

. A bill (S. 1064) for the relief of James E. Waters; and
 A bill (S. 2437) providing in certain cases for the forfeiture of wagon-road grants in the State of Oregon.

URGENT DEFICIENCY BILL.

Mr. RANDALL. The Committee on Appropriations, to whom was referred with the amendments of the Senate the bill (H. R. 8762) making appropriations to supply deficiencies in the appropriations for public printing, pensions, and pay of the Army for the fiscal year ending June 30, 1886, have directed me to report back the same, and to move non-concurrence in the Senate amendments.

The SPEAKER. Is the reading of the amendments demanded? [A pause.] If not, the question is on the motion of the gentleman from Pennsylvania that the amendments be non-concurred in.

The motion was agreed to.

Mr. RANDALL moved to reconsider the vote by which the motion was agreed to; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. McMILLIN. I move that the House adjourn.

The motion was agreed to; and accordingly (at 3 o'clock and 45 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. BAKER: Petition of Mary E. Morse, president, Eunis E. Van Husen, vice-president, Womans' Indian Association of Rochester, N. Y., in favor of Senate bills Nos. 53 and 54—to the Committee on Indian Affairs.

By Mr. FINDLAY: Memorial of the Womans' Indian Association of Maryland, praying for the passage of the Dawes bill—to the same committee.

By Mr. FISHER: Memorial of the Knights of Labor, Local Assembly No. 3268, of Salzsburg, Mich., asking for shorter hours of labor—to the Committee on Labor.

By Mr. GROUT: Testimony of Paul Sgobel, in support of House bill granting a pension to R. L. Munson—to the Committee on Invalid Pensions.

By Mr. GROSVENOR: Evidence to support House bill No. 8496—to the Committee on War Claims.

By Mr. HERMAN: Petition from ex-Union soldiers of Oregon, favoring the passage of the Weaver bill for extra compensation—to the same committee.

Also, petition from members of the Grand Army of the Republic in Oregon, favoring the passage of the pension laws recommended by the national pension committee of the Grand Army of the Republic—to the Committee on Invalid Pensions.

By Mr. LANHAM: Petition of citizens of the counties of Eastland and Erath, Texas, relating to the removal of the Federal court-house from Graham to Cisco, Tex.—to the Committee on the Judiciary.

By Mr. McCOMAS: Petition of George Phillips, of the District of Columbia, for use of horse and wagon used in the public service—to the Committee on War Claims.

Also, petition of Charles W. Shreve and of Stephen A. Thomas, of Frederick County, Maryland, for relief—to the same committee.

By Mr. McKINLEY: Petition of citizens of Ohio, favoring the passage of the scientific temperance instruction bill—to the Committee on Education.

By Mr. OSBORNE: Memorial of the Board of Trade of Philadelphia, urging the necessity of a department of commerce—to the Committee on Commerce.

By Mr. PAYNE: Petition in favor of granting a pension to Electa Ann McColly, widow of William McColly, a soldier of the war of 1812—to the Committee on Pensions.

Also, petition of Carlton Dunn and others, of Sodus, N. Y., in favor of a tax on oleomargarine—to the Committee on Agriculture.

By Mr. RANDALL: Memorial of the Philadelphia Board of Trade, asking appropriations for the National Board of Health—to the Committee on Appropriations.

By Mr. RIGGS: Petition of N. D. McEvers and A. W. Beneis, of Montezuma; of J. M. Baucum and others, of New Canton; of J. F. McCoy and W. H. Foster, of Martinsburg; and of J. M. A. Drake of La Prairie, Ill., for taxing oleomargarine—to the Committee on Agriculture.

The following petitions, urging the adoption of the bill placing the manufacture and sale of all imitations of butter under the control of the Commissioner of Internal Revenue, taxing the same 10 cents per pound, and urging the adoption of such effective measures as will save the dairy interests from ruin and protect consumers of butter from fraud and imposition, were presented, and severally referred to the Committee on Agriculture:

By Mr. GROUT: Of C. D. Hazen and 28 others, citizens of Hartford, Vt., praying for a tax on oleomargarine.

SENATE.

MONDAY, May 24, 1886.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.
 The Journal of the proceedings of Friday last was read and approved.

HOUSE BILL REFERRED.

The bill (H. R. 5538) relating to the importing and landing of mackerel caught during the spawning season was read twice by its title, and referred to the Committee on Fisheries.

SESSION LAWS OF WASHINGTON TERRITORY.

The PRESIDENT *pro tempore* laid before the Senate two copies of the session laws passed by the Legislative Assembly of the Territory of Washington at the session of 1885-'86; which were referred to the Committee on Territories.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented resolutions adopted by the common council of Norfolk, Va., calling the attention of Congress to the great advantages afforded at the port of Norfolk for the establishment of a yard for the construction of iron ships; which were referred to the Committee on Naval Affairs.

Mr. MITCHELL, of Oregon, presented a petition of members of Ellsworth Post No. 19, Grand Army of the Republic, Corvallis, Oreg., praying that justice be done to the soldiers and sailors who fought in the late war of the rebellion by the passage of what is known as the Weaver bill; which was referred to the Committee on Military Affairs.

Mr. McPHERSON. I present a memorial signed by the president and secretary of Grange No. 40, Patrons of Husbandry, State of New Jersey, remonstrating against the admission free of duty of all agricultural raw materials, such as wool, hides, jute, tobacco, raw sugar, &c., while these manufactured products are enjoying the benefit of protection. I also present a memorial from Grange No. 38, Patrons of Husbandry, of Camden, N. J., of like import. I move the reference of the memorials to the Committee on Finance.

The motion was agreed to.

Mr. HOAR. I present two petitions, each having the names of a large number of ship-owners and owners of cargoes and other prominent merchants, praying for the early and favorable attention of Congress to the bill (S. 4) to permit the owners of certain vessels and the owners or underwriters of cargoes laden thereon to sue the United States, which has been reported favorably by the Committee on the Judiciary. I move that the petitions lie on the table.

The motion was agreed to.

Mr. WHITTHORNE presented the petition of James W. Bowman, late a private in Company C, Seventh Tennessee Cavalry, praying to be allowed a pension; which was referred to the Committee on Pensions.

Mr. MILLER presented a petition of citizens of Fulton County, New York, praying that liberal appropriations be made for the maintenance of the National Board of Health; which was referred to the Committee on Appropriations.

Mr. HARRIS presented a petition signed by H. J. Forsdick, president of the Memphis (Tenn.) Travelers' Club, praying for the passage of the bill prohibiting the several States from taxing non-resident traveling salesmen; which was referred to the Committee on Commerce.

He also presented resolutions adopted by the common council of Norfolk, Va., favoring the establishment of a yard for the construction of iron steam-vessels at that place; which were referred to the Committee on Naval Affairs.

Mr. CAMERON presented a petition of the Philadelphia Board of Trade, favoring legislation enlarging the powers of the National Board of Health; which was referred to the Committee on Epidemic Diseases.

Mr. VEST presented resolutions adopted by the Board of Trade of Saint Joseph, Mo., remonstrating against the passage of the bill taxing oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. CONGER presented the petition of Matilda Heritage, of Monroe, Mich., praying that she be allowed a pension; which was referred to the Committee on Pensions.

REPORTS OF COMMITTEES.

Mr. BERRY, from the Committee on Public Lands, to whom was referred the bill (H. R. 1905) for the relief of Theodore W. Tallmadge, reported it with an amendment, and submitted a report thereon.

Mr. WALTHALL, from the Committee on Public Lands, to whom was referred the bill (S. 2401) to classify and fix the salaries of registers and receivers of United States land offices, reported it with amendments, and submitted a report thereon.

Mr. TELLER, from the Committee on Public Lands, to whom the subject was referred, reported a bill (S. 2504) to authorize the Secretary of the Treasury to convey to Anson Rudd, of the State of Colorado, certain real estate in the county of Fremont, in said State; which was read twice by its title.

Mr. SEWELL, from the Committee on Pensions, to whom was referred the bill (H. R. 2060) granting a pension to Margaret D. Marchand, reported it without amendment.

BILLS INTRODUCED.

Mr. WHITTHORNE introduced a bill (S. 2505) for the relief of Mary A. Lord; which was read twice by its title, and referred to the Committee on Pensions.

Mr. PLUMB introduced a bill (S. 2506) granting a pension to Sally Rehfeldt; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2507) granting an increase of pension to William E. Towner; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. MITCHELL, of Oregon, introduced a bill (S. 2508) to authorize the Shoshone and Bannock Indians to sell to the Utah and Northern and Oregon Short Line Railway Companies certain lands situated upon the reservation of said Indians in Idaho, necessary to said railway companies for railway purposes, and for the relief of said railway companies; which was read twice by its title, and referred to the Committee on Indian Affairs.

He also introduced a bill (S. 2509) for the relief of the legal representatives of William T. Matlock, late receiver of public moneys at Oregon City, Oreg.; which was read twice by its title, and referred to the Committee on Claims.

Mr. SPOONER introduced a bill (S. 2510) to correct the military record of D. Floyd Jones; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

Mr. CAMERON introduced a bill (S. 2511) to authorize the construction of dry-docks at certain navy-yards to be hereafter selected by contract, and appropriating money for the same; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Naval Affairs.

Mr. HARRISON introduced a bill (S. 2512) granting a pension to Henry Hayes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. GORMAN (by request) introduced a bill (S. 2513) for the relief of the estate of John C. Thompson, deceased; which was read twice by its title, and referred to the Committee on Claims.

He also (by request) introduced a bill (S. 2514) for the relief of James F. Hagan; which was read twice by its title, and referred to the Committee on Claims.

Mr. HARRIS introduced a bill (S. 2515) to authorize the construction of a bridge across the Mississippi River at or near Memphis, in the State of Tennessee; which was read twice by its title, and referred to the Committee on Commerce.

Mr. PLUMB introduced a bill (S. 2516) to authorize the construction of a bridge across the Mississippi River at Memphis, Tenn.; which was read twice by its title, and referred to the Committee on Commerce.

AMENDMENTS TO RIVER AND HARBOR BILL.

Mr. MITCHELL, of Oregon, Mr. McPHERSON, and Mr. SHERMAN submitted amendments intended to be proposed by them respectively to the river and harbor appropriation bill; which were referred to the Committee on Commerce, and ordered to be printed.

POTOMAC RIVER BRIDGE.

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

Resolved, That the Secretary of War be directed to examine and report upon the expediency of constructing a Government bridge, with a suitable draw and approaches, from a point at or near the foot of New York or New Hampshire avenue, on the public grounds, across the Potomac River and Analoastan Island, to a point on the United States National Cemetery grounds at Arlington, so as to connect in the best manner the public grounds on the two sides of the Potomac, with estimates of the cost of the kind of bridge deemed by the Department most expedient, as well as the cost of alternative plans considered practicable, and which will not materially affect the navigation of the river.

MESSAGE FROM THE HOUSE.

