found in books.

ENROLLED BILL SIGNED.

Mr. HOLMES, from the Committee on Enrolled Bills, reported that

the committee had examined and found truly enrolled a bill of the House of the following title; when the Speaker signed the same:

A bill (H. R. 7235) making appropriations to supply deficiencies in the appropriations for the fiscal year ending June 30, 1884, and for prior years, and for those certified as due by the accounting officers of the Treasury in accordance with section 4 of the act of June 14, 1878, heretofore paid from permanent appropriations, and for other purposes.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate had receded from its amendment numbered 158, disagreed to by the House, to the bill of the House of the following title:

A 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 message also announced that the Senate had passed without amendment a joint resolution of the House of the following title:

Joint resolution (H. Res. 286) for the payment of certain persons therein named for clerical services rendered the District of Columbia in making numerical and "assess" books.

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

A bill (H. R. 7509) making temporary provision for the naval service.

ORDNANCE AND GUNNERY.

The SPEAKER. Is there objection to the present consideration of the resolution submitted by the gentleman from New York [Mr. Hiscock] which has been read?

Mr. COX, of New York. Would it not be better to say something on it?

The SPEAKER. The resolution is not yet before the House.

Mr. RANDALL. Let us get it before the House and then talk about it.

Mr. HOLMAN. Let it remain in its present attitude until we can hear from gentlemen.

The SPEAKER. If there is no objection it will stand as it is.

Mr. WELLER. Might I be permitted to ask the gentleman from Maine [Mr. Reed] a question touching this matter?

APPROPRIATION FOR THE NAVAL SERVICE.

Mr. RANDALL. I ask consent to call up the Senate amendment to the bill of the House 7509, making temporary provision for the naval service.

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

The amendment of the Senate was read, as follows:

Strike out, after line 25, on page 3, down to and including line 11, on page 4, the following: "Nothing herein contained shall be construed as appropriating money for or authorizing the continuation of work upon the double-turreted monitors Monadnock, Terror, Amphitrite, and Puritan; and any unexpended balance remaining of the appropriation contained in said act approved March 3, 1883, for engines and machinery for said double-turreted monitors shall be covered into the Treasury, except such part thereof as may be required under existing contracts made for the engines and machinery of the three last-named monitors," and insert: "The appropriation for engines, machinery, &c., of the double-turreted monitors Monadnock, Terror, Amphitrite, and Puritan contained in said act approved March 3, 1883, shall be, and is hereby, continued; and the same is made available for the purpose declared in said act."

Mr. RANDALL. Mr. Speaker, I think I do not violate the proprieties of legislative life and association when I say that this bill was introduced by me with the concurrence of all the members of the conference committee upon the naval appropriation bill proper. It was in fact the result of agreement; and at the request of the Senate conferees this bill was not brought in as a substitute for the original bill, as might have been done in the conference report, because it was desired that the original bill might rest upon the table to be in a position to be considered further when Congress shall reassemble in December next. I therefore ask——

Mr. CALKINS. If the gentleman will yield to me a moment, I desire to state in the presence of the House that this amendment affects only the Monadnock——

Mr. RANDALL. I know all that.

Mr. CALKINS. I hope the gentleman will allow me to make my statement. It affects only the Monadnock, which is now at the navy-yard in California.

Mr. RANDALL. I know that. But when I make an agreement I want to abide by it.

Mr. CALKINS. I ask the gentleman to allow me to complete my statement. This amendment affects only the Monadnock, which is now on the Pacific coast. Of the money appropriated by the last Congress for that vessel there is unexpended, if I remember rightly, $62,000 or $63,000.

Mr. RANDALL. No, sir; $174,000.

Mr. CALKINS. I accept the gentleman's correction. One hundred and seventy-four thousand dollars of the amount appropriated by the last Congress has not been expended because the Secretary of the Navy, out of deference to the opinion of the chairman of the Committee on Appropriations at this session, decided that he would not make the contract until Congress had had opportunity to act upon the question. This money was appropriated by the last Congress and under the existing law is subject to be expended for the side armor of the Monadnock. No appropriation is asked from this Congress, but simply that this money already appropriated and unexpended shall be used in putting the side-armor on this vessel, so that it may be in the same condition as the other three monitors, which are on the Atlantic coast. The Senators from the Pacific coast unquestionably believe that this vessel should be put in the same condition as these others.

Mr. RANDALL. That is all very well; but the gentleman, as one of the House conferees, knows that this bill as introduced and passed in this House was not only acceptable to the six members of the conference committee but it was read to the Secretary of the Navy himself and not dissented from by him.

Mr. CALKINS. I trust the gentleman will allow me to complete my statement. I do not dispute the proposition which he has submitted; his statement is true. But the Senate conferees have been voted down by the Senate.

Mr. RANDALL. I do not know anything about that.

Mr. CALKINS. Evidently they have been. Here is the bill amended. The Senate declines to agree with its conferees. The conferees are not to blame for that.

