

## HOUSE OF REPRESENTATIVES.

FRIDAY, February 27, 1885.

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

The Journal of yesterday was read and approved.

## FLAGS FOR DECORATION.

The SPEAKER. The Chair lays before the House a telegraphic communication from the Secretary of War, which the Clerk will read.

The Clerk read as follows:

To the Speaker of the House of Representatives:

In view of applications made to me by proper committees for flags for decoration purposes next week, which can not be granted without authority of law, I beg to ask whether Senate resolution 109, authorizing the loan of flags, has yet passed the House of Representatives.

ROBERT T. LINCOLN,  
Secretary of War.

## WAR DEPARTMENT.

The SPEAKER. The Chair will state to the House that the joint resolution to which reference is made in this telegram is on the Speaker's table and the gentleman from Tennessee [Mr. DIBRELL] has charge of it.

Mr. DIBRELL. Mr. Speaker, I have letters from the Secretary of War and the chairman of the committee of arrangements asking the passage of this resolution, and I now ask unanimous consent to take Senate resolution 109 from the Speaker's table and put it upon its passage.

Mr. ROBINSON, of New York. Mr. Speaker, I have some notion to object to all this decoration business, but on the whole I will not interfere.

The SPEAKER. No objection is made, and the Clerk will report the joint resolution.

The Clerk read the joint resolution S. R. 109, as follows:

Resolved, &c., That the Secretary of War and the Secretary of the Navy be, and they are hereby, authorized to loan to the committee on inauguration ceremonies the flags and bunting in the Government depots, for use in decorating the city of Washington on the 4th day of March next: *Provided*, That the said committee shall indemnify the Departments against any loss or damage resulting from the use of said flags and bunting, except such damage as is necessarily incident to such use.

The joint resolution was ordered to a third reading; and it was accordingly read the third time, and passed.

## INTERSTATE-COMMERCE BILL.

Mr. REAGAN. Mr. Speaker, I ask unanimous consent to take up House bill No. 5461 with the Senate amendments, with a view to move to non-concur and ask a committee of conference.

Mr. KEAN. What is that bill?

The SPEAKER. The gentleman from Texas [Mr. REAGAN] asks unanimous consent to take from the Speaker's table the bill H. R. 5461 with the Senate amendments, with a view to moving that the House non-concur and ask for a committee of conference. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 5461) to regulate interstate commerce, and to prohibit unjust discrimination by common carriers.

Mr. KEAN. I object.

Mr. THOMAS. Regular order.

## GENERAL HORATIO G. WRIGHT.

Mr. ROSECRANS. Mr. Speaker, I ask unanimous consent to submit two reports from the Committee on Military Affairs.

The SPEAKER. The regular order is demanded by the gentleman on the left [Mr. THOMAS].

Mr. ROSECRANS. May I ask the gentleman for a moment's courtesy while I submit two reports?

Mr. THOMAS. I withdraw the demand for the regular order.

Mr. ROSECRANS, by unanimous consent, from the Committee on Military Affairs, reported back with a favorable recommendation the joint resolution (H. Res. 195) to place the name of General Horatio G. Wright, late Chief of Engineers, on the roll of major-generals on the retired-list with the emoluments and pay of said grade; which, with the accompanying report, was referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed.

## MULTICHARGE GUNS.

Mr. ROSECRANS, by unanimous consent, from the Committee on Military Affairs, reported back with the favorable recommendation the petition of J. R. Haskell in relation to multicharge guns, and moved that the same be referred to the Committee on Appropriations and ordered to be printed.

The motion was agreed to.

## PUBLIC BUILDING, TERRE HAUTE, IND.

Mr. STOCKSLAGER, from the Committee on Public Buildings and Grounds, reported back favorably the bill (H. R. 7967) to change the

limit of the appropriation for the public building at Terre Haute, 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.

## REFERRING CLAIMS TO COURT OF CLAIMS.

Mr. ROWELL, from the Committee on War Claims, submitted the following report; which was laid on the table, and ordered to be printed:

The Committee on War Claims, to whom were referred the following bills and petitions, having considered the same, report that they have referred the same to the Court of Claims under the provisions of an act entitled "An act to afford assistance and relief to Congress and the Executive Departments in the investigation of claims and demands against the Government," approved March 3, 1883:

A bill (H. R. 6023) for the relief of Oliver M. Blair, administrator of Thomas P. Blair, deceased;

A bill (H. R. 4960) for the relief of the heirs of George T. Swann;

A bill (H. R. 6582) for the relief of A. L. H. Crenshaw;

A bill (H. R. 4959) for the relief of Mary V. Rawlins and Elizabeth H. Yerger;

Petition of William D. Whitted;

Petition of W. J. Embry, executor of John P. Brown, deceased;

A bill (H. R. 2741) for the relief of the estate of Thomas Jones, deceased;

A bill (H. R. 6114) for the relief of John M. Elder;

Petition of John A. Farley;

Petition of Elizabeth Griggs, executrix of H. C. Griggs, deceased;

Petition of John B. Reed;

Petition of Josiah Q. Shaw;

Petition of Mrs. Lucy J. Stockley;

Petition of W. C. Reeves;

Petition of Finesas E. Writ;

Petition of W. A. Galloway;

Petition of F. M. Mendenhall;

Petition of William A. Williamson;

Petition of William H. Hill;

Petition of Abner D. Lewis;

Petition of James C. Newman;

Petition of James G. Field;

Petition of William B. Sims;

Petition of Superioress of St. Cecilia Academy, of Nashville, Tenn.;

Petition of George W. F. Lamkin;

Petition of Milton S. Haire;

Petition of Lucien J. Seals;

Petition of Mrs. Ellen Sherwood;

Petition of John W. Dixon;

Petition of John T. Inman, administrator of A. L. Garner, deceased;

Petition of John M. Campbell;

Petition of Greenbury Adamson;

Petition of William R. Kearney;

A bill (H. R. 4646) for the relief of William Bushby;

A bill (H. R. 4674) for the relief of Lindsay Ridgeway;

A bill (H. R. 7393) for the relief of Payne and Thomas C. Wood;

Petition of Elizabeth Seward;

Petition of Henry E. Vills;

Petition of Hennie E. Revell;

Petition of Clara E. Bryan;

Petition of W. H. Hugh, administrator of David Unsell, deceased;

Petition of John R. Watkins, administrator of Matilda W. Anderson, deceased;

Petition of Mathias App;

Petition of Caleb R. Clements;

Petition of Mrs. Sarah McLemore;

Petition of William M. Beasley;

Petition of Horace L. Kent;

Petition of Joel Mann;

Petition of Henry C. Dollis;

Petition of Elizabeth Griggs, administrator of Charles Murphy, deceased;

Petition of John H. McClellan;

Petition of Joseph L. Glove;

Petition of Elizabeth Becton;

Petition of George W. Beasley;

Petition of Daniel H. Hildebrand;

Petition of Mrs. Lucie A. Jameson;

Petition of Charles C. Burke, administrator of Elizabeth Burke, deceased;

Petition of M. C. McHaney;

Petition of Augustus F. Bonner, administrator of Martha A. Bonner, deceased;

Petition of Mary E. McKinney;

Petition of John H. Mitchell;

Petition of James I. Amonett, executor of James M. Provine, deceased;

Petition of Sarah Waters, administratrix of Robert Waters, deceased;

Petition of William H. Bryan;

Petition of Joseph S. McNulty;

Petition of William A. Anthony;

Petition of J. C. and J. H. Atkins, administrators of N. G. Atkins, deceased;

Petition of A. V. Warr, administrator of N. H. Isbell, deceased;

Petition of Jordan Broadway;

Petition of Anne W. Byers;

Petition of Andrew Cathey;

Petition of Maggie Barron *et al.*;

Petition of Robert S. McDonald;

Petition of Elisha Nelson;

Petition of Robert H. Walton;

Petition of J. D. Askew, administrator of George W. Houghton, deceased;

Petition of J. D. Askew, administrator of Alexander Askew, deceased;

Petition of Louis Marat;

Petition of John McDowell;

Petition of Cynthia Milliken;

Petition of John F. Byers;

Petition of Mrs. J. E. Robinson;

Petition of John H. Lanier, jr., administrator of John H. Lanier, sr., deceased;

Petition of John Irvin;

A bill (H. R. 477) for the relief of George H. Wells;

A bill (H. R. 2855) for the relief of the trustees of the Protestant Episcopal Seminary and High School in Virginia;

Petition of James B. Boykin;

Petition of Harriett E. McClelland;

Petition of Amelia B. Caldwell, administratrix of John Caldwell, deceased;

A bill (H. R. 7992) for the relief of Nathaniel McKay *et al.*;

A bill (H. R. 1194) for the relief of the estate of Joseph Cooper, deceased;

A bill (H. R. 6729) for the relief of H. C. Smith;

A bill (H. R. 7381) for the relief of Peter Cook;

House resolution (No. 118) for the relief of Maria V. Brown;

A bill (H. R. 5833) for the relief of Jacob Bloomstein;  
 A bill (H. R. 348) for the relief of Jesse K. Vawter;  
 A bill (H. R. 623) for the relief of William J. May;  
 A bill (H. R. 2560) for the relief of David Hicks;  
 A bill (H. R. 5559) for the relief of Lucy A. Hey;  
 A bill (H. R. 3377) for the relief of Frederick Demming;  
 A bill (H. R. 6015) for the relief of Lewis Rothermel;  
 Petition of William Aymett;  
 Petition of Thomas Fisher;  
 Petition of Samuel Edmundson;  
 Petition of Mary H. Bush;  
 Petition of Robert W. Wilkinson;  
 Petition of John W. Alexander, executor of James S. Williams, deceased;  
 Petition of B. Y. Swart;  
 Petition of Elisha M. Shaddon;  
 Petition of John Vantrees;  
 Petition of Martha W. Hughes;  
 Petition of Fidal Spah;  
 Petition of F. Spah;  
 Petition of William Vantrees;  
 Petition of the legal representatives of F. L. Cawthorne, deceased;  
 Petition of W. S. Calloway;  
 Petition of Mrs. E. Gant;  
 Petition of Robert Smith;  
 Petition of Calvin Spiney;  
 Petition of Mrs. R. Stanfield;  
 Petition of Mrs. Amanda Wadley;  
 A bill (H. R. 7796) for the relief of Elizabeth Putnam;  
 Petition of Rebecca A. Minor;  
 Petition of James M. Seeds;  
 Petition of Sophia G. Mitchell and Eliza J. Mahon;  
 Petition of Eugene Fereuit;  
 A bill (H. R. 7690) for the relief of J. H. T. Main;  
 Petition of Joseph M. Middlekauff;  
 Petition of Henry Adams;  
 Petition of Jacob R. Adams;  
 Petition of Samuel Emmert;  
 Petition of Thomas N. Heskett;  
 Petition of William Householder;  
 Petition of William Mathews;  
 Petition of David Wolf;  
 Petition of Solomon Newcomer;  
 Petition of A. J. McAllister;  
 Petition of George Snyder;  
 Petition of Martha J. Wroe;  
 Petition of Joshua Newcomer;  
 Petition of Lewis Johnson;  
 Petition of Henry McCauley;  
 Petition of John Hammond;  
 Petition of Jonas Spellman;  
 Petition of Harrison Beeler;  
 Petition of Abraham Shaff;  
 Petition of the heirs of Jesse Viers, deceased;  
 Petition of Dr. William H. Grimes;  
 Petition of Eliza Eyer;  
 Petition of Frederick Wyand;  
 Petition of Thomas Corbett;  
 Petition of Urias Buskirk;  
 Petition of John D. Keedy;  
 Petition of Lewis A. Grosh;  
 Petition of Louisa A. Knode, administratrix of S. A. Knode, deceased;  
 Petition of Mary E. Lucas;  
 Petition of Hannah B. Edwards and Mary E. Lucas, heirs of Mary G. Wray, deceased;  
 Petition of J. B. Stacy;  
 Petition of Samuel May;  
 Petition of George Keel;  
 Petition of Stephen Bird, executor of John Bird, deceased;  
 A bill (H. R. 867) for the relief of the heirs of Horatio N. Spencer;  
 Petition of John Dillard;  
 Petition of Calvin Chears;  
 A bill (H. R. 2187) for the relief of Marcus L. Broadwell;  
 A bill (H. R. 2189) for the relief of the estate of Thomas V. Stirman, deceased;  
 A bill (H. R. 2191) for the relief of James S. Frizzell;  
 A bill (H. R. 2192) for the relief of Isaac N. Webb;  
 A bill (H. R. 2194) for the relief of Joseph B. McClintock;  
 A bill (H. R. 3217) for the relief of Clara H. Flowers et al.;  
 Petition of Ida M. Wells and others;  
 Petition of G. W. Hughes;  
 Petition of T. B. Planché;  
 Petition of Tabitha Garnett;  
 Petition of Lucy A. M. Jones;  
 Petition of Daniel T. Wood;  
 Petition of Lucinda Allen;  
 Petition of Samuel W. Craft;  
 Petition of John H. Hamiffer;  
 Petition of David L. Scott;  
 Petition of Levi Middlekauff, administrator of John C. Middlekauff, deceased;  
 Petition of John Monday;  
 Petition of John H. King;  
 Petition of Mrs. Catharine Little;  
 Petition of Thomas Barnum;  
 Petition of Louisa McCollister;  
 Petition of Ramsay Robb Lees;  
 Petition of Samuel Emmert;  
 Petition of Henry C. Mumma and Samuel Mumma, executors of Samuel Mumma, deceased;  
 Petition of Richard S. Kirk;  
 Petition of Thomas R. Mitchell;  
 Petition of Thomas Trundle;  
 A bill (H. R. 8210) for the relief of Stephen H. Myers;  
 A bill (H. R. 471) for the relief of Adam Hine;  
 A bill (H. R. 4954) for the relief of Orient L. Dodd;  
 Petition of William Reading;  
 Petition of William H. Knode;  
 Petition of Solomon S. Lumm;  
 Petition of Benjamin Brown;  
 Petition of Johnson Benson;  
 Petition of John H. Fiery;  
 Petition of John H. Huyett;  
 Petition of John T. and Sarah A. De Sellum;  
 Petition of Samuel M. Haller;  
 Petition of Jonathan Yoste; and  
 Petition of A. P. Burditt and James Fisk.

## PUBLIC LANDS DECISIONS.

Mr. ROGERS, of New York, by unanimous consent, submitted a concurrent resolution to provide for printing the first and second volumes of decisions relating to the public lands; which was referred to the Committee on Printing, and ordered to be printed.

## ORDER OF BUSINESS.

Mr. THOMAS. Now, Mr. Speaker, I call for the regular order.

## 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 bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House was requested, the bill (H. R. 8179) making appropriation for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes.

The message further announced that the Senate had passed without amendments joint resolutions of the following titles:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh additional reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology; and

Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

The message also announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House was requested:

Joint resolution (S. R. 134) relative to the use of plants belonging to the public conservatories of the District of Columbia for inauguration ceremonies.

## PERSONAL EXPLANATION.

Mr. SNYDER. Mr. Speaker, I rise to a privileged question.

The SPEAKER. The gentleman will state it.

Mr. SNYDER. I desire to explain my vote given yesterday.

The SPEAKER. That is not a privileged matter. The gentleman can proceed only by unanimous consent.

Mr. SNYDER. I ask unanimous consent to make a personal explanation. Mr. Speaker, on page 2439 of the RECORD of yesterday's proceedings I am recorded as having voted "ay" upon the resolution offered by the chairman of the Appropriations Committee. With a decided opinion as to the impropriety of the clause in the sundry civil bill relating to the suspension of silver coinage, and with the avowed intention of voting against the same when the opportunity was offered (the resolution providing for a separate vote upon said proposition), I voted "ay" to limit debate and facilitate business, in order that an extra session of Congress might be avoided.

I am opposed to any legislation on the part of Congress looking toward either the limitation or suspension of silver coinage. The subsequent statement of the gentleman from Pennsylvania demands that this explanation be made in order that my position may not be misunderstood by my constituents.

Mr. HAMMOND. I object. That is not a matter of privilege, and I object to further explanation.

The SPEAKER. The Chair so decided, and the gentleman proceeded by unanimous consent.

Mr. HAMMOND. I object. Every gentleman who casts a vote might occupy time of the House in the same way.

Several MEMBERS. Regular order.

The SPEAKER. The regular order is demanded.

## ORDER OF BUSINESS.

Mr. CABELL. Mr. Speaker, I desire to suspend the rules to take up House bill 8029, to authorize the establishment of export tobacco manufacturing and for drawbacks upon imported articles used in manufacturing exported tobacco.

## SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. The House is acting under a suspension of the rules.

The regular order being called for, the House resumes, under the order adopted yesterday by suspension of the rules, the consideration of the bill (H. R. 8256) making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes. The first question is upon the amendments to the clause in relation to the New Orleans Exposition.

Mr. HERR. The first amendment, as I understand, is the one which I offered.

The SPEAKER. That is the understanding of the Chair. A motion has been made by the gentleman from New York [Mr. POTTER] to strike out the clause; but that will not be voted upon until amendments to the text have been disposed of. The amendment of the gentleman from Michigan [Mr. HERR] will be read.

The Clerk read as follows:

Strike out the entire clause and insert in lieu thereof the following:  
 "For the purpose of aiding the World's Industrial and Cotton Centennial Exposition now being held in the city of New Orleans, in the State of Louisiana, not to exceed the sum of \$300,000, or so much thereof as may be necessary, to be immediately available and to be used first in payment of the indebtedness now outstanding of said exposition which is due to persons, firms, or corporations living and doing business outside of the State of Louisiana, including debts due to foreigners or foreign nations and such as are due to States and Territories from said exposition. Secondly, in payment of all premiums heretofore awarded or which shall be hereafter awarded by said exposition in accordance with the lists of awards heretofore published; said money to be disbursed under the direction of the Secretary of the Treasury, who shall make proper rules and regulations for the form and verification of vouchers in proof of such indebtedness and shall detail a proper agent of his Department to disburse said funds as directed by said Secretary, who shall make a detailed statement of his transactions to the Treasury Department."

The SPEAKER. The question is upon the motion of the gentleman from Michigan to strike out the clause in the bill and substitute what has just been read.

Mr. ELLWOOD. I rise for an inquiry. I have submitted a substitute. Will the vote upon this proposition of the gentleman from Michigan rule out my substitute?

The SPEAKER. Is the amendment of the gentleman from Michigan offered as a substitute?

Mr. ELLWOOD. I move to amend by adding to the substitute of the gentleman from Michigan the clause which I ask the Clerk to read.

The Clerk read as follows:

A committee of three members of the House shall be appointed by the Speaker to inquire into the expenditures by and money received by the managers of the World's Industrial Cotton and Centennial Exposition. The said committee are hereby empowered to administer oaths, to compel the attendance of witnesses, and to send for persons and papers; and it shall report the result of its investigation to the Forty-ninth Congress on or before December 10, 1885.

Mr. BLAND. That amendment is subject to a point of order.

The SPEAKER. The Chair thinks it is subject to a point of order. The point is sustained. The question is upon the substitute of the gentleman from Michigan.

Mr. ELLIS. As I understand it has been agreed between the gentleman and myself that his substitute shall be amended by striking out the words "or so much thereof as may be necessary." I understand the gentleman from Michigan is willing to accept this amendment.

The SPEAKER. The gentleman from Louisiana [Mr. ELLIS] moves to amend the substitute of the gentleman from Michigan by striking out the words "but so much thereof as may be necessary."

Mr. ELLIS. By agreement between the gentleman from Michigan and myself those words go out.

Mr. HERR. If it be in order I will state that in my judgment this amendment does not affect substantially my substitute; and I consent to it. I think every dollar of the appropriation will be spent, at any rate.

The question being taken on the amendment of Mr. ELLIS, there were—ayes 78, noes 20.

Mr. ANDERSON. I make the point that no quorum has voted. Tellers were ordered; and Mr. ANDERSON and Mr. ELLIS were appointed.

The House again divided; and the tellers reported—ayes 121, noes 44.

So the amendment of Mr. ELLIS was agreed to.

The SPEAKER. The question now recurs on the amendment proposed by the gentleman from Michigan [Mr. HERR] as amended.

Mr. BEACH. On this question I demand the yeas and nays. The yeas and nays were ordered, 45 members voting therefor.

The question was taken; and it was decided in the affirmative—yeas 206, nays 53, not voting 60; as follows:

YEAS—206.

Adams, G. E.	Carleton,	Fiedler,	Jones, J. H.
Aiken,	Clay,	Findlay,	Jones, J. K.
Alexander,	Cobb,	Finerty,	Jones, J. T.
Anderson,	Connolly,	Follett,	Kean,
Atkinson,	Cook,	Foran,	Keifer,
Bagley,	Cosgrove,	Forney,	Kelley,
Balentine,	Covington,	Furston,	Kellogg,
Barbour,	Cox, W. R.	George,	Ketcham,
Barksdale,	Craig,	Glascok,	King,
Bayne,	Crisp,	Greenleaf,	Kleiner,
Belmont,	Cullen,	Guenther,	Lacey,
Bennett,	Curtin,	Hanback,	Lawrence,
Bisbee,	Davidson,	Hancock,	Lewis,
Blanchard,	Davis, G. R.	Harmer,	Libbey,
Bland,	Davis, L. H.	Hatch, H. H.	Long,
Boutelle,	Dibble,	Haynes,	Lore,
Brainerd,	Dibrell,	Hemphill,	Lowry,
Bratton,	Dixon,	Herbert,	Lyman,
Breckinridge,	Dockery,	Hewitt, A. S.	McCold,
Breitung,	Dorshelmer,	Hewitt, G. W.	McComas,
Brewer, F. B.	Dowd,	Hill,	McCormick,
Brewer, J. H.	Dunham,	Hitt,	McMillin,
Broadhead,	Dunn,	Holmes,	Milliken,
Brumm,	Eldredge,	Holton,	Mitchell,
Buckner,	Elliot,	Horr,	Morgan,
Budd,	Ellis,	Houk,	Morrill,
Cabell,	Ellwood,	Howey,	Morse,
Caldwell,	English,	Hunt,	Moulton,
Campbell, J. E.	Ermmentrout,	James,	Muldrow,
Campbell, J. M.	Everhart,	Jeffords,	Muller,
Candler,	Ferrell,	Jones, B. W.	Murphy,

Murray,	Ranney,	Smith, A. Herr	Wakefield,
Mutchler,	Ray, Ossian	Smith, H. Y.	Ward,
Nelson,	Reagan,	Snyder,	Washburn,
Nicholls,	Reid, J. W.	Springer,	Weaver,
Nutting,	Reed, T. B.	Steele,	Weller,
Oates,	Reese,	Stephenson,	Wemple,
O'Ferrall,	Riggs,	Stewart, J. W.	White, J. D.
Paige,	Robertson,	Stockslager,	White, Milo
Parker,	Robinson, W. E.	Stone,	Whiting,
Payson,	Rockwell,	Strait,	Willis,
Peel,	Rogers, J. H.	Struble,	Wilson, James
Perkins,	Rogers, W. F.	Sumner, C. A.	Wilson, W. L.
Peters,	Rosecrans,	Sumner, D. H.	Winans, E. B.
Pettibone,	Roswell,	Swope,	Winans, John
Phelps,	Russell,	Talbot,	Wise, G. D.
Poland,	Ryan,	Taylor, J. D.	Wood,
Post,	Seymour,	Townsend,	Worthington,
Priece,	Shively,	Valentine,	Yaple,
Pryor,	Singleton,	Vance,	York.
Pusey,	Skinner, T. G.	Van Eaton,	
Randall,	Smalls,	Wait,	

NAYS—58.

Arnot,	Culberson, D. B.	Matson,	Taylor, J. M.
Barr,	Dargan,	Maybury,	Thomas,
Beach,	Deuster,	Millard,	Thompson,
Belford,	Eaton,	Miller, J. F.	Tillman,
Blount,	Geddes,	Mills,	Tully,
Boyle,	Halsell,	Money,	Turner, H. G.
Brown, W. W.	Hammond,	Patton,	Turner, Oscar
Browne, T. M.	Hardeman,	Payne,	Van Alstyne,
Buchanan,	Hatch, W. H.	Pierce,	Wadsworth,
Burleigh,	Henderson, T. J.	Potter,	Wallace,
Cassidy,	Holman,	Seney,	Warner, Richard
Clardy,	Hopkins,	Skinner, C. R.	Wellborn,
Clements,	Houseman,	Stevens,	Young.
Converse,	Lanham,	Stewart, Charles	
Cox, S. S.	Le Fevre,	Storm,	

NOT VOTING—60.

Adams, J. J.	Garrison,	Johnson,	Rice,
Bingham,	Gibson,	Jordan,	Robinson, J. S.
Blackburn,	Goff,	Laird,	Shaw,
Bowen,	Graves,	Lamb,	Slocum,
Burnes,	Green,	Loving,	Spooer,
Campbell, Felix	Hardy,	McAdoo,	Spriggs,
Cannon,	Hart,	Miller, S. H.	Taylor, E. B.
Chalmers,	Henderson, D. B.	Morrison,	Throckmorton,
Collins,	Henley,	Neece,	Tucker,
Culbertson, W. W.	Hepburn,	Ochiltree,	Warner, A. J.
Cutcheon,	Hiscock,	O'Hara,	Wilkins,
Davis, R. T.	Hoblitzell,	O'Neill, Charles	Williams,
Dingley,	Hooper,	O'Neill, J. J.	Wise, J. S.
Evans,	Hurd,	Rankin,	Wolford,
Fyan,	Hutchins,	Ray, G. W.	Woodward.

So the amendment was agreed to.

During the roll-call,

Mr. BEACH that by unanimous consent the reading of the names be dispensed with.

There was no objection, and it was ordered accordingly.

Mr. HERR. Mr. Speaker, I rise to a parliamentary inquiry. Will it be proper to ask by unanimous consent a vote be taken on this proposition as amended or on this substitute? I have said, as I supposed was the fact, there would be a vote if this were amended. I am informed if this is voted in, as it is, there will be no further vote. That misled some gentlemen.

Mr. RANDALL. There will be a vote on the bill with this in it.

The SPEAKER. There will be no further vote on this clause as a separate proposition. The Chair will state the situation.

Mr. RANDALL. There will be a vote on the bill with that in it.

Mr. HERR. But that is not fair.

The SPEAKER. The gentleman from Michigan moved to strike out the clause and insert what has been read. The gentleman from New York [Mr. POTTER] made a motion to strike out the clause without inserting anything. The gentleman from Michigan offered his amendment first and the House voted on it first. If the House sustains the motion to strike out the words as they stood in the bill and insert the words of the amendment it closes the vote on this clause, because it is not competent under the rules of the House to strike out the identical thing just inserted by a vote; and the only way to reach that would be to reconsider that vote.

Mr. HERR. There can be unanimous consent that a vote be taken on the proposition. I do not think any one will object to that; it will be passed just the same.

Mr. BOUTELLE. I will enter the motion to reconsider.

The SPEAKER. The vote has not yet been announced.

Mr. HAMMOND. I rise to a parliamentary inquiry, and it is that as the vote has not been announced, can not the whole difficulty be obviated by gentlemen changing their votes?

The SPEAKER. The gentleman from Michigan asks unanimous consent that after the vote shall be announced, if the amendment be adopted, a vote shall then be taken on the motion to strike out the clause; is there objection?

Mr. HERR. There can be no objection.

There was no objection, and it was ordered accordingly.

The following pairs were then announced.

On all political questions, until further notice:

Mr. MORRISON with Mr. JOHN S. WISE.

Mr. SHAW with Mr. LAIRD.

Mr. THROCKMORTON with Mr. EZRA B. TAYLOR.  
 Mr. JORDAN with Mr. HENDERSON, of Iowa.  
 Mr. HURD with Mr. RICE.  
 Mr. NEECE with Mr. CHALMERS.  
 On this vote:  
 Mr. RANKIN with Mr. OCHILTREE.  
 Mr. FYAN with Mr. JOHNSON.  
 Mr. CAMPBELL, of New York, with Mr. HOOPER.  
 Mr. BLACKBURN with Mr. HART.  
 Mr. HOBLITZELL with Mr. GOFF.  
 Mr. MCADOO with Mr. O'NEILL, of Pennsylvania. If voting, Mr. O'NEILL would vote "ay" and Mr. MCADOO "no."  
 For the day:  
 Mr. WILLIAMS with Mr. CUTCHEON.  
 The vote was then announced as above recorded.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

Mr. PERKINS, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled a bill and joint resolution of the following titles; when the Speaker signed the same, namely:  
 A bill (H. R. 48) providing for the erection of a building to contain the records, library, and museum of the Medical Department, United States Army; and  
 Joint resolution (H. Res. 320) authorizing the printing of the report of the Commissioner of Education for 1883 and 1884.

SUNDRY CIVIL APPROPRIATION BILL.

The SPEAKER. By order of the House the vote will now be taken on the motion of the gentleman from New York [Mr. POTTER] to strike the clause entirely from the bill.

Mr. POTTER. Upon that motion I call for the yeas and nays.

The yeas and nays were ordered.

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

The SPEAKER. The gentleman will state it.

Mr. YORK. I ask if this is on the vote to strike out the \$300,000?

The SPEAKER. The Chair will state that this is to strike out the entire clause.

Mr. BELFORD. I rise to a question of order. There is so much confusion and smoking on the floor that we can not determine what is going on.

The SPEAKER. The Chair will cause, on account of the complaints so frequently made to the Chair, clause 7 of Rule XIV to be read; and calls the attention of members on the floor and also of the officers of the House, the Doorkeeper and Sergeant-at-Arms, to the rule.

The Clerk read as follows:

7. When the Speaker is putting a question or addressing the House no member shall walk out of or across the Hall, nor, when a member is speaking, pass between him and the Chair; and during the session of the House no member shall wear his hat, or remain by the Clerk's desk during the call of the roll or the counting of ballots, or smoke upon the floor of the House; and the Sergeant-at-Arms and Doorkeeper are charged with the strict enforcement of this clause.

The SPEAKER. The Chair hopes the officers of the House charged with the execution of this rule will see that it is complied with on the floor.

The question is on agreeing to the motion of the gentleman from New York to strike out the clause on which the yeas and nays have been ordered; and the Clerk will call the roll.

The question was taken; and there were—yeas 124, nays 158, not voting 42; as follows:

YEAS—124.

Alexander,	Dargan,	McCoid,	Seymour,
Anderson,	Davis, L. H.	McComas,	Shively,
Arnot,	Deuster,	McCormick,	Skinner, C. R.
Barr,	Dingley,	McMillin,	Smith, A. Herr
Beach,	Dockery,	Matson,	Smith, H. Y
Bland,	Eaton,	Maybury,	Springer,
Blount,	Eldredge,	Millard,	Steele,
Boutelle,	Ellwood,	Miller, J. F.	Stevens,
Bowen,	English,	Milliken,	Storm,
Boyle,	Everhart,	Mills,	Talbot,
Brainerd,	Ferrell,	Mitchell,	Taylor, J. D.
Brewer, F. B.	Geddes,	Morgan,	Taylor, J. M.
Brewer, J. H.	Haisell,	Moulton,	Thomas,
Browne, T. M.	Hammond,	Murray,	Turner, H. G.
Buchanan,	Hardy,	Nutting,	Turner, Oscar
Buckner,	Hart,	Oates,	Van Alstyne,
Burnes,	Hatch, H. H.	O'Neill, J. J.	Wadsworth,
Campbell, J. M.	Hatch, W. H.	Parker,	Wait,
Candler,	Henderson, T. J.	Patton,	Warner, A. J.
Carleton,	Hepburn,	Payne,	Warner, Richard
Cassidy,	Hewitt, A. S.	Payson,	Weaver,
Clardy,	Hitt,	Peel,	Wellborn,
Clementis,	Holman,	Peters,	Whiting,
Cobb,	Howey,	Phelps,	Wilkins,
Connolly,	James,	Pierce,	Winans, E. B.
Cook,	Kean,	Post,	Winans, John
Cosgrove,	Lanham,	Potter,	Wood,
Covington,	Lawrence,	Ranney,	Woodward,
Cox, S. S.	Le Fevre,	Ray, G. W.	Worthington.
Cox, W. R.	Lowry,	Rockwell,	Yaple,
Culberson, D. B.	Lyman,	Seney,	York.

NAYS—158.

Adams, G. E.	Ballentine,	Belford,	Blanchard,
Aiken,	Barbour,	Belmont,	Bratton,
Atkinson,	Barksdale,	Bennett,	Breckinridge,
Bagley,	Bayne,	Bisbee,	Breitung,

Broadhead,	Gibson,	Long,	Russell,
Brown, W. W.	Glacock,	Lore,	Ryan,
Brumm,	Goff,	Loving,	Singleton,
Budd,	Graves,	Miller, S. H.	Skinner, T. G.
Burleigh,	Green,	Money,	Smalls,
Cabell,	Greenleaf,	Morrill,	Snyder,
Caldwell,	Guenther,	Morse,	Spooner,
Campbell, J. E.	Hanback,	Muldrow,	Stephenson,
Cannon,	Harmer,	Muller,	Stewart, Charles
Converse,	Haynes,	Murphy,	Stewart, J. W.
Craig,	Hemphill,	Mutcher,	Stocksager,
Crisp,	Henley,	Nicholls,	Stone,
Cullen,	Herbert,	Ochiltree,	Struble,
Curtin,	Hewitt, G. W.	O'Ferrall,	Summer, C. A.
Davidson,	Hill,	O'Hara,	Summer, D. H.
Davis, G. R.	Hiscock,	O'Neill, Charles	Swope,
Davis, R. T.	Holmes,	Paige,	Thompson,
Dibble,	Hopkins,	Perkins,	Tillman,
Dibrell,	Horr,	Pettibone,	Townshend,
Dixon,	Houk,	Poland,	Tully,
Dorshheimer,	Houseman,	Price,	Valentine,
Dowd,	Hunt,	Pryor,	Vance,
Dunham,	Jeffords,	Pusey,	Vap Eaton,
Dunn,	Johnson,	Randall,	Wallace,
Elliott,	Jones, B. W.	Ray, Ossian	Ward,
Ellis,	Jones, J. H.	Reagan,	Washburn,
Ermentrout,	Jones, J. K.	Reed, T. B.	Wemple,
Fiedler,	Jones, J. T.	Reid, J. W.	White, J. D.
Findlay,	Keifer,	Reese,	White, Milo
Finerly,	Kelley,	Riggs,	Willis,
Follett,	Kellogg,	Robertson,	Wilson, James
Foran,	King,	Robinson, W. E.	Wilson, W. L.
Forney,	Kleiner,	Rogers, J. H.	Wise, G. D.
Funston,	Lacey,	Rogers, W. F.	Wolford,
Garrison,	Lamb,	Rosecrans,	
George,	Lewis,	Rowell,	

NOT VOTING—42.