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

A bill (H. R. 107) for the relief of Elias B. Moore;
 A bill (H. R. 190) for the relief of certain employes and others of the twelfth United States light-house district;
 A bill (H. R. 279) for the relief of T. H. Triplett;
 A bill (H. R. 248) for the relief of Henry Gee;
 A bill (H. R. 449) for the relief of John P. T. Davis;
 A bill (H. R. 658) for the relief of Francis W. Haldeman;
 A bill (H. R. 707) for the relief of J. R. Martin;
 A bill (H. R. 821) for the relief of Samuel M. Gaines;
 A bill (H. R. 1062) for the relief of Ernest H. Wardwell;
 A bill (H. R. 1172) to remove the charge of desertion from the record of Franklin Thompson, alias S. E. E. Seelye;
 A bill (H. R. 1418) for the relief of Henry Martin;
 A bill (H. R. 1455) for the relief of Lysander H. Carroll;
 A bill (H. R. 1511) for the relief of Sidney R. Smith;
 A bill (H. R. 1628) for the relief of the Continental Fire Insurance Company, the Eagle Fire Insurance Company, the City Fire Insurance Company, and the Commercial Mutual Insurance Company, all of New York city; the Western National Bank, the Merchants' National Bank, and the Maryland Fire Insurance Company, of Baltimore, Md.;

A bill (H. R. 1740) for the relief of William K. Hammond;
 A bill (H. R. 1813) for the relief of Pattison & Caldwell;
 A bill (H. R. 2156) for the removal of the charge of desertion from the record of Martin Murphy;

A bill (H. R. 2195) for the relief of Christopher Schaeffner;
 A bill (H. R. 2244) for the relief of J. M. English, administrator of the estate of Richard Fitzpatrick, deceased;

A bill (H. R. 2395) to authorize J. G. C. Lee, a major and quartermaster in the United States Army, to issue a duplicate check and the assistant treasurer of the United States at New York to pay the same;

A bill (H. R. 2517) for the relief of the estate of Edwin T. Pilkenton, deceased;

A bill (H. R. 3384) for the relief of James M. Bacon;

A bill (H. R. 3908) for the relief of John Ellis;

A bill (H. R. 3909) for the relief of Harry Fisk;

A bill (H. R. 4139) for the relief of Thomas Sampson;

A bill (H. R. 5175) extending the provisions and benefits of the pre-emption law to John E. White;

A bill (H. R. 5553) for the relief of E. J. Phillips;

A bill (H. R. 5554) for the relief of the legal representatives of G. Alexander Ramsay;

A bill (H. R. 5651) for the relief of David W. Low;

A bill (H. R. 7773) for the relief of Capt. Hollister E. Goodwin and his sureties;

A bill (H. R. 8297) for the relief of Frank Shutt;

A bill (H. R. 8596) for the relief of Beaufort Lee and others; and

A bill (H. R. 8676) for the relief of Lafayette Fowler.

The message also announced that the House had insisted upon its disagreement to the third, fourth, and sixth amendments of the Senate to the bill (H. R. 5887) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1887; that it insisted upon its amendment to the fifth amendment of the Senate to the said bill; that it agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. BLOUNT, Mr. RIGGS, and Mr. BINGHAM managers of the conference on the part of the House.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 8762) making appropriations to supply deficiencies in the appropriations for public printing, pensions, and pay of the Army for the fiscal year ending June 30, 1886.

The message also announced that the House had passed the following bills:

A bill (S. 91) to amend an act entitled "An act to grant a right of way for a railroad and telegraph line through the lands of the Choctaw and Chickasaw Nations of Indians to the Saint Louis and San Francisco Railway Company, and for other purposes;"

A bill (S. 327) granting a pension to James E. O'Shea;

A bill (S. 788) granting a pension to John L. Bruce;

A bill (S. 789) granting a pension to John S. Williams;

A bill (S. 895) granting a pension to Rachel Fleming Cellar;

A bill (S. 1124) granting a pension to William Bethuren;

A bill (S. 1169) granting a pension to John S. Bridges;

A bill (S. 1235) granting an increase of pension to Joseph W. Rhinehalt;

A bill (S. 1257) granting a pension to Henry Shively;

A bill (S. 1348) granting a pension to Sarah E. Henry;

A bill (S. 1357) granting a pension to Sarah A. Thomas;

A bill (S. 1726) granting a pension to Augustus Field Stevens;

A bill (S. 1770) granting a pension to J. H. Thornbury; and

A bill (S. 2022) granting an increase of pension to Mrs. Hattie A. Burnett.

CONFEREES ON POST-OFFICE APPROPRIATION BILL.

Mr. PLUMB. In connection with the message from the House of Representatives announcing the appointment of a conference committee on the Post-Office appropriation bill, I desire to say that an error was committed in the appointment of the conferees on the part of the Senate upon that bill on Friday last, for which I was responsible. A moment before I made the motion that the Senate insist on its amendments I was in consultation with a member of the subcommittee on the agricultural appropriation bill, and without any thought about the matter at all, when the presiding officer called on me to name the conferees on the part of the Senate upon the Post-Office appropriation bill I named the subcommittee on the agricultural appropriation bill, the membership being the same except as to one member, and the name of Mr. CALL was announced as a member of the conference committee in place of Mr. BECK. I ask that the name of Mr. BECK be substituted for that of Mr. CALL.

The PRESIDENT *pro tempore*. If there be no objection, the error being an inadvertence on the part of the Senator, it will be corrected in the Journal of Friday last, and Mr. BECK will take the place of Mr. CALL on the conference committee.

SPECIAL DEFICIENCY APPROPRIATION BILL.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 8762) making appropriations to supply deficiencies

in the appropriations for public printing, pensions, and pay of the Army for the fiscal year ending June 30, 1886.

On motion of Mr. ALLISON, it was

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

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

CONSIDERATION OF PENSION BILLS.

The PRESIDENT *pro tempore*. If there be no further "concurrent or other resolutions" the Calendar is now in order.

Mr. SAWYER. I move that the Senate proceed to the consideration of the individual pension bills on the Calendar in their order.

The PRESIDENT *pro tempore*. The Senator from Wisconsin moves that the Senate now proceed to the consideration of pension bills on the Calendar reported favorably by the Committee on Pensions.

Mr. DOLPH. Mr. President—

The PRESIDENT *pro tempore*. The Senator from Wisconsin has submitted a motion which is not debatable.

Mr. DOLPH. The Senator from Wisconsin yields to me for a moment, however.

Mr. SAWYER. If I can do so without losing the floor. I will yield if the matter will not lead to any debate.

The PRESIDENT *pro tempore*. The Chair will first inquire if unanimous consent is given to the request of the Senator from Wisconsin.

Mr. CONGER. Does that interfere with the regular order, the Calendar?

The PRESIDENT *pro tempore*. It makes a new order. It takes up the individual pension bills on the Calendar.

Mr. INGALLS. What does the Senator from Wisconsin ask?

The PRESIDENT *pro tempore*. The Senator from Wisconsin asks unanimous consent of the Senate to proceed to the consideration of pension bills reported favorably from the Committee on Pensions. Is there objection? The Chair hears none, and the first case will be reported.

Mr. CONGER. That means that we are to go through with the unobjected cases.

The PRESIDENT *pro tempore*. The unobjected cases.

Mr. DOLPH. Will the Senator from Wisconsin yield to me a moment?

Mr. SAWYER. I will, if it does not lead to debate.

PUBLIC LAND LAWS.

Mr. DOLPH. I move that Order of Business 999, being the bill (S. 2299) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber-culture, and for other purposes, be made a special order for May 31, at 2 o'clock p. m.

Mr. SEWELL. I object.

The PRESIDENT *pro tempore*. Objection being made, the order can not be entered.

Mr. DOLPH. I make the motion that the order be made.

The PRESIDENT *pro tempore*. It is not in order to submit a motion pending the unanimous consent to proceed to an order except by unanimous consent. It is not in order to change that except by unanimous consent.

Mr. SAWYER. Of course I do not object to the request of the Senator from Oregon.

Mr. DOLPH. The Senator from Wisconsin yielded the floor to me for the purpose of making the motion. I made the motion the other day under the head of "concurrent or other resolutions," and the Chair ruled that the motion could not then be entertained.

The PRESIDENT *pro tempore*. If there is objection it can not be taken up against the unanimous consent of the Senate. The Chair will again submit it. Is there objection to the request made by the Senator from Oregon?

Mr. SEWELL. I object.

The PRESIDENT *pro tempore*. Objection being made, it can not now be considered.

Mr. DOLPH. Is it in order to object to the bills moved by the Senator from Wisconsin?

The PRESIDENT *pro tempore*. The order having been adopted by unanimous consent, it is too late for an objection to be interposed.

Mr. DOLPH. I think there are other bills as important as pension bills in this body. The bill I desire to have taken up is a general bill—

Mr. SAWYER. It does not seem to me that the Senator from Oregon would wish to antagonize the pension bills. I have given him all the chance I could. If he does so, of course he must take the responsibility.

The PRESIDENT *pro tempore*. The first pension bill on the Calendar will be reported.

WILLIAM F. HARMON.

The bill (S. 1642) granting a pension to William F. Harmon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William F. Harmon, late of Company C, One hundred and forty-eighth Regiment of Ohio Volunteer Infantry.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the following report, submitted by Mr. SAWYER April 27, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1642) granting a pension to William F. Harmon, have examined the same, and report:

The claimant in this case was a private in Company C, One hundred and forty-eighth Ohio National Guards, enlisted for one hundred days. He alleges that he had measles while in the service; that while sick he took cold, which resulted in pains and weakness in the chest; that it became permanent, and disabled him from performing manual labor.

His application for pension is rejected "on the ground that the evidence fails to connect alleged disease of chest with measles, or that it is otherwise due to the service."

Reputable witnesses testify that he was a sound man before he entered the service, and that he has not been well since his discharge. The Surgeon-General's report shows that he was sick at the Home of the Sanitary Commission, Washington, D. C., but the Surgeon-General furnishes no evidence on the subject.

The soldier has filed ample testimony from his physicians and acquaintances, but he is unable to produce evidence of the character required by the Pension Office.

There is sufficient ground for the conclusion that he was accepted as a sound man, and that he was otherwise when he was discharged, and that he continues to be in a condition that prevents him from engaging in labor for his support.

The committee are of the opinion that the claimant may properly be relieved to the extent he claims, and report the bill favorably with a recommendation that it do pass.

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

JOHN D. FINCHER.

The bill (S. 1768) granting a pension to John D. Fincher was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John D. Fincher, late of Company H, One hundred and thirty-second Regiment of Pennsylvania Volunteers.

Mr. COCKRELL. I should like to have the report read in that case.

The Chief Clerk read the following report, submitted by Mr. SAWYER April 27, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1768) granting a pension to John D. Fincher, have examined the same, and report:

The claimant was a private in Company H, One hundred and thirty-second Regiment, Pennsylvania Volunteers.

He was discharged on the 24th day of February, 1863. Prior to his discharge he was in the United States general hospital at Philadelphia sixty days, and in his certificate the surgeon says: "The disease was contracted by exposure and fatigue while performing the duties of a soldier." The surgeon adds that he was discharged for "general debility, which will disable him from performing the duties of a soldier for a great length of time."

The report of the Surgeon-General says: "He entered Saint Aloysius hospital, Washington, D. C., November 16, 1862, with diarrhea;" that he entered general hospital, Race street, Philadelphia, December 18, 1862, with bronchitis, and was discharged from service February 25, 1863.

The Adjutant-General reports him in hospital at Warrenton, Va.; that he was left sick at Warrenton; that muster-roll of company, dated May 24, 1863 reports him discharged for disability at Race Street hospital, as above.

Comrade Francis M. Thomas testifies:

"That he knew said John D. Fincher since early boyhood; that for at least five years prior to his enlistment he had opportunities of seeing him daily, and that he had no reason to doubt his soundness of health; that he was a comrade of his in Company H, One hundred and twenty-third Pennsylvania Volunteers, and that he was taken sick at or near Warrenton, Va., in the fall of 1862, and from there sent to Washington to hospital; that he believes said John D. Fincher still suffers from the effect of his sickness and exposure."

This testimony was given on the 10th of March, 1884.

The claimant alleges that at Warrenton, Va., November 15, 1862, he contracted bilious fever, followed by chronic diarrhea and lung trouble.

The examining surgeon identifies chronic diarrhea, but not lung disease; but he says there may be some pleuritic adhesions. The examining board find nothing the matter with him; a circumstance so inconsistent with the whole record of the case as to be inexplicable to the committee. The proof of his former soundness, of his contracting disease, and of its present existence is so satisfactory as to justify the committee in reporting the bill favorably, with a recommendation that it do pass.