Mr. RANDALL. I do not blame them.

Mr. REED. These bills are not passed by the conferees but by the two Houses.

Mr. CALKINS. The Senate has a right at any time to decline to concur in the action of its conferees; and the House has a similar right. The statement of the gentleman from Pennsylvania is correct; but the Senate has disagreed to the action of the conferees.

The Senators from the Pacific coast evidently feel deeply on this subject. Now, in order to reach an agreement as early as possible, and inasmuch as this proposition does not involve any new appropriation, but simply allows the appropriation already made and unexpended to be used upon the Monadnock, now on the Pacific coast, I suggest to the House whether it would not be well to agree to this amendment proposed by the Senate.

Mr. RANDALL. I can not vary from what I consider I am bound by as a member of the conference committee. It never would have come in here outside of a conference report except that the conferees of the Senate asked for the change, and in this manner this agreement was made. I therefore move to non-concur, and call the previous question.

Mr. CALKINS. Will my colleague permit me a moment?

Mr. RANDALL. I have no doubt when this is explained to the Senate, as I am advised there was not a quorum present when it was agreed to, they will have to recede if they are bound by considerations of honor in reference to the agreement. I insist upon the previous question.

Mr. CALKINS. I move to concur.

The SPEAKER. A vote in the negative on the motion of the gentleman from Pennsylvania will be equivalent to the motion of the gentleman from Indiana to concur.

Mr. RANDALL. I think that motion, if the gentleman from Indiana will permit me to suggest, should be made by somebody else than a member of the conference committee.

Mr. CALKINS. At the suggestion of the Speaker that a vote in the negative on the motion of my colleague on the committee is equivalent to the motion to concur, I will not make the motion, and the gentleman from Illinois who wishes to be heard can make the motion if he desires.

The SPEAKER. If the motion of the gentleman from Pennsylvania is voted down, it will be equivalent to concurrence.

Mr. HISCOCK. Before that question is submitted to the House I would like to ask this question, whether all of the conference reports which have been accepted here to-night were not considered together?

Mr. RANDALL. Practically they were.

Mr. HISCOCK. And the conferees on these bills acted upon them under an agreement upon this bill as a part of the scheme, with a view to getting the two Houses together?

Mr. RANDALL. That is practically the case.

Mr. HISCOCK. If that is the case I propose to stand by that agreement.

Mr. BUDD. I move to concur in the amendment of the Senate for the purpose of getting a square vote of the House upon this question.

The SPEAKER. As the Chair has already stated, the gentleman from Pennsylvania has moved to non-concur. If that is voted down it is equivalent to concurrence.

Mr. BUDD. Is not a negative vote on the motion to concur equivalent to an affirmative vote on the motion of the gentleman from Pennsylvania?

The SPEAKER. It would be. The question is on ordering the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House non-concur in the Senate amendment.

The question was taken.

The House divided; and there were—ayes 52, noes 40.

Mr. MILLER, of Pennsylvania. I raise the question of no quorum in order that the gentleman from Illinois [Mr. CANNON] may be heard for a short time. He wishes to be heard on this subject, and I make this point simply for the purpose of allowing him that privilege.

Mr. RANDALL. If that point is made it will only succeed in stopping the naval bill from going through.

Mr. MILLER, of Pennsylvania. I make the point of order for the reason stated, that no quorum has voted.

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

Mr. MILLER, of Pennsylvania, and Mr. RANDALL were appointed tellers.

Mr. CANNON. If I may be permitted to make a suggestion with reference to this matter before the tellers are appointed, not upon the merits, I will say to the gentleman from Pennsylvania that perhaps five or ten minutes spent in this way may possibly be time profitably spent.

Mr. RANDALL. No; I think we had better go on with the vote.

Mr. MILLER, of Pennsylvania. You will have to bring a quorum here if you expect to act upon this matter, unless that privilege is granted.

Mr. CANNON. Just let me make a single suggestion.

Mr. BLACKBURN. I think this side of the House is voting under the impression that they are voting in accordance with an agreement or an arrangement made on the part of the conference of the two Houses. If that is true, to make the point of no quorum will not answer any good purpose; because we will sustain that agreement if we have to stay here a week or a month.

Mr. MILLER, of Pennsylvania. I must make the point of order for the reason I have stated.

Mr. CALKINS. Let me state that if there was any such agreement or arrangement it was not communicated to me; for if such an agreement had been made I should certainly not be willing to depart from it.

Mr. BLACKBURN. I am sure that there is not a man in the world who will come nearer to submitting to and carrying out an agreement than the gentleman from Indiana. But this side of the House was informed that the motion of the gentleman from Pennsylvania was to carry out an agreement already made.

Mr. CALKINS. I repeat, however, that if such an agreement was made—and I certainly do not wish to be understood as disputing it—with the other two gentlemen on the committee, I had no information further than as I have stated.