Adams, J. J.	Hancock,	Libbey,	Strait,
Bingham,	Hardeman,	McAdoo,	Taylor, E. B.
Blackburn,	Henderson, D. B.	Morrison,	Throckmorton,
Campbell, Felix	Hoblitzell,	Neece,	Tucker,
Chalmers,	Holton,	Nelson,	Wakefield,
Clay,	Hooper,	Rankin,	Weller,
Collins,	Hurd,	Rice,	Williams,
Culbertson, W. W.	Hutchins,	Robinson, J. S.	Wise, J. S.
Cutcheon,	Jordan,	Shaw,	Young.
Evans,	Ketcham,	Sloum,	
Fyan,	Laird,	Spriggs,	

So the motion to strike out was not agreed to.

On motion of Mr. ELLIS, by unanimous consent the reading of the names was dispensed with.

The following additional pairs were announced:

Mr. BLACKBURN with Mr. STRAIT, on this vote.

Mr. FYAN with Mr. BINGHAM, on this vote.

The result of the vote was then announced as above recorded.

Mr. ELLIS moved to reconsider the vote by which the motion to strike out was rejected; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The SPEAKER. The question now recurs upon ordering the bill as amended to be engrossed and read a third time.

The bill was ordered to be engrossed and read a third time.

The question recurred on the passage of the bill.

Mr. RANDALL. On that I demand the previous question.

Mr. WHITE, of Kentucky. I call for the reading of the engrossed bill.

The SPEAKER. The Chair does not think there is any rule or any recent practice of the House requiring the reading of the engrossed bill.

Mr. WHITE, of Kentucky. I understood the Speaker to say that the bill was now upon its passage.

The SPEAKER. The Chair so stated.

Mr. WHITE, of Kentucky. What bill?

The SPEAKER. The sundry civil appropriation bill.

Mr. WHITE, of Kentucky. Then I ask for the reading of the engrossed bill.

The SPEAKER. On the passage of the bill the gentleman from Pennsylvania has demanded the previous question.

Mr. WHITE, of Kentucky. And I call for the reading of the bill upon which we are to pass, which is the engrossed bill.

The SPEAKER. Under what rule?

Mr. WHITE, of Kentucky. The Speaker knows the rule.

The SPEAKER. The Chair knows of no such positive rule or late practice. If there be any, the Chair hopes the gentleman will call attention to it.

Mr. WHITE, of Kentucky. The Chair stated the question to be upon the passage of this bill, and that the gentleman from Pennsylvania had demanded the previous question. Now, upon that bill on which the previous question is demanded, which, as the Speaker states, is the sundry civil appropriation bill, I ask as a question of right for the reading of the engrossed bill.

The SPEAKER. The Chair will hear the gentleman from Kentucky on the subject as to whether there is any such rule or practice of the House.

Mr. WHITE, of Kentucky. I call the attention of the Chair to page 199 of the Digest, to Rule XXI, clause 2:

Bills and joint resolutions on their passage shall be read the first time by title and the second time in full, when, if the previous question is ordered, the Speaker

shall state the question to be: Shall the bill be engrossed and read a third time? and, if decided in the affirmative, it shall be read the third time by title, unless the reading in full is demanded by a member, and the question shall then be put upon its passage.

I contend that if the bill has been engrossed it ought to be here, and the Clerk should read that engrossed bill upon which we are here to vote. The rule says so; it is in the bond, and I call for the pound of flesh.

Mr. WAIT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WAIT. Did not the House on yesterday by a vote of two-thirds direct the suspension of the rules for the remainder of the session upon the sundry civil appropriation bill?

The SPEAKER. The House by a vote of two-thirds suspended the rules to consider the bill under certain regulations prescribed in the motion itself, which regulations say nothing concerning the readings of the bill.

Mr. WAIT. Would not then the action of the House suspend any rule such as the gentleman from Kentucky invokes?

The SPEAKER. The Chair has not yet decided that.

Mr. COX, of New York. I would like the Chair to state to the House the exact situation of this bill at this time. If I understand it, the bill has been read a third time by its title. We have passed from that. The previous question has been called on the passage of the bill. Am I right?

The SPEAKER. The previous question has been demanded, but has not been ordered.

Mr. COX, of New York. The custom has been, so far as I recollect, after the proceedings on a bill have reached this stage not to have the engrossed bill read a third time at length.

Mr. POTTER. It has not been read at length at all.

Mr. CRISP. It was read here in the House.

Mr. POTTER. At what time?

Mr. CRISP. Between 6 and 7 o'clock last evening.

Mr. COX, of New York. My friend from New York was not present at that time.

I submit that since the adoption of the new rules there has been no practice calling for what the gentleman from Kentucky now demands, the reading of this bill at length at this stage.

Mr. REED, of Maine. This is not a question of what practice has arisen. The action of the House thus far has simply been to pass the bill to be engrossed. That is the order of the House; consequently the bill has got to be engrossed and read the third time. Now, how is it possible if a member demands the reading of the engrossed bill to say to him that that has not been done which the House has ordered to be done?

The SPEAKER. The Chair has no doubt as to the right of a member under the express language of the second clause of Rule XXI to demand the third reading of the bill at length before the question is taken on its passage; but the question of practice, as to which the Chair has some difficulty, is whether the member has a right to demand that the bill shall be actually engrossed before it is read.

There was a practice prevailing at one time, according to the impression of the Chair, to take the printed or manuscript bill and simply indorse it as an engrossed bill. That practice prevailed for a long time in the House according to the present recollection of the Chair, but was afterward discontinued, and the bill was simply read in its original printed form.

Mr. REED, of Maine. When I first came into this House it was understood if a member chose to demand the reading of the engrossed bill the bill had to be engrossed before it could be read to satisfy his demand; and I supposed that arose not from any particular rule but from the nature of the case. The first passage of the bill is a passage to be engrossed, and the House before it passes the bill finally, if it chooses, is entitled to have the engrossed bill read in order to see if that is the bill which has been actually passed in the House.

I remember once in the Legislature of my own State that a bill which was engrossed was actually different from the bill which passed the senate of the State, and that by reason of a mistake on the part of the clerk of the senate; so that the bill actually went to the governor, but was not signed, with amendments in it not one of which had been voted on by the senate. That occurred because the engrossment was made by mistake.

The SPEAKER. The Chair has no doubt the practice in most legislative bodies is as the gentleman has stated.

Mr. REED, of Maine. It is not in any respect different from the practice and from the principle of the rules of this House. The House has passed a bill to be engrossed. That has got to be done. The engrossment has to take place before the bill can be finally passed. It seems to me that is in the very nature of things and can not be eradicated by any custom of the House or by the rule.

Mr. RANDALL. I suppose that there may be members here who had the impression that this bill was not engrossed. I beg to state that that precaution has been taken and the bill is engrossed.

Mr. WHITE, of Kentucky. Then have it read.

Mr. RANDALL. And in that connection I ask the Chair whether the suspension of the rules under which we have been acting has exhausted itself?

The SPEAKER. The motion of the gentleman from Pennsylvania [Mr. RANDALL] was simply to suspend the rules and consider the bill under certain regulations. The Chair thinks that does not dispense with the rules ordinarily relating to the passage of bills.

Mr. RANDALL. If the suspension of the rules is not operating at this time I make the motion to suspend the rules so as to dispense with a reading of the bill at length.

The SPEAKER. The Chair prefers not to decide the question made by the gentleman from Kentucky [Mr. WHITE] as to his right to have the engrossed bill read at this time; because it is not necessary to do so or to establish a precedent which shall prevail in regard to this matter hereafter. The gentleman from Pennsylvania [Mr. RANDALL] moves to suspend the rules so as to take the vote on the passage of the bill without having it read a third time at length.

Mr. REED, of Maine. I desire to say in response to a single sentence of the gentleman from Pennsylvania that so far as concerns the actual demand made for the reading of the bill at length I neither knew it was going to be made—

Mr. RANDALL. I did not make any such charge.

Mr. REED, of Maine. Nor had I any disposition to make such a demand. I have spoken simply as a member of the House interested in the orderly conduct of its business.

The SPEAKER. This is of course an important parliamentary question, and may at some time become more so.

Mr. BAYNE. As I understand the position of this bill now, a majority may pass it. Am I correct?

Mr. RANDALL. I have made the motion to suspend the rules and dispense with the reading of the engrossed bill.

Mr. BAYNE. In the interest of this bill I suggest to my colleague [Mr. RANDALL] that he do not make that motion. I should prefer having the engrossed bill read if it should be necessary.

Mr. RANDALL. I would prefer not, because I do not want time, which is valuable, exhausted in that way.

Several MEMBERS. Regular order.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] moves to suspend the rules and vote upon the passage of the bill without reading it at length the third time.

Mr. WHITE, of Kentucky. Mr. Speaker, how did the gentleman from Pennsylvania [Mr. RANDALL] take me off my feet to make that motion?

The SPEAKER. He did not. Several gentlemen addressed the Chair after the gentleman from Kentucky [Mr. WHITE] concluded and before the gentleman from Pennsylvania obtained the floor.

Mr. WHITE, of Kentucky. But they were discussing the point of order. They were not making motions.

The SPEAKER. But there is no motion. The gentleman from Kentucky [Mr. WHITE] made no motion; he simply demanded the reading of the bill.

Mr. WHITE, of Kentucky. Under the rule.

The SPEAKER. Certainly; but that is not debatable. Is there a second demanded?

Mr. WHITE, of Kentucky. I demand a second.

The SPEAKER. A second is demanded. The Chair will appoint as tellers the gentleman from Kentucky, Mr. WHITE, and the gentleman from Pennsylvania, Mr. RANDALL. The question is on the motion of the gentleman from Pennsylvania to suspend the rules and vote upon the passage of this bill without reading it at length the third time.

The House divided; and there were—ayes 79, noes 11; so the motion was agreed to.

The SPEAKER. A second is ordered. Fifteen minutes are allowed for debate.

Mr. WHITE, of Kentucky. Mr. Speaker, I yield two minutes of my time to the gentleman from New York [Mr. JAMES].

Mr. JAMES. Mr. Speaker, in examining this sundry civil bill I find that the Committee on Appropriations have inserted general legislation in reference to the public buildings and the sites for such buildings in three of the States which are represented on the committee by three of its members. We ordinary members of this House when we wish to have the limit of expenditure upon public buildings in the communities we represent increased are obliged to introduce bills for that purpose, which are referred to a committee, and in due time are reported back and acted upon by the House; but here I find that members of the Committee on Appropriations propose in this general appropriation bill to increase the limits of expenditure upon certain public buildings. The bill proposes to increase the limit of expenditure on a public building at Dallas, Tex., from \$75,000 to \$100,000; the limit on the public building at Galveston, Tex., from \$125,000 to \$145,000, and the limit on public buildings at Jefferson City from \$100,000 to \$132,000.

Mr. KEAN. Where is Jefferson City?

Mr. JAMES. In Missouri.

Mr. KEAN. Oh! I thought it was in Indiana. [Laughter.]

Mr. JAMES. The limit of expenditure on the public building at Saint Joseph, Mo., is to be increased from \$75,000 to \$300,000.

The original limit for the public building and site at Minneapolis, Minn., was fixed at \$175,000, and it is to be increased by this bill to

\$500,000. I protest, Mr. Speaker, against this treatment of this House by the Committee on Appropriations, giving to the members of that committee an advantage over other members of the House who are equally interested in general appropriation bills.

Mr. WHITE, of Kentucky. Now, Mr. Speaker, I yield three minutes to the gentleman from Illinois [Mr. THOMAS].

Mr. THOMAS. Mr. Speaker, three minutes of time have been yielded to me by the gentleman from Kentucky [Mr. WHITE], and I shall occupy that time in pointing out some peculiarities of this bill. The gentleman from New York [Mr. JAMES] has called attention to the six instances in which the Committee on Appropriations have introduced general legislation into this bill in violation of the rules of the House, and by the suspension of the rules the points of order which otherwise might have been made against these several appropriations have been cut off.

But this bill has some special features, which ought to commend it especially to this House, and I desire to call attention to those features. If we look at the appropriations for public buildings and grounds, keeping in view the *personnel* of the Committee on Appropriations, a new light will dawn upon the House. I call attention to the provisions in the bill beginning at line 29. I find that the first of these items is in the interest of Massachusetts, which is so ably represented on the Committee on Appropriations by the distinguished gentleman Mr. LONG.

Mr. LONG. If the gentleman will permit, there is not the slightest appropriation for Massachusetts.

Mr. THOMAS. I speak of the provisions of the bill.

Mr. LONG. There is not the slightest appropriation for Massachusetts there. It is a provision for the sale of a building belonging to the Government, a provision to put \$220,000 into the Treasury—not to take anything out of it.

Mr. THOMAS. But it is a provision which could not have been introduced on this bill if it had not been introduced in this way. It would have been subject to the point of order.

Mr. RANDALL. No; it would not.

Mr. LONG. It would not.

Mr. THOMAS. I decline to be interrupted further.

Mr. LONG. Then be honorable!

Mr. THOMAS. I am, in pointing out the true inwardness of this bill. Mr. Speaker, the next item to which I desire to call attention is that for the benefit of Brooklyn, N. Y., which State is so ably represented upon the committee by Mr. HUTCHINS. That gets \$135,000.

Mr. POST, of Pennsylvania. The gentleman [Mr. HUTCHINS] does not live in Brooklyn.

Mr. THOMAS. I say the appropriation is for the benefit of Brooklyn, in the State of New York, which is so ably represented on the committee by the distinguished gentleman I have named.

Mr. ROBINSON, of New York. The appropriation ought to be a great deal more.

Mr. THOMAS. The next item is for the benefit of Buffalo, N. Y., \$37,500. Then we come to Chicago, Ill., which State is so ably represented on the committee by my colleague, Mr. CANNON. Then come Cleveland and Columbus, Ohio, represented on the committee by Mr. FOLLETT.

A MEMBER. And General KEIFER.

Mr. THOMAS. Then we come to Dallas, Tex., which gets \$25,000. That State is represented on the committee by Mr. HANCOCK. Then we come to Fort Wayne, Ind., which State is represented on the committee by the distinguished gentleman Mr. HOLMAN, and I want to call attention to the fact that a bill has already passed this House giving him another appropriation for Fort Wayne; so that if this item goes through he is to have a double appropriation for this public building in Indiana. [Laughter.] Such is the work of the great watch-dog of the Treasury. I say it in no offensive sense.

Mr. REED, of Maine. If it is for Indiana it is meritorious.

Mr. THOMAS. Yes; if it is for Indiana it is very meritorious and is "in the line of economy." [Laughter.]

Mr. WHITE, of Kentucky. Will the gentleman allow me to ask him whether the appropriation for that Indiana building is not in excess of the amount authorized by law?

Mr. THOMAS. I understand that it is \$25,000 in excess of the amount authorized by law. Mr. Speaker, this is the economy and reform of this Democratic House under the guidance of the great economist, Mr. HOLMAN, of Indiana. [Renewed laughter.]

For Hannibal, Mo., which has as its representative on that committee the gentleman from Missouri, Mr. BURNES, the appropriation is \$37,500. Then for Jefferson City, also in the State represented by that gentleman, there is an appropriation of \$132,000. There is also an appropriation of \$15,000 for Kansas City, Mo., and \$50,000 for Saint Joseph, Mo. Then we come to Leavenworth, Kans., which is represented on that committee by the gentleman from Kansas, Mr. RYAN; then Montgomery, Ala., which is represented on that committee by the gentleman from Alabama, Mr. FORNEY. Then Minneapolis, Minn., gets \$100,000, and the limit heretofore fixed by law for the building there is increased, under the leadership of the distinguished Representative from Minneapolis, Mr. WASHBURN. [Laughter.] Then there is an appropriation of \$15,000 for New Orleans, represented

by the gentleman from Louisiana, Mr. ELLIS, a member of that committee. Then Peoria, Ill., under the leadership of the gentleman from Illinois, Mr. CANNON, obtains an appropriation; and then Poughkeepsie, N. Y., represented by the gentleman from New York, Mr. HUTCHINS. Then comes Philadelphia, Pa., represented by the gentleman from Pennsylvania, Mr. RANDALL. [Laughter.]

Mr. RANDALL. I ask the gentleman to read that provision. It is to put \$300,000 into the Treasury, not to take money out.

Mr. THOMAS. It is general legislation on an appropriation bill, which would have been subject to a point of order if this bill had been considered in the ordinary way. I have only called attention to these points so that the House and the country may see how well the districts and States represented on the Appropriations Committee are provided for in this bill.

Mr. MILLS. I remind the gentleman that he does great injustice to the gentleman from Illinois [Mr. TOWNSHEND], whom he has not mentioned.

Mr. THOMAS. I had forgotten that my colleague [Mr. TOWNSHEND] was on the Appropriations Committee, and beg his pardon for not giving him his due.

[Here the hammer fell.]

Mr. WHITE, of Kentucky. I yield two minutes to the gentleman from Maryland [Mr. MCOMAS].

Mr. MCOMAS. Mr. Speaker, in these two minutes I wish only to supplement the statement which has been made with reference to public buildings provided for in this bill. I have nothing to do with motives; but I have taken the trouble to add together the various appropriations in this bill for public buildings, and I find the total to be \$2,173,000.

Mr. RANDALL. The gentleman is mistaken.

Mr. MCOMAS. That is the calculation I have made, and I have made it from the bill. I take these figures from the printed bill, if not from the engrossed bill before this House.

Mr. RANDALL. The gentleman counts in perhaps provisions for the sale of two public properties—

Mr. MCOMAS. I have only a moment, and can not yield. I am not here to ascribe motives to anybody; but I want the House to say, while we protest time and again against sporadic extravagance, whether in an appropriation bill passed under a suspension of the rules in the last days of the session we shall pile up expenditures to the amount of two millions of dollars for these public buildings out of \$22,000,000 which the bill carries, although these provisions in many cases change the existing law, going beyond limitations heretofore enacted.

Now, there is no committee for which in its constitution I have higher respect than for the Committee on Appropriations, but I say we are driven by the force of this vote upon suspension of the rules to the alternative of spending \$2,000,000 without an opportunity to amend or diminish these appropriations.

[Here the hammer fell.]

Mr. PAYSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PAYSON. Would it be in order at this time, as the gentleman from Michigan [Mr. HERR] is the only member on the Committee on Appropriations who seems to be unprovided for in this bill, to move that he be allowed an appropriation for a public building in his district?

Mr. RANDALL. I hope the gentleman from Illinois [Mr. THOMAS] will do justice by correcting the statement he has made. There is not a dollar in that part of the bill, so far as I know, that goes to my district or to Pennsylvania either.

Mr. WHITE, of Kentucky. I yield two minutes to the gentleman from New York [Mr. POTTER] reserving one minute to myself.

Mr. POTTER. Mr. Speaker, in the two minutes allowed me I desire to say, as forcibly as I may, that this departure from the uniform practice of this Government by passing great appropriation bills under a suspension of the rules can not be justified. It ought to be condemned by the entire country, and it will be so condemned. The evils of such a practice could not be more forcibly illustrated than in the attempt now being made to pass these bills, in which private interests may be concerned, without an opportunity for the scrutiny of this House. I protest in the name of honest government, I protest in the name of that vigilance which we are bound under our oaths as legislators to exercise, that we are revolutionizing the whole practice of the Government by this procedure.

I am willing to sit here day and night until the session closes in order that these bills may be passed in regular order, and that no appropriation necessitating taxation upon the country shall be passed without such scrutiny on the part of Representatives here as the Constitution and all the honest practice of the Government require.

[Here the hammer fell.]

The SPEAKER. The gentleman from Kentucky has one minute remaining.

Mr. WHITE, of Kentucky. In that one minute I desire to call the attention of this House to this remarkable bill, which provides in it over \$1,000,000 for public buildings beyond the limit allowed by law, and which bill is to be passed now under a suspension of the rules.

I wish to call the attention of the House to the fact that this same committee refused \$400 to the Freedmen's Hospital for a force-pump in

this city, while they put in millions of dollars beyond the limit provided by law for public buildings.

I wish also to call attention to the fact that they omit provision for payment of arrears of pay which may be certified to be due to officers and men of the United States Army. They also omitted to provide pay for two and three years' volunteers which may be certified to be due to the officers and men who served in the war of the rebellion. They also omitted to provide bounty to volunteers and their widows and legal heirs. They also omitted to provide for the payment of bounties under act of July 28, 1866.

The SPEAKER. The gentleman's time has expired.

Mr. WHITE, of Kentucky. I regret it. I wish I had an hour. [Laughter and applause.]

The SPEAKER. The gentleman from Pennsylvania has eighteen minutes.

Mr. RANDALL. Mr. Speaker, notwithstanding what the gentleman from Maryland [Mr. McCOMAS] has said, the amounts appropriated in this bill for public buildings aggregate \$1,794,719.84, which is about the amount which was appropriated for a like purpose last year.

As to individual members being influenced in that committee, I wish to give those gentlemen opportunity to defend themselves. But as my name has been drawn in here I want to say, so far as I know, not one dollar has been appropriated for any public building connected with Philadelphia by this appropriation bill. On the contrary an estimate of \$60,000 for the post-office building of that city was left unprovided for. All the Philadelphia Representative did was to authorize the sale of a public building in the city of Philadelphia, whereby \$300,000 or more would come into the Treasury of the United States.

Mr. THOMAS. What about the public building for Williamsport, Pa.?

Mr. BROWN, of Pennsylvania. The gentleman from Illinois is mistaken about the Williamsport public building, as that appropriation is within the limits of the law.

Mr. RANDALL. I have nothing to do with Williamsport. That was the action of this House. It is not, however, over the limit, but on the contrary is within the limit.

Several MEMBERS. How about the vaults? What about Minneapolis public building?

Mr. RANDALL. Those gentlemen who are interested can defend themselves, as they secured a majority of the committee in favor of these several propositions. I am not able to say what occurred in the committee in this respect and I do not wish to say even how I voted. I am not afraid of my record in that regard.

Mr. BELFORD. Let me ask the gentleman from Pennsylvania a question.

Mr. RANDALL. Now before leaving the subject I wish to say, in defense of the committee, I do not believe there is a dollar in that bill for a public building which will not be wisely and economically expended. I objected, perhaps, to its insertion here on the ground it would break the limit; but I think the public interests by legislation in connection therewith have not been imperiled in any particular whatever.

Now as to the payment of soldiers—because that is a tender subject, Mr. Speaker—the gentleman from Kentucky is entirely in error. There was no estimate for the soldiers to which the gentleman referred in connection with this bill. It referred to another bill altogether, and his objection, therefore, on that point falls to the ground.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, announced that that body respectfully return without the signature of the President *pro tempore* an enrolled bill (S. 84) to authorize the Secretary of the Interior to ascertain the amounts due to citizens of the United States for supplies furnished to the Sioux and Dakota Indians of Minnesota subsequent to June 1, 1861, and prior to the massacre of August, 1862.

It also requested the return of joint resolutions of the following titles: Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

It further announced the passage of a bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1886, and for other purposes, with amendments; in which concurrence was requested.

#### SUNDRY CIVIL APPROPRIATION BILL.

Mr. RANDALL. This bill has been added to largely for purposes intended to benefit the soldiers, and also to protect the country from disease. There is, for instance, \$400,000 appropriated in the bill for artificial limbs; which is an increase over the last appropriation, this being the fifth year. There is also \$350,000 incorporated in the bill to protect the United States from the approach of cholera, which adds largely, and there is another appropriation of \$200,000 in the bill more than that of last year because of the increased demand for money to be applied in support of the soldiers' homes. So that when the effort is

made to prejudice the mind of this House against the bill on the score that the soldier has not been taken care of, it is only necessary to examine the facts to destroy any such impression.

I now yield two minutes to the gentleman from Massachusetts, and then to the gentleman from Illinois.

Mr. BELFORD. Mr. Speaker, I wish to ask the gentleman from Pennsylvania a question.

Mr. RANDALL. I will yield for a question if the gentleman does not consume too much of my time.

Mr. BELFORD. I know it to be a fact that there is in the Treasury to-day \$145,000,000 of surplus revenue, and that instead of acting extravagantly you have cut the appropriations in every case, making them fall below the estimates. Now, why has this been done?

Mr. RANDALL. My answer to the gentleman's question is that in the first place I do not know the exact amount of surplus in the Treasury that can be safely placed in circulation, and further I say distinctly that economy and the good of the country at large demand that that money, whatever may be there, should be applied in paying the public debt. [Applause.]

Mr. BELFORD. You have not acted extravagantly in the appropriations.

Mr. RANDALL. I now yield to the gentleman from Massachusetts [Mr. LONG].

Mr. LONG. Mr. Speaker, whatever share of responsibility falls upon me as a member of the Committee on Appropriations, which reported this bill to the House, I accept and do not propose to shirk. And that responsibility extends to portions of the bill relating not only to the section of country from which I come, but to all other sections as well.

But I rise now, sir, simply to answer the assertion which has been made that the State I in part represent is specially benefited in this bill in the matter of appropriations for public buildings. The fact is exactly to the contrary, as the following statement will show:

I am the only member on the Committee on Appropriations from New England, and not a single public building in New England is represented in the appropriations of this bill. The new post-office and court-house building in the city of Boston is nearly finished. The old court-house will become vacant probably within ninety days, and as a matter of profit to the Treasury of the United States, as well as a question of economy, a provision has been inserted in the bill for the sale of the court-house, which will add \$225,000 to the Treasury and take not one dollar out of it.

[Here the hammer fell.]

Mr. RANDALL. I now yield to the gentleman from Illinois.

Mr. CANNON. How much time?

Mr. RANDALL. One minute.

Mr. CANNON. Well, I can not do much in a minute. [Laughter.]

Mr. RANDALL. Well, say all you can in that time, because I have to yield to others on the other side.

Mr. CANNON. Mr. Speaker, I have had six years' service on the Committee on Appropriations, and during that time I have never had a dollar for the construction of a public building, or any public work, appropriated for the district I represent. I have taken the very best care I knew how to take of my State and section, and in doing so I was not neglectful of the responsibility that rested upon me to do exactly the same for the whole country. It is true this appropriation is in here for the Quincy and Peoria buildings, and it ought to be in, but they are within the limit.

By considerable effort I succeeded in getting Chicago in at \$40,000 for repairs and preservation of the custom-house, and it ought to be in. And my colleague [Mr. THOMAS] might have gone a little further and made reference to a former Congress while I was on that committee, at least I think, and I want the gentleman from New York on my left to notice that I was a respectable factor in getting an appropriation in the gentleman's own district of \$60,000 for the marine hospital at Cairo [applause and laughter], and it ought to be there, and I was glad that it was put in.

Mr. HISCOCK. I always stand by my friend from Illinois. [Laughter.]

Mr. WELLER. It is an unfortunate fact that he does.

Mr. CANNON. And so I apprehend that gentlemen complain not so much for what is in the bill as for what is not in it. [Laughter and applause.]

Mr. THOMAS. I move that my colleague be excused. [Renewed laughter.]

Mr. RANDALL. I now yield to the gentleman from Ohio [Mr. KEIFER] one minute.

Mr. KEIFER. In one minute I can say that I voted to break the limit for the public building at Columbus, Ohio, because the Secretary of the Treasury and other officers interested in this matter recommended it. We propose by adding \$60,000 to the limit to build another story on the court-house, rather than come here a few years hence and ask an appropriation to erect another building, and the limit is yet too low. It is a question of merit, and not any other question, and I can say that in reference to the public building at Minneapolis as well as the small amount at Columbus. And I might also call the attention of the gentleman from Illinois to the fact that although he is in a large State it

has one million more in appropriations for public buildings than mine, which outnumbered it at the last census.

[Here the hammer fell.]

Mr. RANDALL. How much time have I?

The SPEAKER *pro tempore* (Mr. COX, of New York). The gentleman has seven minutes of his time remaining.

Mr. MILLER, of Pennsylvania. I rise to a question of order. Would it be in order to ask unanimous consent to give each member of the Appropriations Committee five minutes to explain?

The SPEAKER *pro tempore*. That would not be in order.

Mr. MILLER, of Pennsylvania. I am sorry to hear it. [Cries of "Regular order!"]

Mr. RANDALL. I yield to the gentleman from Minnesota [Mr. WASHBURN].

[At this point Mr. HOLMAN was crossing the floor, and there were many cries of "Holman!" "Holman!"]

Mr. HOLMAN. Mr. Speaker, will the gentleman from Minnesota yield me a moment? [Loud applause.]

Mr. WASHBURN. I do not yield.

The SPEAKER *pro tempore*. The gentleman from Minnesota is entitled to the floor.

Mr. WASHBURN. I do not desire any five minutes to explain my vote or my action upon the Committee on Appropriations, and I do not believe there is any necessity for any gentleman to make any such explanation. As a matter of fact, in the last sundry civil appropriation bill there were appropriations of this character for thirty-five buildings. The gentleman from Illinois [Mr. THOMAS] talked as though this thing was unusual. This is the very bill in which these appropriations should be made.

So far as the appropriation for a building in my own city is concerned, I will state that Minneapolis is a city of 125,000 people, and before this building can be completed it will be a city of 200,000 people. The Secretary of the Treasury recommended \$600,000 for the construction of a building there. The demands of the public service required such a building, and I see no impropriety in having that appropriation.

Mr. MILLS. I wish to ask the gentleman a question. Did the architect who planned this building plan a \$500,000 building on a limit of \$175,000 appropriation?

Mr. WASHBURN. I will say to the gentleman from Texas that the appropriation made last year broke the limit. There was no limit, and the architect went forward and prepared the plans for such a building as he thought the service required.

Mr. MILLS. Notwithstanding the limit of \$175,000.

Mr. WASHBURN. The limit had been broken before.

Mr. MILLS. How?

Mr. WASHBURN. By making an appropriation in excess of the \$175,000. The requirements of our city are such that there should be no hesitation about making this appropriation.

The SPEAKER *pro tempore*. To whom does the gentleman from Pennsylvania [Mr. RANDALL] yield?

The gentleman from Indiana [Mr. HOLMAN] is recognized.

Mr. HOLMAN. Mr. Speaker, I could not hesitate to express my thanks to the House for the very good-natured greeting they gave me a few moments ago. My friend from Illinois [Mr. THOMAS] is under a misapprehension. This bill contains an appropriation \$25,000 less than the limit which has been fixed for the Fort Wayne, Ind., public building in the district represented by my friend Judge LOWRY. But the trouble is this: After this bill was reported to the House a bill which came from the Senate passed the House appropriating \$50,000 for this Fort Wayne building. The result of that is, there is in this bill \$25,000 too much for that building.

Mr. THOMAS. There are two appropriations for the same building.

Mr. HOLMAN. Certainly; but my friend will excuse me. I discovered that fact, and on yesterday I asked unanimous consent of the House to strike from this bill that \$25,000. My friend from Pennsylvania [Mr. MILLER] objected and then withdrew his objection, and then the gentleman from Iowa objected, and his objection stands yet. I now ask what I have been asking all the time, that the House will give unanimous consent that that unhappy \$25,000 shall be stricken out. Gentlemen will see that the passage of the Senate bill after this bill was reported produced the result of which gentlemen complain.

Mr. WELLER. I wish the gentleman from Indiana [Mr. HOLMAN] would indicate the gentleman from Iowa who objected. I am not the man.

Mr. HOLMAN. The gentleman from Iowa who objected was Mr. HEPBURN.

The SPEAKER. The gentleman from Pennsylvania [Mr. RANDALL] has three minutes of his time remaining. To whom does he yield?

Mr. RANDALL. I yield to the gentleman from Missouri [Mr. BURNES].

Mr. BURNES rose.

Mr. WHITE, of Kentucky. I rise to a question of order.

The SPEAKER. The gentleman from Kentucky can not take the gentleman from Missouri off the floor on a question of order, unless it be a question of order as against the gentleman who is on the floor.

Mr. WHITE, of Kentucky. Will the gentleman yield one minute to the gentleman from Texas [Mr. HANCOCK] of the Committee on Appropriations to explain lines 1737 to 1740? [Cries of "Regular order!"]

Mr. BURNES. Mr. Speaker, if the gentlemen on the other side have sufficiently amused themselves and are disposed to be just a little serious I have a few words to offer. Of course the Committee on Appropriations need no defense against the pleasantries and wit with which the House has been so generously enlivened. So far as I know or have been advised no gentleman has presented any subject to the committee or to myself that failed to receive a careful and honest consideration, and no legal and meritorious appropriation for the continuation of work on any public building has been denied. In all cases when the Congress have authorized the erection of a public building it becomes the duty of the Supervising Architect, under the direction of the Secretary of the Treasury, to prepare plans and specifications for it, and submit estimates of appropriations from year to year as the progress of the work may require. The Committee on Appropriations have not undertaken to authorize the erection of any building, but simply to appropriate for such as are already authorized and established.