Mr. COCKRELL. Something ought to be done with that examining board. Here is a board specifically appointed for the purpose of examining applicants for pensions. It is presumed to be composed of competent men, skilled in their profession, experienced in the detection of diseases and disabilities for the performance of manual labor; and that board find nothing the matter with this applicant. The committee say that it is "a circumstance so inconsistent with the whole record of the case as to be inexplicable" to them. May it not be that this alleged disability is the inexplicable matter, in view of the finding of this board that this man has no physical disability for manual labor, the only ground upon which a pension can be granted.

I desire to call the attention of the committee to this important fact as set forth in their report. According to the report of the examining board this claimant is not entitled to a pension. If he is entitled to it he ought to have it, and if he is not he ought not to have it.

Mr. SAWYER. The whole record of the man shows that he was in hospital at Philadelphia and at various other points. I suppose that he came before the board and they could not see anything the matter with him, and simply said so. I put that in the report which I made, because I believe in telling both sides fully.

Mr. COCKRELL. The report is right; I have no doubt about that.

Mr. SAWYER. I have no question that the man deserves a pension.

Mr. COCKRELL. I think we had better let the case go over for to-day, and let the Senator from Wisconsin make a little further examination.

Mr. SAWYER. I have no objection to the case going over.

The PRESIDENT *pro tempore*. The bill will be passed over, retaining its place on the Calendar.

JOSEPH MAYS.

The bill (S. 1654) granting a pension to Joseph Mays was considered in Committee of the Whole. It proposes to place on the pension-roll the name of Joseph Mays, late of Company M, Ninth Regiment Kansas Cavalry Volunteers.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the report, submitted by Mr. SAWYER April 27, 1886, as follows:

The Committee on Pensions, to whom was referred the bill (S. 1654) granting a pension to Joseph Mays, have examined the same, and report:

That the records in this case show that claimant enlisted July 1, 1863, as a private in Company M, Ninth Kansas Cavalry, and was discharged July 17, 1865. Declaration for pension filed June 22, 1880, alleging gunshot wound in left arm, shattering both bones.

Claim rejected April 23, 1885, on the ground that "records fail to show the circumstances under which alleged wound was received, and claimant has declared his inability to furnish satisfactory evidence showing its receipt while in line of duty." The committee is unable to determine why this pension was not granted through the Pension Office, or what that office considers "satisfactory evidence."

In this case there is,

(1) Claimant's statement, which is corroborated by the records sent to the Pension Office from the War Department, in which occurs this statement: "Regimental hospital register shows Joseph Mays admitted July 26, 1864, with gunshot wound, forearm."

(2) The affidavit of W. Wakefield, M. D., the regimental surgeon who dressed claimant's wound, and who describes minutely the circumstances attending it.

(3) The affidavit of Capt. John L. Price, Company M, Ninth Kansas Cavalry, that claimant was out on a foraging expedition, and was attacked by bushwhackers and wounded.

(4) The letter of John L. Price, late Captain Ninth Kansas Cavalry, corroborating claimant's statement, and that wound was received in the line of duty.

(5) The affidavits of comrades James Lansing and George R. Bowser, who were with claimant and near him when he was shot in a skirmish with bushwhackers.

(6) A letter written to John H. Osborn, and signed O. P. G. Clarke, of the Pension Office, asking about the circumstances of the wounding, and on the back of that letter Mr. John H. Osborn states that he knew Joseph Mays, and knew he was wounded in the left arm, and thinks he was foraging at the time.

(7) Testimony of John H. Osborn, corroborating above.

In addition to the above there is the certificate of Examining Surgeon E. I. Prothrow, as to the wounds and the effect.

It would appear that the evidence is abundant as to when, where, and how the wound was received, and that its consequences still incapacitate the claimant from performing full manual labor. Taking into consideration all the evidence on file in this case, the committee believe it to be their duty to report in favor of this bill and recommend its passage.

Mr. COCKRELL. I confess that this is a case which surprises me. Here is the Pension Office rejecting this claim on the 23d of April, 1885, on the ground that the records failed "to show the circumstances under which the alleged wound was received, and claimant has declared his inability to furnish satisfactory evidence showing its receipt"—that is, the receipt of the wound—"while in the line of duty." There is the solemn affidavit of the claimant himself that he can not furnish satisfactory evidence that the wound was received in the service and in the line of duty; and yet we find here in this bundle of pension papers as set out in the report the affidavit of W. Wakefield, M. D., the regimental surgeon who dressed the claimant's wound and who described minutely the circumstances attending it. Then we find the affidavit of Capt. John L. Price, Company M, Ninth Kansas Cavalry, that the claimant was out on a foraging expedition and was attacked by bushwhackers and wounded; then the letter of John L. Price, late captain Ninth Kansas Cavalry, corroborating claimant's statement, and that the wound was received in the line of duty; and then the affidavit of two of his comrades, James Lansing and George R. Bowser, "who were with claimant and near him when he was shot in a skirmish with bushwhackers." Yet with that evidence the claimant says that he is unable to furnish satisfactory evidence that the wound was received while in the service and in the line of duty, and the Pension Office reject the claim because they have not any evidence that the wound was received in the service and in the line of duty.

I say this report is remarkable as well as is the action of the Pension Office. The evidence seems to have been discredited *in toto* in the Pension Office; that is, if this evidence was there at all. It seems impossible that the Pension Office should have received this evidence and rejected the claim upon it, and this is certainly a claim which ought to have been considered in the Pension Office.

Mr. SAWYER. That is what I thought. I have no doubt about it at all, but I thought it was a sort of oversight in some manner, I could not say why.

Mr. COCKRELL. I do not think that the Pension Office with its employes has any right to treat cases in that way and send them here to Congress for relief. The Pension Office has ample power and it has ample machinery to make this investigation and to ascertain the truth. Here is a letter from the captain of the company. Whether that letter was written to the Pension Office or written to some other party, or whether it was considered as evidence or not, we do not know. The Pension Office has the power to send and have an examination made to ascertain the facts.

The chief of the division who permitted the case to be rejected upon such evidence as is set forth in the report ought to be discharged from that office and some competent man put in his place.

I think the case ought to be referred back to the Pension Office. I do not think Congress ought to take up and consider a case of that kind without calling the attention of the Pension Office to it.

Mr. SAWYER. I have no objection to that course.

Mr. HOAR. Is not that rather hard on the petitioner?

Mr. SAWYER. It is a little hard on the petitioner.

Mr. COCKRELL. It is not hard on the petitioner, because if the facts are as set forth, when the attention of the superior officer is called to it he will grant the application and he will get the pension then from the date of the application instead of the date of the passage of the bill, which is a very material circumstance.

Mr. HOAR. I think the observation of the Senator from Missouri will have the effect on the Pension Office that the sending of the case to them would have. His words undoubtedly will meet the eye of the Commissioner of Pensions.

Mr. PLATT. I presume by an examination of the report that the question at the Pension Office was whether the foraging expedition which the soldier was out in was an authorized or an unauthorized one. I presume that is the difficulty in the matter. It seems to have been a question as to whether he was in the line of duty, not whether he was actually wounded, and he admits that he has furnished all the evidence he can on that score. If the committee have examined the question as to whether he was in the line of duty or whether the foraging expedition was authorized, I should think we had better pass the bill.

Mr. SAWYER. I think we had better not send the case back. It would be pretty hard on him.

Mr. COCKRELL. Then let the bill go over.

Mr. INGALLS. The reference of this bill or this claim to the Pension Office would be rather an extraordinary proceeding. I know of nothing to which it could be assimilated. The Pension Office is a branch of an Executive Department, and I am unable to see how, jurisdiction being vested in the Pension Office and they having acted adversely, rejecting the claim, we can say here that the measure shall be again referred to the Pension Commissioner or the Pension Bureau with directions, I suppose, to reverse the decision. Otherwise it would be idle to send it back.

The PRESIDENT *pro tempore*. The Senator from Missouri withdraws his suggestion, the Chair understands.

Mr. COCKRELL. I shall not make any motion to refer the bill to the Pension Bureau. I think it is a case that the office ought to have acted upon, and I think their attention ought to be called to it.

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

BARTOLO THEBANT.

The bill (S. 2151) to pension Bartola Thebant, a soldier in the Florida Seminole Indian war of 1849 and 1850, was considered as in Committee of the Whole.

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

MRS. JANE R. M'QUAIDE.

The bill (S. 1852) granting a pension to Mrs. Jane R. McQuaide was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Jane R. McQuaide, mother of F. G. McQuaide, deceased, late a private in Company C, Ninth Regiment of Pennsylvania Infantry Volunteers.

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

ISABELLA JESSUP.

The bill (S. 1853) granting a pension to Isabella Jessup was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Isabella Jessup, widow of Mahlon Jessup, deceased, late a private in Company D, Fourteenth Regiment of Iowa Volunteer Infantry.

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

JOHN M'KERNAN.

The bill (S. 1817) for the relief of John McKernan was considered as in Committee of the Whole. It proposes to place the name of John McKernan, of the Soldiers' Home, Washington, on the pension-roll, on account of disability contracted while in the service of the United States as a second-class private of ordnance in the Ordnance Department of the Army, at Benicia arsenal, California.

Mr. COCKRELL. Let the report be read in that case.

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

The Chief Clerk read the following report submitted by Mr. SAWYER April 27, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1817) granting a pension to John McKernan, have examined the same, and report:

The soldier who sues for a pension in this case is sixty-four years of age, and has been in the military service continuously twenty years. He claims that he is a sufferer from a disease of the feet, the medical name of which he does not know. The Adjutant-General's report gives a history of his long service, and that of the Surgeon-General thus identifies his disability:

"Entered post hospital, Benicia Barracks (arsenal), California, December 9, 1881, from quarters, with eczema of both feet, originating in line of duty (report for April, 1885, shows chronic eczema of both feet), and was discharged from serv-

fec May 27, 1885, on expiration of term of service; disease originating in line of duty; cure incomplete."

Thus it appears that he contracted the trouble from which he suffers in the line of his duty, and that the Army surgeons were unable to cure him.

At the bottom of the Surgeon-General's report there is this note: "Attention is invited to indorsement of Maj. C. C. Bayne, surgeon United States Army."

This is what Surgeon Bayne says: "The within-named man was admitted to the Soldiers' Home June 19, 1885, he having served over twenty years as a soldier. He underwent no physical examination on admission. He reported at sick call July 1, 1885, with chronic eczema of leg. He is now a patient in this hospital, suffering from the effects of habitual intemperance."

The committee are unable to determine whether intemperance has aggravated the disease or the disease has aggravated intemperance. Accepting the proof as it is furnished, both exist, and one is pensionable. The bill is therefore reported favorably, with the recommendation that it do pass.

Mr. COCKRELL. That is a remarkable case. The committee are unable to determine whether the intemperance has increased the disease or the disease has increased the intemperance. I think, as he is in the Soldiers' Home, the case had better be passed over.

Mr. SAWYER. I have no objection to that course.
The PRESIDENT *pro tempore*. If there be no objection the bill will be passed over.

JOHN RASLER.

The bill (S. 1635) granting a pension to John Rasler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Rasler, late a member of Company C, One hundredth Regiment Indiana Infantry Volunteers.

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

WILLIAM H. WEAVER.

The bill (S. 1421) granting a pension to William H. Weaver was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William H. Weaver, late a private in Company I, One hundred and forty-third Regiment of Pennsylvania Volunteer Infantry.

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

JOHN P. TAYLOR.

The bill (S. 1779) for the relief of John P. Taylor was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John P. Taylor, late a private in Company I, Eighth Tennessee Cavalry Volunteers.

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

JOHN REED, SR.

The bill (S. 1626) granting a pension to John Reed, sr., was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Reed, sr., of North Branch, Mich., dependent father of John Reed, jr, late a private in the Seventh Michigan Cavalry.

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

GEORGE BLISS.

The bill (S. 1783) granting an increase of pension to George Bliss was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George Bliss, late a private in Company I, Thirty-fourth Regiment Massachusetts Volunteer Infantry, at the rate of \$8 per month, in lieu of the pension he is now receiving.

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

MRS. M. C. MILES.