Mr. BLACKBURN. And my friend knows that I would not impeach his purpose to carry out any agreement to which he was a party. But this side of the House has that information from the chairman of the committee.

Mr. RANDALL. It was expected that this bill should go as it passed the House; that is, as it were, in the nature of a conference report.

Mr. CALKINS. If the gentleman from Pennsylvania will pardon me for interrupting him, the only information he gave me, as I understand it, is that it had been submitted to the conference and the Senate conferees agreed to it.

Mr. RANDALL. Yes.

Mr. HORR. But that does not bind the Senate.

Mr. RANDALL. Then they asked as a matter of agreement in conference that they should be allowed to report a disagreement entire, and that I was to introduce the bill here in the House, which I did, and with the statement if necessary that it did meet the approval of the entire conference. That is what I consider an understanding on their part.

Mr. CANNON. Will the gentleman from Pennsylvania yield to me for a moment?

Mr. RANDALL. Yes, sir.

ENROLLED BILL SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled a 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; when the Speaker signed the same.

TEMPORARY NAVAL BILL.

Mr. CANNON. Mr. Speaker, I wish to say this in reference to this matter. If I understand the gentleman from Pennsylvania [Mr. RANDALL] it is that two of the conferees, the gentleman from Indiana [Mr. HOLMAN] and the gentleman from Pennsylvania [Mr. RANDALL], met the Senate conferees, five in all.

Mr. HOLMAN. And the Secretary of the Navy.

Mr. CANNON. And the Secretary of the Navy. But I was not aware that he belonged to either of the bodies. He made six; then and there, they having the naval bill under consideration, and no other, agreed among themselves that certain things should be done. Now, that agreement I suppose binds those gentlemen and covers the matters about which they agreed so far as they are personally concerned. And I suppose they are in honor bound in accordance with that agreement.

But, sir, that does not bind me, and I say that I am justified in believing when this bill comes from the Senate with an amendment it shows so far as the Senate is concerned that body has reversed the action of the Senate conferees.

I wish to call attention to a remark that the gentleman from New York [Mr. COX] made a moment ago. I have respect for him as well as for the House conferees, and yet, sir, five gentlemen, two from the House and three from the Senate, with the Secretary of the Navy, can not bind me and can not bind the House or the Senate. If they undertake to make an agreement in a close corporation and then get the House and Senate by the ears, I object to it because I did not authorize them to make that kind of an agreement.

Now, one word, to see if I understand the facts about the Monadnock. As I understand it, at the last Congress there was appropriated in round numbers a million of dollars to do certain work on the four monitors, three on the Atlantic and one on the Pacific coast. The Secretary of the Navy made contracts and work was done on the three on the Atlantic coast. He had the power to make a contract to do the work on the monitor on the Pacific coast up to the 1st day of July to the extent of $174,000 that had not been expended. He has no power now to make any such contract because the fiscal year has expired. And this only authorizes the Secretary of the Navy to make now a contract which he could have made prior to the 1st of July. It seems to me if those are the facts there is some propriety in our considering whether we will agree to this amendment or not. If it is proper we should agree, I do not feel, as one member of the House, that I am estopped by any agreement those five members and the Secretary of the Navy may have made.

Mr. BUDD. Mr. Speaker, understanding as I do the facts stated by the last speaker, I feel in duty bound to insist on having the same amount of justice done in regard to these monitors in regard to the Pacific coast that was done in regard to the Atlantic coast. We have no ironclads on the Pacific coast. We do not ask this Congress to appropriate one dollar for the construction, repair, or finishing the Monadnock. We simply ask this Congress to let the matter alone, to let it stand as it did; that is, to allow the money appropriated by the last Congress to be expended in accordance with the law of the last Congress.

I dislike to antagonize anybody at this late hour of the session, but I think we should be granted the same amount of work under the appropriation already made that has been granted to the Eastern coast.

We have no coast defenses. We have no ironclads. The money is on hand to be covered into the Treasury of the United States. We do not know whether we will ever get it out again, and this ironclad will go to rack and ruin unless some further work be done on it. I therefore ask gentlemen to allow the money now on hand to be expended in finishing the monitor Monadnoc. I ask only that you shall mete out the same justice to us that has been received by the Atlantic coast, no more and no less.

Mr. BURNES. I think I can make a statement with regard to this matter that will be entirely satisfactory to both sides; at least I think it ought to be. This bill went to the Senate. There were one or two Senators hostile to it; and under their rules an objection would carry the bill over for another day. I think these conferees were acting in good faith. I feel confident of that; my association with them for a number of days past has given me confidence in them that they were doing the very best they could. In order to get this bill to its present stage they had to move along gently. They got it passed with this amendment. And now I feel confident that if this amendment is nonconcurred in the Senate will promptly recede. I was there when the debate took place and the proceedings were had. I consulted with some of the Senators and I feel confident that the agreement, the understanding, with all of us will be carried out by the Senate if the bill is sent back.