In the exercise of the power to bring in bills of appropriation the committee found in the official report of the Secretary of the Treasury that a building having been authorized and under construction at Jefferson City, the capital of my State, needed \$32,000 to make it of fire-proof material. Will any one say it was unwise to include an appropriation of the amount for such a proper purpose? My colleague, Mr. BLAND, who represents the capital district—always so careful and prudent in legislation—would not have warmly recommended it if it had not been in the interest of the Government. My colleague, Mr. HATCH, who represents the Hannibal district most faithfully, will verify the necessity and justice of the appropriation for making the building in Hannibal likewise fire-proof. I have no words of eulogy for my own city of Saint Joseph. She needs none.

There being no existing limit to the cost of the United States building in that city, we desired to make one. The Supervising Architect and the Secretary of the Treasury in their official reports have recommended to Congress that \$300,000 be appropriated as the cost of such building. The House Committee on Buildings and Grounds have unanimously reported to the House in favor of appropriations to that amount, and all these reports and recommendations were before your committee for action. In allowing what seemed to be so manifestly proper and so universally approved the committee provided that the cost of the building should not exceed the amount stated.

Mr. COOK. Did you get anything in the bill?

Mr. BURNES. The gentleman from Iowa, representing a district which needs neither public buildings nor improvement—

Mr. BLOUNT. I would like to ask the gentleman from Missouri—

Mr. BURNES. I can not yield even to my honored friend from Georgia. The gentleman from Iowa is not happy, evidently. His district needs nothing—

Mr. WELLER. I desire to correct the gentleman from Missouri—

Mr. BURNES. I do not yield. There are doubtless hundreds of gentlemen on this floor who are more competent than myself to represent my district and the interests of the Government therein; but, notwithstanding, I have, perhaps, that right; and those who know its varied interests, industries, and resources will sympathize with me in my feeble efforts to represent and protect them. Missionary service in its behalf by the able gentlemen from Iowa, New York, and Brooklyn is, in all kindness, appreciated, but commended as more appropriate at home.

[Here the hammer fell.]

Mr. RANDALL. Now, let us have a vote.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules so as to vote on the passage of the bill without reading it at length.

Mr. WHITE, of Kentucky. I call for the yeas and nays.

Mr. HERR. I desire just half a minute.

Mr. WHITE, of Kentucky. I do not object to the gentleman from Michigan having time for debate.

The SPEAKER. Is there objection?

Objection was made.

The SPEAKER. Objection is made to an extension of the time.

Mr. REED, of Maine. The gentleman is a member of the committee.

Mr. HOLMAN. Mr. Speaker, I rise to ask unanimous consent—

A MEMBER. Regular order.

Mr. BELFORD. Mr. Speaker, I do not rise to debate; I rise to ask unanimous consent—

The SPEAKER. The gentleman from Indiana [Mr. HOLMAN] is endeavoring to do the same thing; but objection is made.

Mr. HOLMAN. Mr. Speaker, to avoid mistake, I now ask unanimous consent that the possible duplication of the appropriation for the public building at Fort Wayne, Ind., may be corrected by striking out the appropriation of \$25,000 contained in this bill.

Mr. HEPBURN. I object.

Mr. ANDERSON. If it is proposed to pass this bill under a suspension of the rules, I object.

The SPEAKER. Objection is made. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL].

Mr. WHITE, of Kentucky. I call for the yeas and nays.

The House divided; and there were—ayes 47, noes 142.

The SPEAKER. More than one-fifth of the last vote have voted in the affirmative, and the yeas and nays are ordered. The question is on the motion of the gentleman from Pennsylvania [Mr. RANDALL] to suspend the rules and take the vote upon the passage of the bill without reading it at length.

Mr. REED, of Maine. This is only on the motion to dispense with the reading.

The SPEAKER. That is the substance of it.

Mr. STOCKSLAGER. There will be another vote upon the passage of the bill?

The SPEAKER. Of course.

Mr. THOMAS. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. THOMAS. If this motion is decided in the affirmative will it pass the bill?

The SPEAKER. Not at all. If this shall be decided in the affirmative the first question will be on the demand for the previous question, and the next on the passage of the bill. The Clerk will call the roll.

Mr. WHITE, of Kentucky. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. I desire to know whether this is a suspension of the rule which requires the engrossed bill to be read.

The SPEAKER. This motion, if decided in the affirmative, will dispense with the rule which requires the bill to be read in any form.

The question was taken; and there were—yeas 223, nays 55, not voting 46; as follows:

YEAS—223.

- |                   |               |                  |                  |
|-------------------|---------------|------------------|------------------|
| Aiken,            | Dunham,       | Kleiner,         | Seymour,         |
| Alexander,        | Eaton,        | Lacey,           | Shively,         |
| Arnot,            | Eldredge,     | Lamb,            | Singleton,       |
| Bagley,           | Elliot,       | Lewis,           | Skinner, T. G.   |
| Ballentine,       | Ellis,        | Long,            | Snyder,          |
| Barbour,          | Ellwood,      | Lore,            | Spriggs,         |
| Bayne,            | English,      | Lovering,        | Springer,        |
| Beach,            | Ermentrout,   | Lowry,           | Steele,          |
| Belmont,          | Evans,        | Lyman,           | Stevens,         |
| Bennett,          | Everhart,     | McAdoo,          | Stewart, Charles |
| Bingham,          | Ferrell,      | McComas,         | Stockslager,     |
| Blackburn,        | Fiedler,      | McCormick,       | Stone,           |
| Blanchard,        | Findlay,      | McMillin,        | Storm,           |
| Bland,            | Follett,      | Matson,          | Strait,          |
| Blount,           | Foran,        | Maybury,         | Sumner, C. A.    |
| Boutelle,         | Forney,       | Miller, J. F.    | Sumner, D. H.    |
| Bowen,            | Funston,      | Money,           | Swope,           |
| Boyle,            | Garrison,     | Morgan,          | Talbot,          |
| Bratton,          | Geddes,       | Morrill,         | Taylor, J. M.    |
| Breckinridge,     | George,       | Morse,           | Townsend,        |
| Breitung,         | Gibson,       | Moulton,         | Tucker,          |
| Brewer, F. B.     | Glascok,      | Muldrov,         | Tully,           |
| Brewer, J. H.     | Green,        | Murray,          | Turner, H. G.    |
| Broadhead,        | Greenleaf,    | Nelson,          | Turner, Oscar    |
| Brown, W. W.      | Guenther,     | Nichols,         | Valentine,       |
| Browne, T. M.     | Halsell,      | Ochiltree,       | Van Alstyne,     |
| Buchanan,         | Hammond,      | O'Ferrall,       | Vance,           |
| Buckner,          | Hancock,      | O'Neill, Charles | Van Eaton,       |
| Burleigh,         | Hardeman,     | O'Neill, J. J.   | Wadsworth,       |
| Burnes,           | Hardy,        | Paige,           | Wait,            |
| Cabell,           | Harmer,       | Parker,          | Wakefield,       |
| Caldwell,         | Hatch, W. H.  | Patton,          | Wallace,         |
| Campbell, J. E.   | Hemphill,     | Payne,           | Ward,            |
| Campbell, J. M.   | Herbert,      | Payson,          | Warner, A. J.    |
| Candler,          | Hewitt, A. S. | Peel,            | Warner, Richard  |
| Carleton,         | Hewitt, G. W. | Perkins,         | Washburn,        |
| Clay,             | Hill,         | Pettibone,       | Weaver,          |
| Clements,         | Hiscock,      | Phelps,          | Wellborn,        |
| Cobb,             | Hoblitzell,   | Pierce,          | White, Milo      |
| Collins,          | Holman,       | Poland,          | Whiting,         |
| Connolly,         | Hopkins,      | Post,            | Wilkins,         |
| Converse,         | Horr,         | Pryor,           | Willis,          |
| Cook,             | Howey,        | Pusey,           | Wilson, James    |
| Cosgrove,         | Hunt,         | Randall,         | Wilson, W. L.    |
| Cox, S. S.        | Hutchins,     | Ray, G. W.       | Winans, E. B.    |
| Cox, W. R.        | Jeffords,     | Ray, Ossian      | Winans, John     |
| Craig,            | Johnson,      | Reese,           | Wise, G. D.      |
| Crisp,            | Jones, B. W.  | Reid, J. W.      | Wolford,         |
| Culbertson, D. B. | Jones, J. H.  | Reese,           | Wood,            |
| Curtin,           | Jones, J. K.  | Riggs,           | Woodward,        |
| Dargan,           | Keifer,       | Rogers, J. H.    | Worthington,     |
| Davidson,         | Kelley,       | Rogers, W. F.    | Yaple,           |
| Davis, L. H.      | Kellogg,      | Rosecrans,       | York,            |
| Dibrell,          | Ketcham,      | Rowell,          | Young.           |
| Dockery,          | King,         | Ryan,            |                  |
| Dorsheimer,       |               |                  |                  |

NAYS—55.

- |                   |                  |               |                |
|-------------------|------------------|---------------|----------------|
| Adams, G. E.      | Dibble,          | Kean,         | Seney,         |
| Adams, J. J.      | Dixon,           | Lanham,       | Smalls,        |
| Anderson,         | Finerty,         | McCoid,       | Smith, H. Y.   |
| Atkinson,         | Goff,            | Millard,      | Spooner,       |
| Barr,             | Hanback,         | Miller, S. H. | Stephenson,    |
| Belford,          | Hart,            | Mills,        | Stewart, J. W. |
| Brainerd,         | Hatch, H. H.     | Murphy,       | Taylor, J. D.  |
| Brumm,            | Henderson, T. J. | Nutting,      | Thomas,        |
| Cassidy,          | Hepburn,         | O'Hara,       | Thompson,      |
| Covington,        | Hitt,            | Peters,       | Tillman,       |
| Culbertson, W. W. | Houk,            | Potter,       | Weller,        |
| Cullen,           | Houseman,        | Price,        | Wemple,        |
| Davis, G. R.      | James,           | Reed, T. B.   | White, J. D.   |
| Davis, R. T.      | Jones, J. T.     | Rockwell,     |                |

NOT VOTING—46.

- |                 |                  |                 |                 |
|-----------------|------------------|-----------------|-----------------|
| Barksdale,      | Fyan,            | Libbey,         | Robinson, W. E. |
| Bisbee,         | Haynes,          | Milliken,       | Russell,        |
| Budd,           | Henderson, D. B. | Mitchell,       | Shaw,           |
| Campbell, Felix | Henley,          | Morrison,       | Skinner, C. R.  |
| Cannon,         | Holmes,          | Muller,         | Stocum,         |
| Chalmers,       | Holton,          | Neece,          | Smith, A. Herr  |
| Clardy,         | Hooper,          | Oates,          | Taylor, E. B.   |
| Cutocheon,      | Hurd,            | Rankin,         | Throckmorton,   |
| Deuster,        | Jordan,          | Ranney,         | Williams,       |
| Dingley,        | Laird,           | Rice,           | Wise, J. S.     |
| Down,           | Lawrence,        | Robertson,      |                 |
|                 | Le Fevre,        | Robinson, J. S. |                 |

So the motion was agreed to.

The following additional pairs were announced from the Clerk's desk: Mr. DOWD with Mr. MILLIKEN, on this vote.

Mr. OATES with Mr. HOLMES, on this vote.

On motion of Mr. BEACH, by unanimous consent the reading of names was dispensed with.

The result of the vote was then announced as above stated.

Mr. RANDALL. Mr. Speaker, I now move the previous question on the passage of the bill.

The motion was agreed to.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

MESSAGE FROM THE SENATE.

Pending the roll-call, a message from the Senate, by Mr. SYMPSON, one of its clerks, requested the House to return to the Senate joint resolutions of the following titles:

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

The SPEAKER. In the absence of objection to the return of these joint resolutions it is so ordered.

SUNDRY CIVIL APPROPRIATION BILL.

Mr. HEPBURN. Mr. Speaker, I rise to a parliamentary inquiry. The SPEAKER *pro tempore* (Mr. BAGLEY). The gentleman will state it.

Mr. HEPBURN. After the previous question has been ordered, there having been no debate upon this bill, is it not now in order to have thirty minutes' debate?

Mr. RANDALL. The rule has been suspended.

Mr. HEPBURN. Mr. Speaker, I call attention to the third clause of Rule XXVIII, which provides that—

When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

The SPEAKER *pro tempore*. The Chair will state that the rules have been suspended by order of the House.

Mr. RANDALL. That very debate was had on yesterday.

Mr. HEPBURN. I submit, Mr. Speaker, that the rule that has been suspended is the rule requiring the third reading of the bill in full.

Mr. RANDALL. On yesterday there was a debate of fifteen minutes on each side.

Mr. REED, of Maine. That was on another point.

Mr. HEPBURN. That was not upon the merits of the bill.

Mr. REED, of Maine. Mr. Speaker, I hope this question will be carefully considered. I wish to state the facts in regard to it. The motion to suspend the rules was to so suspend them that the previous question might be ordered on the question.

There has been no debate on the bill. The debate already had was on the suspension, which is a totally different thing from the bill itself.

Now, we have arrived at this position, that the previous question has been ordered on the passage of the bill, but there has been no debate on the bill. The two hours' debate was simply upon one clause—was upon the question whether that particular clause should be a part of the bill or not. The bill itself has not been debated.

Mr. RANDALL. This matter is very plain.

Mr. HISCOCK. I desire to ask for the reading of the order or resolution which was adopted by a two-thirds vote.

The SPEAKER *pro tempore* (Mr. COX, of New York). If there be no objection the order will be read. The Chair will state, however, before the order is read—

Mr. HISCOCK. I hope the Chair will defer his statement until this order has been read; for I think it will make it perfectly clear that the gentleman from Maine [Mr. REED] is right.

The SPEAKER *pro tempore*. The Chair will defer his statement.

The Clerk read as follows:

Resolved, That the rules be suspended so as to discharge the Committee of the Whole House on the state of the Union from the further consideration of the bill of the House 8256, making appropriations for the sundry civil expenses of the

Government for the fiscal year ending June 30, 1886, and for other purposes, and to consider the same for one hour, which time shall be occupied in debate on the clause relating to the World's Industrial and Cotton Exposition, said time to be equally divided; and said bill shall be subject only to amendment, to strike out, and amend said clause, after which the previous question shall be considered as ordered.

Mr. HISCOCK. I think the Chair will see that this bill is simply here for consideration under that order, and that now debate is in order.

Mr. RANDALL. If the Chair will observe the reading of the last clause of that resolution, he will find it says that the previous question shall be considered as ordered. That has nothing to do with the suspension of the rules.

Mr. REED, of Maine. Well, after the previous question is "considered as ordered," if there has been no debate on the bill, the rules which in this respect were not suspended give us the right to fifteen minutes' debate on each side. I hope the Chair will not cut off that debate. It is perfectly evident that we ought to have debate on the bill. Members who have not yet spoken are entitled to be heard.

Mr. HISCOCK. The debate already had been on the passage of the bill at all. There has been no debate on the bill itself.

Mr. KEIFER. Mr. Speaker, I think the order just read provides for a debate of one hour on the bill, which I believe was subsequently changed to two hours. Then it provides that the time shall be devoted to debate upon a particular part of the bill; still that constitutes debate upon the bill, and operates to cut off the right of debate under the third paragraph of Rule XXVIII, to which the attention of the Chair has been called.

Mr. HEPBURN. Mr. Speaker, allow me to call your attention to the fact that the gentleman from Pennsylvania, after there had been some discussion with regard to the bill which he sent to the Clerk's desk at the time he introduced his resolution, proposed then to introduce a new and distinct bill, and asked a suspension of the rules upon that bill. Then there was an agreement later between him and certain gentlemen that there should be two hours of discussion upon a particular clause of the bill. The bill we are now considering is not the bill that was named in his resolution.

Mr. RANDALL. Oh, yes, it is.

Mr. HEPBURN. It is not the bill that came from the committee. It has not been offered as the committee's bill, but as the proposition of the gentleman himself.

Mr. RANDALL. Yes; and it was under a suspension of the rules.

The SPEAKER *pro tempore*. The Chair is prepared to decide this question. The Clerk will read the third paragraph of Rule XXVIII. The Clerk read as follows:

3. When a motion to suspend the rules has been seconded, it shall be in order, before the final vote is taken thereon, to debate the proposition to be voted upon for thirty minutes, one-half of such time to be given to debate in favor of, and one-half to debate in opposition to, such proposition, and the same right of debate shall be allowed whenever the previous question has been ordered on any proposition on which there has been no debate.

The SPEAKER *pro tempore*. The Chair is clearly of opinion that the debate contemplated by the rule has been had. The previous question has been demanded. The question is on ordering the previous question.

The previous question was ordered.

Mr. RANDALL moved to reconsider the vote by which the previous question was ordered; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

The SPEAKER *pro tempore*. The question is now upon the passage of the bill; which, in accordance with the rule, will be taken by yeas and nays.

The question was taken; and it was decided in the affirmative—yeas 169, nays 107, not voting 48; as follows:

YEAS—169.

- |                 |              |               |                  |
|-----------------|--------------|---------------|------------------|
| Aiken,          | Converse,    | Graves,       | Ketcham,         |
| Bagley,         | Cox, S. S.   | Green,        | King,            |
| Ballentine,     | Craig,       | Greenleaf,    | Lacey,           |
| Barbour,        | Crisp,       | Guenther,     | Lamb,            |
| Barksdale,      | Curtin,      | Hammond,      | Lewis,           |
| Bayne,          | Dargan,      | Hancock,      | Libbey,          |
| Belmont,        | Davidson,    | Hardeman,     | Long,            |
| Bingham,        | Davis, G. R. | Harmer,       | Lore,            |
| Blackburn,      | Dibrell,     | Hart,         | Lovering,        |
| Blanchard,      | Dorsheimer;  | Hatch, H. H.  | Lowry,           |
| Bland,          | Dunham,      | Haynes,       | Lyman,           |
| Blount,         | Dunn,        | Hemphill,     | McAdoo,          |
| Boutelle,       | Eaton,       | Herbert,      | McCormick,       |
| Bratton,        | Elliott,     | Hewitt, G. W. | Millard,         |
| Breitang,       | Ellis,       | Hill,         | Miller, J. F.    |
| Brewer, J. H.   | Ellwood,     | Hiscock,      | Mitchell,        |
| Broadhead,      | Ermentrout,  | Hoblitzell,   | Morgan,          |
| Brown, W. W.    | Ferrell,     | Morrill,      | Morse,           |
| Browne, T. M.   | Fiedler,     | Hopkins,      | Muldrow,         |
| Buchanan,       | Findlay,     | Horr,         | Muller,          |
| Buckner,        | Follett,     | Houk,         | Murphy,          |
| Burleigh,       | Foran,       | Hunt,         | Murray,          |
| Burnes,         | Forney,      | Jeffords,     | Mutcher,         |
| Campbell, J. E. | Funston,     | Johnson,      | Nelson,          |
| Candler,        | Garrison,    | Jones, B. W.  | Nicholls,        |
| Cannon,         | Geddes,      | Jones, J. K.  | Ochiltree,       |
| Carleton,       | George,      | Jongs, J. T.  | O'Ferrall,       |
| Clements,       | Gibson,      | Keller,       | O'Neill, Charles |
| Collins,        | Glascock,    | Kelley,       | O'Neill, J. J.   |
|                 | Goff,        | Kellogg,      |                  |

- |            |                 |               |
|------------|-----------------|---------------|
| Paige,     | Riggs,          | Stevens,      |
| Parker,    | Robinson, W. E. | Stone,        |
| Patton,    | Rogers, J. H.   | Sumner, D. H. |
| Perkins,   | Rogers, W. F.   | Swope,        |
| Pettibone, | Rosecrans,      | Talbot,       |
| Phelps,    | Ryan,           | Tillman,      |
| Poland,    | Seymour,        | Townshend,    |
| Pryor,     | Singleton,      | Valentine,    |
| Pusey,     | Slocum,         | Van Alstyne,  |
| Randall,   | Smalls,         | Vance,        |
| Reagan,    | Snyder,         | Van Eaton,    |
| Reese,     | Spriggs,        | Wakefield,    |
|            | Springer,       | Wallace,      |

NAYS—107.

- |                   |                  |                |                  |
|-------------------|------------------|----------------|------------------|
| Adams, G. E.      | Dixon,           | McCoid,        | Spooner,         |
| Alexander,        | Dockery,         | McComas,       | Stephenson,      |
| Anderson,         | Eldredge,        | McMillin,      | Stewart, Charles |
| Atkinson,         | English,         | Matson,        | Stockslager,     |
| Barr,             | Evans,           | Miller, S. H.  | Storm,           |
| Beach,            | Everhart,        | Milliken,      | Struble,         |
| Bennett,          | Finerty,         | Mills,         | Sumner, C. A.    |
| Bisbee,           | Halsell,         | Moulton,       | Taylor, J. D.    |
| Brainerd,         | Hanback,         | Nutting,       | Taylor, J. M.    |
| Brewer, F. B.     | Hardy,           | O'Hara,        | Thomas,          |
| Brumm,            | Hatch, W. H.     | Payne,         | Tully,           |
| Campbell, J. M.   | Henderson, T. J. | Payson,        | Turner, H. G.    |
| Cassidy,          | Henley,          | Peters,        | Turner, Oscar    |
| Clardy,           | Hepburn,         | Pierce,        | Wait,            |
| Clay,             | Hewitt, A. S.    | Post,          | Warner, A. J.    |
| Cobb,             | Hitt,            | Potter,        | Warner, Richard  |
| Connolly,         | Holman,          | Price,         | Weaver,          |
| Cook,             | Holmes,          | Ranney,        | White, J. D.     |
| Cosgrove,         | Houseman,        | Rockwell,      | Winans, E. R.    |
| Covington,        | Howey,           | Rowell,        | Wise, G. D.      |
| Culberson, D. B.  | James,           | Russell,       | Wood,            |
| Culbertson, W. W. | Jones, J. H.     | Seney,         | Woodward,        |
| Cullen,           | Kean,            | Shively,       | Yaple,           |
| Davis, L. H.      | Kleiner,         | Skinner, C. R. | York,            |
| Davis, R. T.      | Lanham,          | Skinner, T. G. | Young,           |
| Dibble,           | Lawrence,        | Smith, A. Herr |                  |
| Dingley,          | Le Fevre,        | Smith, H. Y.   |                  |

NOT VOTING—48.

- |                 |                  |                 |                |
|-----------------|------------------|-----------------|----------------|
| Adams, J. J.    | Deuster,         | Neece,          | Stewart, J. W. |
| Arnot,          | Dowd,            | Oates,          | Strait,        |
| Bowen,          | Fyan,            | Peel,           | Taylor, E. B.  |
| Boyle,          | Henderson, D. B. | Rankin,         | Thompson,      |
| Breckinridge,   | Holton,          | Ray, G. W.      | Throckmorton,  |
| Budd,           | Hurd,            | Reed, T. B.     | Tucker,        |
| Cabell,         | Hutchins,        | Reid, J. W.     | Wadsworth,     |
| Caldwell,       | Jordan,          | Rice,           | Wemple,        |
| Campbell, Felix | Laird,           | Robertson,      | Whiting,       |
| Chalmers,       | Maybury,         | Robinson, J. S. | Williams,      |
| Cox, W. R.      | Money,           | Shaw,           | Wilson, James  |
| Cutcheon,       | Morrison,        | Steele,         | Wise, J. S.    |

So the bill was passed.

During the roll-call,

Mr. POST, of Pennsylvania. Mr. Speaker, I ask, by unanimous consent, that the reading of the names be dispensed with.

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

The following pairs were announced:

Mr. CABELL with Mr. WILSON, of Iowa, on this vote.

Mr. PEEL with Mr. STRAIT, on this vote.

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.

ORDER OF BUSINESS.

Mr. WILLIS. I move to suspend the rules and pass the following resolution:

Mr. TOWNSHEND. I rise to a privileged question.

Mr. WHITE, of Kentucky. I ask the Speaker to have read what has just taken place.

The SPEAKER. The Chair announced the passage of the bill, when the gentleman from Pennsylvania moved to reconsider the vote by which the bill was passed and also moved that the motion to reconsider be laid upon the table. The Chair then stated if there be no objection it would be so ordered.

There was no objection, and it was so ordered.

Mr. WHITE, of Kentucky. I have been waiting for the Chair to state if there be no objection the title would stand.

The SPEAKER. The Chair thinks the whole matter has passed beyond the control of the House.

Mr. WHITE, of Kentucky. I understand it was the duty of the Chair, under the rules, to announce the title of the bill would stand if there be no objection. I stood waiting for the Chair to make that announcement. [Cries of "Vote!" "Vote!"]

The SPEAKER. Will the gentleman from Kentucky call the attention of the Chair to the number of the rule?

Mr. WHITE, of Kentucky. On page 103 of the Manual it is there stated that after a bill has passed the title may be amended, and then the bill shall be sent to the other House.

The SPEAKER. That is not the rule.

Mr. WHITE, of Kentucky. Now I wish to call the attention of the Chair to the rule. [Cries of "Regular order!"] I call attention to page 117 of the Manual, and also to Rule XXVIII, page 205.

The SPEAKER. The gentleman will read what he called the attention of the Chair to on page 205.

Mr. RANDALL. I submit it is too late, as the whole matter has passed from the attention of the House.

The SPEAKER. The Chair thinks it is too late. The Chair had recognized the gentleman from Pennsylvania, who moved to reconsider and lay that motion on the table. That having been done, the Chair then recognized the gentleman from Kentucky [Mr. WILLIS], who made a motion to suspend the rules and pass the resolution which he sent up; and this was before the gentleman from Kentucky [Mr. WHITE] arose. [Cries of "Regular order!"]

Mr. ANDERSON. I demand a second on the motion of the gentleman from Kentucky [Mr. WILLIS] to suspend the rules and pass his resolution.

Mr. WHITE, of Kentucky. I ask whether it is not the custom of the Chair, after a bill has been passed, to ask whether the title of the bill shall be amended, and to state if there be no objection this will remain the title of the bill?

The SPEAKER. It has not, but the Chair has made the announcement, the bill has been passed, and the title will be as reported if there be no objection.

Mr. WHITE, of Kentucky. I was on my feet and waiting for the Chair to make that announcement.

The SPEAKER. Then the gentleman waited not only until the Speaker had completed his announcement, but until other motions had intervened and been acted on before he addressed the Chair. The Chair thinks he is too late. The gentleman from Kentucky moves to suspend the rules and pass this resolution, but pending that the gentleman from Oregon rises to submit a privileged report.

Mr. TOWNSHEND. I also have a privileged report to submit.

Mr. ANDERSON. I ask for a second of the motion to suspend the rules.

The SPEAKER. The privileged report submitted by the gentleman from Oregon will be first read.

#### ALLOTMENT IN SEVERALTY.

Mr. GEORGE. I submit the following report.  
The Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 66) providing for the allotment in severalty to Indians residing upon the Umatilla reservation, in the State of Oregon, and for other purposes, having met, after full and free conference agree to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to House amendment numbered 5; and agree to the same.

M. C. GEORGE,

R. S. STEVENS,

OLIN WELLBORN,

*Managers on the part of the House.*

HENRY L. DAWES,

JAMES H. SLATER,

ANGUS CAMERON,

*Managers on the part of the Senate.*

Mr. WHITE, of Kentucky. I ask for the reading of the amendment. The amendment was read.

Mr. GEORGE. I demand the previous question on the adoption of the report.

The previous question was ordered; and under the operation thereof the conference report was adopted.

Mr. GEORGE moved to reconsider the vote by which the conference report was adopted; and also moved to lay the motion to reconsider on the table.

The latter motion was agreed to.

#### POST-OFFICE APPROPRIATION BILL.

Mr. TOWNSHEND. I now rise to a privileged report. I am directed by the Committee on Appropriations to report back the House bill making appropriation for the postal service, and I ask that the Clerk read the report of the committee.

The Clerk read as follows:

The Committee on Appropriations, to whom was referred the bill (H. R. 8138) making appropriation for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes, together with the amendments of the Senate, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments of the Senate numbered 1, 2, 7, 8, 10, and 14. They recommend non-concurrence in amendments numbered 3, 4, 5, 6, 9, 11, 12, 13, 15, 16, 17, 18, 19, 20, and 21.

Mr. TOWNSHEND. I move the adoption of the report.

Mr. HISCOCK. I suppose these amendments are to be considered in the Committee of the Whole?

The SPEAKER. If the point is made.

Mr. HISCOCK. It is made.

The SPEAKER. The gentleman from New York makes the point that these amendments must have their first consideration in the Committee of the Whole House on the state of the Union. They will accordingly be so referred.

Mr. HOLMAN. I move to take from the Speaker's table the legislative, &c., appropriation bill returned from the Senate with amendments, and that they be referred to the Committee on Appropriations.

Mr. TOWNSHEND. I will yield for that purpose.

XVI—142

The SPEAKER. The amendments to the Post-Office appropriation bill have gone to the Committee of the Whole House on the state of the Union.

Mr. TOWNSHEND. May I be permitted to ask the gentleman from New York what amendments he objects to?

Mr. HISCOCK. I want to have them all read to know what they are.

Mr. TOWNSHEND. I am willing to have all the amendments read and considered.

Mr. HISCOCK. I presume that I should have no objection to considering them in the House as in Committee of the Whole with the right of debate and amendment.

Mr. TOWNSHEND. I have no objection to that, and ask that it be done and that the amendments be now read.

The SPEAKER. But there is a matter pending before the House—a motion to suspend the rules.

Mr. TOWNSHEND. By whom?

The SPEAKER. By the gentleman from Kentucky [Mr. WILLIS].

Mr. TOWNSHEND. I suppose that, the report being a privileged report, carried with it the right to have it considered.

The SPEAKER. The Chair thinks if the gentleman desires to have it considered he had better wait until the pending matter is disposed of.

Mr. TOWNSHEND. But I ask if it is privileged is it not likewise privileged for consideration?

The SPEAKER. It is under the rules of the House, but the gentleman proposes to waive the rule of the House and consider it in the House as in Committee of the Whole. There is now pending another matter before the House.

Mr. HISCOCK. I do not believe any objection will be made on this side to considering it in the House as in Committee of the Whole, subject to five minutes' debate and amendment.

Mr. TOWNSHEND. I will accept that.

Mr. HISCOCK. Very well.

Mr. TOWNSHEND. Then I again ask that we proceed to the consideration of the amendments in the House.

The SPEAKER. But there is a prior motion pending.

Mr. TOWNSHEND. The gentleman from New York agrees to consider it now in the House as in Committee of the Whole.

Mr. HOLMAN. That is all proper.

Now I ask, Mr. Speaker, that the bill with the Senate amendments—the legislative appropriation bill—be taken from the Speaker's table, the Senate amendments non-concurred in, and a committee of conference appointed.

Mr. HISCOCK. I think the amendments had better be read, and we can dispose of them here and now.

Mr. HOLMAN. Why there are a hundred or over.

Mr. TOWNSHEND. Is not the proposition that I have made pending?

The SPEAKER. The gentleman is not on the floor, the point of order being made that the first consideration must be in Committee of the Whole, but that point being waived by an agreement that it shall be considered in the House as in Committee of the Whole. Now there is a matter pending before the House prior to that.

Mr. REED, of Maine. But unanimous consent was granted to consider it in the House as in Committee of the Whole.

Mr. TOWNSHEND. And that arrangement dispensed with the point of order.

The SPEAKER. The Chair is anxious, of course, to get the appropriation bill in if an opportunity is given, if gentlemen can come to some understanding about it. But the gentleman from Kentucky [Mr. WILLIS] has a motion pending which is in the way at present.

Mr. REED, of Maine. If there is no objection why can not an arrangement be arrived at to consider the Post-Office bill now?

The SPEAKER. Is there objection to that request?

Mr. WILLIS. I am compelled to object.

Mr. CANNON. Would it not be in order for the gentleman from Illinois to ask that the rules be suspended—

The SPEAKER. There is a motion pending to suspend the rules now.

#### LEGISLATIVE APPROPRIATION BILL.

Mr. HISCOCK. I will withdraw the objection I made with reference to the legislative appropriation bill.

The SPEAKER. If there be no further objection the request of the gentleman from Indiana will be complied with and the bill taken from the Speaker's table, the Senate amendments non-concurred in, and the bill with the amendments printed, and a committee of conference asked on the disagreeing votes of the two Houses.

There was no objection.

The SPEAKER announced as the managers at the said conference on the part of the House, Mr. HOLMAN, Mr. HANCOCK, and Mr. CANNON.

#### RIVER AND HARBOR APPROPRIATION BILL.

Mr. TOWNSHEND. The gentleman from Kentucky [Mr. WILLIS] assures me that the motion he proposes to make will occupy but a short time. I am willing therefore to allow the report of the committee to stand over until that is disposed of.

Mr. MILLER, of Pennsylvania. I now rise to a privileged motion. I move that the House do now adjourn. And pending that I move that when it adjourns it be to meet to-morrow at 10 o'clock.

The SPEAKER. That would be a recess.

The gentleman moves that the House do now adjourn.

The question was taken; and on a division there were—ayes 4, noes 105.

So the motion was not agreed to.

Mr. MILLER, of Pennsylvania. I move that the House take a recess until 10 o'clock to-morrow.

Mr. KEIFER. I make the point of order that that is not in order. A motion has been made to suspend the rules, and one motion to adjourn is in order and no other motion.