The bill (S. 1627) granting a pension to Mrs. M. C. Miles was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. M. C. Miles, of Lansing, Mich., widow of Marcus H. Miles, late a first lieutenant in the Eleventh Michigan Cavalry.

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

CHARLES G. PARIS.

The bill (S. 1673) granting a pension to Charles G. Paris was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles G. Paris, late of Company H, Seventy-ninth Regiment Ohio Infantry Volunteers.

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

MARY J. HAGERMAN.

The bill (S. 2160) granting a pension to Mary J. Hagerman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary J. Hagerman, widow of Hiram P. Hagerman, late of Company G, Fifteenth Ohio Volunteer Infantry.

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

GEORGE FAULK.

The bill (S. 2147) granting a pension to George Faulk was considered

as in Committee of the Whole. It proposes to place on the pension-roll the name of George Faulk, late of Company F, Tenth Ohio Cavalry.

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

DAVID A. IRELAND.

The bill (S. 2009) granting a pension to David A. Ireland was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of David A. Ireland, of South Bend, Ind., late captain of Company C, Fiftieth Ohio Volunteer Infantry.

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

JAMES W. McCROSKEY.

The bill (S. 1960) granting a pension to James W. McCroskey was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of James W. McCroskey, late a member of Company B, Fifth Regiment of Iowa Infantry Volunteers.

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

E. S. BISHOP.

The bill (S. 2028) granting a pension to E. S. Bishop was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of E. S. Bishop, late a private in Company A, Eleventh Missouri Regiment Volunteer Infantry.

Mr. COCKRELL. Let the report be read in that case.

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

The Secretary read the following report, submitted by Mr. SAWYER April 27, 1886:

The Committee on Pensions, to whom was referred the bill (S. 2028) granting a pension to E. S. Bishop, have examined the same, and report:

The petitioner was a private in Company A, Eleventh Missouri Volunteers. He enlisted July 6, 1861, and was discharged January 29, 1863. He applied for pension February 20, 1882, claiming disability from chronic diarrhea resulting from typhoid fever. The Commissioner of Pensions denied the claim on the ground that no pensionable disability has existed since discharge. It is in evidence that he was sick with typhoid fever and diarrhea while in the service, and that he is still so disabled that he can not labor. From a careful examination the committee are of the opinion that the soldier has established his claim by reliable evidence. The bill is reported favorably, with a recommendation that it do pass.

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

ELIZABETH SIRWELL.

The bill (S. 2253) granting a pension to Elizabeth Sirwell was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Sirwell, widow of William Sirwell, late colonel of the Seventy-eighth Pennsylvania Volunteers.

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

MARY VON KUSSEROW.

The bill (S. 2254) granting an increase of pension to Mary von Kusserow was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary von Kusserow, widow of the late Lieutenant Colonel Charles von Kuesserow, Second United States Veteran Volunteers, and to pay her a pension corresponding with the rank of a lieutenant-colonel, in lieu of the pension she now receives.

Mr. COCKRELL. Let the report be read in that case.

The Secretary read the following report, submitted by Mr. SAWYER April 27, 1886:

The Committee on Pensions, to whom was referred the petition of Mary von Kusserow, have examined the same, and report:

The petitioner is the widow of Charles von Kusserow, who was appointed first lieutenant Third Independent Battery, New York Light Artillery, in January, 1862, and in December of the same year was appointed captain. On the 4th of June, 1865, he was commissioned lieutenant-colonel of United States Veteran Volunteers, and was mustered out March 30, 1866. The officer died of disabilities the incurrence of which was by competent proof connected with his service, and the widow was allowed \$20 a month, the pension rating with the rank of captain. She has since applied for an increase of pension corresponding with her husband's rank as lieutenant-colonel, which was his rank at the time of his death, but it was denied by the Pension Office on the ground that the diseases of which the officer died originated while in the line of duty as captain.

During the protracted pendency of her case in the Pension Office, Major-General Hancock, to whose command Lieutenant-Colonel Kusserow belonged, repeatedly wrote to the Commissioner of Pensions, and in his letters referred to the worthiness of the officer, and urged action on the case. In November, 1880, the Commissioner wrote to the petitioner detailing the difficulties in the way of granting her request, but concluded by informing her that in view of the fact that "he received a sun-stroke in 1865, he failed thereafter to enjoy his usual health, I have deemed it proper to cause a reissue to be made in your case, and to allow you a pension as the widow of a lieutenant-colonel."

In consideration of these facts, the committee report a bill for the relief of the petitioner, giving her the pay corresponding with the rank of lieutenant-colonel, which was her husband's rank when he died, and recommend that it do pass.

Mr. COCKRELL. If she is now receiving, as is stated in the letter of the Commissioner of Pensions, written in 1880, a pension according to the rank of her husband, that of a lieutenant-colonel, why pass this bill?

Mr. SAWYER. I do not understand that.

Mr. COCKRELL. What does the report say?

In November, 1880, the Commissioner wrote to the petitioner detailing the

difficulties in the way of granting her request, but concluded by informing her that in view of the fact that "he received a sunstroke in 1865, he failed thereafter to enjoy his usual health, I have deemed it proper to cause a reissue to be made in your case, and to allow you a pension as the widow of a lieutenant-colonel.

Mr. SAWYER. He wrote that, but the papers do not show that he did it. This bill is to carry that out.

Mr. COCKRELL. Who is it in the Pension Office that refuses to carry out the orders of the Commissioner?

Mr. SAWYER. I do not know.

Mr. COCKRELL. Has there been any application to the Commissioner of Pensions to carry out that order and to pay a pension to this woman according to the rank of her husband, a lieutenant-colonel?

Mr. SAWYER. I can only tell you from the report. I can not carry all the details in my head. I remember something about it.

Mr. COCKRELL. I ask that the case go over that it may be looked into.

Mr. SAWYER. We only give her the same thing. I do not see why you should not let this bill go through.

Mr. COCKRELL. I do not think Congress ought to be called upon to perform departmental work. I do not believe that our time should be consumed in attending to pension details that the Pension Office have the right and the power to attend to.

Mr. SAWYER. I have no objection. I have no objection to sending it back to the committee if you desire.

Mr. COCKRELL. I want the Departments to do their duty.

The PRESIDENT *pro tempore*. Does the Senator move to recommend the bill?

Mr. SAWYER. No; I do not move it.

Mr. COCKRELL. I simply ask that it go over.

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

Mr. COCKRELL. The Senator can look into it and ascertain why the Pension Office has not attended to it.

PATRICK FINAGAN.

The bill (S. 2255) granting a pension to Patrick Finagan was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Patrick Finagan, late a private in Company A, First Battalion, Sixteenth United States Infantry.

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

JESSE H. STRICKLAND.

The bill (S. 1493) for the relief of Col. Jesse H. Strickland was considered as in Committee of the Whole. The Committee on Pensions proposed to amend the bill in line 6, before the word "colonel" to insert "acting;" and in line 8, after the word "and," to strike out "that he be allowed," and insert "pay him;" so as to make the bill read:

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 Jesse H. Strickland, formerly acting colonel of the Eighth Regiment of Tennessee Cavalry, United States Volunteers, and pay him a pension at the rate of \$30 per month.

Mr. COCKRELL. Let the report be read in that case to know why an acting colonel is allowed a colonel's pension.

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

The Chief Clerk read the following report, submitted by Mr. BLAIR April 27, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1493) for the relief of Jesse H. Strickland, have examined the same, and report:

Your committee have carefully examined the facts set forth in the annexed petition and affidavits, showing that the claimant raised a regiment for service in the Army of the United States, but succumbed to disease before he was actually mustered in. His claim can not, therefore, be technically considered under the general law, but is a just and equitable one for relief by Congress.

We therefore report back the bill with a recommendation that it do pass, with the following amendments: Strike out the word "colonel," in the title; also, the words "that he be allowed," in the eighth line, and insert in lieu thereof the words "pay him."

Brief of claim for invalid pension of Jesse H. Strickland:

This bill is to authorize the name of Col. Jesse H. Strickland to be placed on the pension-rolls of the Government.

The reason for asking a special act instead of proceeding by claim in the Pension Bureau is this:

During the civil war Mr. Strickland was a resident of the State of Tennessee, and was authorized by President Lincoln, through the War Office, to enlist a regiment of Tennessee troops for the United States service. Under this authority he did so proceed, and enlisted citizens and refugees of his State in numbers finally aggregating seven or eight hundred men. Many months of time and much money was spent in this work. It was performed under promise of being commissioned as colonel, and the regiment was first designated as the Fifth but afterward as the Eighth Tennessee Cavalry. As men were mustered in, companies were formed and officers appointed, captains, majors, and finally a lieutenant-colonel. During all this time Mr. Strickland was regarded as a colonel, so designated in official orders, so obeyed when he was in command. As colonel he was in command of Convalescent Camp, at Camp Nelson, Ky., and as such his name was signed and respected in the Quartermaster's and Medical Departments. But, unfortunately for him, before the work was complete and he mustered into service, he was taken sick, and for months was under medical treatment, and from the diseases thus contracted in the line of his duty in the service of the United States he has never recovered.

While thus sick and under medical care, in the fall and winter of 1863, the presence of troops at the front was urgent, so that Andrew Johnson, then military governor of Tennessee, feeling that the public interests must override private rights, consolidated with the Eighth Tennessee Cavalry some two hundred recruits obtained by S. V. K. Patten, appointed Patten to be colonel, thus com-

pleting the regiment, sending it to the field, and depriving the claimant of his right to be mustered as colonel.

Under these circumstances the Pension Office can not have jurisdiction of his pension claim, and he therefore asks pension by a special act of Congress. He herewith submits testimony to show his sickness in the service and continuously ever since. He is also asking of Congress a legal recognition of his right as colonel, and evidence of his service as such has been filed with the proper committee of the House of Representatives.

All of which is respectfully submitted.

DISTRICT OF COLUMBIA,

County of Washington, ss:

In the matter of pension by special act, Jesse H. Strickland, late colonel Eighth Tennessee Cavalry, United States Volunteers.

On the 30th day of January, 1863, authority was granted me by President Lincoln to recruit and organize a regiment of cavalry of loyal Tennesseans for service in the Federal Army, and while recruiting and command of the said organization, and in the line of his duty at Camp Nelson, Ky., on or about the 1st of September, 1863, he contracted intermittent fever, and while convalescent went to Murfreesborough, Tenn., and thence to Nashville, Tenn., where he had a relapse of his disease, which terminated in typhoid fever and rheumatism, the former having resulted in lung complaint, hemorrhages, and general debility, and which, with rheumatism, have continually existed from time to time since leaving the service. The applicant has resided in Tennessee, and is now a resident of Brooklyn, Kings County, New York, where he has resided for the past twenty years. That prior to his entry into the United States service he was a man of good sound physical health, his weight at that time being 175 pounds, and his present weight being 141 pounds. That he is now disabled from obtaining his subsistence by manual labor, by reason of his injuries above described, received in the service of the United States, and he therefore makes this declaration for the purpose of being placed on the pension-rolls of the United States.

JESSE H. STRICKLAND,

Late Colonel Eighth Regiment Tennessee Cavalry, U. S. Vols.

LEXINGTON, September 17, 1863.

DOCTOR: This will be handed to you by Colonel Strickland, Eighth Tennessee Cavalry. You will please obtain for him one of the most comfortable rooms in the hotel, and consider him an out patient, and extend to him your best attention.

Respectfully yours,

ALEX. T. WATSON,

Surgeon U. S. V., Superintendent Hospitals, Central Kentucky.

A. A. Surgeon R. M. LACKY, U. S. A.,

In charge of Post Hospital, Crab Orchard, Ky.

MEDICAL DIRECTOR'S OFFICE, Louisville, Ky., September 4, 1863.

I certify that I have carefully examined J. H. Strickland, colonel of Eighth East Tennessee Cavalry, and find him suffering from intermittent fever, and will not be able to rejoin his regiment for duty for some days.