Mr. ROSECRANS. I desire to make a brief statement to the House on the subject before it. It will be remembered by members on the floor who were members of the Forty-seventh Congress that the discussion on the naval bill as to the appropriations for finishing those ironclads was a sharp one, and that there have been two opinions and are now two opinions entertained as regards their usefulness. It is maintained by some that they never will answer as sea-going vessels. And nobody pretends to deny that they will answer for harbor defense. We have a large amount of money in them. I stated on the floor of the House on that occasion that inasmuch as there was a difference of opinion as to whether they would ever be useful or not, and as we had a large investment in them, it was safe to say it would be a prudential arrangement to finish and try one of them, and if any one of them should be finished and tried that ought to be the one on the Pacific coast for the following reasons:

First, we have no ironclads on that coast; and, secondly, in case the worst should happen—and that is that this vessel should prove unseaworthy in heavy seas—it would answer as a harbor defense, needed and useful; and we should then have established the proposition that either they would answer for every purpose, as their friends and advocates believed, or, failing, that we should have nearly their value for harbor defense in the Bay of San Francisco. I went to the Secretary of the Navy after I had made that statement on the floor of the House and told him what I had said, and he seemed to concur with me. And yet the money that we appropriate, instead of being applied to finish one of them, has been divided among them all; and it so happens that the

work on the three on the Atlantic coast has been forwarded and the money spent, while we have of the appropriation which put them in their present condition an unexpended balance.

It will therefore follow from what I have said if we ever finish any one of them the one that ought to be finished, so as to test the whole of them, is the Monadnock. That is the first proposition. And the second is that since the Navy Department has not done that, but has divided the money to be spent and spent it upon all, that portion of it which belongs to the Monadnock ought certainly to be allowed to be spent.

Mr. GLASCOCK. Will my colleague allow me to make a suggestion?

Mr. ROSECRANS. Certainly.

Mr. GLASCOCK. We do not ask for the expenditure of money for the purpose of finishing the Monadnock, but simply for the completion of the amount which remains of the unexpended balance of the million of dollars given by the Forty-seventh Congress for the purpose of finishing the four double-turreted monitors, one of which is the Monadnock. The contracts have been let for putting the machinery in the monitors on the Atlantic coast, and the Monadnock now stands in a position of inequality with her sisters in that no provision has been made for supplying her with machinery. All we ask of this House is that the amount left from that unexpended balance shall be applied to put machinery in the Monadnock, in order that she may be placed on an equal footing with her three sisters.

Mr. RANDALL. I think there has been no illiberality to California or the Pacific coast. We have given them all they ask.

Mr. BUDD. We have no complaint to make on that score.

The SPEAKER. The previous question has been ordered on the motion of the gentleman from Pennsylvania [Mr. RANDALL]. A vote was taken, and the gentleman from Pennsylvania [Mr. MILLER] raised the point of no quorum.

Mr. RANDALL. He made the point, insisting that the gentleman from Illinois [Mr. CANNON] might be permitted to speak. The gentleman from Illinois has been allowed to speak.

Mr. MILLER, of Pennsylvania. The ground on which I made the point having been removed, I now withdraw it.

Mr. BUDD. I demand tellers.

Tellers were not ordered, only 27 members voting therefor—not one-fifth of a quorum.

The SPEAKER. Upon this question the ayes are 52 and the noes 40. The ayes have it, and the motion of the gentleman from Pennsylvania that the House non-concur in the amendment of the Senate is agreed to.

Mr. RANDALL moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

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

Joint resolution (H. Res. 286) for the payment of certain persons therein named for clerical services rendered the District of Columbia in making numerical and "assess" books.

Mr. GLASCOCK, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill of the following title; when the Speaker signed the same:

A bill (H. R. 7380) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

ORDNANCE AND GUNNERY.

The SPEAKER. The gentleman from New York [Mr. HISCOCK] asks unanimous consent for the present consideration of the resolution which has been read. Is there objection?

Mr. HOLMAN. I think the gentleman from New York should have consented to the resolution I desired to have added. I think the facts sought to be obtained under that resolution would be valuable to enable us to ascertain what other safeguards were necessary for the protection of the public moneys.

I think it might have elicited information which would result in many legislative reforms touching the custody of the public funds. But the gentleman from New York is quite persistent in his opposition to it, and thinks it has some political purpose, and I do not feel justified in objecting to his resolution, which may result in obtaining much valuable information for us.

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

Mr. WELLER. I object.

Mr. HOLMAN. Oh, I would not object.

Some time subsequently,

Mr. WELLER withdrew his objection.

There being no further objection, the resolution was received and adopted.

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

The latter motion was agreed to.