The SPEAKER. The gentleman is right; the motion is not in order until there has been action on the motion to suspend the rules. The Clerk will read the proposition which the gentleman from Kentucky moves to suspend the rules and pass.

The Clerk read as follows:

A bill making appropriations for the preservation and continuation of certain public works on rivers and harbors, and for other purposes.

*Be it enacted, etc.,* That there is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, and to be expended under the direction and with the approval of the Secretary of War, for the preservation and continuation of such of the uncompleted public works mentioned and designated for improvement in an act entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved July 5, 1884, the sum of \$5,000,000, which sum of \$5,000,000 shall be applied by the Secretary of War to each of said public works respectively in proportion to the sums appropriated for such works under and by the said act: *Provided*, That no more shall be thus allotted than is sufficient for the completion of said works under the present estimate: *Provided*, That the work at the harbor of Galveston, Tex., shall be treated as if the sum of \$250,000 had been appropriated for said harbor of Galveston by said act: *And provided further*, That any money that shall be allotted under this act for the improvement of the Mississippi River below Cairo, except so much thereof as shall be necessary to be expended in preventing the works in progress on other portions of the river from waste and injury, shall be expended in the continuation and completion of the works on the Plum Point and Lake Providence reaches of the river now in progress of improvement as established by the commission, to the end that the proposed improvement of said two reaches of the river on which works are in progress shall be completed at an early day, and the plan of said commission for the improvement of the navigation of the river fully tested; and the money thus allotted by this act for the improvement of the Mississippi River below Cairo shall be expended by the Secretary of War in accordance with plans approved by him.

Mr. ANDERSON. I demand a second.

Mr. HOLMAN. I suggest to the gentleman from Kentucky [Mr. WILLIS] that the words "below Cairo," in the last clause of the bill, should be omitted.

Mr. WHITE, of Kentucky. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WHITE, of Kentucky. Is this a joint resolution or a bill?

The SPEAKER. It is a bill.

Mr. WHITE, of Kentucky. I ask the chairman of the Committee on Rivers and Harbors if this is the unanimous report from that committee, and if it has been considered by the full committee.

The SPEAKER. Is a second demanded?

Mr. ANDERSON. I demand a second.

Mr. MILLER, of Pennsylvania. And pending that I move that the House take a recess—

Mr. WILLIS. The gentleman from Pennsylvania has already made the only motion which he is entitled to make under the rules.

The SPEAKER. The gentleman from Pennsylvania has made a motion to adjourn, and the rule says after the result on the motion to adjourn is announced the Chair shall not entertain any other dilatory motion until a vote shall be taken on the motion to suspend the rules.

Mr. MILLER, of Pennsylvania. Do I understand that the Chair will entertain no further motion to adjourn or to take a recess until a vote is had on the proposition of the gentleman from Kentucky?

The SPEAKER. That is the rule of the House. The Clerk will read it.

The Clerk read clause 8 of Rule XVI, as follows:

8. Pending a motion to suspend the rules, the Speaker may entertain one motion that the House adjourn; but after the result thereon is announced he shall not entertain any other dilatory motion till the vote is taken on suspension.

Mr. MILLER, of Pennsylvania. Would not a motion that when the House adjourns it be to meet on Monday next be in order?

The SPEAKER. The Chair thinks that would be a dilatory motion.

Mr. MILLER, of Pennsylvania. Then I will wait till the House shall vote, when I will renew my motion.

Mr. WILLIS. The words "below Cairo" should be stricken out.

The SPEAKER. These words will be stricken out. A second having been demanded, the Chair appoints as tellers the gentleman from Kansas, Mr. ANDERSON, and the gentleman from Kentucky, Mr. WILLIS.

Mr. ANDERSON. I should like to understand what is stricken out. Would it be in order to have it read?

The SPEAKER. The Clerk will read the latter clause as modified.

The Clerk read as follows:

And the money thus allotted by this act for the improvement of the Mississippi River shall be expended by the Secretary of War and in accordance with plans approved by him.

The SPEAKER. The words "below Cairo" were originally in the bill after the words "Mississippi River." They are now stricken out. The question is on ordering a second. The tellers will take their places.

The tellers proceeded to take the vote.

Mr. WHITE, of Kentucky (while the vote was proceeding). I call for the enforcement of the rule that no member shall be allowed to be at the Clerk's desk while a vote is being taken.

The count having been completed, the tellers reported—ayes 158, noes 7.

So there was a second.

The SPEAKER. Under the rules thirty minutes are allowed for debate, fifteen minutes in support of the motion and fifteen minutes against. The gentleman from Kansas, Mr. ANDERSON, is recognized to control the time in opposition. The gentleman from Kentucky, Mr. WILLIS, will control the time in support of the motion.

Mr. ANDERSON. As I understand, it is for the gentleman advocating the suspension to occupy the floor first.

The SPEAKER. There is no rule on that subject.

Mr. ANDERSON. I think that would be the natural rule under parliamentary law. The affirmative should open.

Mr. WILLIS. I will occupy five minutes and will then yield to the opposition, and then my friend from Pennsylvania [Mr. BAYNE] will take five minutes, and I will reserve five minutes.

If I can have the attention of the House I will endeavor briefly to explain this bill. It is a substitute for the bill that has been pending. After consultation with gentlemen on both sides of the House it was thought best not to leave these great works of the Government in the next three years without appropriations sufficient to take care of them and to protect them against waste and ruin. As the result of that consultation we have brought in this bill for \$5,000,000.

It may be proper to state that the estimates of the Engineer Department for this year of the sum which could be profitably expended during the year was over \$34,000,000. This, therefore, is barely one-seventh of the amount which the engineers say could be profitably expended upon these public works. The bill does not leave the expenditure of these \$5,000,000 to the discretion of the Secretary of War. On the contrary, it declares in express terms that he shall expend this money upon those public works that are mentioned and described in the last river and harbor act, which passed July 5, 1884. So that there is no room for doubt that each of those public improvements which has been approved by Congress will receive its pro rata of this \$5,000,000 for the preservation, or, if not needed for the preservation, for the continuation of the work. The harbor at Galveston is included in this bill because, when the committee reported an amount for Galveston at the last session, upon motion in Committee of the Whole it was stricken out, and it was now thought but fair that, for the preservation of the expensive Government plant at that city, Galveston should have its pro rata of this \$5,000,000; which it would not have except for the mention of it in the pending bill, as it is not one of the works described in the last river and harbor act.

In regard to the Mississippi River improvement, this bill incorporates the amendment presented in Committee of the Whole during the pendency of the bill and reported by the committee, limiting the expenditure of money upon the Mississippi River improvement to the two reaches of Plum Point and Providence. That is the amendment offered in Committee of the Whole by the gentleman from Indiana [Mr. HOLMAN], and which was acceptable to an overwhelming majority of the committee. The bill requires the Government to test these methods of improvement upon the two reaches I have named before any portion of this amount shall be expended in any other direction. It is believed by the Committee on Rivers and Harbors, and by gentlemen of the House whom I have consulted, that it is simply a matter of legislative propriety and of the highest legislative duty that this Congress should not adjourn leaving the public works upon the great rivers and the great harbors of our country without a dollar of appropriation in the event of storm or injury from natural causes, and in that view it is believed that there should be at least this amount ready at hand to meet any demand or emergency that may arise from such causes. The bill is submitted to the House as a compromise, because we understand—we know—that under our rules the discussion of the other bill making an appropriation for rivers and harbors would occupy valuable time of this House to the exclusion of pressing appropriation bills that ought to be disposed of if we wish to avoid an extra session.

[Here the hammer fell.]

Mr. ANDERSON. Mr. Speaker, I now yield five minutes to the gentleman from New York [Mr. HISCOCK].

Mr. HISCOCK. Mr. Speaker, I have a word to say in regard to this bill. This is the third appropriation bill brought into this House by our friends upon the other side, which they propose to pass under a suspension of the rules. The River and Harbor Committee brought in a bill here which, in two of its largest appropriations, was against the sentiment of the House, and upon the substantial defeat of those two propositions the committee now seek to pass this bill appropriating \$5,000,000. The two propositions upon which they were defeated were the appropriation for Galveston Harbor and the appropriation for the

Mississippi River improvement. We all remember the vote in this House upon adopting the amendment of the Committee of the Whole. It was defeated by a scant majority, made by changes after the roll-call had been concluded. And, Mr. Speaker, what is this bill now proposed? In the law for the current year there are forty-three items, carrying \$910,000, none of which are included in the bill for the next year; and I do not include in this statement the Mississippi River or the Missouri.

There are, I say, forty-three items in the law for the current year that are not in the bill reported to the House at this session, and we have a right to assume that the necessity for expenditure upon those works has ceased; yet this bill proposes to appropriate for these works the sum of \$350,000 out of the total appropriation of five million dollars which the bill makes. Can gentlemen give us any explanation of this? Are we to vote blind here for a bill containing items that you have discarded from your general river and harbor bill, and which, for aught I know, have been discarded from the reports and estimates of the engineers? You exclude these items from your river and harbor bill, and yet you now propose, in this pending bill, to appropriate for the same works over \$350,000. I regard it proper that the attention of the House should be called to this proposition.

I submit to the House a list of the forty-three public works to which I refer:

Portland, Me.....	\$30,000
Scituate, Mass.....	10,000
Block Island, R. I.....	15,000
Black Rock, Conn.....	20,000
Oak Orchard, N. Y.....	5,000
Pensacola, Fla.....	55,000
Cedar Keys, Fla.....	5,000
Neches River, Texas.....	7,000
Harbor of refuge near Cincinnati.....	17,000
Ice-harbor at Belle River, Mich.....	2,000
Pensaukee, Wis.....	5,000
Stockholm, Lake Pepin, Wisconsin.....	15,000
Harbor, Redwood, Cal.....	3,000
Coos Bay, Oregon.....	30,000
Cocheco River, New Hampshire.....	28,000
Merrimac River, at Rock's Bridge, Massachusetts.....	3,500
Taunton River, Massachusetts.....	26,500
Gedney's Channel, through Sandy Hook Bar, New York.....	200,000
Corsica Creek, Maryland.....	5,000
Harbor at entrance Saint Jerome's Creek, Maryland.....	15,000
Harbor at Beaufort, N. C.....	20,000
Edenton Bay, North Carolina.....	10,000
Trent River, North Carolina.....	10,000
Contentnea or Moccasin River, North Carolina.....	5,000
New River, North Carolina.....	5,000
Scuppernon River, North Carolina.....	2,000
Saint Jones River, Delaware.....	10,000
Escambia River, Florida.....	3,000
Black Warrior River, Alabama.....	50,000
Horn Island Pass, Mississippi.....	5,000
Bayou Pierre, Louisiana.....	8,000
Loggy Bayou, &c., Louisiana.....	5,000
Tangipahoa River, Louisiana.....	2,000
Survey of Arkansas River from Little Rock.....	19,000
Arkansas River at Pine Bluff.....	55,000
Saline River, Arkansas.....	5,000
Grand River, below Grand Rapids, Mich.....	25,000
Mouth and harbor, Cedar River, Michigan.....	15,000
Mokelumne River, California.....	\$8,500
Colorado River.....	25,000
Mouth of Columbia River, Oregon and Washington Territory.....	109,000
Lake City, Minn.....	15,000
Falls of Saint Anthony, Minnesota.....	10,000
Total.....	\$10,000

Now, sir, as to the public works embraced in this list, appropriated for by the law for the current fiscal year, not included in the bill reported by the Rivers and Harbors Committee, but entitled to receive distribution under the pending bill, the House has no means of knowing whether there should be any further appropriations for them or not; yet this bill gives them \$350,000. It will be observed that this list is exclusive of the items for the Mississippi and Missouri Rivers.

I am and always have been in favor of liberal appropriations for river and harbor improvements, but I am opposed now, as I always have been, to appropriations for public works which never have been considered by a committee, as to which the House has no information upon which to base judicious action, and which are vouched for only by the judgment of one man—for this bill, sir, has never been considered by the Committee on Rivers and Harbors at all.

Mr. Speaker, it seems to me that if we can not have time to perfect our legislation so that we may feel satisfied with it, we had better defeat it altogether rather than to vote away money for purposes that have not been discussed or considered at all. In this bill there is an appropriation of \$250,000 for Galveston Harbor, and yet every gentleman from Texas who has spoken in reference to that harbor has told us that an appropriation of \$250,000, if voted, would be simply wasted. Right back of me sits a Representative from the State of Texas [Mr. OCHILTREE], who has spoken upon that subject, and has told us that such an appropriation would be merely thrown away. Another gentleman from Texas [Mr. MILLS] has been heard upon the same question, and has denounced such an appropriation. Yet it is proposed in this bill to force that appropriation upon them. What reason is there for including that item in the bill? Last year when your river and harbor bill came in here carrying an item for that work, as I remember, some gentleman from Texas arose and asked to have it stricken out, and it was

stricken out unanimously. And I desire to ask the gentleman from Kentucky why it is that you propose to force this sum upon them? Does that committee set up its judgment against that of these gentlemen who live in the locality interested? Does it assume to speak for the people of that State?

[Here the hammer fell.]

Mr. MILLS. To what does the gentleman refer when he speaks of my having said that we have no use for any appropriation of this kind?

Mr. HISCOCK. I refer to remarks which the gentleman made and which, had I the time, I should with great pleasure read.

Mr. MILLS. The gentleman can profit by reading my speeches.

Mr. ANDERSON. I yield five minutes to the gentleman from Illinois [Mr. CANNON].

Mr. CANNON. Mr. Speaker, we have been informed by the Committee on Rivers and Harbors that they have done an immense deal of work upon a river and harbor bill, and that they could not report it earlier. With all the aid of engineers' reports, after daily and nightly meetings, after months of incubation, as they inform us, they produced a bill which has been discussed in Committee of the Whole, but the consideration of which is not yet completed. Now the gentleman from Kentucky [Mr. WILLIS] comes into this House with a bill matured by no committee, not specific in its terms, not even printed, his own handiwork, and he moves that almost in the twinkling of an eye, after only thirty minutes' debate, we shall by a two-thirds vote pass this bill giving this money, \$5,000,000, in a lump sum.

Mr. WILLIS. Did not the Committee on Appropriations, of which the gentleman is a member, report and have passed under a suspension of the rules the sundry civil bill?

Mr. CANNON. Oh, the sundry civil bill was matured in full by a committee of the House. But even if the Committee on Appropriations failed in its duty it is no reason why you should fail in yours. This bill never had even the blessing or condemnation or consideration of a committee of this House for a moment. Yet we are asked to pass it. What does it mean? There are not twenty men in this House who can tell what it means. I confess I can not, after having heard it read and after hearing thus far the expressions in debate upon it.

I am in favor of internal improvements; but I want intelligent appropriations and correct expenditure of the money as directed by the Congress after full consideration.

Mr. Speaker, we have the spectacle in a House of Representatives with a Democratic majority of seventy or eighty, of the gentleman from Kentucky [Mr. WILLIS] coming here in the last four days of the session and giving us, as is stated, the choice of letting these improvements suffer, of having a special session, or voting \$5,000,000 in a lump, to be expended by the incoming Secretary of War. Worse things could happen to this country than a special session of Congress. Why, gentlemen, in your canvass last fall and since you have congratulated the country that at last it is to have a Democratic Executive; that at last your hand is to be placed on the helm. Yet now, when your Executive is about to come into power, you come here and beseech us to suspend the rules and pass such crude measures as this with the threat that if we do not the incoming President will have to inflict upon the country a special session of Congress. In other words, the fear that you have of yourselves makes you willing to pass, and to ask us to pass, these crude measures. For one, so far as I am concerned, I am not going to do it.

Mr. HENLEY. Is not the gentleman somewhat accustomed to that business as a member of the Appropriations Committee?

Mr. CANNON. What business?

Mr. HENLEY. The business of passing under a suspension of the rules bills appropriating millions of dollars.

Mr. CANNON. I am in the minority, doing the best I can—

Mr. HENLEY. On that you are with the majority.

Mr. CANNON. It was your duty with 76 of a majority to have such rules, such proceedings, and such committees as would have brought this business forward in order.

Mr. HENLEY. The gentleman was with the majority on this matter this morning.

Mr. CANNON. I do not yield further.

Mr. HENLEY. And the gentleman defended the action of the Committee on Appropriations.

Mr. CANNON. I defend nothing that this Democratic House has done or can do, because I do not believe that any good and praiseworthy thing from a public standpoint has been or will be consummated by it or come from it.

[Here the hammer fell.]

Mr. ANDERSON. I yield two minutes to the gentleman from Pennsylvania [Mr. MILLER].

Mr. MILLER, of Pennsylvania. Mr. Speaker, the passage of this bill in the manner now proposed will be a fitting act for the closing days of the Forty-eighth Congress. Within the last two days the House under suspension of the rules has appropriated without debate or investigation more than \$24,000,000; and now, after it has been demonstrated that the House will not pass a river and harbor bill in the ordinary course of procedure, we are brought face to face with the proposition to pass this bill appropriating \$5,000,000 under a like suspension.

If it were to stop there, Mr. Speaker, I would not so seriously oppose the proposition; but this measure is to be passed here with the expectation on the part of its authors that at the other end of this Capitol an increase of one to five million dollars will be made; and with this bill once in a committee of conference this House will be confronted with the question whether it will pass without discussion such a bill as the Senate may see fit to tack upon this.

In November, 1882, when the Forty-eighth Congress was elected, the people of this country were led to expect much from its labors. But this Congress spent all or nearly all of the last session in the attempt to change the revenue laws and failed. It has spent all of this session in endeavoring to get the Appropriations Committee to report their bills; yet they only bring them in at such an hour that discussion can not be had. No other act of special importance has been passed by this Congress. Every bill of any particular consequence to the country that has been proposed and brought before this body has been defeated; and the Forty-eighth Congress is now going out of power without having done anything to advance the prosperity or the material interests of this country.

[Here the hammer fell.]

Mr. ANDERSON. I yield one minute to my colleague [Mr. HANBACK].

Mr. HANBACK. Mr. Speaker, I am opposed unalterably to this bill. Coming as it does to this House in the twinkling of an eye, to be voted on without consideration, asking the appropriation of \$5,000,000 to be expended where no member of the House can tell, I as one of the Representatives of the people enter my protest against this kind of legislation. The Committee on Rivers and Harbors, sitting for sixty days with closed doors, no man admitted within the sacred precincts of that committee-room, came here fully armed and equipped with a bill which has met with signal defeat at the hands of this House; and now that committee seeks to recover its lost ground and by a kind of enabling act to its failure pass a measure of this kind in violation of every principle which should be exercised to guard the Treasury and protect the interests of the people.

[Here the hammer fell.]

Mr. ANDERSON. How much time have I remaining?

The SPEAKER. Two minutes.

Mr. ANDERSON. I yield the remainder of my time to the gentleman from Maine [Mr. BOUTELLE].

Mr. BOUTELLE. Mr. Speaker, I imagine that in two minutes it will be about as futile for a member of this House to undertake to interpose any obstacle to the railroading through of this scheme as it has been and will be in the future to attempt to tie up the mighty currents of the Mississippi River by annual appropriations from Congress.

This proposition, sir, can not be claimed to be presented here in good faith. It is not what it purports to be on its face. It is not a proposition to distribute \$5,000,000 upon a pro rata established in a bill passed by a former Congress, for one item of large dimensions is inserted here which had no place in that former bill. We are asked to appropriate what will be equivalent to some \$90,000 under this bill to carry on the work at Galveston Harbor, which has been declared by Representatives of that State on this floor, Mr. OCHILTREE and Mr. REAGAN, to be an absolutely useless expenditure.

I desire to read from page 1068 of the RECORD what Mr. REAGAN said:

In relation to the expenditure of money on Galveston Harbor, it is true that a million and a half of dollars have been expended from first to last, and there is but little difference in the condition of the harbor now and when the expenditure was commenced.

Again, on page 1069, the same gentleman declared:

Mr. Chairman, for eleven years this Congress has been most liberal in its appropriations for the harbor of Galveston. It has required the expenditures there to be made under the direction of the Engineer Corps of the United States. It has expended in attempting the prosecution of that work about a million and a half of dollars. That money has been expended and substantially no progress has been made.

The CHAIRMAN. The gentleman's time has expired.

Mr. BOUTELLE. I will take but one minute to read another extract in reference to this harbor improvement at Galveston. [Cries of "Order!"]

All right; railroad it through, and then let us suspend all the rules and go home. [Applause.]

Mr. WILLIS. I now yield two minutes to the gentleman from Maine.

Mr. MILLIKEN. I do not think, Mr. Speaker, any member of this House can object more strongly than I do to putting bills through here under suspension of the rules. I hesitate not to say I think the manner in which the sundry civil bill was put through to-day was an outrage upon the House as well as an insult to the people of the United States, whose representatives we are upon this floor. But this bill comes in very differently. The sundry civil bill was brought in here but a few days ago, this House never having had an opportunity to examine it, while on the contrary the River and Harbor Committee brought in their bill on the 1st day of February, and they have done all they

could to get it considered in the ordinary way and through proper channels, but they have failed to do it. Now they come and ask us to pass this bill in order to preserve the works already in course of construction, and if anything shall remain over then to continue them. It seems to me to be a fair proposition, one demanded by the country, so deeply interested in the continuance and preservation of works of improvement already commenced.

[Here the hammer fell.]

Mr. WILLIS. I yield one minute to the gentleman from Missouri [Mr. O'NEILL].

Mr. O'NEILL, of Missouri. Mr. Speaker, I appeal to those members whose prejudices are enlisted against this measure because of their failure to insert in the river and harbor bill their peculiar items, not to carry them so far as to injure threefold more than the amount involved the interests of the Government as they are affected by the plants it already owns. A failure to pass this proposition, Mr. Speaker, means the loss of millions of dollars, not alone in the works partially completed and requiring constant attention until completed, but in depreciation and loss of steamers, barges, and other appliances going to make up the necessary outfits of works of internal improvement. You should not do it. It would be a blunder; it would be more than a blunder, it would be a crime. I hope, therefore, those members will not let their prejudices influence their action in a matter of this kind, but will agree to vote this small pittance for the preservation of the costly plants now owned by the Government of the United States, amounting in value to many millions of dollars.

[Here the hammer fell.]

Mr. WILLIS. I now yield two minutes to the gentleman from Louisiana [Mr. KING].

Mr. KING. Mr. Speaker, I shall vote for this bill with reluctance, because it is far inadequate to the needs of the public works now in progress under the charge of the engineers of the Government. The amount here called for will not go further than meet the wear and tear upon these works during the coming fiscal year.

I hope the country, Mr. Speaker, will recognize upon whom the responsibility rests for having failed to pass a full measure, appropriate to the demands of these public works, at this session of Congress.

I can not here permit to go unchallenged the frequent allegation that the works constructed by the Mississippi River Commission are merely experimental in their nature. Now, those works have been in progress for six years, and in every instance where they have in any degree been completed their results have warranted the expenditure made upon them, thus vindicating the wisdom, the energy, and the honest purpose of the commission.

This House has been led to believe the money expended upon these works has been disbursed by the commission. The most casual investigation will show that not one dollar has been so expended. Every dollar has passed through the hands of the Secretary.

What I most strenuously oppose in this measure is the amendments which have been injected into it by the gentleman from Indiana [Mr. HOLMAN]. They, whether aimed for that purpose or not, unless stricken out, must result in the destruction of the entire system already so successfully put into operation for the improvement of that river and the destruction of the works themselves, which have been built and are now contributing so greatly to this improvement, in which upward of 30,000,000 of the people of the Republic are interested for the obtainment of cheaper freights and safer and cheaper transportation to the markets of the country and of the world.

Mr. WILLIS. I now yield to the gentleman from Pennsylvania [Mr. BAYNE], my colleague on the committee.

The SPEAKER *pro tempore*. How much time?

Mr. WILLIS. The remainder of the time.

The SPEAKER *pro tempore*. The Chair will recognize the gentleman for five minutes.

Mr. BAYNE. Mr. Speaker, this bill has been criticised very unjustly in several respects. The gentleman from New York [Mr. HISCOCK] has stated that it makes appropriations for a long list of places which he mentioned. The fact is it makes no appropriation, or the Secretary of War will apply none of the appropriation made by the bill, as the gentleman will find at any point where the work has been completed.

Mr. HISCOCK. But you do not know whether the work has been completed or not. Now, the difficulty is—

Mr. BAYNE. I do not yield; I have but a few moments. The Secretary of War will know it if the gentleman from New York does not; and he claims to know it now.

Another gentleman from Kansas says that he does not know where one cent of the money will go. Evidently the gentleman has not read the river and harbor appropriation bill of 1884. The committee is not able, unfortunately, to furnish all gentlemen who need information with that very necessary article. But if gentlemen will turn to the law they will find exactly where the appropriations are to be applied.

The gentleman from Maine has contended, and very justly, that there should be responsibility on the part of somebody, and that this responsibility should be fixed somewhere and definitely for the expenditure of

the money. There can be no complaint of this bill on that ground. The responsibility is fixed clearly. It says that the money shall be expended under the direction and with the approval of the Secretary of War, and if there is a dollar of this money misapplied the Secretary of War will stand responsible for it.

Mr. JOSEPH D. TAYLOR. But you do not know who the Secretary of War is going to be.

Mr. BAYNE. Oh! you will have to trust somebody; you must fix the responsibility somewhere.

Mr. JOSEPH D. TAYLOR. That is just the trouble.

Mr. BAYNE. If the gentleman from Ohio himself was Secretary of War there would be no doubt of the proper application of the appropriations. [Laughter.]

Mr. JOSEPH D. TAYLOR. Thank you.

Mr. BAYNE. This bill appropriates enough, and only enough as it is believed, to keep in repair the public works already in progress throughout the country; and they are going to suffer detriment and the Government very serious loss if some appropriation is not made at this session of Congress. The Secretary of War himself, who has been already cited here over and over again with the entire approbation of the House, has recommended to Congress, as gentlemen will find on an examination of the subject, and his recommendations are usually heartily concurred in, for the repair and preservation of works on rivers and harbors the sum of \$8,000,000. This bill now before us appropriates only \$5,000,000, and, therefore, is on the side of retrenchment and reform in public expenditures to the extent of \$3,000,000. That fact can not be denied.

The amount that will go to the improvement of the Lower Mississippi by this bill will probably be \$450,000 to \$500,000. Under the proposition of the gentleman from Indiana, which is incorporated in this bill, that money will have to be applied, except so far as may be necessary for dredging and the removal of snags and bars, to two points on the river—Plum Point and Lake Providence reaches—with a view to testing to a conclusion the experiments which have been begun at those points. I think, under all the circumstances, it is fair enough to allow this amount of money, since we have spent so much already, to be applied to testing the experiment of the improvement of the Mississippi River at those two points and explicitly in the manner in which the work has progressed up to this time.

The safeguards thrown around the bill, I venture to say, in reference to the expenditure of the money appropriated by it, are better, more complete, and more certain of securing the interests of the Government than those that have been applied to any river and harbor bill that ever passed the American Congress.

Mr. HENDERSON, of Illinois. Why do not you let the committee consider that for themselves?

Mr. BAYNE. And never before has such a responsibility been absolutely attached to an officer of the Government in the application of the fund appropriated for this purpose as this bill provides. And I say further, that the incoming Secretary of War, whoever he may be, under the language and the intent of this bill, as I understand it, and as I think the House will and should understand it, will be held strictly responsible for the expenditure of this money, and if there are misapplications of it we will know who is responsible for it.

Mr. WHITE, of Kentucky. Do not you think it would be better to wait until it has been printed, so that we can examine it and determine for ourselves?

Mr. BAYNE. Mr. Speaker, it is very easy for gentlemen to carp and criticise and find fault; and one of the besetting sins in the American Congress is for members to get up here and find fault with the methods and not go into the merits of measures.

Mr. WHITE, of Kentucky. We have had no opportunity of going into the merits of this.

Mr. BAYNE. There has been ample time for consideration, but we have had debate after debate and motion after motion, delaying the business, by gentlemen rendering themselves famous—I was going to use another word—but famous throughout the country because they fritter away the time of the House discussing points of order, making motions, and commenting on what they are pleased to call the "star chamber" proceedings of the committee, instead of considering the merits of propositions.

I hope this bill will pass, and it ought to pass.

[Here the hammer fell.]

Mr. ANDERSON. I rise to a parliamentary inquiry in regard to the manner in which this vote is to be taken.

Clause 6 of Rule XXI provides:

Upon all general appropriation and revenue bills, and bills for the improvement of rivers and harbors, the yeas and nays shall be taken on the passage of such bills in the House and entered upon the Journal.

Now this is a motion to suspend the rules and pass the bill, which I understand is a river and harbor appropriation bill. My inquiry is whether under the rule that vote must be taken by yeas and nays?

The SPEAKER. The Chair decided that question at the last session of Congress, and held when a motion was made to suspend all the rules of the House and pass a bill the bill might be passed without a yeas-and-

may vote; because if it received a majority it could be passed under the Constitution of the United States.

Mr. ANDERSON. Then I ask for the yeas and nays.

The yeas and nays were ordered, 52 members voting therefor.

Mr. DAVIS, of Illinois. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DAVIS, of Illinois. Does this bill come from any committee of the House?

The SPEAKER. The Chair does not know officially what the committee has done in regard to this bill.

Mr. HENDERSON, of Illinois. I would suggest to my friend the chairman of the Committee on Rivers and Harbors that it is due to state that this is not the bill of the Committee on Rivers and Harbors. They have never considered it. It has never been referred to them.

#### ENROLLED JOINT RESOLUTIONS.

Mr. GLASCOCK, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled joint resolutions of the following titles; when the Speaker signed the same:

Joint resolution (H. Res. 338) providing for printing additional copies of the sixth and seventh annual reports of the Director of the United States Geological Survey;

Joint resolution (H. Res. 339) providing for printing the sixth and seventh annual reports of the Director of the Bureau of Ethnology; and

Joint resolution (H. Res. 340) providing for printing monograph 2 of the publications of the United States Geological Survey.

#### RIVER AND HARBOR APPROPRIATION BILL.

The question was taken; and there were—yeas 192, nays 88, not voting 44; as follows:

#### YEAS—192.

Adams, J. J.	Dorsheimer,	Kleiner,	Rogers, J. H.
Aiken,	Dunn,	Lacey,	Rogers, W. F.
Alexander,	Eldredge,	Lamb,	Rosecrans,
Ballentine,	Ellwood,	Lanham,	Russell,
Barbour,	Ermentrout,	Lewis,	Seney,
Barksdale,	Evans,	Libbey,	Seymour,
Bayne,	Ferrell,	Long,	Shively,
Belmont,	Findlay,	McAdoo,	Singleton,
Bennett,	Follett,	McCoid,	Skinner, T. G.
Bisbee,	Foran,	McMillin,	Slocum,
Blackburn,	Forney,	Maybury,	Smalls,
Blandhard,	Garrison,	Miller, J. F.	Snyder,
Bland,	Geddes,	Milliken,	Spooner,
Blount,	George,	Mitchell,	Stephenson,
Brainerd,	Gibson,	Money,	Stewart, Charles
Bratton,	Glascok,	Morgan,	Stockslager,
Breckinridge,	Goff,	Moulton,	Stone,
Breitung,	Graves,	Muldraw,	Strait,
Broadhead,	Green,	Muller,	Struble,
Buchanan,	Greenleaf,	Murray,	Sumner, C. A.
Buckner,	Guenther,	Mutchler,	Talbot,
Budd,	Halsell,	Nelson,	Taylor, J. M.
Burleigh,	Hancock,	Nicholls,	Thomas,
Burnes,	Hardeman,	Nutting,	Thompson,
Cabell,	Hatch, H. H.	Oates,	Tillman,
Caldwell,	Hatch, W. H.	Ochiltree,	Tucker,
Campbell, J. E.	Haynes,	O'Ferrall,	Tully,
Candler,	Hemphill,	O'Hara,	Turner, H. G.
Carleton,	Henley,	O'Neill, Charles	Vance,
Clardy,	Hewitt, A. S.	O'Neill, J. J.	Van Eaton,
Clements,	Hewitt, G. W.	Paige,	Wakefield,
Collins,	Hill,	Payne,	Wallace,
Converse,	Hitt,	Peel,	Warner, A. J.
Cosgrove,	Hoblitzell,	Pettibone,	Warner, Richard
Covington,	Holman,	Phelps,	Washburn,
Cox, W. R.	Hopkins,	Pierce,	Wellborn,
Craig,	Horr,	Poland,	Wemple,
Crisp,	Houk,	Potter,	White, Milo
Culbertson, W. W.	Houseman,	Price,	Wilkins,
Dargan,	Hunt,	Pryor,	Willis,
Davidson,	Hutchins,	Randall,	Wilson, W. L.
Davis, L. H.	Jeffords,	Ray, Ossian	Winans, E. B.
Davis, R. T.	Johnson,	Reagan,	Wise, G. D.
Deuster,	Jones, B. W.	Reed, T. B.	Wolford,
Dibble,	Jones, J. H.	Reid, J. W.	Wood,
Dibrell,	Jones, J. T.	Reese,	Worthington,
Dixon,	Kellogg,	Robertson,	Yaple,
Doekery,	King,	Robinson, W. E.	Young.