WILLIAM W. GOLDSMITH,

A. A. Surgeon U. S. A., member of Board of Examiners.

[Indorsements.]

MED. DIRECTOR'S OFFICE, 9TH A. C., Lexington, Sept. 9, 1863.

Col. Strickland should rest and take medicine for five or six weeks.

J. E. MACDONALD,

Surg. U. S. V. & Act. Med. Director 9th A. C.

H'DQ'R 9TH A. C., MED. DIR. OFFICE, Lexington, Ky., Sept. 17, '63.

Col. Strickland is not yet able, in my opinion, to join his command.

JOHN E. MACDONALD,

Surg. U. S. V. & Act. Med. Dir. 9th A. C.

HICKMAN BRIDGE HOSPITAL, Camp Nelson, Ky., Sept. 19, 1863.

I have carefully examined Col. Strickland, of 8th E. Tenn. Cav., and find him unfit to perform field duties, because of debility following an attack of fever; and in my opinion it will be several weeks before he will be able for the duties of his corps.

A. C. SWARTZWELDER,

Surg. U. S. V. in charge.

DISTRICT OF COLUMBIA, ss:

In the matter of the pension claim of Jesse H. Strickland, late colonel of the Eighth Tennessee Cavalry (Tennessee Volunteers).

Personally came before me, a clerk of the supreme court in and for aforesaid district, R. J. Meigs, jr., aged fifty-five years, citizen of the city of Washington, D. C., well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows: That I am well acquainted with the said Jesse H. Strickland, and was intimately acquainted with him for many years prior to the late civil war; that I knew of my own personal acquaintance that he was prior to his services in the United States Army a man of good sound health and constitution, and competent to render good military service in the Army of the United States.

I further declare that I have no interest in said case, and am not concerned in its prosecution.

[SEAL.]

R. J. MEIGS, JR.

DISTRICT OF COLUMBIA, County of Washington, ss:

In the matter of pension claim of Col. Jesse H. Strickland, Eighth Tennessee Cavalry, United States Volunteers.

Personally came before me Francis W. Strickland, a citizen of the town of Brooklyn, county of Kings, State of New York, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

I, Francis W. Strickland, late first lieutenant and commissary of subsistence Eighth Tennessee Cavalry, United States Volunteers, was with the said command at Camp Nelson, Kentucky, on or about May 12, 1863.

On or about November, 1863, on my return through Lexington, Ky., to Cincinnati, on furlough, I met the claimant, and he was suffering from the effects of an attack of typhoid fever and rheumatism and an injury sustained by his horse falling.

Previous to his entering the service he was a robust and healthy man, and ever since his discharge he has been in feeble health, and more or less disabled from the effects of the above diseases.

I have seen the claimant from time to time since his discharge from the military service, and the disability of rheumatism and the results of fever have continued from that time until the present, and he has been unable to perform manual labor.

FRANCIS W. STRICKLAND,

Late First Lieutenant and Commissary Subsistence, Eighth Tennessee Cavalry, United States Volunteers.

DISTRICT OF COLUMBIA, City of Washington, ss:

In the matter of claim of Jesse H. Strickland, late colonel of Eighth Regiment, Cavalry, Tennessee, United States Volunteers.

Personally came before me, a _____ in and for aforesaid county and State, Marcus A. O'Brien, citizen of the town of Washington, D. C., well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to aforesaid case as follows:

That I have known claimant almost continuously for twenty-one years, from 1865 to the present time, 1885; I knew him to be by both report and official military documents that I have seen in his possession colonel of the Eighth Regiment Tennessee Cavalry, United States Volunteers; I have seen him many times during the above period, in Nashville and Murfreesborough, Tenn., New York city and Brooklyn, N. Y., and I have never known him to be a well or sound, healthy man; I know of his having typhoid fever, rheumatism, and lung trouble when I first became acquainted with him.

It has always been my conviction and belief that his broken-down health was caused by exposure and hardships incurred during his military service to the United States.

And I further declare that I have no interest in said case, and am not concerned in its prosecution.

MARCUS A. O'BRIEN.

STATE OF NEW YORK, County of Kings, ss:

In the pension claim No. _____, of Jesse H. Strickland, late colonel of Eighth Tennessee Cavalry Volunteers.

Personally came before me, James Watt, M. D., a citizen of Brooklyn, in the county of Kings and State of New York, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case as follows:

That he is a practicing physician, and that he has been acquainted with said soldier for about fourteen years, and that he has known him intimately, being his family physician for ten years.

- (1) I did not know the applicant prior to 1872.
- (2) Did not treat him at any time previous to the above date.
- (3) First saw him during the year 1872, when I was called to treat him for chronic pneumonia and pulmonary hemorrhages; saw him several times during that year and the following five years for the same cause.
- (4) The claimant has been unable for the past ten years to perform any manual labor.

He further declares that he has been a practitioner of medicine for twenty years, and that he has no interest, either direct or indirect, in the prosecution of this claim.

JAMES WATT, M. D.

STATE OF NEW YORK, County of New York, ss:

In the pension claim No. _____, of Jesse H. Strickland, late colonel Eighth Tennessee Cavalry, United States Volunteers.

Personally came before me, Walter R. Gillette, a citizen of New York, in the county of New York and State of New York, well known to me to be reputable and entitled to credit, and who, being duly sworn, declares in relation to the aforesaid case as follows:

That he is a practicing physician, and that he has been acquainted with said soldier for about eighteen years, and that he has known him intimately, having been his family physician for five years. I first became acquainted with Colonel Strickland December 1, 1868, he at that time being an employe of the New York post-office, I being at that time physician and medical examiner of the same. I first called on him December 1, 1868, and found him in a precarious state of health, suffering with lung trouble and rheumatism. Again, in March, 1869, I treated him for typhoid pneumonia; again, in December, 1869, for rheumatism; in spring of 1870, hemorrhages and nervous prostration; again, in spring of 1871, pleuro-pneumonia. I advised his resigning his position to prolong life, as I considered him totally unable to perform manual labor.

He further declares that he has been a practitioner of medicine for twenty-two years, and that he has no interest, either direct or indirect, in the prosecution of this claim.

WALTER R. GILLETTE,
149 West Twenty-third street, New York.

The amendments were agreed to.

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

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

The title was amended so as to read: "A bill for the relief of Jesse H. Strickland."

PHOEBE H. MEECH.

The bill (S. 1112) granting a pension to Phoebe H. Meech was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Phoebe H. Meech, widow of Horace J. Meech, late a second lieutenant in the Second Regiment New York Volunteers, in the Mexican war, at the rate of \$15 per month, in lieu of the pension she is now receiving.

Mr. COCKRELL. I should like to have the report read to see why the pension in this case is increased, for she seems to be already drawing a pension.

The Chief Clerk read the following report, submitted by Mr. BLAIR April 27, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1112) granting a pension to Phoebe H. Meech, have examined the same, and report:

The facts in this case are set forth in the favorable report of the Committee on Invalid Pensions of the House of Representatives, hereto appended (House Report No. 314, Forty-sixth Congress, second session). Her present bill is to give her the pension of the widow of a second lieutenant, and a favorable report was made to that effect by this committee in 1880 (Senate Report No. 601, Forty-sixth Congress, second session), and passed the Senate May 25, 1880. We adopt the conclusions stated in said report and recommend the passage of the bill.

We find upon examination of papers originally filed in the case in the Pension Office that Horace J. Meech, whose widow the petitioner is, was a soldier in the Mexican war, serving faithfully therein, and was promoted second lieutenant in Second Regiment New York Volunteers, his commission from the governor of New York bearing date 19th February, 1848; that he was honorably discharged the service June 28, 1848; that his application for pension was filed July 9, 1851, on account of wounds received in the service, and that pending the adjustment of his claim he died, December 30, 1855. The petitioner prosecuted the claim to a successful issue in 1875, and has been paid pension only from that time. Her application to be paid arrears of pension due from the date of the soldier's ap-

plication to the date of the commencement of her pension, 9th April, 1875, was rejected, as was also her claim to be pensioned as the widow of a lieutenant, she being only admitted to the rate of pension allowed to the widow of a soldier.

It seems clear to your committee that this petitioner is equitably entitled to relief asked for, which has not been accorded her, as under the laws the Pension Office was precluded from doing. We believe this to be a case in which Congress may properly interfere, inasmuch as it is shown by the evidence that the soldier died from disease engendered by his army life in the war with Mexico.

We therefore report favorably upon her petition, and recommend the passage of the bill (H. R. 172) for the relief of Phoebe Meech.

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

MRS. ALMIRA AMBLER.

The bill (S. 2159) granting a pension to Mrs. Almira Ambler, was considered as in Committee of the Whole. It proposes to place the name of Mrs. Almira Ambler, a volunteer nurse in the late war, on the pension-roll at \$25 per month.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the following report, submitted by Mr. BLAIR, April 27, 1886:

The Committee on Pensions, to whom was referred the bill (S. 2159) granting a pension to Mrs. Almira Ambler, having had the same under consideration, beg leave to submit the following report:

Almira Ambler is the wife of Rev. Edward C. Ambler, who was chaplain of the Sixty-seventh Pennsylvania Volunteers. Both husband and wife are now old, in feeble health, and poor.

Mrs. Ambler, visiting her husband at the camp of the Sixty-seventh Pennsylvania Regiment, in the city of Philadelphia, in the year 1861, found thirteen very sick soldiers; her sympathies being enlisted, she, at the solicitation of the surgeon, undertook to care for them. Quarters were assigned to her, and during that whole fall and winter she spent her whole time in caring for the sick of the regiment, sometimes numbering as many as thirty. In the spring the regiment was ordered to Annapolis, whither she went with it, and there, for the space of nearly three years, spent her whole time in the hospital, nursing the sick and caring for them in every way.

She received no compensation. She expended in her work of love and mercy as much as \$500 of her own money. She visited Washington six times and obtained comforts for the sick and wounded, and in every way in which her sympathetic nature could suggest became the benefactor of sick and wounded soldiers.

Her labors were performed under the direction of Dr. Vanderleift, in charge of the hospitals at Annapolis.

Probably no more touching instance of self-denial and sacrifice is to be found among the whole list of noble women, who did so much to alleviate the sufferings and preserve the lives of soldiers in hospitals. All this is shown by the unsolicited letters written her by officers and privates to whom she administered.

In view of the precedents which have been established, paying pensions to volunteer nurses, the committee recommend the passage of the bill.

Mr. COCKRELL. Is the husband of this lady now a pensioner?

Mr. PLATT. I know all about this case. The husband is not a pensioner. He is a clergyman, but he is old and very poor.

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

CHARLOTTE O'NEAL.

The bill (S. 859) granting a pension to Charlotte O'Neal was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charlotte O'Neal, widow of Col. Richard O'Neal, deceased, late colonel of the Twenty-sixth Regiment Indiana Volunteers, at the same rate the widows of colonels of volunteers are now paid.

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

THOMAS SIMPSON.

The bill (H. R. 3326) granting a pension to Thomas Simpson, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas Simpson, late a private in the Seventh Indiana Battery in the war of the rebellion.

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

SIMON J. FOUGHT.

The bill (H. R. 1902) granting an increase of pension to Simon J. Fought was considered as in Committee of the Whole. It proposes to increase the pension of Simon J. Fought, formerly a corporal of Company D of the Forty-sixth Regiment of Ohio Volunteers, to \$30 per month.

Mr. COCKRELL. Let the report be read in that case.

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

The Chief Clerk read the following report, submitted by Mr. BLAIR April 28, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 1902) granting an increase of pension to Simon Fought, have examined the same, and report:

Your committee, after a careful examination of the condition of this claimant, adopt the report of the House Committee on Invalid Pensions (House Report No. 1057), and report back the bill with a recommendation that it do pass.