The SPEAKER announced the committee, as follows: Mr. SAMUEL J. RANDALL of Pennsylvania, Mr. ABRAM S. HEWITT of New York, Mr. JAMES N. BURNES of Missouri, Mr. CHARLES F. CRISP of Georgia, Mr. FRANK HISCOCK of New York, Mr. THOMAS B. REED of Maine, and Mr. WILLIAM WALTER PHELPS of New Jersey.

ORDER OF BUSINESS.

Mr. WHITE, of Kentucky. I move that the House now adjourn.

Mr. MILLER, of Pennsylvania. I move that when the House adjourns to-day it be to meet at 10 o'clock a. m. on Monday next.

Mr. HOLMAN. I suggest that there be a recess until 10 o'clock a. m. Monday.

WITHDRAWAL OF PAPERS.

Mr. BLACKBURN asked and obtained unanimous consent for the withdrawal from the files of the House of the papers in the case of W. C. Humber.

ORDER OF BUSINESS.

The SPEAKER. The gentleman from Kentucky [Mr. WHITE] moves that the House adjourn, and the gentleman from Pennsylvania moves that when the House adjourns to-day it be to meet at 10 o'clock a. m. Monday.

Mr. RANDALL. I am advised by the Clerk that the legislative, executive, and judicial appropriation bill will probably be enrolled in fifteen minutes. I think we had better remain until that is reported from the Committee on Enrolled Bills.

Mr. KASSON. It can be brought in in the morning.

Mr. RANDALL. Very well; suit yourselves.

Mr. WHITE, of Kentucky. I modify my motion so that the House shall adjourn until 10 o'clock a. m. Monday.

The SPEAKER. That can not be done except by unanimous consent, for a resolution of the House fixes the time of daily meeting at 11 o'clock. The House could take a recess until 10 o'clock.

Mr. MILLER, of Pennsylvania. Then I will withdraw my motion that when the House adjourn it be to meet at 10 o'clock Monday, and move that the House take a recess until that time.

The motion was agreed to; and accordingly (at 12 o'clock and 5 minutes a. m. Monday, July 7) the House took a recess until 10 o'clock.

AFTER RECESS.

The recess having expired, the House reassembled at 10 o'clock a. m. Monday, July 7, and was called to order by the Clerk, Mr. JOHN B. CLARK, Jr.

The CLERK. In the temporary absence of the Speaker, the Clerk calls the House to order.

Mr. RANDALL. I move that the House take a recess for ten minutes.

The motion was agreed to.

The recess having expired, the House was again called to order by the Clerk.

ELECTION OF SPEAKER PRO TEMPORE.

Mr. RANDALL. I submit the resolution which I send to the Clerk's desk.

The resolution was read, as follows:

Resolved, That Hon. J. C. S. BLACKBURN, a Representative from the State of Kentucky, be, and he is hereby, elected Speaker *pro tempore* during the present absence of the Speaker.

The resolution was adopted.

The CLERK. The resolution is adopted, and the gentleman from Kentucky [Mr. BLACKBURN] will take the chair.

Mr. BLACKBURN (on taking the chair as Speaker *pro tempore*). Thanking the House for this compliment of its confidence, I will endeavor to deserve it.

Mr. RANDALL. I submit the resolution I send to the Clerk's desk.

The resolution was read, as follows:

Resolved, That the Clerk of the House be instructed to inform the Senate and President of the United States that the House has elected Hon. J. C. S. BLACKBURN, a Representative from the State of Kentucky, Speaker *pro tempore* to serve during the present temporary absence of Hon. J. G. CARLISLE, Speaker.

The resolution was adopted.

ORDER OF BUSINESS.

Mr. THOMPSON. I ask unanimous consent to offer a resolution.

The SPEAKER *pro tempore*. Is there objection?

Mr. STRAIT. I call for the regular order.

Mr. THOMPSON. Will the gentleman let the resolution be read?

Mr. STRAIT. No; I call for the regular order.

Mr. THOMPSON. I will say to the gentleman that it does not affect railroad interests at all. It is simply a resolution authorizing the Clerk of the House to pay the employés of the House their salary for this month immediately upon the adjournment of the session.

Mr. STRAIT. I think we had better have the regular order.

ENROLLED BILL SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that

the committee had examined and found truly enrolled a bill of the following title; when the Speaker *pro tempore* signed the same:

A bill (H. R. 7069) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1885, and for other purposes.

ORDER OF BUSINESS.

Mr. GOFF. I move that the House go into Committee of the Whole for the purpose of considering Senate pension bills which have been favorably reported in this House.

Mr. DUNN. I move that the House take a recess till half-past 11 o'clock.

Mr. WELLER. I move an amendment so that there will be a recess for three minutes. I will say that I am as desirous as the gentleman from West Virginia [Mr. GOFF] can be to take up and pass pension bills; but I am satisfied the House will not permit it.

The SPEAKER *pro tempore*. The question is on the motion for a recess, which is not debatable.

Mr. GOFF. There are only about twenty of these Senate bills upon the Calendar.