#### NAYS—88.

Adams, G. E.	Davis, G. R.	Lawrence,	Smith, H. Y.
Anderson,	Dingley,	Le Fevre,	Spriggs,
Barr,	Dunham,	Lyman,	Springer,
Beach,	Eaton,	McComas,	Steele,
Boutelle,	Elliott,	McCormick,	Stevens,
Bowen,	English,	Miller, S. H.	Stewart, J. W.
Boyle,	Everhart,	Mills,	Storm,
Brewer, F. B.	Finerty,	Morrill,	Sumner, D. H.
Brewer, J. H.	Funston,	Morse,	Swope,
Brown, W. W.	Hanback,	Murphy,	Taylor, J. D.
Browne, T. M.	Hardy,	Parker,	Townshend,
Brumm,	Harmer,	Patton,	Turner, Oscar
Campbell, J. M.	Henderson, T. J.	Payson,	Valentine,
Cannon,	Hepburn,	Perkins,	Van Alstyne,
Cassidy,	Hiscock,	Peters,	Wadsworth,
Clay,	Holmes,	Pusey,	Wait,
Cobb,	Holton,	Ranney,	Weaver,
Connolly,	Howey,	Rockwell,	Weller,
Cook,	James,	Rowell,	White, J. D.
Cox, S. S.	Kean,	Ryan,	Whiting,
Culbertson, D. B.	Keifer,	Skinner, C. R.	Winans, John
Cullen,	Ketcham,	Smith, A. Herr	York.

## NOT VOTING—44.

Arnot,	Fiedler,	Laird,	Rice,
Atkinson,	Fyan,	Lore,	Riggs,
Bagley,	Hammond,	Lovering,	Robinson, J. S.
Belford,	Hart,	Lowry,	Shaw,
Bingham,	Henderson, D. B.	Matson,	Taylor, E. B.
Campbell, Felix	Herbert,	Millard,	Throckmorton,
Chalmers,	Hooper,	Morrison,	Ward,
Curtin,	Hurd,	Neece,	Williams,
Cutcheon,	Jones, J. K.	Post,	Wilson, James
Dowd,	Jordan,	Rankin,	Wise, J. S.
Ellis,	Kelley,	Ray, G. W.	Woodward.

So the rules were suspended (two-thirds voting in favor thereof) and the bill (H. R. 8280) was passed.

Mr. CURTIN. I desire to say that I was in the room of my committee while the roll was being called. I desire to vote.

The SPEAKER. Under the rule the Chair can not entertain the gentleman's request.

Mr. WILLIS. I understood the gentleman to say he was in the Hall.

Mr. CURTIN. No, sir; I was in the committee-room.

Mr. ANDERSON. If the gentleman from Pennsylvania was on the floor I should not object, but as he states he was in his committee-room I do.

Mr. TOWNSHEND. I ask unanimous consent to dispense with the reading of the names.

Mr. ANDERSON. I object.

The Clerk read the names of members voting.

The following additional pairs were announced:

Mr. ELLIS with Mr. POST, of Pennsylvania, on this vote.

Mr. LEWIS with Mr. ARNOT, on this vote.

Mr. CURTIN with Mr. BINGHAM, on this vote.

Mr. FIEDLER with Mr. ATKINSON, on this vote.

Mr. HART with Mr. HAMMOND, on the river and harbor bill.

Mr. HERBERT with Mr. KELLEY, for the rest of this day.

Mr. LOWRY with Mr. WILSON, of Iowa, for the rest of this day.

Mr. LEWIS. I desire to state that if I were not paired with Mr. ARNOT I should vote "ay." Mr. ARNOT would vote "no."

The result of the vote was then announced, as above stated.

## MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. MCCOOK, its Secretary, informed the House that the Senate had passed the bill (H. R. 8239) making appropriations for the naval service for the fiscal year ending June 30, 1886, and for other purposes, with amendments; in which the concurrence of the House was requested.

## ORDER OF BUSINESS.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] is recognized.

Mr. TURNER, of Georgia. I call up the contested-election case of Pool vs. Skinner, first district of North Carolina.

Mr. TOWNSHEND. I desire as a privileged question to call up the Post-Office appropriation bill.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] calls up an election case, which is a matter of higher privilege than any other.

Mr. TOWNSHEND. I will say to the gentleman from Georgia that this will take but a moment. The object is to get the Post-Office appropriation bill into conference.

Mr. TURNER, of Georgia. I am aware that the gentleman from Illinois has made several efforts heretofore to proceed with that bill and they have always provoked discussion.

Mr. TOWNSHEND. If discussion is provoked I will not insist on going on with the bill.

Mr. HISCOCK. I understand the gentleman from Illinois [Mr. TOWNSHEND] proposes to call up the Post-Office appropriation bill. I have told the gentleman I would not again make the point that it should go to the Committee of the Whole House on the state of the Union for the consideration of the Senate amendments. But as against an election case I shall insist on the amendments going to the Committee of the Whole House on the state of the Union to be discussed and considered. I think if we have time enough in these late days of the session to take up election cases we have time enough to consider these appropriation bills in committee.

Mr. TURNER, of Georgia. How does the gentleman from New York get the floor?

Mr. HISCOCK. I give notice to the gentleman from Georgia if he does not want an extra session he must give the Appropriations Committee the right of way.

Mr. TURNER, of Georgia. The gentleman has no right to thrust in his "notice" here while I am on the floor.

Mr. MILLER, of Pennsylvania (to Mr. TURNER, of Georgia). If you are ever going to get your election case in you must get it in now.

The SPEAKER. The gentleman from Georgia [Mr. TURNER] calls up the report of the Committee on Elections in the case of Mr. Pool against Mr. Skinner, in the first Congressional district of North Carolina. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, That the old first Congressional district of North Carolina, in which

Walter F. Pool was chosen as Representative to the Forty-eighth Congress, was the only proper district in which to call and hold an election to fill the vacancy caused by his death.

Resolved, That Thomas G. Skinner is not entitled to retain longer his seat in this House as the Representative from the first Congressional district of North Carolina to the Forty-eighth Congress.

Mr. TURNER, of Georgia. Mr. Speaker, the Clerk has read the resolution reported by the minority of the committee.

The SPEAKER. The Clerk will read the resolution reported by the majority of the committee.

Mr. HISCOCK. Mr. Speaker, I wish to inquire whether this is a case in which the Committee on Elections are agreed.

Mr. TURNER, of Georgia. Mr. Speaker, I insist that the gentleman from New York shall not interrupt the proceedings of the House in this way.

Mr. HISCOCK. The gentleman from New York will know what is doing.

Mr. TURNER, of Georgia. The gentleman from New York [Mr. HISCOCK] has no right to take me off the floor by impertinent interruptions.

The SPEAKER. This question is not debatable. The Clerk has read the resolution reported by the minority. He will now read the resolution reported by the majority of the Committee on Elections.

The Clerk read as follows:

Resolved, That Thomas G. Skinner retain his seat, without prejudice to the ultimate right to the seat involved in the contested-election case of Charles C. Pool vs. Thomas G. Skinner.

The SPEAKER. The question is, Will the House now consider this report of the Committee on Elections?

Mr. TOWNSHEND. Mr. Speaker, I want to notify the House that I raise the question of consideration.

The SPEAKER. The Chair is putting that question now. [Having put the question.] In the opinion of the Chair the noes have it.

Mr. TURNER. I ask for a division.

Mr. HERR. Mr. Speaker, I want to know how I am to vote.

Mr. MILLER, of Pennsylvania. Mr. Speaker, what is the question before the House?

The SPEAKER. The question of consideration.

Mr. TOWNSHEND. On what bill?

The SPEAKER. No bill at all; an election case from the State of North Carolina. As many as are in favor of proceeding with the consideration of this report of the Committee on Elections will rise and be counted.

The House divided; and there were—ayes 76, noes 113.

The SPEAKER. The noes have it; and the House refuses to consider the report.

Mr. BENNETT. Mr. Speaker, I call up the contested-election case of Frederick vs. Wilson.

Mr. TOWNSHEND. Now, Mr. Speaker, I move the adoption of the report of the Committee on Appropriations in relation to the amendments of the Senate to the bill (H. R. 8138) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1886, and for other purposes.

The SPEAKER. Still the matter called up by the gentleman from North Carolina [Mr. BENNETT], being a matter of higher privilege, would cut the gentleman off.

Mr. TOWNSHEND. I understood, Mr. Speaker, after the motion of the gentleman from Georgia [Mr. TURNER] was disposed of I would be recognized.

The SPEAKER. The Chair will secure to the gentleman from Illinois [Mr. TOWNSHEND] the consideration of the matter he desires to call up as soon as possible; but the gentleman from North Carolina [Mr. BENNETT] calls up a matter of higher privilege.

Mr. BENNETT. Mr. Speaker, I do not want to call up this case if I am to antagonize the fertile gentleman from the State of Illinois [Mr. TOWNSHEND]. I would rather keep out of the way of my friend from Illinois, but I would like to have my chance immediately after he has his.

Several MEMBERS. Regular order.

The SPEAKER. The gentleman from North Carolina has charge of a privileged matter, which he can call up whenever he sees fit. The gentleman from Illinois [Mr. TOWNSHEND] is recognized.

## POST-OFFICE APPROPRIATION BILL.

Mr. TOWNSHEND. Mr. Speaker, I now move the adoption of the report of the Committee on Appropriations in regard to the Senate amendments to the Post-Office appropriation bill.

Several MEMBERS. Let us have it read.

Mr. HISCOCK. We may as well go to the Committee of the Whole with it, or else consider it in the House as in Committee of the Whole.

The SPEAKER. The gentleman from New York [Mr. HISCOCK] makes the point of order that this must first be considered in Committee of the Whole.

Mr. TOWNSHEND. I am willing to have it considered in the House as in the Committee of the Whole.

Mr. HISCOCK. I have no objection to that, Mr. Speaker. I say frankly that the only purpose I have is to keep out election cases.

The SPEAKER. If there be no objection the report moved by the gentleman from Illinois [Mr. TOWNSHEND] will be considered in the House as in the Committee of the Whole House on the State of the Union.

Before the consideration of that matter is begun the Chair will state that under a rule heretofore made, and which is still in force, at 5 o'clock p. m. the Chair will be compelled to declare the House in recess until 8 o'clock this evening.

Mr. TOWNSHEND. Then I ask unanimous consent that the House may continue its sitting until 6 o'clock.

Mr. MILLER, of Pennsylvania, and other members objected.

Mr. MILLER, of Pennsylvania. I rise to a parliamentary inquiry. Is there a report in this case?

The SPEAKER. There is.

Mr. MILLER, of Pennsylvania. Then I ask for its reading. I believe I have that right.

The SPEAKER. The report has been read.

Mr. MILLER, of Pennsylvania. When?

The SPEAKER. Half an hour or perhaps an hour ago.

Mr. MILLER, of Pennsylvania. Is it in order to call for the reading of the bill?

The SPEAKER. It is not. The gentleman can have it read in his own time whenever he may obtain the floor. The gentleman has a right to have the amendments read.

Mr. MILLER, of Pennsylvania. Then I ask for the reading of the amendments.

The SPEAKER. The Chair has already directed the Clerk to read them.

Mr. SPRINGER. I rise to a parliamentary inquiry. Is it in order now to move to rescind the order by which the House on Friday takes a recess from 5 till 8 o'clock?

The SPEAKER. That can only be done by unanimous consent or by a suspension of the rules.

Mr. SPRINGER. I move, then, to suspend the rules in order to revoke that order. There is no pension business for this evening.

The SPEAKER. This business may be disposed of before 5 o'clock.

Mr. SPRINGER. I presume there would be no objection to vacating by unanimous consent the order for a recess.

The SPEAKER. That proposition has been made and there was objection. The Clerk will read the amendments of the Senate to the Post-Office appropriation bill.

The first amendment was read, as follows:

On page 1, line 21, strike out "three hundred" and insert "one hundred and fifty."

Mr. MILLER, of Pennsylvania. I would like to have the context read in connection with the amendment so that the amendment may be understood.

The SPEAKER. The Chair will direct that each amendment be so read.

The Clerk read as follows:

Page 1, line 21, strike out "three hundred" and insert "one hundred and fifty;" so as to read:

"For compensation to clerks in post-offices, \$5,150,000."

Mr. TOWNSHEND. If it be in order, I desire to move concurrence in that amendment.

The SPEAKER. It is in order to make that motion. Each amendment must be acted on separately.

The motion of Mr. TOWNSHEND to concur in the amendment was agreed to.

The second amendment was read, as follows:

Page 2, line 6, strike out "five hundred and thirty-five" and insert "four hundred and eighty-five;" so as to read:

"For payment to letter-carriers and the incidental expenses of the free-delivery system, \$4,485,000; \$45,000 of which may be used, in the discretion of the Postmaster-General, for the establishment, under existing law, of a free-delivery system in cities where it is not now established."

Mr. TOWNSHEND. By direction of the committee I move concurrence in this amendment.

The motion was agreed to.

The third amendment was read, as follows:

Page 2, line 16, strike out the word "hereafter," after the word "that;" so as to read:

"That the Postmaster-General may," &c.

Mr. TOWNSHEND. I desire to submit a proposition to which I think the entire House will agree. It is needless to occupy time in reading all these amendments. All I desire is to have the report of the Committee on Appropriations adopted. Now, I submit to the House this proposition—that if the report of the Committee on Appropriations be adopted, I will then move that the House take a recess till 8 o'clock.

Mr. HISCOCK. We will consent, if an order be entered to that effect, that the report be adopted and a recess at once taken.

Mr. TURNER, of Georgia. I would like to inquire by what right the gentleman from Illinois makes that proposition. He stated that he would require not more than five minutes for this matter; and now he proposes that immediately after it is disposed of the House shall take a recess.

Mr. TOWNSHEND. If the gentleman from Georgia objects, of course I do not press the proposition.

Mr. TURNER, of Georgia. I do object.

The SPEAKER. Objection is made.

Mr. TOWNSHEND. I move to non-concur in the amendment last read.

The motion was agreed to; there being—ayes 82, noes 23.

The fourth amendment was read, as follows:

Page 2, line 16, strike out "lease" and insert "in the disbursement of this appropriation, apply part thereof to the purpose of leasing;" so that the clause will read:

"That the Postmaster-General may, in the disbursement of this appropriation, apply part thereof to the purpose of leasing premises for use for post-offices."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move non-concurrence in this amendment.

The amendment was non-concurred in.

The fifth amendment was read, as follows:

Page 2, line 17, strike out the word "and," between the word "first" and "second."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move that this amendment be non-concurred in.

The motion was agreed to.

The sixth amendment was read, as follows:

Page 2, line 17, after the word "second," insert "and third;" so as to read: "Post-offices of the second and third classes."

Mr. TOWNSHEND. In accordance with instructions of the Committee on Appropriations I move that this amendment be non-concurred in.

The motion was agreed to.

The seventh amendment was read, as follows:

Page 2, line 25, after the word "for," insert "safes and other;" so as to read: "For safes and other office furniture."

Mr. TOWNSHEND. The Committee on Appropriations have instructed me to move that this amendment be concurred in.

The motion was agreed to; there being—ayes 98, noes 10.

The eighth amendment was read, as follows:

Page 2, line 25, strike out "twenty" and insert "thirty;" so as to read: "Post-office and other office furniture, \$30,000."

Mr. TOWNSHEND. Mr. Speaker, this amendment makes an increase of \$10,000. In accordance with the instruction of the committee I move concurrence.

The motion was agreed to; there being—ayes 101, noes 12.

The tenth amendment was read, as follows:

Page 3, line 4, strike out "and ten" and insert "five hundred;" so as to read: "For inland mail transportation, namely: For transportation on railroad routes, \$14,500,000."

Mr. TOWNSHEND. I am instructed by the Committee on Appropriations to move non-concurrence in that amendment.

The amendment was non-concurred in.

The next amendment was read, as follows:

After the word "thereof" insert "and reduced by the act of March 3, 1883, to 2 cents for each half ounce or fraction thereof;" so it will read:

Office of the Third Assistant Postmaster-General: For manufacture of adhesive postage-stamps and of newspaper and periodical stamps, \$174,000. That upon all matter of the first class, as defined by chapter 180 of the laws of Congress, approved March 3, 1879, entitled "An act making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1880, and for other purposes," and by that act declared subject to postage at the rate of 3 cents for each half ounce or fraction thereof, and reduced by the act of March 3, 1883, to 2 cents for each half ounce or fraction thereof, postage shall be charged, on and after the 1st day of July, 1885, at the rate of 2 cents for each ounce or fraction thereof; and drop letters shall be mailed at the rate of 2 cents per ounce or fraction thereof, including delivery at letter-carrier offices, and 1 cent for each ounce or fraction thereof where free delivery by carrier is not established.

Mr. TOWNSHEND. As instructed by the Committee on Appropriations, I move concurrence in that amendment.

Mr. ADAMS, of Illinois. I should like to have some explanation of it.

Mr. TOWNSHEND. It is a mere formal amendment and only makes the original text more specific. For myself I do not think the amendment is necessary, but the Senate disagrees with the House in reference to that matter, and I have been instructed to move concurrence.

The amendment was agreed to.

Eleventh amendment:

Strike out the words "to bona fide subscribers" and insert "including sample copies;" so it will read:

"That all publications of the second class, except as provided in section 25 of said act, when sent by the publisher thereof, and from the office of publication, including sample copies, or when sent from a news agency to actual subscribers thereto."

Mr. TOWNSHEND. I have been instructed by the Committee on Appropriations to move non-concurrence. I will say this is the amendment about which most of us here have received a great many communications from a certain class of newspaper publishers. I think it would be better for the House to put this question in conference, where it is possible we may reach some agreement, which perhaps we may not be able to do here this afternoon.

The only difference between this and the original text is that it restores the law enabling newspaper publishers to send sample copies.

Mr. BINGHAM. I move to concur.

Mr. TOWNSHEND. I hope my friend will not press that motion, because it will lead to delay.

Mr. BINGHAM. Have I the floor?

The SPEAKER. The gentleman has the floor and will proceed.

Mr. RINGHAM. I desire to state that when this section of the Post-Office bill was before the House the paragraph relating to sample copies was not even referred to or discussed in any way whatever, and while I thought I had some familiarity with the bill I am free to say I had overlooked this section entirely. I believed it had been the purpose of the committee reporting this bill when they reduced newspaper postage from 2 cents a pound to 1 cent a pound to make that reduction consistent with existing law—that it was a reduction of 1 cent a pound throughout the entire law. But it is not so. Under the present law newspaper postage from a known office of publication to subscribers goes at the rate of 2 cents a pound, sample copies included. The bill reduces newspaper postage to 1 cent a pound, and makes sample copies 4 cents a pound. It doubles the rate of postage on sample copies, and if I am permitted to refer to a discussion in another place where this section was fully discussed, I will state that when the matter was explained it was unanimously adopted as being a fair adjustment and consistent with the action of the committee on another section.

Now, sir, in another section you will reach you say to these newspaper publishers you can send your sample copies at the rate of 1 cent if they weigh an ounce and then it repeals all other acts inconsistent with that act. Permit me to say to the gentleman that under the law today, which we passed at the first session of this Congress, newspaper publishers, if they could not to-day send under the pound rate, may, under public act No. 46, as he can and I can when we send through the mails miscellaneous papers.

Further, by the section which he proposes to hold on to, in the next amendment to the bill he wipes out absolutely that act (public 46) which allows a citizen to send four ounces of newspaper matter for 1 cent. It was patent to the judgment of the House that the two ounces for 1 cent covered but a few of the large publications of the country. Before the Committee on the Post-Office and Post-Roads the large metropolitan papers were weighed, and, with a single exception, almost every one was between three and four ounces in weight. The popular judgment has been that any paper could go through the mails for 1 cent, but we find the greater number weighed over two ounces; and therefore the Committee on the Post-Office and Post-Roads brought into this House a bill fixing the rate for transient newspapers at 1 cent for four ounces.

The result of that action has been that instead of having in the large offices thousands of newspapers daily held for postage and sold for waste paper, they are transmitted through the mails at 1 cent for four ounces. The bill of the gentleman from Illinois, as we passed it through the House, repealed that act, and it did further: it doubled the rate on newspaper publishers in sending sample copies by increasing the postage from 2 to 4 cents, when it reduced the rate on their regular open editions to 1 cent per pound.

The matter was discussed elsewhere, and every member in this House has doubtless received his communications from the publishers of these great newspapers that for all the publications going out their offices they want one rate of postage; and I had thought that such was the purpose the gentleman had in view in presenting the bill. It was the purpose of the Committee on Post-Offices and Post-Roads when they recommended the postal bill to the House, and when their distinguished chairman appeared before the Committee on Appropriations.

How much time have I remaining?

The SPEAKER. The gentleman has occupied four minutes.

Mr. BINGHAM. I will reserve the remaining time.

Mr. TOWNSHEND. Mr. Speaker, the first proposition introduced in Congress to reduce newspaper postage was introduced by myself in the last Congress. It was referred to the committee of which the gentleman from Pennsylvania was chairman. That committee then entirely ignored the question. It took no action on the subject until during this Congress.

Mr. BINGHAM. The gentleman is entirely welcome to all the distinction which is properly due to him for his efforts in that direction. I am willing that he shall have all the credit.

Mr. TOWNSHEND. The gentleman is not more anxious to see a reduction of newspaper postage than I am. Now, when the Committee on Appropriations had this bill under consideration I offered an amendment to reduce the postage on newspapers one-half; my amendment went no further. That amendment was adopted by the committee. Afterward the Postmaster-General appeared before our committee and recommended that we restrict the law allowing sample copies to go through the mails. He urged as a reason that many merely advertising sheets had taken advantage of this law and were using the mail facilities to flood the country with advertisements of lottery, patent medicines, and other schemes at pound rates. Therefore, the Postmaster-General recommended a modification of the law in respect to sample copies by restricting them to the use of this privilege twice a year.

The Committee on Appropriations, after careful consideration, concluded that if it was wrong to allow them to send sample copies under these circumstances more than twice a year, it was wrong to allow them to be sent at all, and that they should be forbidden altogether. The

committee therefore modified my amendment so as to forbid sample copies from being sent at any other than the same rates at which transient newspapers are allowed to go through the mails. That amendment was brought in here by me under the instructions of the committee, and the House adopted it. It was discussed then by my intelligent friend from Pennsylvania.

Mr. BINGHAM. The gentleman is entirely mistaken; that section of the bill was never alluded to in that discussion. It was not discussed one minute on this floor.

Mr. TOWNSHEND. The RECORD will show that the gentleman himself not only discussed it, but offered an amendment to that very provision, which was adopted.

Mr. BINGHAM. The gentleman is in error wholly.

Mr. TOWNSHEND. Now I have received a very large number of communications from newspaper publishers on this question, more than, perhaps, any other member of this House. I have received nearly five hundred letters from a certain class of papers, not strictly newspapers, but papers promoting special objects, mostly weekly papers, scientific periodicals, many of them very worthy and valuable papers, but a great many of them merely advertising sheets. Among all of these letters none will be found from purely daily newspapers, and I have received but very few from country newspapers. The country newspapers, as a rule, and the daily press also, are satisfied with the provision as recommended by the Committee on Appropriations and adopted by the House.

I believe it would be well to allow papers to send sample copies for the purpose of extending their circulation, but believe that the exercise of this privilege two or three times a year would be sufficient to promote circulation and secure subscribers.

Now I desire that this question shall go to a conference committee, where we can reach an agreement or a compromise after a general interchange of views. But the gentleman from Pennsylvania insists upon forcing it here upon the House. That being the case, I must meet it now. I believe, as the Postmaster-General believes, that this privilege is greatly abused by a certain class of newspapers, and that we should restrict the sending of sample copies to some extent at least. I am willing to allow the question to be considered by a conference committee, who may, after a full investigation of the subject, agree upon some reasonable plan in that respect which will satisfy reasonable demands; but to open the mails to an unlimited extent to every advertising sheet throughout the country every day in the year is a proposition to which I am opposed.

[Here the hammer fell.]

Mr. BINGHAM. I believe I have one minute remaining. I desire in that time to make just this statement to the House: that no newspaper can go through the mails at second-class rates, as proposed by this bill, at 1 cent a pound until it has been duly registered at the post-office from which it goes under the sworn statement of the publisher of that paper. Therefore the gentleman's statement as to patent-medicine circulars and lottery publications and advertising sheets, and papers generally of that kind, is effectually disposed of.

Now a further fact: the gentleman incorporates in this bill, authorizing this amendment, the provision that they can send their sample copies at 1 cent for each four ounces, and then wipes out all other laws existing on the subject.

[Here the hammer fell.]

Mr. ANDERSON. I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. Would it be in order to move to strike out the last word?

The SPEAKER. There is no last word. It is a motion to concur. The question is on the motion of the gentleman from Pennsylvania [Mr. BINGHAM] to concur in the amendment.

The House divided; and there were—ayes 67, noes 43.

Mr. TOWNSHEND. I call for tellers.

Mr. HOLMAN. No quorum.

The SPEAKER. The point is made that a quorum has not voted. The Chair will appoint as tellers the gentleman from Illinois, Mr. TOWNSHEND, and the gentleman from Pennsylvania, Mr. BINGHAM.

#### ENROLLED BILL SIGNED.

Mr. PETERS, from the Committee on Enrolled Bills, reported that the committee had examined and found duly enrolled a bill and joint resolution of the following titles; when the Speaker signed the same:

A bill (S. 1609) to provide for the purchase of a site and the erection of a public building thereon at Detroit, Mich; and

Joint resolution (S. R. 109) authorizing the loan of certain flags and bunting to the committee on inauguration ceremonies.

#### POST-OFFICE APPROPRIATION BILL.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania to concur in the Senate amendment.

The House divided; and the tellers proceeded to count the vote.

The SPEAKER. Will the tellers report the affirmative vote?

Mr. ANDERSON. I rise to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDERSON. Is it in order to call the attention of the Chair

to the fact that the hour of 5 o'clock, when under the order of the House a recess should be taken, has arrived?

The SPEAKER. The Chair takes notice of the fact himself, and now declares the House in recess until 8 o'clock this evening.

The gentleman from New York [Mr. BAGLEY] will occupy the chair as Speaker *pro tempore* at the evening session.

EVENING SESSION.

The recess having expired, the House reassembled at 7 o'clock p.m., Mr. BAGLEY in the chair as Speaker *pro tempore*.

ORDER OF BUSINESS.

The SPEAKER *pro tempore*. The Clerk will read the order under which the House meets this evening.

The Clerk read as follows:

That until the further order of this House, on each Friday the House will take a recess at 5 o'clock until 8 p.m., at which evening sessions bills on the Private Calendar reported from the Committee on Pensions and the Committee on Invalid Pensions shall be considered.

February 13, 1885.—Amended so as to include bills for the removal of political disabilities reported by the Judiciary Committee and Senate bills on the Speaker's table for the removal of political disabilities.

LEAVE TO PRINT.

The SPEAKER *pro tempore*. The Chair desires to present the personal request of a member which was overlooked at the time the recess was taken.

The Clerk read as follows:

Mr. HEWITT, of New York, asks unanimous consent to print remarks on the bill (H. R. 7366) being a bill to carry into effect the convention between the United States of America and the United States of Mexico, signed on the 20th day of January, 1883.

Mr. ANDERSON. Ought not that to go over till to-morrow? Is it important that that request should be granted to-night?

The SPEAKER *pro tempore*. The permanent Speaker informed the present occupant of the chair that it was proper this request should be submitted.

Mr. ANDERSON. This will not be considered as a precedent for bringing in any other business to-night?

The SPEAKER *pro tempore*. Not at all.

There being no objection, the request of Mr. HEWITT, of New York, was granted.

ROBERT CARY.

Mr. HILL. I ask unanimous consent to take from the Speaker's table the bill (H. R. 6011) granting an increase of pension to Robert Carey, with an amendment by the Senate. It is only a technical amendment. A mistake was made in spelling the man's name.

Mr. ANDERSON. All right.

There being no objection, the bill (H. R. 6011) was taken from the Speaker's table, and the Senate amendments were read, as follows:

In line 3, strike out "Robert Carey" and insert "Robert Cary."  
Amend the title so as to read: "An act granting an increase of pension to Robert Cary."

The amendments of the Senate were concurred in.

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

The latter motion was agreed to.

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 Senate amendment to the fifth amendment of the House to the bill (S. 66) providing for allotment of lands in severalty to the Indians residing on the Umatilla reservation in the State of Oregon, and granting patents therefor, and for other purposes.

The message further announced that the Senate has passed the bill (H. R. 6658) to provide for the sale of the Sac and Fox Indian reservation in the States of Nebraska and Kansas, and for other purposes, with amendments, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. DAWES, Mr. HARRISON, and Mr. COKE as conferees on the part of the Senate.

The message further announced that the Senate insisted upon its amendments to the bill (H. R. 8179) making appropriations for the legislative, executive, and judicial expenses of the Government for the year ending June 30, 1886, and for other purposes, disagreed to by the House of Representatives, agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. DAWES, and Mr. COCKRELL as conferees on the part of the Senate.

The message further announced that the Senate had passed without amendment bills of the House of the following titles:

A bill (H. R. 847) for the relief of Francis B. Van Haesen;

A bill (H. R. 851) for the relief of the heirs of Mary Jane Vezie, deceased;

A bill (H. R. 948) for the relief of John M. Dorsey and William F. Shepard;

A bill (H. R. 1132) to place J. Washington Brank on the muster-rolls of Company B, Second North Carolina Mounted Infantry;

A bill (H. R. 1566) for the relief of O. L. Cochran, late postmaster at Houston, Tex., reimbursing him for moneys erroneously collected from him by the Post-Office Department;

A bill (H. R. 1567) for the relief of the legal representatives of the late Capt. John G. Tod, of the Texas navy;

A bill (H. R. 2158) for the benefit of John C. Herndon;

A bill (H. R. 2185) for the relief of Rosa Ventner Jeffrey and others;

A bill (H. R. 4686) for the relief of Fendall Carpenter;

A bill (H. R. 5452) for the relief of John W. Martin;

A bill (H. R. 5747) to authorize an increase of the capital stock of the First National Bank of Larned, Kans., not to exceed \$250,000;

A bill (H. R. 6824) authorizing the President of the United States to appoint one passed assistant engineer now on the retired-list of the Navy a chief engineer on the retired-list of the Navy;

A bill (H. R. 8034) for the relief of the estate of Hugh and Byrd Douglas, deceased;

A bill (H. R. 7655) granting an increase of pension to the widow of Maj. Thomas T. Thornburgh, late of the United States Army;

A bill (H. R. 7830) granting a pension to the widow of the late Commander S. Dana Greene, of the United States Navy;

A bill (H. R. 4280) to increase the pension of Mrs. Martha C. Breese;

A bill (H. R. 1813) granting an increase of pension to Anne Cornelia Lanman;

A bill (H. R. 1091) granting an increase of pension to Sophia A. Morgan, widow of the late Charles H. Morgan, a brevet brigadier-general in the United States Army; and

A bill (H. R. 7659) granting a pension to Mrs. Emily L. Alvord.

The message further announced that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 993) for the relief of Maria G. Dunbar;

A bill (S. 1811) granting a pension to Annie T. Dicks;

A bill (S. 2666) to provide for the printing of the report and proceedings of the commission to provide suitable ceremonies at the dedication of the Washington Monument;

A bill (S. 957) granting a pension to Margaret D. Marchand;

A bill (S. 2359) granting a pension to M. Louise Butler;

A bill (S. 2448) for the relief of Sally C. Mulligan;

A bill (S. 2654) granting a pension to Charles F. Hildreth;

A bill (S. 2661) granting a pension to Miss Amelia J. Gill;

A bill (S. 2662) granting an increase of pension to Ella W. Thornton, widow of Capt. James S. Thornton, late of the United States Navy;

A bill (S. 2665) granting an increase of pension to Ann Atkinson;

A bill (S. 2620) granting a pension to Thomas H. Boaz;

A bill (S. 2546) granting a pension to Charlotte C. B. Hatch; and

A bill (S. 2619) granting a pension to Martha Hughes.

ORDER OF BUSINESS.

Mr. MORRILL. Mr. Speaker, I move that the pension bills just received from the Senate be referred to the Committee on Invalid Pensions.

The motion was agreed to.

Mr. MATSON, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (S. 1877) granting an increase of pension to John Hall;

A bill (S. 2245) granting a pension to William N. Morris;

A bill (S. 2302) granting a pension to John Lowe;

A bill (S. 2279) granting a pension to Lewis L. Canady;

A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas;

A bill (S. 544) granting an increase of pension to Elijah W. Penny;

A bill (S. 2367) granting a pension to Sarah A. White;

A bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney;

A bill (S. 2437) granting a pension to Mrs. Mary Gordon;

A bill (S. 2125) granting a pension to Sarah Jane Prince; and

A bill (S. 2527) granting a pension to Robert Sheridan.

Mr. MORRILL, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (S. 2620) granting a pension to Thomas H. Boaz;

A bill (S. 2546) granting a pension to Charlotte C. B. Hatch; and

A bill (S. 2619) granting a pension to Martha Hughes.

Mr. MATSON, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

A bill (H. R. 7907) granting a pension to Matilda Cody; and

A bill (H. R. 603) granting a pension to Rachel Nickel.

Mr. MATSON, from the Committee on Invalid Pensions, reported adversely a bill (H. R. 3760) granting a pension to J. Combe; which was laid on the table.

Mr. MORRILL, from the Committee on Invalid Pensions, reported

bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

- A bill (S. 2443) granting an increase of pension to Polly Young;
- A bill (S. 1113) granting a pension to Ann C. Manchester;
- A bill (S. 2153) granting a pension to Benjamin F. Brockett;
- A bill (S. 1836) granting a pension to Sarah Hague; and
- A bill (S. 1612) granting a pension to Bryson R. McCartney.

Mr. CULLEN, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

- A bill (S. 2262) granting a pension to Sedate T. Martin; and
- A bill (S. 1633) granting a pension to James Bond.

Mr. HOLMES, from the Committee on Invalid Pensions, reported favorably bills of the following titles; which were referred to the Committee of the Whole House on the Private Calendar, and ordered to be printed:

- A bill (H. R. 8237) granting a pension to Mary J. Dickson; and
- A bill (H. R. 8155) granting a pension to Addie L. Moore.