The records and papers on file in the Pension Office show that Simon J. Fought, late corporal of Company D, Forty-sixth Ohio Volunteers, is now on the pension-rolls at \$24 per month for disability resulting from gunshot wound received in action at Big Black River, Mississippi, July 5, 1863, described as follows by the medical examiners:

Gunshot wound above right groin, passing through bowels, its exit below umbilicus; cicatrix adherent to intestines (large on right side), which are contracted and require mechanical assistance in passing feces beyond the wound.

The rate allowed is that provided by law for a disability equal in degree to that resulting from the loss of a hand or foot.

The petitioner can not obtain a higher rate of pension under the general laws than \$24 per month.

It is also made to appear to the committee that Fought's present condition is

that of great weakness, precluding manual labor, owing to this fact and to a constant danger of rupture at the wounded part.

You committee consider the petitioner's prayer as entitled to consideration, and respectfully recommend the passage of the bill with the following amendment:

Strike out all after the word "volunteers," in line 6, and insert the words "to \$30 per month," so that the bill will provide for a pension of \$30 per month to the petitioner.

Mr. COCKRELL. I should like to know if there is anything in this case that may not exist in nine out of every ten cases where the law now allows \$24. Is there anything exceptional here?

Mr. SAWYER. I have no objection to the bill going over as the Senator from New Hampshire [Mr. BLAIR] who reported it is not here just now.

Mr. COCKRELL. I object to it.

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

NANCY L. RIBBLE.

The bill (H. R. 16) granting a pension to Nancy L. Ribble was considered as in Committee of the Whole. It proposes to put the name of Nancy L. Ribble on the pension-roll as dependent mother of George W. Ribble, late a private in Company K, Nineteenth Regiment Indiana Volunteers, who died in the service and in line of duty.

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

BAILEY HASCALL.

The bill (H. R. 7118) for the relief of Bailey Hascall was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Bailey Hascall, late an acting assistant paymaster in the United States Navy.

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

GEORGE W. GUYSE.

The bill (H. R. 3205) granting a pension to George W. Guyse was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George W. Guyse, late of Company L, First Regiment Alabama Cavalry.

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

MARTIN TAYLOR.

The bill (H. R. 1330) granting a pension to Martin Taylor was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martin Taylor, late of Company D, Twenty-third Regiment of Kentucky Volunteers.

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

MRS. MARIA HUNTER.

The bill (H. R. 7167) for the relief of Mrs. Maria Hunter was considered as in Committee of the Whole.

The Committee on Pensions propose to amend the bill, in line 8, after the words "rate of," to strike out "\$600 per annum" and insert "\$50 per month;" so as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Maria Hunter, widow of David Hunter, late colonel of the Sixth Regiment United States Cavalry and major-general of United States Volunteers, at the rate of \$50 per month.

The amendment was agreed to.

Mr. COCKRELL. Let the report be read in that case.

The Secretary read the following report, submitted by Mr. BLAIR April 28, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 7167) granting a pension to Mrs. Maria Hunter, have examined the same, and report:

The facts upon which the relief is asked are stated in the following report of the House Committee (House Report No. 1522), which your committee adopt, and recommend the passage of the bill with the following amendment: Strike out in the eighth and ninth lines the words "six hundred dollars per annum" and insert in lieu thereof "fifty dollars per month."

The claimant is the widow of the late Maj. Gen. David Hunter, who died on the 2d day of February, 1886. General David Hunter was one of the most distinguished soldiers of the late war, as his military record, herewith attached and made part of this report, shows:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, D. C., March 20, 1886.

Statement of the military service of David Hunter, late of the United States Army, compiled from the records of this office.

He was a cadet at the United States Military Academy from September 14, 1818, to July 1, 1822, when he was graduated and appointed second lieutenant Fifth Infantry; promoted first lieutenant June 30, 1828; appointed captain First Dragoons March 4, 1833, resigned July 4, 1836; appointed additional paymaster November 13, 1841; vacated appointment as such March 14, 1842, having been appointed major and paymaster United States Army from that date; appointed colonel Sixth United States Cavalry, May 14, 1861; brigadier-general United States Volunteers, May 17, 1861, and major-general United States Volunteers, August 13, 1861; honorably mustered out of the volunteer service January 15, 1866; retired from active service with the rank of colonel July 31, 1866.

He was breveted brigadier-general United States Army March 13, 1865, "for gallant and meritorious services in the battle of Piedmont and during the campaign in the valley of Virginia," and major-general United States Army, March 13, 1865, "for gallant and meritorious services during the war."

He joined his regiment in January, 1823, and served therewith in Minnesota to April, 1825; on leave to November, 1825; with regiment in Minnesota and

Wisconsin to October 23, 1827; on leave to April 15, 1828; with regiment in Minnesota to June 1828; at Jefferson Barracks, Missouri, to October, 1828; at Fort Dearborn, Illinois, to May, 1831, and at Fort Howard, Wisconsin, to June 28, 1831; on leave to June, 1832; with regiment at Forts Winnebago and Howard, Wisconsin, to April 18, 1833, when, having been appointed captain First Dragoons, he left to join that regiment and served therewith at Jefferson Barracks, Missouri, to November 20, 1833, and in the Indian Territory and Kansas to January 20, 1836; on leave to July 4, 1836, when he resigned.

He served in Florida from date of reappointment in the Army as additional paymaster until April, 1842; at Washington, D. C., to June, 1842; in Arkansas to July, 1846; in the war with Mexico to July, 1848; at New Orleans, La., to March, 1849; at Washington, D. C., Detroit, Mich., and New York city to May, 1856; in Kansas and Saint Louis, Mo., to February, 1861, and at Washington, D. C., to date of appointment as colonel Sixth United States Cavalry.

He served as a brigade and division commander in the Department of North-eastern Virginia (General McDowell's army) from May 28, 1861, to July 21, 1861, when wounded in action at Bull Run, Va.; commanded first division of the Western Department from September 22, 1861, to November 3, 1861, the Western Department to November 19, 1861, the Department of Kansas to March 11, 1862, and the Department of the South from March 15 to August 22, 1862; on leave to September 23, 1862; member of a military commission at Washington, D. C., to January 20, 1863; commanding Department of the South to June 12, 1863; on special duty at Washington, D. C., to March 29, 1864; awaiting orders to May 19, 1864; awaiting orders to January 31, 1865; on special duty and awaiting orders to muster-out of volunteer service January 15, 1866; on leave of absence to July 31, 1866, when he was retired at his own request, being over sixty-two years of age (act July 17, 1862).

He served as a member of the special claims commission from August 9, 1866, and also of a board for the examination of cavalry officers to June 16, 1868, from which date he was unemployed until he died, February 2, 1886.

R. C. DRUM, Adjutant-General.

In view of this record, and the present condition of his widow, your committee recommend the passage of the bill.

Mr. COCKRELL. I should like to ask some Senator if that is not a much larger amount than has been allowed even by special law to the widows of colonels?

Mr. SAWYER. I can not say.

Mr. SEWELL. It has been customary to allow \$50 a month to the widows of brigadier and major generals.

Mr. COCKRELL. The bill says "widow of David Hunter, late colonel." He was a colonel in the regular Army.

Mr. SEWELL. But a major-general of volunteers.

Mr. COCKRELL. It does not appear from the report that the death was from anything incident to the service. He was retired in 1866 at sixty-three years of age, and died in 1886, twenty years afterward, quite old at the time—eighty-three years old.

Mr. SEWELL. The officer had served forty years in the Army before he was put on the retired-list.

Mr. COCKRELL. How much would the law allow in this case in the Pension Office?

Mr. SEWELL. Thirty dollars a month.

Mr. PLATT. I remember one instance at the present Congress which I think is a case in point. The widow of Colonel Benham, who was a brevet brigadier-general and during the war was a major-general of volunteers, was allowed \$50 a month. The bill has passed both Houses of Congress.

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

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

The bill was read the third time, and passed.

MRS. ELLEN M. BOGGS.

Mr. SEWELL. While I was absent on Friday the bill (S. 722) for increase of pension to Mrs. Ellen M. Boggs passed the Senate. There was a mistake in the name, and I ask unanimous consent to correct it. The initial R should be used in place of M in the printed bill.

The PRESIDENT *pro tempore*. The bill having gone to the House of Representatives, a message will have to be sent to recall the bill for correction.

Mr. SEWELL. I ask that that action be taken.

The PRESIDENT *pro tempore*. That order will be made if there be no objection.

AMENDMENT TO A BILL.

Mr. HAMPTON presented an amendment intended to be proposed by him to the bill (S. 2457) for the relief of the State of Georgia; which was referred to the Committee on the Judiciary, and ordered to be printed.

MRS. EDNA ROBERTS.

The bill (H. R. 3193) granting a pension to Mrs. Edna Roberts was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Edna Roberts, widow of Wright Roberts, late a private in Company F, Third Ohio Cavalry, who was killed during the war of 1861-1865.

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

STEPHEN GARDNER.

The bill (H. R. 1184) granting a pension to Stephen Gardner was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Stephen Gardner, late of Company D, Tenth Regiment Michigan Volunteers.

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

MARY A. RIPLEY.

The bill (H. R. 5127) granting a pension to Mary A. Ripley was considered as in Committee of the Whole. It proposes to place the name of Mary A. Ripley, a nurse in the war of the rebellion, on the pension-roll of the United States, at twelve per month during the remainder of her life.

Mr. COCKRELL. I should like to call attention to the rate. Is twelve dollars in the bill?

The SECRETARY. "Twelve dollars per month during the remainder of her life."

Mr. COCKRELL. The bill I have says "pay her a pension of twelve per month."

The PRESIDENT *pro tempore*. It is "twelve per month."

Mr. COCKRELL. I do not see how the Secretary could read it "twelve dollars." It is to pay her "twelve per month." I do not know what it is. I do not know that the legal inference is that it means dollars. I move to amend by inserting "dollars" after the word "twelve."

The amendment was agreed to.

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

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

The bill was read the third time, and passed.

Mr. CONGER. On that bill I ask for a committee of conference on the disagreeing votes of the two Houses. I am very anxious the bill should become a law.

Mr. COCKRELL. It is absolutely necessary to have the amendment.

Mr. SAWYER. If we send it back, the House will concur at once, I have no doubt.

Mr. CONGER. Will they reach this bill?

Mr. SAWYER. Yes; they take up such cases right along. I simply want the House to concur in the amendment to correct an omission in the bill.

Mr. CONGER. I know the case very well, and it is one that appeals very strongly to my sympathies. I withdraw my motion.

The PRESIDENT *pro tempore*. The Chair is now informed that an examination of the House engrossed bill shows that the words "dollars" is there. The bill will therefore be considered as passed without amendment.

GEORGE ANNA LIPPE.

The bill (H. R. 6331) granting a pension to George Anna Lippe was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George Anna Lippe, widow of Capt. Constantine Lippe, late of Company A, One hundred and eighty-eighth Pennsylvania Volunteers.

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

ELLEN SADLER.

The bill (S. 1492) for the relief of Ellen Sadler, sister of John Sadler, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ellen Sadler, sister of John Sadler, formerly of Company E, Sixty-eighth Regiment of Pennsylvania Volunteers.

Mr. COCKRELL. Let the report be read in that case.

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

The Chief Clerk read the following report, submitted by Mr. BLAIR April 28, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1492) granting a pension to Ellen Sadler, have examined the same, and report:

The claimant, Ellen Sadler, is a sister of John Sadler, formerly of Company E, Sixty-eighth Regiment Pennsylvania Volunteers. No claim was ever made before the Pension Department, because this case does not come within the provisions of any general law.

The following letter from the Adjutant-General's Office gives the service of the soldier:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington April 9, 1886.