PAY OF HOUSE EMPLOYÉS.

Mr. PERKINS. I hope the gentleman from Arkansas [Mr. DUNN] will withhold his motion for a few moments. I wish to submit a resolution. If the gentleman will listen to the reading I think he will have no objection.

The Clerk read as follows:

Resolved, That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay to the officers and employés of the House borne upon the annual roll their respective compensations for the month of July, 1884, as soon as practicable after the adjournment of this session of Congress.

Mr. DUNN. I withdraw my motion in order that this resolution may be acted upon.

The SPEAKER *pro tempore*. Is there objection to the present consideration of the resolution?

Mr. HOLMAN. I presume there will be no objection, but I desire to offer an amendment, or, if necessary, a separate resolution, to place upon the roll two colored men who are employés of the House.

Mr. THOMPSON. I think the gentleman's proposition with reference to those two men is very proper and ought to be adopted.

Mr. PERKINS. I hope the resolution I have submitted will be acted upon at once. If anything further be necessary it can be adopted afterward.

The SPEAKER *pro tempore*. The Chair does not understand that the cases referred to by the gentleman from Indiana [Mr. HOLMAN] are embraced in the present resolution.

Mr. PERKINS. If there are other employés who should be provided for, of course I have no objection.

Mr. HOLMAN. I hope my resolution will be admitted at once.

Mr. PERKINS. I have no objection whatever. I supposed my resolution was broad enough to include all the employés of the House.

Mr. HOLMAN. I ask the Clerk to read the resolution which I send to the desk.

The Clerk read as follows:

Resolved, That the Doorkeeper be directed to place the names of James Hall and Charles Carter on the roll as laborers at the House water-closet as provided for that place.

Mr. PERKINS. I am willing to accept that as an amendment.

The SPEAKER *pro tempore*. The gentleman can not accept it. It is in the nature of a separate resolution. If there be no objection this resolution of the gentleman from Indiana will be first entertained.

There being no objection, the resolution of Mr. HOLMAN was considered and adopted.

The question being then taken on the resolution of Mr. PERKINS, it was agreed to.

Mr. DUNN. I now renew my motion for a recess until half past 11 o'clock.

The motion was agreed to, there being—ayes 36, noes 19.

The House accordingly (at 10 o'clock and 20 minutes a. m.) took a recess until 11 o'clock and 30 minutes a. m.

The recess having expired, the House resumed its session.

ERROR IN ENROLLMENT.

The SPEAKER *pro tempore*. An amendment of the Senate to the consular and diplomatic appropriation bill having been omitted in the enrollment of the bill, the Chair desires to submit to the House——

Mr. RANDALL. Is there a message from the Senate in relation to this matter? If not, had we not better wait for such a message? I learn that the Senate has taken some action upon the question. I suggest that we delay action until the message from the Senate is received, so that the action on the part of the House may be in harmony with that of the Senate.

The SPEAKER *pro tempore*. The Chair will state to the gentleman from Pennsylvania that as the bill originated in the House, and it does appear that this omission of an amendment has been discovered since the bill was sent to the President, the Chair simply desires to call the attention of the House to the fact.

Mr. RANDALL. The chairman of the subcommittee who had that bill in charge [Mr. BURNES] is not here now. I ask that this matter be allowed to rest until he comes in.

The SPEAKER *pro tempore*. That will be done.

PENSION BILLS.

The SPEAKER *pro tempore*. The House now resumes the consideration of the regular order, and the pending question is the motion of the gentleman from West Virginia [Mr. GOFF] that the House proceed to the consideration of Senate pension bills.

Mr. HOLMAN. Let me suggest, Mr. Speaker, that whatever is done in this matter must be done by unanimous consent, and I suggest that that unanimous consent be so modified as to include also the consideration of pension bills in the House.

The SPEAKER *pro tempore*. Is there objection that those bills shall also be included?

Mr. MCMILLIN. Is it to be considered that this unanimous consent embraces private or public bills?

The SPEAKER *pro tempore*. The motion of the gentleman from West Virginia is that unanimous consent shall be granted for the consideration of Senate bills in Committee of the Whole on the Private Calendar which have been favorably reported by the Committee on Invalid Pensions.

Mr. MCMILLIN. I think that is entirely proper, but in the same connection I ask that the unanimous consent shall also embrace three or four bills now on the Speaker's table which have come from the Committee of the Whole House on the Private Calendar with a favorable recommendation. They have been lying upon the Speaker's table for six or seven weeks because of a personal explanation, and have not been acted on during the time when the consideration of pension bills was in order. They have been acted on by the Committee of the Whole House on the Private Calendar, reported for favorable action, and they ought to be disposed of.

Mr. MILLS. I move that the Committee of the Whole House on the state of the Union be discharged from the further consideration of those Senate bills referred to by the gentleman from West Virginia, and that they be considered in the House.