Mr. HOLMES, from the Committee on Invalid Pensions, reported adversely a bill (H. R. 7757) granting a pension to Elizabeth Crawford which was laid on the table.

ROBERT J. BALLORT.

Mr. WINANS, of Michigan, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2268) for the relief of Robert J. Ballort; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

MARY HOWARD FARQUHAR.

Mr. WINANS, of Michigan, from the Committee on Invalid Pensions, also reported back adversely the bill (S. 1960) for the relief of Mary Howard Farquhar; which was laid on the table, and the accompanying report ordered to be printed.

DUNCAN L. CLINCH.

Mr. NICHOLLS. I ask unanimous consent to take from the Speaker's table for present consideration the bill (S. 1911) for the relief of Duncan L. Clinch, of the State of Georgia.

The bill was read, as follows:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That Duncan L. Clinch, a citizen of the State of Georgia, be, and he is hereby, relieved of all political disabilities imposed upon him by the fourteenth amendment to the Constitution of the United States.*

There being no objection, the bill was taken from the Speaker's table, read three times, and passed (two-thirds voting in favor thereof).

JOHN E. DENHAM.

Mr. JAMES. I ask to have taken from the Speaker's table, for concurrence in an amendment of the Senate, the bill (H. R. 5798) granting a pension to John E. Denham.

There being no objection, the bill was taken from the Speaker's table, and the following amendment of the Senate was read and concurred in:

In lines 4 and 5 strike out the following: "and grant him a pension of \$8 a month from the passage of this act."

JEREMIAH M'CARTY.

Mr. SPOONER. I ask unanimous consent that the bill (H. R. 6029) for the relief of Jeremiah McCarty be taken from the Speaker's table for concurrence in a Senate amendment.

There being no objection, the bill was taken from the Speaker's table and the following amendment of the Senate read and concurred in:

In lines 5 and 6 strike out the words "of fifty dollars per month" and insert "at the rate to which a private soldier is and shall be entitled by law for like disabilities."

ORDER OF BUSINESS.

Mr. MATSON. I move that the House now resolve itself into Committee of the Whole on the Private Calendar for the purpose of considering business under the special order for the Friday evening session.

The motion was agreed to; and the House accordingly resolved itself into Committee of the Whole on the Private Calendar, Mr. HATCH, of Missouri, in the chair.

Mr. MATSON. I ask unanimous consent that Senate bills be first considered in the order in which they stand upon the Calendar.

There being no objection, it was so ordered.

JOHN HALL.

The first business on the Private Calendar was the bill (S. 1877) granting an increase of pension to John Hall.

The bill was read, as follows:

*Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions of the pension laws, the name of John Hall, late a private in Company B, Tenth United States Infantry, Mexican war, at the rate of \$30 per month, in lieu of the \$8 per month heretofore allowed him, as specified in pension certificate 3170.*

Mr. MILLER, of Pennsylvania. If there is a report in this case I ask that it be read.

The report (by Mr. MATSON) was read, as follows:

Your committee has had under consideration Senate bill No. 1877, and report

the same back to the House with a recommendation that it do pass; and they have adopted the Senate report in this case as the favorable report of this committee.

The claimant was a private in Company B, Tenth New York Volunteers, and was injured on the 10th day of May, 1847, while in the service and in line of duty. While on drill at or near Fort Hamilton, N. Y., in crossing a fence he was suddenly and violently thrown down and the end of a rail striking him in the lower part of the body caused a large rupture which required a severe surgical operation to save his life, which was in imminent peril from the injury. The injury resulted in double inguinal hernia. The proof of the injury, surgical operation, and resulting hernia is clear and convincing. He was discharged on account of this injury and disability the 24th day of July, 1847. He applied for a pension and was placed on the pension-roll in 1847 at \$4 per month, and in 1852 his pension was increased to \$8, which rate he has been since paid and is now receiving. In 1833 he became totally blind, and in 1874 suffered a paralytic stroke, since when he has been a great charge upon his aged wife and two daughters, being unable to dress or undress himself without assistance.

In 1883 he made an application for an increase on account of an increase of his disabilities, claiming that his lost eyesight and paralysis resulted from his original injuries. The medical referee gave it as his opinion that the blindness and paralysis were not the results of the original injury. It can not be expected that laymen will usually oppose their opinions or views against the opinions of medical men, but in this case the evidence is so clear, and the fact that the neuralgia which terminated in blindness was connected with the surgical operation so distinctly shown, that your committee can hardly doubt that the medical referee in this instance is mistaken.

The surgeon performing the operation says in his certificate, under date of the 13th July, 1847, that the injury rendered "an operation necessary for strangulated hernia which was performed by myself; the injury and consequent operation have been followed by debility and lameness, which still continues." The claimant in his own affidavit says, in speaking of the operation, that—  
"He had to lay while undergoing treatment \* \* \* with his head and shoulders much lower than the rest of his body, in which position he remained for thirty days. \* \* \* Neuralgia set in, and on being released from this position his eyes were affected, and he suffered from neuralgia to the present time."

This was in 1883. He also says that the "neuralgia pains burst his eyeballs, and the aqueous humor of the eyes escaped, leaving him blind." He also says that after the operation he frequently felt a numbness in his limbs and side and want of nerve sensibility, and was at times almost deprived of motive power, which continued up to 1874, when he had a severe stroke of paralysis. From these facts your committee are constrained to believe that the blindness and paralysis of this soldier were resulting conditions from the original injury he received and the operation he was compelled to undergo, and think that justice requires that his pension should be increased. Therefore your committee recommend the passage of this bill.

Mr. BELFORD. I move to amend this bill by adding the provision which I send to the desk.

The Clerk read as follows:

That the sum of \$500,000 be appropriated for the construction of a home for the orphan children of the Union and confederate soldiers of the Republic, at the city of Fredericksburg, in the State of Virginia, said sum to be expended under the direction of the Secretary of War.

Mr. KEAN. I make a point of order on this amendment.

Mr. HEWITT, of Alabama. I make the point of order that this amendment is not germane to the bill.

Mr. BELFORD. I ask that the point of order be reserved till I can make a statement.

The CHAIRMAN. The Chair will hear the gentleman from Colorado for five minutes upon the point of order.

Mr. BELFORD. Mr. Chairman, the shadows of fifteen years have floated over this Republic and the unhappy memories of the war should be forgotten now and forever. You gentlemen from the South should have at least the courage of a Northern Republican to take care of the orphans produced by the war in the South. It was a war of the politicians in which the poor people suffered and were conscripted into the army; and I propose that their little children shall be provided for just as the children of soldiers of the Union Army have been provided for.

When the Greeks, the moderns of ancient civilization, achieved a victory in civil war they celebrated that victory by erecting a monument of wood which would perish under the abrasions and erosions of the atmosphere. When they achieved a victory over a foreign foe, they erected a monument of bronze. [At this point Mr. BELFORD walked toward the Democratic side of the House.]

Mr. BROWNE, of Indiana. I make the point of order that the gentleman has no right under the rules to speak except from his seat.

Mr. BELFORD. Then I will go to my seat. I will obey the perfunctory order of the distinguished brigadier from Indiana.

Now, what did England do after her great civil war between the White Rose and the Red Rose? She blended them together and made England the great nation of her day. Are we to carry out the prejudices of certain gentlemen on this floor and overlook the fact this is our magnificent nation from the northern lakes to the southern gulf, from the Atlantic Ocean to the Pacific, upon which floats the commerce of our country?

I have offered this amendment in the interest of reconciliation, of peace, of recognition of the fact we are one nation to-day, and will remain so I hope forever. [Applause.]

The CHAIRMAN. The Chair sustains the point of order and the amendment is ruled out.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

WILLIAM N. MORRIS.

The next business on the Private Calendar was the bill (S. 2245) granting a pension to William N. Morris.

The bill, which was read, provides that the Secretary of the Interior be authorized and directed to place on the pension-roll, subject to the

limitations and provisions of the pension laws, the name of William N. Morris, late a private in Company F, Seventeenth Regiment Indiana Volunteers.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN LOWE.

The next business on the Private Calendar was the bill (S. 2302) granting a pension to John Lowe.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John Lowe, late of Company F, Fifty-third Regiment Indiana Volunteers.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

LEWIS L. CANADY.

The next business on the Private Calendar was the bill (S. 2279) granting a pension to Lewis L. Canady.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Lewis L. Canady, late a private in the war of 1812.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MRS. CORDELIA BRAINERD THOMAS.

The next business on the Private Calendar was the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas.

The bill, which was read, authorizes the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Cordelia Brainerd Thomas, widow of the late Rev. E. Thomas, who was killed by the Modoc Indians in 1873 while acting as a member of the Peace Commission sent by the United States Government to treat with said Indians, and to pay her from and after the passage of this act, during her widowhood, the sum of \$50 a month.

Mr. PETERS. I would like to hear the report in that case read.

The Clerk read as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas, having considered the same, beg leave to report it back with a recommendation that it be amended by inserting the word "twenty," after the words "sum of," in the eleventh line of said bill; so it shall provide payment to Mrs. Cordelia Brainerd Thomas of the sum of \$20 a month—

Mr. PETERS. I do not ask for the reading of any more of the report, as I see the amendment limits it to \$20 a month.

Mr. MATSON. The Senate proposition was to give her a pension of \$50 per month. Her husband was with General Canby at the time he was killed. He was a minister of the gospel. The amendment proposes to give her the pension of a chaplain.

The amendment was agreed to; and the bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ELIJAH W. PENNY.

The next business on the Private Calendar was the bill (S. 544) granting an increase of pension to Elijah W. Penny.

The bill, which was read, authorizes and directs the Secretary of the Interior to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Elijah W. Penny, late lieutenant-colonel of the One hundred and thirtieth Regiment Indiana Volunteers, at the rate of \$42 per month, in lieu of the \$36 per month heretofore allowed him as certified in pension certificate 76144.

Mr. MILLER, of Pennsylvania. I ask the gentleman from Indiana why this pension is increased from \$36 to \$42 per month, and why the claimant comes here instead of going to the Pension Office?

Mr. MATSON. I take pleasure in informing the gentleman from Pennsylvania his coming here grows out of the fact there is a defect in the law. There is no rate of pension between \$24 and \$50 per month.

Mr. MILLER, of Pennsylvania. Is there not a rate of \$30 a month?

Mr. MATSON. There is for specific disability, but there is no rate for general disability. Colonel Penny received two gunshot wounds, and receives a pension for disability not specific as to one. He has an arm off, and gets \$30 a month. He has another gunshot wound which entitles him to more than he is receiving.

Mr. MILLER, of Pennsylvania. Is it not a fact if the claimant was disabled in a certain degree he can receive \$30 or \$40 a month?

Mr. MATSON. No, sir; there is no rate of \$40 per month.

Mr. MILLER, of Pennsylvania. What is the next rate above \$30?

Mr. MATSON. It is \$50.

Mr. MILLER, of Pennsylvania. Why should there be an exception made in this particular case? Are there not other persons in the same condition who would be entitled to the same relief?

Mr. MATSON. My judgment is that the law is essentially deficient in this particular, and I think my friend from Indiana, the former chairman of the Committee on Invalid Pensions, General BROWNE, will agree with me, as I believe I have heard him express the same sentiment before.

I will state to the gentleman from Pennsylvania that there are cases of men who are suffering from disability from wounds who are not in that helpless condition that requires the regular attendance of other persons, so as to bring them within the law; and hence they can not receive the pension of \$50, but they are worse disabled than if they had lost one arm or a leg; and so to apply relief in cases of that kind we have these special bills of which the gentleman speaks.

Mr. BROWNE, of Indiana. Mr. Chairman, the difficulty is that the general law fixes the rates for specific disability, and every gentleman of observation will readily understand that it is impossible under a general law to adequately adjust every possible character of disability that may arise. It is utterly impossible to do it; and just so long as we grant pensions at all and undertake to provide for them by general acts there will be instances in which appeals will be made to Congress to allow something in addition, perhaps above the lowest provided in the list of disabilities and lower than the highest or the next immediately preceding rate. But for myself I have a great deal more respect for those cases in which increases are granted than for many of those in which pensions are originally granted, because where there is an increase given there is no doubt of the existence of the disability.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

SARAH A. WHITE.

The next business on the Calendar was the bill (S. 2367) granting a pension to Sarah A. White.

The bill is as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah A. White, of Abington, Mass., widow of Ebenezer White, late a lieutenant in the Kansas cavalry volunteers.

Mr. HEWITT, of Alabama. I would like to know why it is necessary to grant relief in this particular case?

Mr. MATSON. To save time, I will ask the gentleman from Massachusetts [Mr. LONG], who I believe is familiar with the case, to state the facts.

Mr. LONG. What is the question of the gentleman from Alabama?

Mr. HEWITT, of Alabama. I desire to know why it is necessary to apply to Congress for relief in this case.

Mr. LONG. I am not familiar with the circumstances. It is a bill which was examined by the Senate committee and passed the Senate. I presume the Senate report will convey the facts.

Mr. HEWITT, of Alabama. I ask for the reading of the report of the committee accompanying it.

The report (by Mr. LOVERING) was read, as follows:

Your committee have had under consideration Senate bill No. 2367, and report the same back to the House with the recommendation that it do pass, adopting the Senate report hereto attached as the favorable report of this committee:

"The evidence is somewhat conflicting, but the balance thereof is strongly in favor of the claim.

"The bill simply proposes to place the name of the applicant on the pension-roll as the widow of the soldier, and it appears that she is in great need.

"The evidence also discloses the fact that she rendered excellent service as an army nurse, and might well be pensioned at a higher rate for that service.

"Your committee recommend the passage of the bill."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

BYRAM PITNEY.

The next business on the Private Calendar was the bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney.

The bill is as follows:

*Be it enacted, etc.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the names of the widow and children of Byram Pitney, late of Company K, Twenty-sixth Regiment New Jersey Volunteers.

Mr. HEWITT, of Alabama. I would like to have some explanation of that bill, or else to have the report read.

The CHAIRMAN. The Chair will state that this is a very long report, and perhaps it will save time if some gentleman who is familiar with the facts will make an explanation.

Mr. BAGLEY. I think I can explain to the gentleman and to his satisfaction. It seems that this man received a severe wound in the neighborhood of the spine which gave him very serious trouble and for which he was pensioned. The man lived, it is true, until some time in 1883, but the disease of which he died proved to be continuous; that is to say that the diseased condition of his lungs, of which he finally died, dated back to his service in the Army and finally resulted in acute pneumonia. The medical testimony goes to show that it was directly on account of this disease, which resulted from the service and which finally culminated in acute pneumonia, that his death resulted. I believe it to be a good case, and hence it was reported favorably.

Mr. JOSEPH D. TAYLOR. Let me ask the gentleman were all of these cases examined by the House committee?

Mr. BAGLEY. They were, sir; all of them.

The CHAIRMAN. The Chair will state to the gentleman from Ohio that these bills have been all referred to the committee and reported back from the Committee on Pensions and Invalid Pensions.

Mr. JOSEPH D. TAYLOR. I so supposed.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY GORDON.

The next business on the Private Calendar was the bill (S. 2437) granting a pension to Mrs. Mary Gordon.

The bill is as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mrs. Mary Gordon, mother of Samuel F. Gordon, late a private in Company G, Sixteenth Regiment Ohio Volunteers.

The report (by Mr. LE FEVRE) is as follows:

Your committee have had under consideration Senate bill No. 2437 and report the same back to the House with the recommendation that it do pass, and they have adopted the Senate report hereto attached as a part of the report of this committee.

"The Committee on Pensions, to whom was referred the bill (S. 2437) granting a pension to Mrs. Mary Gordon, have examined the same, and report:

"That the claimant is the mother of Samuel F. Gordon, who applied for a pension at the Department, but her claim was rejected on the ground that the records of the War Department afford no information as to enlistment or service of the soldier.

"There appears to be ample evidence to show the dependence of the claimant as the mother of the soldier. Her husband died in 1857, and her son, the soldier, died unmarried. The only question to be considered is that of the soldier's service.

"William M. Ross, late first lieutenant of Company G, Sixteenth Ohio Volunteers, testifies that Samuel F. Gordon, the son of the claimant, enlisted October 2, 1861, in the forenoon, as a private in that company, and that in the afternoon the said Gordon was shot and killed by the accidental discharge of a pistol. He also swears that the captain of the company is dead, and the original muster-roll can not be obtained.

"This is corroborated by two comrades of the soldier, who swear to his enlistment and muster and accidental death.

"It also appears from the papers on file that the claimant is 82 years of age, and is and has been for many years a helpless invalid from partial paralysis; and also that she has been supported for seventeen years by a daughter who has been engaged in teaching. The daughter now states that, owing to her mother's increasing helplessness, she is unable to longer provide her a comfortable support.

"In view of all the facts in this case your committee report the bill with a recommendation that it do pass."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

#### ORDER OF BUSINESS.

Mr. MATSON. In order to save the time that would be occupied in reading these reports I ask that all of them may be printed in the RECORD.

The CHAIRMAN. If there be no objection it will be so ordered.

There was no objection.

The CHAIRMAN. The Chair will state to the gentleman from Indiana that many of these reports just come from the committee are in manuscript, and it will be impossible to have them transcribed. The originals may be sent to the Public Printer under the order the gentleman from Indiana suggested, and which has just been made. If there be no objection it will be so ordered.

There was no objection.

SARAH JANE PRINCE.

The next business on the Private Calendar was the bill (S. 2125) granting a pension to Sarah Jane Prince.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Sarah Jane Prince, widow of the late Capt. Albert Prince, of the Fifteenth Regiment Massachusetts Volunteer Infantry.

The report (by Mr. LOVERING) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2125) granting a pension to Sarah Jane Prince, having examined the same, adopt the Senate report and recommend that the same do pass.

"The Committee on Pensions, to whom was referred the bill (S. 2125) granting a pension to Sarah J. Prince, have examined the same, and report:

"That the said Sarah J. Prince is the widow of Capt. Albert Prince, late captain of Company E, Fifteenth Massachusetts Volunteers. Captain Prince was a pensioner. He died March 2, 1881. The widow applied for a pension April 27, 1881. Her claim was rejected on the ground that she had been married previous to her marriage with the said Captain Prince, and that her husband by the first marriage is still living. She now applies to Congress to grant her a pension by special act.

"It appears in the evidence that the second marriage was contracted in the belief that the first husband was dead. She states the facts under oath, as follows, namely:

"On the 30th day of August, A. D. 1856, I was married to David K. Dyke, of Lyme, N. H., at Chelsea, in the State of Vermont; and thereafter I lived with said David K. Dyke, as his wife, at said Lyme, N. H., and at Lowell, in the State of Massachusetts, till the month of September, A. D. 1857, when the said David K. Dyke deserted me at said Lowell, taking with him all the money I earned the previous month for labor in the Merrimack mill; that since said David K. Dyke deserted me I have had no communication from him, though for some months after said desertion I wrote letters to him at said Lyme, N. H., asking him to return to me, which letters were never replied to by him; that I continued to reside at said Lowell, working in said mill, till October, A. D. 1859, when I came to Worcester, and have since that time resided here; that on the 9th day of December, A. D. 1865, I received a letter from Fanny M. Dyke, a sister of said David K. Dyke, a copy of which is hereby attached, marked A, informing me of the death of the said David K. Dyke. Coming from the sister of the said David K. Dyke I had no reason to doubt the truth of the information contained therein, and did not doubt the same till since the death of Capt. Albert Prince, formerly captain of the Fifteenth Regiment Massachusetts Volunteer Infantry, to whom I was married on the 24th day of December, A. D. 1865, and with whom after said marriage I lived as his wife till his death.

"After the death of the said Capt. Albert Prince, through the advice of P. F. Murray, of this city, a former comrade of Capt. Albert Prince, I made applica-

tion for a widow's pension, and after some time I was called upon to furnish the Pension Department with evidence of the death of my first husband. Captain Murray communicated with the town clerk of Lyme, N. H., with a view of obtaining the evidence called for, and from said town clerk came the information that the said Daniel K. Dyke was alive.

"When I became acquainted with said Albert Prince I told him of my former marriage, and showed him the letter hereinbefore mentioned, and I was married under the firm belief that I was the widow of David K. Dyke."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT SHERIDAN.

The next business on the Private Calendar was the bill (S. 2527) granting a pension to Robert Sheridan.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert Sheridan, late a private in Company D, First Rhode Island Light Artillery.

The report (by Mr. LOVERING) is as follows:

The Committee on Invalid Pensions, to whom was referred bill (S. 2527) granting a pension to Robert Sheridan, having examined the same, and having adopted the Senate report, recommend that same do pass, a copy of the same being herewith attached:

"The Committee on Pensions, to whom was referred the bill (S. 2527) granting a pension to Robert Sheridan, have examined the same and report recommending its passage. The facts are stated in the petition, which we annex as the most convenient form of presenting them to the Senate:

"The honorable Senate and House of Representatives in Congress assembled:

"The undersigned, Robert Sheridan, of National Soldiers' Home, Togus, Me., late private Company D, First Rhode Island Light Artillery, respectfully represents that on the 18th day of June, 1878, at said national home (he being then an inmate of said institution as a disabled soldier), he was detailed by order of General William S. Tilton, commander of said home, to fire a salute on the occasion of Decoration Day observance, and that while so employed, through the carelessness of one of the men whose business it was to close the vent, the gun was prematurely discharged while your petitioner was ramming home the cartridge, thereby shattering his right arm so badly that it had to be amputated above the elbow.

"He further states that he is now in receipt of a small pension of \$4 per month. He now asks that in consideration of his misfortune, which has deprived him almost entirely of the means of obtaining a living, and as said wound was received while in the line of duty, acting under the orders of General Tilton, an officer of the United States and whose orders he was bound to obey, that he may be granted an increased pension, so that his rate may be \$24 per month, thereto now allowed by law for a similar disability; and, as in duty bound, will ever pray.

ROBERT SHERIDAN.

"Late Private Company D, First Regiment Rhode Island Light Artillery.

STATE OF MAINE,

County of Kennebec, ss:

"December 8, 1882, there personally appeared the above-named Robert Sheridan, and made oath that the facts as set forth in the foregoing petition are true in substance and fact, so far as they relate to the receiving of his wound and injury.

"Before me—

"[SEAL.]

H. F. BLANCHARD,

"Notary Public."

The bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS H. BOAZ.

The next pension bill on the Private Calendar was the bill (S. 2620) granting a pension to Thomas H. Boaz.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Thomas H. Boaz, late of Company H, Second Regiment Ohio Heavy Artillery.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 2620) granting a pension to Thomas H. Boaz, having considered the same, respectfully report as follows:

The claimant, Thomas H. Boaz, was a private in Company H, Second Ohio Heavy Artillery. He was enrolled on the 12th of August, 1863, for three years, and was discharged August 29, 1865, to date August 23, 1865. He filed his application for pension on August 7, 1882, alleging disability by reason of being injured by the cars in the small of his back, shoulder, and left thigh, and for rheumatism, all incurred in the service on or about July 5, 1865, at Claysville, in the State of Ohio. The records of the Surgeon-General's office show treatment of the claimant at the general hospital, Camp Denison, Ohio, in August, 1865, for the injuries which the claimant alleges, and that he was returned to duty August 28, 1865. This was evidently only for the purpose of being discharged.

The testimony in the case proves conclusively that at date of enlistment the soldier was a stout, able-bodied man, free from any and all of the alleged ailments. That he continued to do regular service with his company until about the last of June, 1865, when he was granted a furlough for twenty days, cause not stated. That on the 5th of July, at Claysville, in the State of Ohio, he was injured by the cars in the manner stated, the testimony of one witness, who rendered him assistance at the time of the injury, and of the physician who treated him at the time, being on file. There is ample testimony also showing that from the time of his discharge the soldier suffered more or less from rheumatism, which has continued and increased in severity until, by the examining surgeon's certificate, claimant is shown to be totally disabled and helpless, and that he had to be brought into the office to be examined, and he pronounces the disease sciatica, with paralysis of the lower limbs. Your committee are of the opinion that this is a meritorious case, and calls for the immediate relief, and therefore return the bill with recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

CHARLOTTE C. B. HATCH.

The next business on the Private Calendar was the bill (S. 2546) granting a pension to Charlotte C. B. Hatch.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the restrictions and limitations of the pension laws, the name of Charlotte C. B. Hatch, dependent widow of Maj. E. A. C. Hatch, late of Hatch's Battalion Minnesota Volunteers.

The report (by Mr. MORRILL) is as follows:

The Committee on Invalid Pensions, to whom was referred S. 2546 granting a pension to Charlotte C. B. Hatch, have examined the same, and report:

That claimant is the widow of Edwin A. C. Hatch, major Independent Battalion Minnesota Cavalry, regularly mustered into the United States service, who was discharged July 7, 1864, on surgeon's certificate of disability. He was a sound, healthy man when he entered the service, and became disabled in the service, and had a continuing disability until his death. While the cause of death was reported as cholera morbus, still his health had been so much impaired and constitution broken by disabilities contracted by exposure and hardships in the Territory of Dakota, that he was not, by reason of such service, so able to withstand disease as could be done by a healthy and sound man.

Your committee recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

MARTHA HUGHES.

The next business on the Private Calendar was the bill (S. 2619) granting a pension to Martha Hughes.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Martha Hughes, widow, whose husband was a member of Company E, Seventeenth Regiment Wisconsin Infantry.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 2619), granting a pension to Martha Hughes, having considered the same, respectfully report as follows:

The claimant is the widow of John Hughes, late a corporal in Company E, Seventeenth Wisconsin Infantry Volunteers. As shown by the report of the Adjutant-General, the soldier enlisted on December 23, 1861, for three years, and was discharged at Corinth, Miss., on July 10, 1862, cause not stated. The regimental hospital records are not on file and there are no records of the regiment in the office of the Surgeon-General. It is shown by the testimony on file that the soldier was a stout, able-bodied man at the time of enlistment, and that when he was discharged from the Army he was suffering with chronic diarrhea, which incapacitated him for manual labor, and continued to the time of his death.

The soldier made application on account of disability from chronic diarrhea contracted near Shiloh, Tenn., in April, 1862, and states that he was treated in regimental hospital for said disease, and it is reasonable to suppose that this was the cause of his discharge, although the records are silent. His application for pension was filed October 1, 1881, but he died on the 4th of July, 1882, before the claim was finally proven up to the satisfaction of the Pension Office. The attending physician testifies that the death was the result of chronic diarrhea and tuberculous consumption, and states his belief that the diarrhea was the cause of the disease of the lungs. The widow (claimant herein) then made application for a pension in her own right, which was filed on August 2, 1882, but for reasons unknown to your committee it has not been allowed. Your committee think that the evidence in the case is sufficient to prove the incurrence of the disease in the service from which the soldier died, and we therefore report the bill back with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

POLLY YOUNG.

The next business on the Private Calendar was the bill (S. 2443) to increase the pension of Polly Young.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Polly Young, widow of Jesse Young, a soldier in the war of 1812, and pay her a pension from and after the passage of this act of \$30 a month in lieu of the pension she now receives.

Mr. HEWITT, of Alabama. I would like to ask the chairman of the Committee on Invalid Pensions—

Mr. BROWNE, of Indiana. I suppose that comes from the Committee on Pensions.

Mr. HEWITT, of Alabama. It should have gone to the Committee on Pensions; but I do not make a question about that. I would like to ask the chairman of the Committee on Invalid Pensions whether any of these bills were reported to the Senate adversely by the Senate Committee on Pensions, or whether this bill in particular was reported adversely.

Mr. MATSON. There was one case that I remember, that of Colonel Penny, the case we were discussing a few moments ago. The original bill in the Senate proposed to give him \$50 a month. The bill was finally amended so as to make the amount \$42. The remainder of these bills, so far as I now remember, and I think I have examined all of them, were reported favorably by the Committee on Pensions of the Senate. The bill I have spoken of proposed originally to give \$50 a month and was amended so as to make it \$42.

Mr. HEWITT, of Alabama. This bill now under consideration proposes to increase the pension of the widow of a soldier of the war of 1812 from \$8 to \$30 a month. Why is that done in this particular case?

Mr. MATSON. Let the report speak.

The report (by Mr. MORRILL) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2443) granting an increase of pension to Polly Young, having examined the same, have adopted the Senate report, which is hereto attached, and made a part of their report, as follows:

"The Committee on Pensions, to whom was referred the bill (S. 2443) granting

an increase of pension to Polly Young, have examined the same, and report as follows:

"That Polly Young is now 93 years of age, and receiving a pension of \$8 per month by reason of service of her husband in the war of 1812. The history of her family shows remarkable loyalty and devotion to the Republic, dating from the Revolutionary war. Her grandfather and four brothers were in that war. Her husband and three of her brothers were in the war of 1812. She had three sons. All did honorable and long service in the late rebellion. One of these sons, now an old man, furnishes for his small means her support in an humble way.

"Every year the number of this class of aged pensioners is becoming less, while the infirmities of age increase and the necessity for care and attendance greater.

"A government, generous in its benefactions to the widows of those of high rank and brilliant service, can well afford to be just and generous to the widows of those who suffered and fought in the ranks, particularly when misfortunes render necessary aid from some quarter to smooth the pathway to the grave."

The committee recommend that the bill above referred to do pass.

ANN E. MANCHESTER.

The next business on the Private Calendar was the bill (S. 1113) granting a pension to Ann E. Manchester.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Ann E. Manchester, the widow of Abel W. Manchester, deceased, who was a sergeant of Company H, Seventh United States Infantry.

The report is as follows:

Your committee have had under consideration the accompanying bill, and have adopted the Senate report in same, hereto attached:

"The Committee on Pensions, to which was referred the bill (S. 1113) granting a pension to Ann E. Manchester, has examined the same, and reports:

"That Abel W. Manchester was enlisted on the 2d of October, 1846, at New York, to serve five years, and was assigned to Company E, Seventh Regiment of United States Infantry, and served until September 1, 1851. His marriage with the said Ann E. Manchester is established, and they continued to live together as husband and wife to the date of his death, which occurred November 2, 1870.

"The widow applied for a pension and her application was rejected, "because the records of the War Department do not show the existence of heart disease (which caused the soldier's death, November 2, 1870) in the service, and applicant is unable to show that said disease had its origin in the service." This is the statement of the Commissioner of Pensions to the committee.

"The records of the War Department do show that the soldier served during the Mexican war, and that he is reported sick at Pueblo, Mexico, June 30, 1847, and again October 31, 1847, and again at Jefferson Barracks, Mo., October 31, 1848, but do not state the nature of sickness.

"It is in evidence that the soldier was sick when he returned home in 1851, and that he had at that time heart disease; that he continued disabled from said disease until he finally died. The widow has been unable to furnish the evidence of officers of her husband's company, because they are all dead, and they are so reported by the Adjutant-General of the Army. But she has furnished the evidence of persons acquainted with him, and who establish his disabled condition from the year of his discharge to the time of his death.

"In the opinion of your committee there is sufficient evidence to justify a favorable report on the bill, and it is accordingly so reported, with a recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

BENJAMIN F. BROCKETT.

The next business upon the Private Calendar was the bill (S. 2153) granting a pension to Benjamin F. Brockett.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Benjamin F. Brockett, late a captain Company I, Eighty-seventh Illinois Volunteer Infantry.

The report (by Mr. MORRILL) is as follows:

Your committee have had under consideration Senate bill No. 2153, granting a pension to the above-named claimant, and have adopted the Senate report as the favorable report of this committee, and as so reported they recommend the passage of the bill:

"The Committee on Pensions, to whom was referred the bill (S. 2153) granting a pension to Benjamin F. Brockett, have examined the same, and report:

"That Benjamin F. Brockett, late captain of Company I, Eighty-seventh Illinois Volunteers, entered the service August 15, 1862, and remained therein until December 10, 1863. He applied for a pension, and alleges that when he entered the service—

"He was a sound and healthy man \* \* \* and that he was in good health and always ready for duty until about the 1st of June, 1863; that about that time he was ordered to take charge of a foraging expedition when in camp near Vicksburg, Miss., and had special orders to bring in beef for the hospital supplies; that he ordered the men under his charge to capture a wild Texas cow; that his men failed to capture her, and that in running past him he caught the cow by the horns, when he was thrown under her feet, trampled upon, and forced against a fence; that the men in endeavoring to assist him in her capture frightened her, and in her attempt to jump over the fence she trampled upon him on the lower right side of his abdomen, and on the left side above the hip-joint; that the injury to his right wrist-joint and right ankle were received at the same time; also the injury to the lower right side of his abdomen; that the injuries were so severe that he was unable to stand without assistance, and that his men carried him to a wagon and hauled him to Warrenton or Warrington, some eight miles below Vicksburg, where a part of the regiment was encamped."

"This statement is supported by the testimony of S. S. Gentry, D. M. Grulls, R. B. Graham, and B. J. Brockett, who were members of the same company and present when said injuries are alleged to have been received.

"On the case stated he claimed a pension for injury to wrist, thumb, and ankle, and rupture in the right side.

"During the pendency of this case in the Pension Office he was examined on three several occasions by examining surgeons of the pension service, and was each time reported at three-fourths total disability.

"The claim was finally rejected by the Commissioner of Pensions on the ground that the alleged disabilities have originated since discharge, as shown by evidence adduced by special examiners."