SIR: I have the honor to return herewith a letter from the Senate Committee on Pensions, requesting the military record of John Sadler, as of Company E, Sixty-eighth Pennsylvania Volunteers, and in compliance with instructions thereon to report that the records of this office show that John J. Sadler was enrolled August 13, 1862, at Philadelphia, Pa., and mustered into service September 1, 1862, to serve three years as a private in Company E, Sixty-eighth Pennsylvania Volunteers; that he served therein to January 13, 1863, when he was discharged on surgeon's certificate of disability at Camp Pitcher, Virginia, because of "inguinal hernia of right side, contracted about five days ago while on duty." In said certificate the company commander also certifies that "John J. Sadler has been a good and attentive soldier, and has had good health since his enlistment until the 30th December, 1862, when he was first attacked with this disease, supposed to have been brought on by wearing a cartridge box."

I have the honor to be, sir, very respectfully, your obedient servant,

J. C. KELTON,
Acting Adjutant-General.

The SECRETARY OF WAR.

It appears from the evidence before your committee that the soldier was discharged for disability contracted in the service, which disability continued until his death. The certificates of physicians are on file with the papers. The testimony of comrades and others corroborates the evidence as to the incurable nature of the disability in the service and its continuance since. The evidence is that the soldier, after his discharge, was unable to do any work whatever, and that his mother and sister were compelled to support him: that after his mother's

death the burden of such support fell on his sister, Ellen Sadler, and that she did her duty until disabled by partial paralysis. This paralysis still continues, and it further appears that this sister is left in the most destitute circumstances. The soldier died at the Pennsylvania Hospital.

Your committee are of the opinion that the soldier died from the result of disease contracted in the service, and that his sister who, it appears, is his only surviving relative and now utterly destitute, should receive from the Government some assistance which will in some measure take the place of that which the soldier would no doubt have contributed were he now alive and in good health. We therefore report back the bill, with the recommendation that it do pass.

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

SAMUEL HANSON.

The bill (S. 356) granting a pension to Samuel Hanson was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Samuel Hanson, late a private in Company D, Thirty-fourth Regiment of Iowa Volunteer Infantry.

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

ELIZABETH MARSHALL.

The bill (S. 2046) granting a pension to Elizabeth Marshall was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Elizabeth Marshall, widow of Dustin Marshall, late a private in Company C, Third New Hampshire Volunteers, in the war of the rebellion.

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

MARGARET E. PIERCE.

The bill (S. 1181) granting an increase of pension to Margaret E. Pierce was considered as in Committee of the Whole. It proposes that the pension of Margaret E. Pierce, widow of Capt. Henry Hubbard Pierce, late of the Twenty-first United States Infantry, who held the rank of major during the war of the rebellion, be increased to the amount now allowed by law to the widow of a major.

Mr. COCKRELL. Let the report be read.

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

The Chief Clerk read the following report, submitted by Mr. BLAIR April 29, 1886:

The Committee on Pensions, to whom was referred the bill (S. 1181) granting a pension to Margaret E. Pierce, have examined the same, and report:

The claimant, Margaret E. Pierce, is the widow of Henry H. Pierce, late of the Twenty-first Regiment United States Infantry. She was pensioned, on account of the death of her husband, at the rate of \$17 per month, beginning October 3, 1883, with an additional sum of \$2 per month for each of three minor children. She now asks that this be increased to the rate allowed the widows of officers of the rank of major, on the ground that such was the real rank of said soldier.

The accompanying petition is presented in support of this claim; and after a review of all the evidence in the case, your committee report back the bill, and recommend that it do pass:

Petition of Mrs. Margaret E. Pierce for increase of pension.

My husband, Henry Hubbard Pierce, was, during the entire war, a member of the First Connecticut Artillery. He entered a stripling of a boy as private soldier, and rose to the full rank of major of one of the best regiments in the service.

During continuous service of four years and five months he was three times breveted. The first time was for "gallant and meritorious service in action at Petersburg mine," where he commanded a battery of ten 10-inch mortars, and where he was without intermission engaged from 4.45 a. m. till 10.30 p. m., and used for the first time the expedient of putting thirty 12-pound canister shot under the bursting charge of the 10-inch shells, which proved of great utility, keeping quiet the most dreaded flanking batteries of the enemy's line. (Page 49, Adjutant-General's Report.)

Another brevet was for "conspicuous gallantry," a very distinguished and distinguishing compliment, given to only ten officers during the entire war.

This was conferred for "service in action at Graveyard Bend, Va.," where, with his own battery of three 30-pounder Parrotts, and another of four 20-pounder Parrotts under his command, unaided by our Navy, he repulsed the rebel fleet in its efforts to pass the obstructions in the James River on the night of January 23. This fleet consisted of three rams, the wooden gunboat Drury, and a small torpedo-boat. The second shot from the battery struck the Drury, and the third exploded her magazine, completely destroying her.

In this engagement he was wounded, with eighteen of his men. Of this affair General Henry L. Abbott, colonel of First Connecticut Artillery, says: "Too much praise can not be given Captain Pierce, commanding the battery, for his excellent conduct."

After this, a vacancy occurring, Captain Pierce was promoted to be major of his regiment. During that year his nervous system was entirely broken down by the use of quinine, which was issued as a ration, and from the effects of the exposure, which made so heroic a remedy necessary, he never recovered.

Although my husband did not die upon the battlefield he is none the less a martyr to the cause, for it was to the labors and exposure undergone in the service that he owed his death.

As will be seen by accompanying "orders," he was engaged in an exploration which has opened up a hitherto unknown country. He laid down his life that others might find homes in the beautiful and fertile valleys of the Okanakin and Methow. The work imposed upon him, so peculiarly fitted for it in every other way than by physical strength, was more than his broken-down body could endure, and six days' march away from civilization he obeyed the last "order."

I have three children to rear and educate. The eldest will be sixteen in May, and will then forfeit her \$2 per month, at a time when every cent is so important in her acquisition of an education.

My pension is, including that of my three children, \$69 per quarter. I do most earnestly pray for an increase in this being granted, that I may be saved the struggle which confronts any woman left alone, without technical knowledge of any sort that might be applied to earning her own living.

MARGARET E. PIERCE.

MORGANTOWN, W. VA., February 26, 1886.

STATE OF WEST VIRGINIA, County of Monongalia, ss:

The foregoing was subscribed and sworn to before me in my said county and I hereby certify that the affiant is personally well known to me to be of undoubted credibility.

Given under my hand and official seal this 27th day of February, 1886.

[SEAL.] E. SHISLER, Notary Public.

[General Orders, No. 22.]

HEADQUARTERS DEPARTMENT OF THE COLUMBIA,
Vancouver Barracks, Washington Territory, July 25, 1883.

The Department commander announces with regret the death of First Lieut. and Bvt. Capt. Henry H. Pierce, Twenty-first Infantry, while on special duty in the field, engaged in important topographical explorations, under special instructions from these headquarters.

The record of this officer is one of marked character and distinction, and his decease suggests special mention.

Entering the service for the preservation of the Government as a sergeant in the Fourth Connecticut Volunteers in May, 1861, he was promoted to the rank of major, rendering valuable and distinguished services, for which he was three times brevetted, on one occasion for "conspicuous gallantry."

At the close of the war he was commissioned a second lieutenant in the First United States Infantry, and subsequently, being transferred to the Twenty-first Infantry, was promoted to first lieutenant in May, 1874.

He possessed not only those qualities which grace an officer of the Government, but as a scholar he had few equals, and as an author he held high rank. His literary attainments were of the first order. The excellence of his translations of the Latin classics and his own compositions have already received marked testimonials and strong commendations from some of the most eminent scholars of the age.

During the past eight years he has served a good portion of the time at remote frontier posts, and has also been engaged against hostile Indians in the Northwest. In the autumn of last year he was engaged in the military reconnaissance in an unexplored district of Washington Territory, and at the hour of his death was occupied in completing the work then begun.

The exposure and hardships of military life in the great civil war and on the frontier had undermined his physical strength, and disease fixed its fatal hand upon him. He died at his post, in the field, in the line of duty, and his remains now rest, buried near the Upper Columbia River, amid the wild scenes of nature, far from friends and kindred.

In the death of Lieutenant Pierce the service has lost a most earnest and valuable officer, and the sympathy of the department commander is extended to his bereaved family.

By order of Brigadier-General Miles.

O. D. GREENE,
Assistant Adjutant-General.

[Regimental Order No. 49.]

HEADQUARTERS TWENTY-FIRST INFANTRY,
Vancouver Barracks, Washington Territory, August 9, 1883.

The colonel announces to the regiment the death at Foster Creek, Washington Territory, on the 17th day of July, 1883, of First Lieut. Henry H. Pierce, brevet captain United States Army, and brevet major of volunteers.

Captain Pierce entered the military service in May, 1861, as a sergeant of Company A, Fourth Connecticut Infantry, afterward the First Connecticut Artillery, and rose through the several grades until he reached the rank of major in May, 1865. He was three times brevetted for gallantry on the field of battle, once for "conspicuous gallantry," while in command of a water battery on James River, Virginia, in 1865. His service in the field was continuous from May, 1861, to the surrender of the confederate army at Appomattox, Va., April, 1865. He served at various times as judge-advocate and inspector-general of brigades. His brevets, one of them the most distinguished that can be conferred upon a soldier, and the testimonials of his superior officers bear witness to his fidelity and courage; and frequent service in staff positions, requiring knowledge and tact, is evidence of his intellect and culture.

In October, 1867, Captain Pierce was appointed a second lieutenant in the United States Army, and assigned to the First Infantry, and while on duty in the State of Louisiana was appointed by Maj. Gen. O. O. Howard superintendent of education in that State. The duties of this important office he administered with integrity and intelligence. By direction of the President of the United States, he was detailed in the summer of 1869 on duty in the University of West Virginia, as professor of mathematics and military tactics, and remained in this position for a period of five years. On his promotion to the rank of first lieutenant in 1874, he joined his regiment and served with it at various frontier stations. He was in command of a company in the campaign of 1877, against the Nez Percé Indians, in the famous pursuit of Chief Joseph from the Lapwal to the Missouri River, and shares with his regiment the credit of having participated in one of the most remarkable marches recorded in modern warfare. In 1878-'79 he was professor of military science in the military school at Orchard Lake, Mich. October 1, 1880, Captain Pierce was appointed adjutant of the Twenty-first Infantry, and served in this capacity until October 14, 1882, when he resigned to accept the detail of professor of military science and tactics in Pacific University, Oregon, for which position he was recommended by the department commander.

While adjutant he was detailed by Brig. Gen. Nelson A. Miles, commanding Department of the Columbia, to command a scientific exploring expedition from old Fort Colville to Puget Sound. This duty was discharged in a manner so satisfactory that his report of the exploration was published by order of the honorable Secretary of War, on the recommendation of the General of the Army. Family afflictions compelled Captain Pierce to resign his professorship and to return to his regiment in February last. At the time of his death he was in command of a second exploring expedition, having for its object the reconnaissance of the unexplored country between the Columbia River and Puget Sound, along a line south of the forty-ninth parallel. The estimation in which he was held by the department commander has been published to the world in the department order announcing his decease. Captain Pierce, though he was never actively engaged in that profession, was educated for law. He was an original writer of distinction, and made translations of the *Æneid* of Virgil and the *Odes* of Horace, productions of the highest literary merit. His life was one of honor and usefulness. The spirit which led him, amid the cares and annoyances of army routine life, to undertake literary labor was commendable in the highest degree, and is worthy of imitation.

As a mark of respect to the memory of Captain Pierce, the officers of the Twenty-first Infantry will wear the usual badge of mourning for thirty days.

By order of Col. H. A. Morrow.

DANIEL CORNMAN,
First Lieutenant and Adjutant Twenty-first Infantry.

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

WILLIAM A. PENFIELD.

The bill (S. 898) granting a pension to William A. Penfield was con-

sidered as in Committee of the Whole. It proposes to place on the pension-roll the name of William A. Penfield, late of Company F, Ninth Regiment Vermont Infantry.

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

ROSELLA E. HIBBERT.

The bill (S. 2098) for the relief of Rosella E. Hibbert was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Rosella E. Hibbert, daughter of Franklin M. Hibbert, late of Company F, Twenty-seventh Regiment Massachusetts Volunteers, at the rate of \$20 a month.