The SPEAKER *pro tempore*. That is substantially the motion of the gentleman from West Virginia [Mr. GOFF].

Mr. MCMILLIN. And as I understand, the motion is also to include the House bills reported from the Committee of the Whole House on the Private Calendar.

The SPEAKER *pro tempore*. Does the gentleman from West Virginia accept the suggestion of the gentleman from Tennessee?

Mr. GOFF. I do.

Mr. WELLER. Mr. Speaker, does the motion contemplate the consideration of the bills coming from the Senate, some twenty in number?

The SPEAKER *pro tempore*. The motion contemplates the consideration of the Senate pension bills which have been reported by the Committee on Invalid Pensions of this House and are now in Committee of the Whole House on the Private Calendar.

Mr. WELLER. I am satisfied the House shall consider those bills.

Mr. WILLIS. It is also the understanding that the bills reported from the Committee of the Whole House on the Private Calendar, and which are now on the Speaker's table, shall also be included in the arrangement.

The SPEAKER *pro tempore*. It is, as that suggestion of the gentleman from Tennessee [Mr. MCMILLIN] has been accepted by the gentleman from West Virginia.

Mr. GOFF's resolution as modified was then adopted.

PAYMENT OF HOUSE EMPLOYÉS.

Mr. PERKINS, by unanimous consent, introduced a joint resolution (H. Res. 287) providing for the immediate payment of officers and employés of the House of Representatives; which was read a first and second time.

The Clerk read as follows:

Resolved, &c., That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay to the officers and employés of the House borne on the annual roll their respective compensation, including the Capitol police, for the month of July, 1884, as soon as practicable after the adjournment of this session of Congress.

Mr. MCMILLIN. I understand the object of this is to pay these employés who are entitled to it under the law at the adjournment instead of at the end of the month.

Mr. PERKINS. That is it, and it can only be done by joint resolution.

Mr. THOMPSON. I hope the gentleman will permit me to amend the resolution by including the pages, who will have some eight days' pay due them.

The SPEAKER. Does the gentleman accept that as a modification of his resolution?

Mr. PERKINS. Although I am of the opinion it is unnecessary, still if the gentleman insists upon it I will allow the amendment to come in.

Mr. THOMPSON. I will not embarrass the resolution, but will bring in another to cover the case after this has been adopted.

The joint resolution was ordered to be engrossed and read a third

time; and being engrossed, it was accordingly read the third time, and passed.

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

The latter motion was agreed to.

PAGES.

Mr. THOMPSON. I submit the following resolution.

The Clerk read as follows:

Resolved, &c., That the Clerk of the House of Representatives be, and he is hereby, authorized and directed to pay to the pages of the House the balance of pay they would be entitled to for the month of July out of the contingent fund of the House, to be immediately available.

There was no objection, and the resolution was adopted.

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

The latter motion was agreed to.

ORDER OF BUSINESS.

Mr. WELLER. I rise to a question of order. Under the understanding reached pension bills are now in order; and, if so, I ask that their consideration be at once proceeded with.

The SPEAKER *pro tempore*. The Chair will state the clerks are now busily engaged in arranging the bills so that there may be no confusion or delay in reporting and acting upon them.

Mr. MCMILLIN. I suggest while the clerks are arranging the bills that under the order just adopted the House first proceed to the consideration of the bills coming from the Committee of the Whole House on the Private Calendar, and now lying upon the Speaker's table under the recommendation that they be passed.

The SPEAKER *pro tempore*. The Chair is informed the clerks are now ready to proceed to the consideration of the Senate bills from which the Committee of the Whole House on the Private Calendar were discharged, including only the Senate bills favorably reported by the Committee on Invalid Pensions.

PENSION BILLS PASSED.

The following Senate bills reported favorably by the Committee on Pensions and Invalid Pensions, and referred to the Committee of the Whole House on the Private Calendar, were severally considered, the Committee of the Whole House on the Private Calendar discharged from their further consideration, and the bills read a first and second time, ordered to a third reading, read the third time, and passed, namely:

A bill (S. 773) granting a pension to Mrs. Kady Brownell;

A bill (S. 547) granting a pension to John C. F. Beyland, of New York;

A bill (S. 1339) granting a pension to Frank Gray;

A bill (S. 1641) for the relief of the widow of Edward M. Wilkins; and

A bill (S. 1363) granting a pension to Frank S. Hillard.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate had passed without amendment the bill (H. R. 4297) for the relief of Henrietta M. Sands.

The message further announced that the Senate had appointed Messrs. SHERMAN and BAYARD to join such committee as may be appointed by the House to wait upon the President of the United States and inform him that Congress having concluded its business is ready to close its session by adjournment.

CONSULAR AND DIPLOMATIC APPROPRIATION BILL.

Mr. BURNES. Mr. Speaker, I desire now to call up a resolution in regard to the enrollment of the consular and diplomatic appropriation bill.

The SPEAKER *pro tempore*. The resolution will be read.