"It does not seem to the committee that this was a just result. The evidence of the witnesses who testify to the incurrence of the disabilities from personal knowledge is not impeached, and there is but little in the testimony taken by the special examiners which can not be allowed to stand and still not disprove the fact that the injuries from which the claimant is now suffering were incurred as

he alleges. That they may have developed into more serious conditions than existed when the witnesses whose testimony was taken by the special examiners were examined, is doubtless true, and this very fact may have misled some of said witnesses. But when the case is considered as a whole, and in its several phases, the committee can but conclude that the disabilities of which the claimant complains did originate in the service. Considering the character of the claimant, as attested by his position in the community in which he resides, and the good reputation certified to by his fellow-citizens belonging to the Grand Army of the Republic in Kansas, who assert that he is a man incapable of attempting to 'receive a pension on fraudulent evidence,' the committee feel justified in reporting the bill to the Senate with the recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

SARAH HAGUE.

The next business on the Private Calendar was the bill (S. 1836) granting a pension to Sarah Hague.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Sarah Hague, the dependent mother of W. C. Hague, late of Company L, Sixth New York Heavy Artillery.

The report (by Mr. HOLMES) is as follows:

Your committee have had under consideration the Senate bill granting a pension to Sarah Hague, No. 1836, and have adopted the Senate report recommending that the bill for her relief do pass.

The Committee on Pensions, to which was referred the bill (S. 1836) granting a pension to Sarah Hague, has examined the same, and reports:

"That Sarah Hague is the mother of M. C. Hague, who was a private in Company L, Sixth New York Heavy Artillery. The soldier was enlisted January 4, 1864; was wounded in battle near Bethesda church, Va., May 30, 1864, was captured by the confederates, taken to Richmond, Va., and placed in rebel general hospital, where he died June 17, 1864. These facts appear from the records in the offices of the Adjutant-General and Surgeon-General, United States Army.

"The said Sarah Hague applied for a pension as a dependent mother. Her claim was rejected on the ground that the claimant was not dependent upon the soldier, as her husband was able to, and did, support her at the time of the soldier's death."

"The committee is not of the opinion that this finding is supported by the record and proofs in the case. On the contrary, it does appear that the son did contribute to the support of his parents; that the husband was so afflicted with disease that the results of his labors were not sufficient to support the family, and that it required the efforts of all the members of the family, the assistance of friends, and the strictest economy to effect what the said finding of the Pension Office said the husband alone did. This being the case, the committee can but believe that this mother, whose son died in a rebel prison from wounds received in battle, and who had contributed to her support, and to whom she had looked for aid for years, is entitled to a pension. The bill is accordingly reported with a recommendation that it do pass."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

BRYSON R. McCARTNEY.

The next business upon the Private Calendar was the bill (S. 1612) granting a pension to Bryson R. McCartney.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Bryson R. McCartney, late of Company K, Ninth Regiment Illinois Infantry.

The report (by Mr. MORRILL) is as follows:

Your committee have had under consideration Senate bill No. 1612, granting a pension to the above named claimant, and they recommend the adoption of the Senate report in the case as the favorable report of this committee; and as so reported they recommend that the bill do pass. Senate report hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 1612) granting a pension to Bryson R. McCartney, having examined the same, report:

"That Bryson R. McCartney enlisted in Company I, One hundred and twenty-eighth Illinois Volunteers, September 26, 1862, and was discharged from the service January 9, 1864, on a surgeon's certificate of disability, from chronic rheumatism and general debility. In his application for a pension he alleged that he contracted rheumatism and general debility in the winter of 1862-'63, at Cairo, Ill., by reason of exposure while performing camp and garrison duty. His claim was rejected on the strength of a report made by a special examiner, submitting testimony from a number of former neighbors, going to show that claimant's disability existed prior to enlistment. This testimony shows that claimant had a severe illness two years previous to his enlistment, and was not in as good health afterward, but does not cover the time immediately before enlistment."

"On the other hand, claimant submitted the testimony of two physicians as to his soundness at enlistment; of his lieutenant, and of several neighbors to the same effect. The Pension Office surgeon, who examined him in 1877, pronounced him disabled in excess of total, and declared him 'too feeble to work.' This physician said that claimant's knees and right hand were stiffened, and that the sight of his left eye was nearly gone, and rated him as totally disabled by general debility and five-eighths of total by rheumatism."

"The committee has received petitions signed by a number of citizens of Greenwood County, Kansas, where claimant has resided for many years past, calling attention to his total disability and destitute condition. Claimant is 74 years of age, and has been totally disabled since his discharge. As his services were accepted by the Government we are disposed to give him the benefit of any doubt that may exist as to his soundness at enlistment, and therefore recommend the passage of the accompanying bill."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

SEDATE P. MARTIN.

The next business on the Private Calendar was the bill (S. 2262) granting a pension to Sedate P. Martin.

The bill was read, as follows:

*Be it enacted, etc.,* That the Secretary of the Interior be, and he is hereby, authorized and directed to place upon the pension-roll, upon the evidence on file in the office of the Commissioner of Pensions, subject to the provisions and limitations of the pension laws, the name of Sedate P. Martin, late a private Company B, One hundred and forty-first Illinois Volunteers.

The report (by Mr. CULLEN) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2262) granting a pension to Sedate P. Martin, having examined the same, have adopted the Senate report, which is hereto attached and made a part of their report, as follows:

"This soldier belonged to Company B, One hundred and forty-first Illinois Infantry Volunteers. He alleges that in August, 1864, while on a march, near Caseyville, Ky., going down hill in the dark, he stepped into a depression and met with a severe shock which resulted in a constant pain in the left side; that he never went into hospital, but was soon mustered out of the service and returned home. The pain in his side continued after his return home, as his neighbors testify."

"The comrades who knew about his injury are dead, and his captain and lieutenants could not be found. There have been three medical examinations made by the Pension Office, which show that the disability is internal, and that its exact character and location can not be determined. He is described by the physicians as bent, wrinkled, and decrepit beyond his years, his general physical condition being broken and unsteady. His condition has brought on heart disease, and he has also become totally blind."

"The soldier and his wife have for some years been dependent wholly upon the charity of the community in which they live. He is vouched for as a worthy, deserving man, and, under all the circumstances, the committee report the bill for his relief favorably, and recommend that it do pass."

Mr. HEWITT, of Alabama. Mr. Chairman, if this man is to be put upon the pension-roll I would like to know what amount of pension he is to draw. It seems to me that it will be very difficult for the Pension Office to determine how this man should be rated. It is said that he is totally blind. If he is totally blind, and if that is the result of his service in the war, then, under the pension laws, he will be entitled to \$72 a month. If his blindness is not the result of his service in the war, and you place him upon the pension-roll under this special act, under the evidence that is filed in this Pension Bureau, as the bill provides, I would like the gentleman from Indiana [Mr. MATSON] to tell us what will be the amount of pension per month that this man will draw?

Mr. MATSON. Mr. Chairman, this bill is, I believe, in the usual form requiring the Secretary of the Interior to place this man on the pension-roll, subject to the provisions and limitations of the pension laws.

Mr. HEWITT, of Alabama. That is not my understanding of it. My understanding is that this bill requires him to be placed on the pension-roll "under the evidence that is filed in the Pension Office." Now, what does that mean?

Mr. MATSON. That means exactly what I have already stated. He is to be placed upon the roll, subject to the provisions and limitations of the pension laws, and I apprehend that unless he is rated it will be impossible for him to be placed there.

Mr. HEWITT, of Alabama. But how is he to be rated? Suppose he is totally blind now, and that his blindness did not result from his service in the Army, will he be rated as totally blind?

Mr. MATSON. Not unless he proves that his blindness was the result of his service.

Mr. HEWITT, of Alabama. But suppose the testimony tends to show that his blindness did result from his service, although the weight of testimony is the other way, and you place him upon the pension-roll by this special act, will not that be an instruction to the Pension Office to give him a pension for his blindness?

Mr. MATSON. If he had alleged blindness in his application to the Pension Office, and if Congress, after a review of that case and that allegation, should pass an act providing that he be placed on the pension-roll, I should say that when he came to be examined if the physicians found him to be blind he would be rated for blindness. If he alleged at the Pension Office an injury in the side, or an internal injury in any part of the body, and that particular allegation was considered by Congress, and in pursuance of it a bill passed requiring that he be placed on the pension-roll, subject to the provisions and limitations of the pension laws, that action would be construed as having been taken with reference to the precise injury or disease or wound that might have been alleged before.

Mr. HEWITT, of Alabama. Now, I wish to inquire whether this man's application in the Pension Office was based upon the ground of blindness—whether that was one of the allegations?

Mr. MATSON. I think not.

Mr. BROWNE, of Indiana. I would like to make an inquiry. Is this bill in the ordinary form, simply directing that the name of the person be placed on the pension-roll, subject to the provisions and limitations of the pension laws?

The CHAIRMAN. The Chair will cause the bill to be again read. The Clerk again read the bill.

Mr. BROWNE, of Indiana. That bill is very singularly drawn.

Mr. HEWITT, of Alabama. From the report which has been read it appears that this soldier filed an application for a pension upon the ground that one night, while walking along, he made a misstep, the consequence of which was a pain in his side, from which he was suffering at the time he was discharged. The Pension Office, after weighing the evidence put on file there, came to the conclusion that he was not suffering from any disability which originated in the service, and hence that office refused to grant him a pension.

This bill, which is not in the ordinary form, but which is extraordinary in its terms, directs that he shall be placed on the pension-roll upon the evidence filed in the Department, subject to the provisions and

limitations of the pension laws. Now, if the application made to the Pension Office was for a pension on account of total blindness—if that was the allegation of the application, and the applicant filed evidence showing that he was blind, but failing to show that the blindness resulted from service in the war—under these circumstances if Congress should direct that this man be placed upon the pension-roll, our act has reference to the application and evidence already filed, and would be construed as instructing the Pension Bureau to pay him a pension according to the disability under which he alleged he was suffering. If the allegation was total blindness, the Pension Bureau would have no ground upon which it could refuse to pay him a pension of \$72 a month, even though the evidence might go to prove that his blindness had nothing to do with his service in the Army, but resulted altogether from other causes.

Mr. BROWNE, of Indiana. The language of this bill is extraordinary; at least I do not remember another instance in which similar language has been used. Under a bill passed in this form the Pension Bureau would have nothing in the world to do except to place the name of the beneficiary on the pension-roll and ascertain the extent of his existing disabilities. He would be placed on the roll as being entitled to a pension; he would be referred to an examining board simply for the purpose of ascertaining the character of his disabilities, and he would be rated accordingly.

I do not believe that this bill, in its legal effect, differs in the slightest degree from our bills in the ordinary form, directing that the name of the beneficiary be placed on the roll, subject to the limitations and provisions of the pension laws; and in those cases it has always been held by the Commissioner of Pensions that the Pension Office has nothing to do in the nature of instituting an inquiry as to the manner in which the disability was incurred. The man may have been injured by an accident on the railroad or in a saw-mill or by a threshing-machine; yet when Congress, having sovereign legislative power, declares in this general way that a man is entitled to a pension, nothing is left for the Pension Office to do but to ascertain the character of his disabilities that he may receive a rating in conformity with the law. I feel sure that is precisely the condition in which this claimant will be left if this bill be made law. I have no objection to the bill. I shall support it, supposing that this man ought to be pensioned according to his disabilities.

Mr. PETERS. I wish to inquire of the gentleman whether that language in this bill which makes it extraordinary in its character is not surplusage.

Mr. BROWNE, of Indiana. I so esteem it. In this bill Congress, as I understand, does nothing more than to say that this man is entitled to a pension on the evidence. This language "on the evidence" is of no consequence, for Congress, without making any reference whatever to the evidence, may declare him entitled to a pension. The bill does not say the Pension Office shall grant a pension if, upon the evidence, the Commissioner believes him entitled to a pension. By the general law, as it now is, Congress gives the Pension Bureau that direction. It is the duty of that bureau under existing law to grant the claimant a pension on the evidence, if the evidence justifies such action on the part of the office. All that this bill does is to declare this man entitled to a pension on the evidence; and it refers the character of the disability to the Pension Office to be ascertained in order that it may be able to make a correct rating under the law. I have no doubt it is right that the bill should be in that form.

Mr. BUCHANAN. Mr. Chairman, this bill, if it has no greater effect than what the gentleman from Indiana, as I understand, would claim for it, can not be enforced in the Pension Office. This man has made his application there and filed his evidence; and the officials authorized to pass upon that evidence have declared that under the limitations of the pension laws he is not entitled to a pension. Now, if this bill is merely equivalent to the ordinary provision directing that a person be placed on the rolls subject to the limitations of the pension laws, if the bill does that and nothing more, this applicant can not get a pension under the bill.

Mr. BROWNE, of Indiana. Will the gentleman allow me to interrupt him?

Mr. BUCHANAN. With pleasure.

Mr. BROWNE, of Indiana. It is the standing rule of the Pension Committee and of Congress that no pension will be awarded by a pension act where it might be given under the general law until the evidence has been first examined in the Pension Bureau and the pension denied. So in nine hundred and ninety cases out of each thousand we pass here, we pass them over the head of the Pension Bureau in cases in which the Pension Bureau on the evidence has denied the pension altogether. That will be the effect exactly of this law.

Mr. BROWN, of Pennsylvania. That is to say, the act of Congress supplies the place of evidence.

Mr. BUCHANAN. Certainly. If the man is entitled to a pension under the limitations of the pension laws, then he ought to obtain it at the Pension Bureau. There is the place. And here is an appeal in this case from the decision of those officers. It is true that Congress may try that appeal and grant a pension either with or without cause. But I take it that every bill that is presented to Congress shows some reason why a gratuity should be conferred upon the claimant.

Mr. JOSEPH D. TAYLOR. Is it not your opinion that every man who was in the first place a good soldier, who was honorably discharged and had a good record, having existing disability, the origin of which we can not trace perhaps, and is without any present means of support—where these three things appear, as they do here, is it not your judgment in all such cases the soldier ought to be pensioned without making further inquiry.

Mr. BUCHANAN. It is not worth while for me to give my judgment what ought or ought not to be done. I stand by what is the law of the land, and that ought to be enforced.

Mr. BROWNE, of Indiana. Will the gentleman allow me to answer the gentleman from Ohio?

Mr. BUCHANAN. Certainly.

Mr. BROWNE, of Indiana. While I agree in the case put by him a pension should go, I wish to say quite distinctly it ought not to go in special cases; that a general law in such cases should pass so there may be a perfect equality of all occupying a common level.

I desire to say the meaning of "the provisions and limitations of the pension laws" as employed in pension bills is just this and no more, that the rating of the pension is to be subject to the provisions and limitations of existing law. That is, you ascertain the extent of the disability and grant the pension accordingly. If subsequently Congress should increase that rating then the pension goes up, but if it diminishes the rating the pension goes down. Therefore the pension granted by special act is all the time subject to the provisions and limitations of the pension laws, and when that language is employed it means that and nothing more, unless a specific rate is fixed in the act itself, and then, of course, it does not apply.

Mr. BUCHANAN. On the other point taken by the gentleman from Alabama, this bill, in my judgment, is incapable of the construction this is to be on the evidence. The evidence shows, for one thing, this man is blind, and for another he has pain in his side; consequently this bill should be amended and the evidence filed in the Pension Office, designated whether he should be rated for blindness or for minor injury. I do not say how this bill can be construed in rating the pension received by this individual by the evidence filed in the Pension Bureau, which I presume is the same which appears in the report of the committee.

Now, how is this man to be rated—how are they to rate him? Is it for the minor or the greater injury? All the facts are now before the bureau, and on these facts the bureau determined he was not entitled to any pension at all. Congress now says he is entitled to the pension on that evidence. That evidence indicates two injuries, one blindness and the other of a minor character—some affection of the side. There is not a judge who can construe whether he is to be rated for blindness or for the minor injury.

Mr. BROWN, of Pennsylvania. But the act of Congress, in my estimation, eliminates the matter of rating altogether. The pension and what the amount of that pension is to be depend on his physical disability, without reference to blindness or anything else.

If he is blind and the blindness dates back to his service in the Army or is traceable to that cause, he is entitled to the pension fixed for that character of disability—\$70 per month. If he is not blind, then he would receive a pension according to his present condition. It all depends upon the physical disability which now exists.

Mr. VAN ALSTYNE. I would like to have the gentleman recite the language of the statute to which he refers, in view of the fact that we are called upon to vote upon this bill.

Mr. BROWN, of Pennsylvania. The gentleman can do that for himself if he wants to.

Mr. VAN ALSTYNE. I would like very much to see the statute.

Mr. BUCHANAN. What is the disability as shown by the evidence on file in the Pension Bureau?

Mr. BROWN, of Pennsylvania. It makes no difference whatever. That would determine nothing.

Mr. BUCHANAN. I think the gentleman is mistaken in that respect.

Mr. MATSON. Mr. Chairman, I have attempted to say before during the discussion of these bills that as I understand the practice at the Pension Office when a special act is passed the officer there reviews the case with reference to the allegations contained in the claimant's application, if he has made one, in the Pension Office, and particularly with reference to the disability considered by Congress as shown by the reports. It will not do to say that when a man is placed on the pension-roll by act of Congress prescribing that he shall be there placed subject to the provisions and limitations of the pension laws he is to be pensioned for every disability which may afflict him. That is not the effect of the law at all.

On the contrary, the effect is to place him there for the disability which he claimed in the Pension Office, but which he could not quite prove originated in the service, or perhaps could not comply with the law in other respects, as far as the testimony is concerned, and he would be pensioned for that disability, and that only. He may have a dozen other disabilities and not be pensioned for any other than that for which the application is made and the proof filed.

There may have been disabilities incurred before he enlisted at all, or disabilities incurred afterward, but when he is placed upon the pen-

sion-roll by act of Congress he is placed there under the practice of the office; and within the last two days an officer of that department has come to me from the office to get the reports with a view to fixing the rating of a man for whose benefit a special act was passed, so that they could instruct the examining surgeons of the particular disease or injury alleged.

Mr. BROWNE, of Indiana. Suppose a case where the report of the committee does not indicate any disability at all, but simply directs that the office shall place the applicant on the pension-roll. How would the office determine the pension in such a case as that, under the illustration the gentleman now makes?

Mr. MATSON. Such a case could not arise, for the fact is the report itself always states the ground of the application, and states what it is for which the man is to be pensioned. They never fail to do so.

Now, in this particular case, the man alleges an internal rupture of some kind by reason of slipping or stepping down into a depression during his term of service, and for that injury when the bill is passed he will be pensioned, and not for blindness, for he has never alleged blindness in the application to the office for a pension.

The report does set forth the fact that the man is blind, but it does not state that he alleges that he incurred the blindness while in the service, or that it is a ground for granting him a pension at all.

The allegation of the claimant is that he was internally ruptured in some manner and for which injury he asks to be pensioned. As to the language of the bill, which provides that he shall be pensioned upon the evidence on file in the Pension Office, I take that as rather qualifying the terms of the bill than otherwise. I take it as being language which points out to the office in this particular case that it must be in reference to the particular disability for which the pension is asked; although as a matter of fact that would be of no consequence, for the same effect would follow if the language was omitted. And so I regard the expression "to be pensioned on the evidence upon file in the Pension Office" as mere surplusage which leaves the bill in effect just the same as if the language had not been inserted.

Mr. BUCHANAN. Do I understand that there is no evidence on file in the Pension Office as to the blindness?

Mr. MATSON. I presume not. At least there is no allegation that blindness was incurred in the service or that it is set up as a ground for pension. I did not report the bill and can not say that I am familiar with the facts, but I am sure there is not, because the pension is not applied for on that ground at all.

Mr. BUCHANAN. If there is no evidence in the office of blindness as a claim for the pension, that of course would make a different case altogether.

Mr. VAN ALSTYNE. Mr. Chairman, there have been no satisfactory reasons assigned why this bill should be made an exception to the thousand other bills of like character which have passed this Congress. I take it that it is not the intention of the House to make it an exception; and therefore it should not carry language that may be construed for the benefit of this applicant in preference to any other. I therefore offer an amendment, and I do it in earnest, not proposing to argue it either, but I think it should prevail.

It is to strike out all after the words "pension-roll" in the bill down to the words "subject to," so that it will read in harmony with every other bill, without exception, so far as I know, which has been passed by the present Congress.

Mr. PERKINS. May I ask the gentleman a question?

Mr. VAN ALSTYNE. Certainly.

Mr. PERKINS. Let me ask if the language in the bill to which you take exception has any effect at all as to imposing any limit upon the power of the Commissioner of Pensions? Does it really confer any power to rate the pension upon the evidence rather than the certificate given by the examining board of surgeons?

Mr. HEWITT, of Alabama. That is just the trouble. I would rather take the certificate of the surgeon.

The CHAIRMAN. The Clerk will report the proposed amendment.

The Clerk read as follows:

Strike out the words "upon evidence on file in the office of the Commissioner of Pensions."

The CHAIRMAN. Without objection the amendment will be considered as agreed to.

Mr. HOUK. I rise to a question of order. I addressed the Chair long before the question was put.

The CHAIRMAN. For what purpose does the gentleman from Tennessee rise?

Mr. HOUK. I want to discuss that amendment.

The CHAIRMAN. The gentleman from Tennessee says he rose and addressed the Chair before the question was put on the amendment. The gentleman is recognized.

Mr. HOUK. I wish to say to the committee it will be a misfortune to adopt that amendment. In the first place, the language proposed to be stricken out has not one particle of effect in determining the measure of disability or anything in regard to the rights of the pensioner under the bill. In the next place if you amend the bill by striking that out and send it back to the Senate, in all human probability the bill will not be passed and you do absolute injustice to this applicant.

I have listened to the discussion here, and I must submit if there is any point or any force in the argument in regard to this language proposed to be stricken out I am wholly incapable of comprehending it. This simply places the applicant on the pension-roll to be rated by an examining board. The first duty of the Pension Office will be to enroll him as a pensioner. The next will be to refer him to the proper board to be examined; and it will be the duty of the Pension Office to place him at whatever rate he may be rated at by the examining board. And I think it would be wrong to endanger the bill now by making this amendment.

Mr. HEWITT, of Alabama. Will the gentleman from Tennessee allow me—

Mr. HOUK. The gentleman from Alabama has spoken all night, and I should like him to take his seat and let me alone. If there is any one man that talks more than another the choice lies between my friend from Alabama and my friend from Kentucky, who is not here this evening.

A MEMBER. He was here a short time ago.

Mr. HOUK. I hope my friend from Alabama will let me alone. I protest against encumbering this bill with this amendment, because in all probability it will prevent this applicant getting a pension.

There is not a lawyer who does not understand that the bill has no more legal effect or force about it than the bills in the usual language which we pass here night after night. All this discussion it seems to me is surplusage and unnecessary; and I appeal to gentlemen to vote down this amendment.

Mr. HEWITT, of Alabama. I did not propose to talk again on this question; but I want to call the attention of the gentleman from Tennessee to one point. I do not profess to know much law, but the gentleman from Tennessee is a lawyer, and I desire to call his attention to this fact. If you pass a law putting a man on the pension-roll subject to the provisions and limitations of the pension-laws, and if that man has a disability he must be put on the pension-roll under those laws and rated according to the disability; but if as the years go by he becomes a sound man and his disability is removed—

Mr. HOUK. Then the Pension Office would have the right to have him re-examined.

Mr. HEWITT, of Alabama. Then according to the limitations of the pension laws usually applicable his pension ceases because he has no pension disability.

Mr. HOUK. Nobody disputes that.

Mr. HEWITT, of Alabama. But, now, here you see the pensioner must be put on the pension-roll subject to the provisions and limitations of the pension laws, with one exception, that is, "upon the evidence now on file in the Pension Office;" they can look to nothing else; they can not inquire hereafter as to whether he has a disability or not if he has got a disability now. If the evidence shows that you must put him on the pension-roll and keep him there, although hereafter he may become a sound man. There is a distinction between the two cases, and it is a distinction which I think any lawyer can see.

Mr. HOUK. Do not the provisions and limitations of the pension law offer every remedy that is necessary to provide the means of ascertaining when the disability ceases?

Mr. HEWITT, of Alabama. Not when you say he is put there on the evidence now on file.

Mr. HOUK. He is put there on that evidence. But after he is put there he is subject to the provisions and limitations of the pension law as it exists in the general law.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. VAN ALSTYNE].

A division was demanded.

The question was taken; and there were—ayes 4, noes 28.

Mr. VAN ALSTYNE. No quorum.

Mr. KEAN. I hope the gentleman will not insist on the point as to a quorum.

The CHAIRMAN. The point being made that a quorum has not voted the Chair will appoint tellers.

Mr. MATSON. I ask unanimous consent that this bill be laid aside informally.

Mr. VAN ALSTYNE. I object.

Mr. HOUK. I have not changed my opinion as to this matter, but I doubt the propriety of jeopardizing the case of this pensioner.

Mr. LONG. The Senate will concur.

Mr. HOUK. I am assured by Governor LONG that the Senate will concur in the amendment. I presume that gentleman knows what he talks about. I will therefore stop my opposition and let the amendment go.

Mr. MORRILL. I ask that by unanimous consent the amendment may be adopted.

The CHAIRMAN. Unanimous consent is asked to vacate the vote by which the amendment was disagreed to. Is there objection?

There was no objection.

The CHAIRMAN. The question recurs on the amendment offered by the gentleman from New York [Mr. VAN ALSTYNE].

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JAMES BOND.

The next business on the Private Calendar was the bill (S. 1633) granting a pension to James Bond.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place on the United States pension-roll the name of James Bond, who was a private in Company B, Fifty-second Regiment Ohio Infantry in the late war of the rebellion, the pension under this act to date from and after the passage of the act.

The report (by Mr. CULLEN) is as follows:

Your committee have had under consideration Senate bill No. 1633, granting a pension to the above-named claimant, and they recommend the adoption of the majority report of the Senate Committee on Pensions as the favorable report of this committee, and further recommend the passage of the accompanying bill. Senate report hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 1633) granting a pension to James Bond, have examined the same, and report as follows:

"It appears that this case was forwarded to the House Committee on Invalid Pensions last session by the Commissioner of Pensions, who made the following statement of the case in his letter of transmittal:

"I have the honor to call the attention of the honorable Committee on Invalid Pensions, House of Representatives, to the accompanying claim to pension under the general pension laws of James Bond, late of Company B, Fifty-second Ohio Volunteers, No. 54896, rejected by this bureau, under date of August 24, 1881, on the ground that the disability upon which the claim was based was not contracted in the line of duty, and most respectfully ask your attention to the same (under a resolution of Congress passed May 29, 1830), and suggest the passage of a special act granting him a pension from the date of his discharge, September 2, 1864, the amount of which to be governed by the laws now on the statutes.

"By a reference to the papers it will be seen that the claim is for the loss of the left arm and the loss of sight of left eye from the explosion of a shell at Chickamauga, Georgia, while out on a pass from the brigade commander visiting the battlefield at said place, in the month of April, 1864.

"It is shown by the testimony of Lieut. Col. Charles W. Clancy, who was Bond's captain, and assisted in the amputation of his arm, that the regiment was encamped near the battleground, and that Bond and four comrades obtained a pass from the brigade commander to procure boards for quarters, and to go through the battleground of Chickamauga; that while going over the field one of Bond's comrades handed him a small bombshell, which exploded in his hands; that as a result of his injuries his left arm was amputated at the shoulder, his left eye so badly injured as to lose his sight, and his right eye injured somewhat. Colonel Clancy testified that the injury was received in the line of duty, that it was accidental, and that it was no fault of the soldier's.

"The Pension Office officials appear to have been divided in opinion as to whether this injury was received in the line of duty. The examiner who briefed the case said in a note on this point:

"It certainly is a pensionable incident of the war, for if he had not been in the service he would not have been injured in this way; and he was not necessarily out of line of duty, while the captain testifies he was in line of duty, being on the battlefield by permission of superior officer."

"Another examiner submitted a long statement in support of his opinion that the claim was justly pensionable under existing laws, because the claimant's terrible disability is a pensionable incident of his services in the Army.

"Still another examiner, in an opinion given at the request of the chief of his division, says:

"The question at issue is as to line of duty. I regard it as a delicate one to decide, and one susceptible of different conclusions. It seems desirable in such cases, where the equities of the claim are recognized, that we should construe the law liberally.

"It is shown that the claimant was visiting the battle-ground with proper permission, and that fact suggests that he was in line of duty at the time. If he had received the same injury within the limits of the camp, we could not hold that he was not in the line of duty, and yet he was to all intents and purposes as much in line of duty as if within the confines of the camp at the time.

"The whole matter may be condensed and covered in this conclusion—the wound was accidental and was a resulting incident of his service. If the circumstances under which the injury was received are truthfully stated, in my opinion we have no impregnable or even tenable ground for denying the pension. If we have not the facts clearly presented, we should then endeavor to obtain them before finally deciding the question involved. The deputy commissioner has already decided the action in the case adverse to the legal right, while admitting the equity of the claim.

"In my judgment, if the claimant has now an equitable title, he has also a legal one, although the claim admits of argument on that point."

"When the case was submitted to the deputy commissioner, another official said:

"The record shows the explosion was accidental, and contains nothing to show that claimant was out of the line of his duty. It appears to have been incidental to the service."

"The case was finally passed upon by the Commissioner, who says in his opinion:

"In my opinion the action then taken (referring to the rejection of the claim) was correct, because every soldier is held to the exercise of common sense and common prudence. An unexploded shell upon a deserted battlefield is not a thing to be carelessly handled, or handled at all, and if an old soldier of two years' service, well knowing the danger he incurred, picked up an unexploded shell, he did it at his own peril and own personal risk. The only safe thing to handle under such circumstances would be an exploded shell, or rather the fragments of one.

"Under some circumstances a soldier picking up an unexploded shell might be pensionable if followed by the results as detailed in this case, *i. e.*, were the shell to fall in the midst of his comrades, and in an effort to save life he should pick it up and in trying to throw it away it should explode, as this did, he would be given a pension by me. But when, as in this case, away from camp and far off from comrades, out of idle curiosity and in the face of what he knew to be the risk he ran, he takes it up and either by percussion or other act ignites the fuse, he certainly is not in line of duty. In my opinion the first action of the office was correct, and should be adhered to."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT J. BALLORT.

The next business on the Private Calendar was the bill (S. 2268) for the relief of Robert J. Ballort.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and is hereby, authorized and directed to place on the United States pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert J. Ballort, a private in Company F, Eighth Regiment Michigan Cavalry.

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The report (by Mr. WINANS, of Michigan) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 2268) granting a pension to Robert J. Ballort, having examined the same, make the following report. Having adopted the Senate report, recommend that the same do pass, a copy of the same being hereto attached:

"The Committee on Pensions, to whom was referred the bill (S. 2268) granting a pension to Robert J. Ballort, have examined the same, and report, recommending its passage.

"This is a case where if the applicant must make out a case before the Pension Office beyond a reasonable or possible doubt he may fail; if he is to be treated as well as the party in an ordinary civil case in the courts he should have prevailed there and have had the benefits of the law long since. Nothing is more required in the administration of the pension laws than uniform rules of evidence as liberal as those of the common law. The Congress might find in this direction the opportunity of rendering claimants and the administrators of the law an important service.

"We print one document from the Pension Office:

"DEPARTMENT OF THE INTERIOR, PENSION OFFICE,  
"Detroit, Mich., October 11, 1883.

"SIR: I have the honor to return herewith the papers in original in valid claim No. 321037 of Robert J. Ballort, late private Company H, Eighth Michigan Cavalry, for adjudication on report of Special Examiner George C. Kober.

"After a careful review of this claim in connection with No. 324597 of John T. Ballort (also transmitted to-day), I am led to differ from the conclusions of the special examiner in this case, and I recommend its admission for chronic diarrhoea.

"Very respectfully,

"WM. T. SULLIVAN,  
"Supervising Examiner.

"HON. WM. W. DUDLEY,  
"Commissioner of Pensions, Washington, D. C."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY HOWARD FARQUHAR.

The next business on the Private Calendar was the bill (S. 1960) for the relief of Mary Howard Farquhar; reported adversely from the Committee on Invalid Pensions.

The report (by Mr. PATTON) is as follows:

Your committee have had under consideration Senate bill No. 1960, granting a pension to the above-named claimant, which passed the Senate granting her a pension at the rate of \$30 per month in lieu of the pension she is now receiving, namely, \$25 per month, as the widow of Maj. Francis V. Farquhar, Corps of Engineers, and brevet lieutenant-colonel United States Army. The amount she is now receiving is the highest rate of pensions allowed by law to widows of officers of this grade, and therefore your committee are of the opinion the bill should be reported adversely.

The bill was laid on the table.

The CHAIRMAN. The Chair will state to the gentleman from Indiana [Mr. MATSON] that this completes the list of Senate bills included in his resolution.

Mr. MATSON. Mr. Chairman, there are two or three House bills that I ask to have taken up.

Mr. CULLEN. Mr. Chairman, before passing to these House bills I desire to call attention to the fact that House bill No. 2514, granting a pension to David T. Hoover, is upon the Calendar. The RECORD shows that that bill passed on Friday evening last, and if the Journal corroborates the RECORD the bill is evidently on the Calendar by mistake.

The CHAIRMAN. The Chair will inform the gentleman [Mr. CULLEN] that the Clerk of the House discovered the mistake, and has stricken the bill from the Calendar.

MATILDA CODY.

The next business on the Private Calendar was the bill (H. R. 7907) granting a pension to Matilda Cody.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Matilda Cody, widow of John Cody, as shown by No. 181661 on file in the Pension Office.

The report (by Mr. LE FEVRE) is as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 7907) granting a pension to Matilda Cody, respectfully report as follows:

The proof shows that John Cody, the husband of Matilda Cody, served in Company L, Fourteenth Regiment Kentucky Cavalry, from December 10, 1862, until March 24, 1864, when he was mustered out by expiration of service. That said John Cody then enlisted in the Three Forks Kentucky Battalion, but had not been mustered for want of an opportunity, there being no muster officer; when, acting under orders of Capt. Shadrock Combs, the said John Cody, in company with other soldiers, went on a scout and was killed in the line of duty about October 7, 1864. The proof shows that the soldier's widow, Matilda Cody, never remarried.

In view of all the facts the committee recommend the passage of the bill.

The amendment reported by the committee is as follows:

Strike out the words "as shown by number one hundred and eighty-one thousand six hundred and sixty-one, on file in the Pension Office," and insert "late of Company L, Fourteenth Kentucky Cavalry."

The amendment was agreed to.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

RACHEL NICKEL.

The next business on the Private Calendar was the bill (H. R. 603) granting a pension to Rachel Nickel.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and

limitations of the pension laws, the name Rachel Nickell, widow of Asbury Nickell, as shown by No. 233883 on file in Pension Office.

The report (by Mr. LE FEVRE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 603) granting a pension to Rachel Nickell, beg leave to report as follows:

That the proof shows conclusively that Rachel Nickell is the dependent mother of Asbury S. Nickell, who enlisted as a private in Company I, Forty-seventh Kentucky Mounted Infantry, although the soldier's name does not appear on the muster-rolls.

The proof shows that he, in company with other soldiers, was detailed and sent on a scout, and that while in the performance of duty, Asbury S. Nickell was captured and killed by rebels or guerrillas on or about the 28th day of September, 1863. That Rachel Nickell never remarried, and is very old and in indigent circumstances.

In view of all the facts the committee recommend the passage of the bill.

The amendment reported by the committee is as follows:

Strike out the words "as shown by number two hundred and thirty-three thousand eight hundred and eighty-three, on file in the Pension Office" and insert "late Company I, Seventh Regiment Kentucky Mounted Infantry."

Mr. WHITE, of Kentucky. Mr. Chairman, I move that where the name occurs it be spelled "Nickell."

The amendment was agreed to.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARY J. DICKSON.

The next business upon the Private Calendar was the bill (H. R. 8237) granting a pension to Mary J. Dickson.

The bill was read:

The report (by Mr. HOLMES) was read, as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (H. R. 8237) granting a pension to Mary J. Dickson, having had the same under consideration, report as follows:

"The claimant, Mary J. Dickson, asks a pension from Congress by special act, as dependent sister of Sylvester R. Dickson, who enlisted in Company A, Eighty-third Illinois Volunteer Infantry, in August, 1862, and was killed in a skirmish with the enemy while in line of duty on the 2d day of January, 1863, near Fort Donaldson, Tennessee. The claimant under the rules of the Pension Office can not obtain a pension, and has made no application in that direction. From the proofs on file it appears that the deceased soldier was never married, that at the time he enlisted as stated claimant was an invalid, and dependent upon him for support. That when he enlisted he willed claimant all his property, which amounted to about \$1,000; and that after he went to the Army he sent her money for her support.

Claimant has never married, and during all the years since the soldier's enlistment has remained an invalid. She has long since exhausted the property her brother left her, and is without means and is unable to support herself. Her mother died in 1859, and her father in 1870, the latter remaining a widower after the death of his wife before referred to. Claimant states that she has three other brothers living, but two of them have no property save a few household goods, and neither of them own a homestead, and have no other property; that one of the brothers is 57 years of age, and the other is 66 years of age, both being in poor health.

The third brother has eighty acres of land, upon which he lives with his family, consisting of a wife and four children. That said farm is worth not to exceed \$2,400, on which there is a mortgage of \$900, besides numerous other debts. That he has but little personal property, and that only sufficient to work his farm. That he is in poor health and is not able to do any work, and is now 61 years old. She has no sister living. The statements of claimant are supported by those of many reputable citizens who have known claimant and her family for many years. There is, besides, a petition, signed by many of the leading men of the State, earnestly recommending her case to Congress for favorable action.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

ADDIE L. MOORE.

The next business on the Private Calendar was the bill (H. R. 8155) granting a pension to Addie L. Moore.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll of the United States the name of Addie L. Moore, widow of Camillus A. Moore, late a private in Company E, Seventy-fourth Regiment Illinois Volunteers, subject to the limitations and provisions of the pension laws, to take effect from and after the passage of this act.

The report (by Mr. HOLMES) was read, as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (H. R. 8155) granting a pension to Adeline L. Moore, having considered the same, report as follows:

The claimant is the widow of Camillus A. Moore, late a private in Company E, Seventy-fourth Regiment Illinois Volunteer Infantry. He enlisted on August 14, 1862, and was discharged February 3, 1863. He died October 7, 1875. The soldier never filed an application for pension, but his widow, on the 24th of April, 1879, filed her application, which was finally rejected by the Pension Office on the 20th of February, 1883, on the ground that the disease of which the soldier died was not the result of his military service. It is shown by the proof on file at the Pension Office that the husband of claimant was discharged on surgeon's certificate of disability.

The certificate of disability and discharge both state that he is discharged "by reason of greatly impaired health, resulting from measles, followed by erysipelas, chronic diarræa and cough, that is very unpromising." The record of the Adjutant-General's Office shows that he was sick in hospital at Nashville, Tenn., since December 20, 1862, and was discharged on surgeon's certificate of disability at Nashville, Tenn., on the 3d day of February, 1863.

The evidence is uncontradicted that prior to his enlistment he was an able-bodied man, sound and healthy in every respect. The evidence of numerous witnesses shows that he was entirely broken in health at the time of his discharge, and was unable to do manual labor to any appreciable extent up to the time of his death.

The evidence of the physicians is somewhat conflicting as to the duration of his last sickness; some of them place it at three or four days, and one doctor as high as seventy-five days. The Pension Office decided the cause of his death to have been "cerebral hemorrhage." The evidence in his case would indicate that

his death was the result or sequel of the same disabilities with which he was afflicted when he was discharged from the service. The fact shown that he was continuously ill, and that he had a pain in his head for years, together with the further symptoms narrated by the physicians and witnesses, further showing his continuous illness from the time of discharge to the time of his death, will combine, we think, to make a clear case for relief under the bill before your committee.

The soldier had formerly been married, but his first wife died and there were no children surviving as the result of their marriage. By the second wife (the claimant herein) there was born one child, namely, Howard Cornelius Moore, on the 14th of March, 1875.

The soldier seems to have performed his duty well until he was stricken down with the measles, and your committee think it but just that his widow and little child should receive a pension for the services in which he sacrificed his life. Your committee therefore report the bill back with the recommendation that it do pass.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

THOMAS R. WARE.

Mr. HEWITT, of Alabama, called up a bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia.

The bill was read.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

Mr. MORRILL. In order that several Senate bills may be reported in the House from the Committee on Invalid Pensions I move that the committee rise, the purpose being that we shall again go into Committee of the Whole immediately.

Mr. STOCKSLAGER. Before that is done, I would like to call up several bills, two of them for the gentleman from Nebraska [Mr. LAIRD], who is confined to his room by sickness.

Mr. MORRILL. Very well; I will withdraw the motion for a few moments.

WILLIAM H. HOUGHTON.

Mr. STOCKSLAGER. I call up the bill (H. R. 4026) for the relief of William H. Houghton.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, at the rate of \$100 per month, the name of William H. Houghton, late a sergeant of Captain Sherman's company of Iowa Militia Volunteers, under the command of General Dodge, in the Black Hawk war, subject to the conditions and limitations of the pension laws.

The report (by Mr. STOCKSLAGER) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 4026) for the relief of William H. Houghton, respectfully report:

Mr. Houghton was sergeant in Captain Sherman's company of Iowa Volunteers in the Black Hawk war. Having lost his discharge, he was unable to share in the appropriation made by Congress for the payment of the soldiers of that war, and so far has been unable to get a pension for the disability which he incurred in the line of duty. And in justice to the worthy old veteran the committee recommend the passage of the bill, with an amendment striking out the words "at the rate of \$100 per month."

The amendment reported by the Committee on Invalid Pensions, to strike out the words "at the rate of \$100 per month," was read and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

DELIA G. WEBBER.

Mr. STOCKSLAGER. I call up the bill (H. R. 7504) granting a pension to Delia G. Webber.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Delia G. Webber, widow of Louis Webber; and that the said Delia G. Webber and her children of a pensionable age receive the same pension which they would be entitled to if said Louis Webber had been a private soldier killed in the line of his duty, per month.

Sec 2. That paragraph 3 of section 4693 of the Revised Statutes shall not operate to prevent the granting of the above pension.

The report (by Mr. LAIRD) is as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 7504) for the relief of Delia G. Webber and others, having had the same under consideration, respectfully report:

This bill seeks to extend the time within which Delia G. Webber, L. H. Naron, Mary Anne Mesdall, they or their legal representatives, may file their applications for pensions under paragraph 3 of section 4693 of the Revised Statutes. The paragraph referred to is as follows:

"Any person not an enlisted soldier in the Army, serving for the time being as a member of the militia of any State, under orders of an officer of the United States, or who volunteered for the time being to serve with any regularly organized military or naval force of the United States, or who otherwise volunteered and rendered service in any engagement with rebels or Indians, disabled in consequence of wounds or injury received in the line of duty in such temporary service. But no claim of a State militiaman, or non-enlisted person, on account of disability from wounds or injury received in battle with rebels or Indians, while temporarily rendering service, shall be valid unless prosecuted to a successful issue prior to the 4th day of July, 1874."

Your committee recommend that the bill do pass.

As to the above-named Delia G. Webber, your committee, finding the facts in her case on file, have reported a bill granting her a pension.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

VALINCA S. HUTCHINSON.

Mr. STOCKSLAGER. I also call up the bill (H. R. 3581) for the relief of Valina S. Hutchins.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Valina S. Hutchins, widow of Curtis C. Hutchins, formerly a member of Col. J. S. Calhoun's battalion of Georgia Mounted Volunteers, service of Mexican war, whose name through error was not carried on the roll, although enlisted in the service of the United States, and who died while in said service, the pension of said widow to date from application subject to the rules and limitations of the pension laws.

The report (by Mr. LAIRD) was as follows:

The Committee on Pensions, to whom was referred the bill (H. R. 3581) for the relief of Valina S. Hutchins, respectfully report:

It appears from the evidence that Curtis C. Hutchinson volunteered at Aurlia, Lumpkin County, Georgia, on or about the 15th day of June, 1847, for five years of the war in a company formed at that place, and which was afterward known as Company F, commanded by Capt. Charles H. Nelson, in the Georgia Battalion of Mounted Volunteers, commanded by Colonel Calhoun, in the late war with Mexico. They marched to Cassville, Ga., where they were organized, and from thence marched to Columbus, Ga., where they joined the battalion, were mustered into service, and marched to Mexico and joined the United States Army and served to the close of the war.

While on the march from Cassville to Columbus, Ga., Hutchinson was taken sick from exposure on the road, and in four days died. He had always been a strong, healthy man. Your committee believe that he was in the line of duty when taken sick, and that his widow is entitled to a pension, and recommend that the bill (H. R. 3581) do pass with the following amendments:

In line 5 strike out the words "Valina S. Hutchins, widow of Curtis C. Hutchins," and insert "Valencia S. Hutchinson, widow of Curtis C. Hutchinson," and in line 7, all after the word "war," and lines 8, 9, and 10. Also amend the title of the bill by making it read "Valencia S. Hutchinson" instead of "Valina S. Hutchins." Also amend the bill to the same effect wherever said name occurs; also by changing the name of "Curtis C. Hutchins," where it occurs in line 5 of the bill, so that it shall read "Curtis C. Hutchinson."

The amendments stated in the concluding paragraph of the report were read and agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

#### ORDER OF BUSINESS.

Mr. GEORGE. I desire to call up the bill—

Mr. MATSON. I move that the committee rise.

Mr. GEORGE. I hope the gentleman will withhold that motion for a moment.

Mr. MATSON. I would do so, but I think the gentleman's bill will provoke discussion.

The motion of Mr. MATSON that the committee rise was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker *pro tempore*, Mr. HATCH, of Missouri, reported that the Committee of the Whole House on the Private Calendar had, according to order, had under consideration sundry bills on the Private Calendar reported by the Committee on Pensions and the Committee on Invalid Pensions, and also bills for the removal of political disabilities, and had directed him to report the same back to the House with various recommendations.

#### LEAVE OF ABSENCE.

Mr. RICE, by unanimous consent, obtained indefinite leave of absence from the 20th instant, on account of sickness.

#### MARY B. HOLMES.

Mr. MORRILL, from the Committee on Invalid Pensions, reported back favorably the bill (S. 2607) granting a pension to Mary B. Holmes; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

#### ANNE T. DICKS.

Mr. MORRILL, from the Committee on Invalid Pensions, also reported back favorably the bill (S. 1811) granting a pension to Anne T. Dicks; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

#### MARIA G. DUNBAR.

Mr. MORRILL also reported back adversely, from the Committee on Invalid Pensions, the bill (S. 993) for the relief of Maria G. Dunbar; which was referred to the Committee of the Whole House on the Private Calendar, and the accompanying report ordered to be printed.

#### ORDER OF BUSINESS.

Mr. MORRILL. I now move that the House again resolve itself into Committee of the Whole on the Private Calendar for the consideration of the business under the special order.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole on the Private Calendar, Mr. HATCH, of Missouri, in the chair.

#### MARY B. HOLMES.

The first business on the Private Calendar was the bill (S. 2607) granting a pension to Mary B. Holmes.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary B. Holmes, widow of Henry W. Holmes, late a lieutenant of Company F, Seventy-second Regiment New York Volunteers, and allow her the same pension drawn by her husband during his life.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill S. 2607, granting a pension to Mary B. Holmes, submit the following report:

Your committee adopt the report of the Senate committee, which is herewith submitted. Cases similar to this have been repeatedly passed where it is shown, as it is herein, that the disability incurred in the service contributed to his death. Your committee report the bill back with the recommendation that it pass:

"Petitioner is the widow of John W. Holmes, late a lieutenant, Company F, Seventy-second Regiment, New York Volunteers, who was pensioned at the rate of \$5 per month on account of disability incurred in the service and resulting from disease of the eyes and chronic diarrhea. Her husband was killed by a freight train in New York city in 1881, and his widow is now destitute. She asks a pension on the ground that the accident which caused his death was the result of his defective vision and not of his own carelessness or neglect.

"The soldier's death under these circumstances did not, of course, result directly from his military service, but does seem to have been due to the disability incurred in the service, and to that extent was a result thereof. Taking this view of the case your committee are disposed to regard the claim as a meritorious one, and therefore recommend the passage of the bill."

Mr. HEWITT, of Alabama. I would like to ask what is the difference between the pension which this lady's husband drew and the pension which she would receive without any special provision of this kind?

Mr. MORRILL. There is no difference at all; but as the bill is drawn in this particular form we have not thought it worth while to change it.

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

ANNE T. DICKS.

The next business on the Private Calendar was the bill (S. 1811) granting a pension to Anne T. Dicks.

The bill was read, as follows:

*Be it enacted, &c.*, That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Anne T. Dicks, widow of John W. Dicks, late an acting master in the United States Navy.

The report (by Mr. MORRILL) was as follows:

Your committee, to whom was referred the bill (S. 1811) granting a pension to Anne T. Dicks, submit the following report:

Your committee adopt the report of the Committee on Pensions of the Senate, which is herewith submitted, with the recommendation that the bill pass:

"The claimant is the widow of John W. Dicks, acting master United States Navy. The officer died of cancer superinduced by wounds and injuries received in the service.

"The evidence is clear to the committee that the constitution of this man was broken down and the entire digestive system prostrated and deprived of normal action by these causes, and that the fatal cancerous affection was a part of the results of the service."

There being no objection, the bill was laid aside to be reported to the House with the recommendation that it do pass.

MARIA G. DUNBAR.

The next business on the Private Calendar was the bill (S. 993) for the relief of Maria G. Dunbar, reported adversely from the Committee on Invalid Pensions.

The bill was read, as follows:

*Be it enacted, &c.*, That the Commissioner of Pensions is hereby authorized and directed to allow the claim of Maria G. Dunbar, widow of Moses C. Dunbar, late of the Twenty-seventh Regiment Massachusetts State Volunteers, for arrears of pensions: *Provided*, That she shall establish to the satisfaction of the Commissioner that an application for said arrears was filed by said Moses C. Dunbar within the time fixed by law, and failed of being forwarded to the Pension Office through no fault of said Dunbar.

The report (by Mr. MORRILL) is as follows:

Your Committee on Invalid Pensions, to whom was referred the bill (S. 993) for the relief of Maria G. Dunbar, submit the following report:

Your committee find that this bill proposes "to pay to Maria G. Dunbar arrears of pensions provided she shall establish to the satisfaction of the Commissioner that an application for said arrears was properly executed by Moses G. Dunbar within the time fixed by law and failed of being forwarded to the Pension Office through no fault of said Dunbar."

The facts, as she claims them, are that her husband made an application for pension several months prior to July, 1880; that through the carelessness of her attorney the papers were not filed until after the expiration of the limitation. This committee have again and again rejected cases of a similar character. The case of Nancy B. Leach, reported to the House a few days ago, is almost precisely like this, and your committee would refer to that report for their views in similar cases. Your committee report adversely, but ask that it be placed on the Calendar.

The CHAIRMAN. The report in this case being adverse, the question is, Shall the bill be laid aside to be reported to the House with a recommendation that it lie on the table?

Mr. LONG. Before the question is put, I wish to say that this is a very deserving case. If, however, the principle upon which it has been reported adversely is to be considered as settled, I do not propose to waste time by arguing the question.

It is a case in which the applicant was not at all responsible for delay in filing the application; but as appears very fully and clearly by the sworn evidence, the delay occurred in the first place in consequence of the fault of the attorney charged with the preparation of the papers; and then owing to his death there was still further delay. For this reason the papers were not filed in time to enable the applicant to receive the benefit of the arrears of pension. If this question has been settled in the Leach case, which was argued a week ago—

Mr. RAY, of New Hampshire. That case is still pending before the Committee of the Whole; it has not been acted on finally. There was an adverse report in that case.

Mr. LONG. If that case has not been acted on, then I should like this to take the same course and be laid aside informally.

Mr. RAY, of New Hampshire. I have not thought it proper to press the Leach case so long as there were favorable reports on Senate bills to be acted on, as I did not wish to take up the time of the Committee of the Whole in discussion.

Mr. LONG. I ask that this bill be laid aside informally to await the determination of the question in the other case.

The CHAIRMAN. If there be no objection this bill will be laid aside informally. The Chair hears no objection, and it is so ordered.

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

The motion was agreed to.

The committee accordingly rose; and Mr. BAGLEY having taken the chair as Speaker *pro tempore*, Mr. HATCH, of Missouri, reported that the Committee of the Whole House had had under consideration, pursuant to order, sundry bills on the Private Calendar, and had directed him to report the same back to the House with various recommendations.

DAVID M. NAGLE.

On motion of Mr. JAMES, by unanimous consent, the amendments of the Senate to the bill (H. R. 5543) granting a pension to David M. Nagle were taken from the Speaker's table and concurred in.

Bills of the following titles were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed (two-thirds voting in favor thereof):

A bill (H. R. 8278) to remove the political disabilities of Thomas R. Ware, of Virginia; and

A bill (H. R. 8277) to remove the political disabilities of J. Taylor Wood, of Louisiana.

BILLS PASSED.

The following bills reported from the Committee of the Whole House without amendment were severally ordered to a third reading; and they were accordingly read the third time, and passed:

- A bill (S. 1877) granting increase of pension to John Hall;
- A bill (S. 2245) granting a pension to William N. Norris;
- A bill (S. 2302) granting a pension to John Lowe;
- A bill (S. 2279) granting a pension to Eliza L. Canady;
- A bill (S. 544) granting increase of pension to Elijah W. Penny;
- A bill (S. 2367) granting a pension to Sarah A. White;
- A bill (S. 1739) granting a pension to the widow and children of the late Byram Pitney;
- A bill (S. 2437) granting a pension to Mrs. Mary Gordon;
- A bill (S. 2125) granting a pension to Sarah Jane Prince;
- A bill (S. 2620) granting a pension to James H. Boaz;
- A bill (S. 2546) granting a pension to Charlotte C. B. Hatch;
- A bill (S. 2443) granting an increase of pension to Polly Young;
- A bill (S. 1113) granting a pension to Anne E. Manchester;
- A bill (S. 2153) granting a pension to Benjamin F. Brockett;
- A bill (S. 1836) granting an increase of pension to Sarah Hague;
- A bill (S. 1612) granting a pension to Bryson R. McCartney;
- A bill (S. 1633) granting a pension to James Bond;
- A bill (S. 2268) for the relief of Robert J. Ballort;
- A bill (S. 2607) granting a pension to Mary B. Holmes; and
- A bill (S. 1811) granting a pension to Anne T. Dicks.

Amendments to bills of the following titles were agreed to, and the bills as amended were severally ordered to a third reading; and were accordingly read the third time, and passed:

- A bill (S. 2262) granting a pension to Sedate P. Martin; and
  - A bill (S. 2316) granting a pension to Mrs. Cordelia Brainerd Thomas.
- A bill (S. 1960) for the relief of Mary Howard Farquhar, reported adversely, was laid on the table.

Mr. VAN ALSTYNE moved to reconsider the votes just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Bills of the following titles were severally ordered to be engrossed and read a third time; and being engrossed, were accordingly read the third time, and passed:

- A bill (H. R. 8237) granting a pension to Mary J. Dickson;
- A bill (H. R. 8155) granting a pension to Addie L. Moore; and
- A bill (H. R. 7504) granting a pension to Delia G. Webber.

Amendments to bills of the following titles were severally agreed to, and the bills as amended were ordered to be engrossed and read a third time; and being engrossed, they were accordingly read the third time, and passed:

- A bill (H. R. 7907) granting a pension to Matilda Cody;
- A bill (H. R. 4026) for the relief of William H. Houghton;
- A bill (H. R. 603) granting a pension to Rachel Nickell; and
- A bill (H. R. 3581) for the relief of Valincia S. Hutchinson.

In the two latter cases the titles also were amended.

By unanimous consent, the following House bills with Senate amendments were taken from the Speaker's table and the Senate amendments severally concurred in, namely:

- A bill (H. R. 5364) granting a pension to William H. Whitcomb; and
- A bill (H. R. 7617) granting a pension to Mrs. Ann E. Gridley.

Mr. MATSON moved to reconsider the several votes by which the

House pension bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. MATSON. Mr. Speaker, I ask the indulgence of the House for a few moments. On last Friday evening I stated that the business of the pension committees of the House was concluded for this Congress.

At that time I neglected to say what ought to have been said and what I now wish to say, that the Committee on Invalid Pensions, the Committee on Pensions, and I think the House itself, as well as the soldiers throughout this country, are much indebted to the gentleman from Missouri [Mr. HATCH], who has presided at these evening sessions every single Friday evening with the exception of one night, when he was necessarily and unavoidably absent, during the entire Congress, and has given the most faithful and untiring service to the House and to the interests of the soldiers in passing these pension bills. I feel, therefore, as if this mark of recognition ought to be given to him.

I now move, Mr. Speaker, that the House adjourn.

The motion was agreed to; and accordingly (at 10 o'clock and 20 minutes p. m.) the House adjourned.

PETITIONS, ETC.

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

By Mr. BINGHAM: Resolutions of the Legislature of Pennsylvania, asking for the passage of the bill placing General U. S. Grant upon the retired-list—to the Committee on Military Affairs.

Also, resolutions of the Legislature of Pennsylvania, asking Senators and Representatives to oppose the abolition of the National Board of Health—to the Select Committee on the Public Health.

By Mr. BRAINERD: Petitions of citizens of Erie County, Pennsylvania, relative to the Mormon question—to the Committee on the Judiciary.

By Mr. CALDWELL: Petition of M. H. Clark & Bro., and others, citizens of Clarksville, Tenn., for publication of tobacco monograph of the census in full—to the Select Committee to ascertain the results of the Tenth Census.

By Mr. S. S. COX: Petition of Gideon J. Tucker, a citizen of New York, in relation to certain false statements of historical occurrences in a book published by the Congress of the United States—to the Committee on Public Lands.

By Mr. G. R. DAVIS: Petitions of twelve departments of Grand Army of the Republic, representing 993 posts and a membership of 51,000 ex-soldiers, that Lieutenant-General Sheridan and Major-General Hancock be promoted respectively to the positions of General and Lieutenant-General of the Army—to the Committee on Military Affairs.

By Mr. FINDLAY: Memorial of prisoners of war in the late war, for pensions—to the Committee on Invalid Pensions.

By Mr. GEDDES: Petition of F. R. Ross and 60 others, citizens of Huron County, Ohio, for the passage of laws relating to Mormonism—to the Committee on the Judiciary.

By Mr. JAMES: Petitions of Rev. L. R. Foote and 56 others, citizens of Brooklyn, N. Y., and of Rev. Arch. McCulloch, D. D., and 59 others, women, members of Ross Street Presbyterian church, of Brooklyn, N. Y., asking for legislation upon the Mormon question—to the Committee on the Judiciary.

By Mr. LANHAM: Petition of Benjamin Martin, for relief—to the Committee on War Claims.

By Mr. LAWRENCE: Resolutions of the Legislature of Pennsylvania, asking that the bill retiring General Grant on full pay may be passed—to the Committee on Military Affairs.

Also, resolutions of the Legislature of Pennsylvania, requesting the representatives of the State in Congress to vote against abolishing the National Board of Health—to the Select Committee on the Public Health.

By Mr. MATSON: Petitions of Henry H. Mathias and 33 other Union soldiers, and of F. Conklin and 37 others, ex-soldiers, of Greencastle, Ind., for the repeal of all limitations upon arrears of pensions—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. MILLER: Petitions of citizens of Meadville and of Cambridge, Pa., in favor of legislation to restrict Mormonism—to the Committee on the Judiciary.

By Mr. PARKER: Petition of the New York Produce Exchange, in favor of the purchase of the Portage Lake and Lake Superior Ship Canals—to the Committee on Rivers and Harbors.

By Mr. SENEY: Petition of W. H. Gibson and others, for legislation on the Mormon question—to the Committee on the Judiciary.

By Mr. C. R. SKINNER: Resolution of the board of managers of the New York Produce Exchange, recommending the purchase by the United States of the Portage Lake and Lake Superior Ship Canals—to the Committee on Rivers and Harbors.

By Mr. A. HERR SMITH: Concurrent resolution of the Legislature of Pennsylvania, in favor of placing General Grant on the retired-list—to the Committee on Military Affairs.

Also, concurrent resolution of the Legislature of Pennsylvania, against abolishing the National Board of Health—to the Committee on the Public Health.

By Mr. STEELE: Two petitions of ex-soldiers, asking the passage of an act granting a land-warrant for one hundred and sixty acres of land without condition of settlement to every honorably discharged soldier or sailor—to the Select Committee on Payment of Pensions, Bounty, and Back Pay.

By Mr. STORM: Joint resolution of the Legislature of the State of Pennsylvania, requesting her Senators and Members in Congress to vote for the passage of a bill placing General Grant on the retired-list—to the Committee on Military Affairs.

Also, joint resolution of the Legislature of Pennsylvania, requesting her Senators and Representatives in Congress to oppose the attempt to abolish the National Board of Health—to the Committee on Public Health.

By Mr. STRAIT: Joint resolution of the Legislature of the State of Minnesota, praying for liberal and immediate appropriations for the enlargement of the Sault Saint Mary's Canal—to the Committee on Rivers and Harbors.

The following petitions for the passage of the Mexican war pension bill with Senate amendments were presented and severally referred to the Committee on Pensions:

By Mr. LACEY: Of A. C. Clark and 24 others, of Clarendon, and of C. H. Quantrell and 17 others, of Charlotte, Mich.

## SENATE.

SATURDAY, February 28, 1885.

The Senate met at 11 o'clock a. m. Prayer by the Chaplain, Rev. E. D. HUNTLEY, D. D.

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

Mr. HALE. I rise to present a privileged report—the conference report upon the agricultural appropriation bill.

The PRESIDENT *pro tempore*. The Chair is under the impression that the higher privilege is the laying before the Senate bills from the House of Representatives and other formal matters on the table.

Mr. HALE. I wish to get the conference report out of the way as soon as possible, because I am engaged in the Committee on Appropriations.

The PRESIDENT *pro tempore*. If the Senator asks unanimous consent the Chair will put the question, but the Chair thinks under the rules it is the duty of the Chair to lay before the Senate two or three House bills that are on the table.

Mr. HALE. It is not of importance enough for me to insist. I do not make any request at present.

## EXECUTIVE COMMUNICATIONS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate a communication from the Secretary of the Treasury, transmitting, in response to a resolution of the 20th instant, sundry papers relating to the claim of William Ward for professional services in suits against the United States revenue-steamer William H. Seward. If there be no objection the letter will be printed, and, with the accompanying papers, referred to the Committee on the Judiciary.

Mr. MITCHELL. I move that the communication be referred to the Committee on Appropriations. An amendment relating to the matter is pending before that committee. It is desired to insert a provision in the sundry civil appropriation bill.

The PRESIDENT *pro tempore*. If there be no objection, the papers will be referred to the Committee on Appropriations without printing. The Chair hears no objection.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Attorney-General, urging that the estimates heretofore made for fees of jurors, witnesses, marshals, and district attorneys, for the year 1885, may be provided for in the deficiency appropriation bill, and inclosing a letter from the First Comptroller of the Treasury on the subject; which, with the accompanying papers, was referred to the Committee on Appropriations.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a report of the allowance by the accounting officers of the Treasury of the twenty-third installment of the war claims of the State of Ohio, now awaiting an appropriation for its payment; which, with the accompanying papers, was referred to the Committee on Appropriations.

He also laid before the Senate a communication from the Secretary of War, transmitting a letter from the Chief of Engineers, with accompanying report of Col. C. E. Blunt, Corps of Engineers, relative to the improvement of the Cochecho River at Dover, N. H.; which, with the accompanying papers, was referred to the Committee on Commerce.

## RETURN OF BILLS.

The PRESIDENT *pro tempore*. The Chair lays before the Senate three joint resolutions which passed the Senate day before yesterday, concerning the printing of certain documents, which were returned to

the Senate at its request from the House of Representatives. The titles of the joint resolutions will be read.

The Chief Clerk read as follows:

Joint resolution (S. R. 127) to authorize the printing of the reports of the Bureau of Ethnology;

Joint resolution (S. R. 128) to authorize the printing of the reports of the Geological Survey; and

Joint resolution (S. R. 129) to authorize the printing of the reports of the Geological Survey.

The PRESIDENT *pro tempore*. If there be no objection the votes of the Senate passing these joint resolutions will be reconsidered, and they will be referred to the Committee on Printing. The Chair understands that precisely identical resolutions have already passed both Houses.

## PUBLIC-LAND DECISIONS.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

*Resolved by the House of Representatives of the United States (the Senate concurring), That there be printed 3,500 copies of the first and second volumes of Decisions Relating to the Public Lands, prepared under the direction of the Department of the Interior, of which 1,000 shall be for the use of members of the Senate, 2,000 for the use of the members of the House of Representatives, and 500 for the use of the Department of the Interior.*

## AGRICULTURAL APPROPRIATION BILL.

Mr. HALE. If the Chair has found no further objection, I will present the report of the conference committee on the agricultural appropriation bill.

The PRESIDENT *pro tempore*. The Chair has found no objection at all to the presentation of the report.

Mr. HALE. I did not insist on the report being received after the reading of the Journal, but the reason why I presented it at that time I thought I found in Rule XXVII, which I ask may be read.

The PRESIDENT *pro tempore*. Rule XXVII will be read.

The Chief Clerk read as follows:

## REPORTS OF CONFERENCE COMMITTEES.

The presentation of reports of committees of conference shall always be in order except when the Journal is being read or a question of order or a motion to adjourn is pending, or while the Senate is dividing; and when received, the question of proceeding to the consideration of the report, if raised, shall be immediately put, and shall be determined without debate.

The PRESIDENT *pro tempore*. The Chair had reference, if the Senator from Maine will pardon him, to the seventh rule, which is positively affirmative, requiring the Chair to lay before the Senate before the call for petitions, immediately after the reading of the Journal, bills and resolutions from the House of Representatives, messages from the President, &c. The Chair was under the impression that this privileged business on the table would precede the report of a committee of conference. Perhaps the Chair is wrong, but the Chair thought so.

Mr. HALE. I have sent up the papers. I ask that the report 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. 8030) "making an appropriation for the Agricultural Department for the fiscal year ending June 30, 1886, 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 17, 18, and 19.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 10, 11, 13, 14, 15, 16, 20, 21, 22, and 23, and 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 sum proposed insert "\$25,000;" and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 9, and agree to the same with an amendment as follows: In lieu of the sum proposed insert "\$32,900;" 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 insert "\$40,000;" and the Senate agree to the same.

EUGENE HALE,  
P. B. PLUMB,  
WILKINSON CALL,  
*Managers on the part of the Senate.*  
G. G. DIBRELL,  
LEWIS BEACH,  
WM. CULLEN,  
*Managers on the part of the House.*

The report was concurred in.

## 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 following bills:

A bill (H. R. 5364) granting a pension to William H. Whitcomb;  
A bill (H. R. 5543) granting a pension to David M. Naglè;  
A bill (H. R. 7617) granting a pension to Mrs. Ann E. Gridley;  
A bill (H. R. 5798) granting a pension to John E. Denham;  
A bill (H. R. 6029) for the relief of Jeremiah McCarty; and  
A bill (H. R. 6011) granting an increase of pension to Robert Carey.  
The message also announced that the House had passed the following bills:

A bill (S. 544) granting increase of pension to Elijah W. Penny;  
A bill (S. 1113) granting a pension to Anne E. Manchester;  
A bill (S. 1612) granting a pension to Bryson R. McCartney;