The Clerk read as follows:

Resolved by the House of Representatives (the Senate concurring), That the President be requested to return to the House of Representatives, in which it originated, 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 SPEAKER *pro tempore*. The Chair will state that this is done in order to correct an omission made in the enrollment of the bill.

The resolution was agreed to.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, announced that the Senate receded from its amendment to the bill making temporary provision for the naval service of the Government. [Applause.]

PENSION BILLS PASSED.

Under the previous order of the House, the Committee of the Whole House on the Private Calendar was discharged from the further consideration of Senate pension bills of the following titles; and the same were severally considered, read a first and second time, ordered to a third reading, read the third time, and passed, namely:

A bill (S. 280) granting a pension to Wesley Morford;

A bill (S. 1566) granting a pension to Martha Bastin;

A bill (S. 284) granting a pension to Henry J. Seward;

A bill (S. 1227) granting a pension to Capt. Israel Stough;

A bill (S. 1225) granting a pension to Mary Hopperton, widow of Edward Hopperton;

A bill (S. 2244) granting a pension to James Brown;

A bill (S. 464) granting a pension to James P. F. Toby;

A bill (S. 461) granting a pension to Warren Croan;

A bill (S. 912) granting a pension to Henry A. Armstrong;

A bill (S. 1430) granting a pension to Sarah C. Hall; and

A bill (S. 1444) granting a pension to William J. Hess.

Mr. GOFF moved to reconsider the votes by which the various Senate pension bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

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

Several MEMBERS. Why at this hour?

Mr. RANDALL. The reason is I find for the first time this morning that we are now in the legislative day of Saturday, July 5, and it is necessary that the House should adjourn so as to be actually in Monday's session, which will have to be done by consent at this hour. It is necessary to relieve our proceedings from confusion of dates.

The motion was agreed to by unanimous consent; and accordingly (at 11 o'clock and 58 minutes a. m., Monday, July 7) 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. BINGHAM: Petition of Horatio I. Kurtz and others, members of the Grand Army of the Republic, of Philadelphia, Pa., for the establishment and maintenance of a national cemetery near Philadelphia for the remains of the Union soldiers of the late war—to the Committee on Appropriations.

By Mr. S. S. COX: Memorial of Nathaniel McKay, relative to monitor Miantonomoh—to the Committee on Naval Affairs.

By Mr. W. R. COX: Petition of W. H. Chambler and 43 others, of James W. Hilliard and others, of W. L. Crocker and 55 others, and of W. W. Rogers and 57 others, all of Wake County, North Carolina, urging national aid to education—severally to the Committee on Education.

By Mr. DINGLEY: Remonstrance of E. K. O'Brien and others, against Government postal-telegraph system—to the Committee on the Post-Office and Post-Roads.

By Mr. KEIFER: Petition of E. Sherrett and 46 others, favoring the passage of certain bills in the interest of soldiers, sailors, &c.—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. KEIFER: Preamble and resolutions of Powell Post, No. 381, Grand Army of the Republic, of Tremont City, Ohio, in favor of additional and more liberal legislation in the interest of soldiers and sailors of the late war—to the Committee on the Payment of Pensions, Bounty, and Back Pay.

By Mr. LOVERING: Petitions of 4,000 citizens and soldiers not members of the Grand Army of the Republic, for the passage of H. R. 6463, granting a pension of $8 per month to all honorably discharged officers, soldiers, and sailors who served in the Union Army during the late war of the rebellion—to the Committee on Invalid Pensions.

By Mr. MCCOMAS: Petition relating to the claim of John D. Keedy, of Louisa McCollister, and of Ramsay Robb Lees—severally to the Committee on War Claims.

By Mr. PRICE: Petition of F. M. Smart and 70 others, of Merrillon, Wis., for the passage of the Lovering pension bill (H. R. 6463)—to the Committee on Invalid Pensions.

By Mr. POLAND: Resolutions of Dudley Post, Grand Army of the Republic, of Arlington, Vt., for legislation about pensions—to the Committee on Invalid Pensions.

SENATE.

MONDAY, *July* 7, 1884.

The Senate met at 10 o'clock a. m.

The Chaplain, Rev. E. D. HUNTLEY, D. D., offered the following prayer:

O Thou, whose watchful care has kept us to this day, we come once more to worship in Thy presence. And as we attempt to voice our thanks for all Thy kindness, we pray Thee to accept the utterances which we are conscious fail to express the gratitude we feel.

Whichever way we look we are met by evidences of Thy favor. Surely "goodness and mercy have followed us all the days of our lives." We have been unworthy of Thy kindness, and confess to have made a lamentably poor use of many God-given opportunities. But "Thou hast not dealt with us after our sins, nor rewarded us according to our iniquities." Death has not been permitted to enter the Senatorial ranks during this lengthy session, and those of our number who came here with impaired vigor have been so blessed of Thee that feebleness