Mr. COCKRELL. I want the report read in that case.

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

The Chief Clerk read the following report, submitted by Mr. BLAKE April 29, 1886:

The Committee on Pensions, to whom was referred the bill (S. 2098) granting a pension to Rosella E. Hibbert, have examined the same and report:

The claimant, Rosella E. Hibbert, is the daughter of Franklin M. Hibbert, late of Company F, Twenty-seventh Regiment Massachusetts Volunteers. It appears from the evidence that the soldier died on the 16th day of May, 1864. He was married, but his wife died February 2, 1863. Only one child survives, the present claimant, who was pensioned at the rate of \$8 per month, commencing May 16, 1864, the date of the soldier's death, which pension was continued until she arrived at the age of sixteen years, to wit, February 1, 1879, since which time she has received no pension.

The present application proposes to put her on the pension-roll at the rate of \$20 a month, and the reasons for such action are well set forth in the following affidavit of W. M. Pease, M. D., dated at Otis Center, Mass., March 26, 1886:

"This certifies that I, W. M. Pease, of Otis, have known Rosella E. Hibbert for about three years. She is a person between 3 and 3½ feet in height. She is twenty-three years of age, with the mental capacity of a child five or six years of age. There is no hope of any improvement. She is unable to help to support herself in the smallest degree."

From all the evidence in this case, your committee are of the opinion that this claimant still remains, to all intents and purposes, a helpless child. It appears that she is the only survivor of the family of the soldier, and we think that the pension asked for in this bill should be granted. We therefore report the bill back with the recommendation that it do pass.

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

CYRUS VIGUS.

The bill (H. R. 5961) granting an increase of pension to Cyrus Vigus was considered as in Committee of the Whole. It proposes to place on the pension-roll, and to increase the pension to \$50 per month, Cyrus Vigus, late a private in Captain Todd's company of Kentucky Mounted Infantry in the war of 1812.

Mr. COCKRELL. Let the report be read in that case.

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

The Chief Clerk read the following report, submitted by Mr. SAWYER May 4, 1886.

The Committee on Pensions, to whom was referred the bill (H. R. 5961) granting an increase of pension to Cyrus Vigus, have examined the same, and report:

The facts in this case are fully stated in the annexed report of the Committee on Invalid Pensions of the House of Representatives.

In view thereof we recommend the passage of the bill.

Cyrus Vigus served in Captain Todd's company, First Regiment Kentucky Mounted Volunteers, in the war of 1812. He received an honorable discharge from said service on the 2d day of November, 1813. He served on the expedition to Upper Canada under the command of Governor Shelby.

The claimant is now receiving a pension at the rate of \$8 per month, this being a service pension paid the veterans of said war of 1812. He has been an industrious business man, of good habits and economical expenses; but after the business age of his life was passed the competency so carefully husbanded had, with some misfortunes added to his unusual length of years, been consumed, and he now stands, at nearly ninety-three years of age, at that strait where charity must care for him, or the poor-house become his home, or his Government, in generous consideration, save him from such calamity by granting him a pension equal to the needs of his remaining years.

He was born on the 4th day of September, 1793, and the coming 4th of September will be his ninety-third year.

The petition filed with the bill for his relief is signed by the representative citizens of his home, Logansport, Ind.

This veteran, beginning his life in the wars for his country, has kept his patriotism, and has furnished four sons to the war with Mexico, one of whom, Captain Vigus, was the first man of Government troops to enter the conquered city of Mexico; and for the late war for the Union he furnished six sons, his entire family.

These sons are now all dead, save two, one of whom is a misfortune to his father, and the other, riddled with bullets, is a helpless cripple in the Soldiers' Home at Dayton, Ohio.

His family at home consists of his aged wife and the widow and daughter of one of his dead soldier sons.

In view of the foregoing facts, it is believed a pension of \$50 per month should be granted the claimant.

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

HENRY G. BALLINGER.

The bill (H. R. 6126) granting a pension to Henry G. Ballinger was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry G. Ballinger, late captain of Camden County (Missouri) militia.

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

WILLIAM BISHOP.

The bill (H. R. 6683) for the relief of William Bishop was considered as in Committee of the Whole. It proposes to place the name of

William Bishop, late a private in Company E, Seventy-ninth Regiment Illinois Volunteers, on the pension-roll.

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

CHARLES SCHULER.

The bill (H. R. 7298) for the relief of Charles Schuler was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Charles Schuler, late a private in Company K, Fourth Minnesota Volunteers.

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

RANDOLPH SEAMAN.

The bill (H. R. 7300) for the relief of Randolph Seaman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Randolph Seaman, late a private in Company H, Sixth Minnesota Volunteers.

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

JOHN W. FARRIS.

The bill (H. R. 6136) granting an increase of pension to John W. Farris was considered as in Committee of the Whole.

Mr. PLATT. I should like to inquire of the Senator having this bill in charge what pension Farris will take under it? The bill is:

That the Secretary of the Interior be, and is hereby, authorized and directed to increase the pension of John W. Farris, late first lieutenant and adjutant of the Forty-eighth Illinois Volunteers, for disease of eyes, subject to the provisions and limitations of the pension laws.

It seems on its face to be a bill the purpose of which is to give him some increase of pension, but I apprehend the effect of it will be not to give him any.

Mr. SAWYER. I can not say. It is a bill brought here from the House, and there might be some question about it.

Mr. PLATT. I think it had better lie over. If he is going to be pensioned "subject to the provisions and limitations of the pension laws" he will get no increase, I think, under this bill.

Mr. SAWYER. Let it go over.

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

CATHARINE THENN.

The bill (H. R. 6776) granting a pension to Catharine Thenn was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catharine Thenn, widow of George M. Thenn, late of Company D, Second Regiment Missouri Artillery.

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

ADAM GASTON.

The bill (H. R. 550) to restore to the pension-roll the name of Adam Gaston was considered as in Committee of the Whole. It proposes to restore to the pension-roll the name of Adam Gaston, late of Company D, One hundred and fortieth Indiana Volunteers.

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

TOBIAS M. COON.

The bill (H. R. 4976) for the relief of Tobias M. Coon was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Tobias M. Coon, late a private in Company A, One hundred and eighteenth Regiment Ohio Volunteer Infantry.

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

MARY MERRILL.

The bill (H. R. 4631) granting a pension to Mary Merrill was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Merrill, widow of Alexander Merrill, late a private in Company L, Twelfth Tennessee Cavalry.

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

MARY ANN MILLER.

The bill (H. R. 1816) granting a pension to Mary Ann Miller was considered as in Committee of the Whole. It proposes to put the name of Mary Ann Miller, widow of Hamilton Miller, late a private in Company F, Third Ohio Volunteer Infantry, on the pension-roll.

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

HENRY B. HAVENS.

The bill (H. R. 6780) granting a pension to Henry B. Havens was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Henry B. Havens, late of Company I, Twenty-third Regiment Missouri Volunteers.

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

GILES C. HAWLEY.

The bill (H. R. 424) to pension Giles C. Hawley was considered as in

Committee of the Whole. It proposes to place on the pension-roll the name of Giles C. Hawley, late of Company L, Second Illinois Cavalry.

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

STOKELEY D. DAGLEY.

The bill (H. R. 6655) granting a pension to Stokeley D. Dagley was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Stokeley D. Dagley, late a member of the Clay County (Missouri) enrolled militia.

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

CATHARINE JOHNSON.

The bill (H. R. 3906) for the relief of Catharine Johnson, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Catharine Johnson, widow of Zachariah Johnson, deceased, late a private in Company C, Sixtieth Regiment Indiana Volunteers.

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

MARY A. LITTLE.

The bill (H. R. 567) granting a pension to Mary A. Little, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary A. Little, widow of William H. Little, who served as a private in Company G, Forty-third Regiment Indiana Volunteer Infantry.

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

THOMAS ALCOCK.

The bill (H. R. 1576) granting an increase of pension to Thomas Alcock, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Thomas Alcock, late a private in Company F, Third United States Artillery, during the Florida war, at the rate of \$50 per month, in lieu of the pension which he now receives.

Mr. COCKRELL. Let the report be read in that case.

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

The Secretary read the following report, submitted by Mr. SAWYER May 4, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 1576) granting a pension to Thomas Alcock, have examined the same, and report that after examination they have adopted the report of the Committee on Invalid Pensions, House of Representatives, hereto annexed, and recommend the passage of the bill.

It appears that the petitioner is an invalid soldier of the Seminole war, having served as private, Company F, Third United States Artillery, and honorably discharged after three years' service. He applied for pension in 1852, and was informed that claim was not admissible on the proof under general law. On the 21st of June, 1872, there appears to have been an application filed by him, alleging "that he served in said Florida war three years; that he received a sunstroke while in said service, and while on duty as sentry on the 6th day of July, 1839; and that Thomas Haley, mentioned in the annexed affidavit, was present at the time; that in consequence of such sunstroke he was totally blind for six days, and has lost the sight of one eye entirely; that a written discharge was granted him by Maj. Thomas Childs, at Fort Pierce, Florida, which is in the Department at Washington, filed on application for bounty land."

The Adjutant-General's Office reports him sick in hospital at the time alleged by him; and there is ample proof in the case to show that it is a just and meritorious one, well worthy of consideration.

The Committee on Invalid Pensions, House of Representatives, reported favorably in the case as far back as February 4, 1853, and say then:

"For this permanent injury to his eyes, rendering them perfectly useless for the remainder of his life, received in the service of his country, the committee think he is justly entitled, in some degree, to the consideration of the Government."

It appears that an act was passed by the Forty-seventh Congress granting a pension to this soldier at the rate of \$8 per month, dating from March 2, 1853, the date of the approval of the act therefor.

It appears that the man is now seventy-two years old, has a wife, and that they are in utterly dependent circumstances in consequence of his blindness, which is now total. He requires the attendance of some person at all times in going about, and has no means. It appears conclusively that the soldier contracted his disability in the Army and in the line of duty.

Your committee beg leave to refer to the petition of the said soldier hereto annexed, and to the affidavits of the claimant, and of Robert Y. McConnell, a reputable citizen of Rochester, annexed.

In conclusion, your committee recommend the passage of the bill.

To the honorable the Senate and House of Representatives of the United States:

Your petitioner, Thomas Alcock, of Rochester, in the State of New York, respectfully shows to your honorable body that he was a soldier of the United States Army in the Seminole war, having enlisted in December, 1838, and was discharged in December, 1839. That his honorable discharge from that service is now on file in the Pension Office at Washington. Your petitioner further shows that while in the service, and shortly before his discharge, he was prostrated by a sunstroke, from which he has never recovered. That in consequence of that sunstroke he was made blind, and has remained so up to the present time. That by reason of his blindness he has been unable to do anything for the support of himself and family, and much of the time has been supported at public expense. That he repeatedly applied for a pension, and none was ever granted him until, in the last session of the Forty-seventh Congress, an act was passed, which became a law, giving him a small pittance of \$8 per month, from the date of the passage of that act. This sum is insufficient for his support, and considering the long period of time during which he should have been paid a pension he submits to this honorable Congress that he should either have an arrears of pension allowed him, or, if that can not be done, that the amount of his pension should be increased. His disability is total, and he is compelled to have the attendance of some person to feed him and take care of him. Under the rule of rating pensions in such cases, he is informed and believes that he could not have less than \$24 per month at the lowest rate allowed

for pensions to private soldiers. He has never had any gratuity from the Government except a bounty land-warrant for 160 acres of land, for which he got \$110.

He therefore prays that Congress of the United States will increase his pension to at least \$50 per month. He is now seventy-two years of age, and the time during which the Government will have the privilege of paying him a pension will in all human probability not be very great.

And your petitioner will ever pray.

JANUARY 4, 1886.

THOMAS ALLCOCK.

[In the matter of the application of Thomas Allcock.]

MONROE COUNTY, *City of Rochester, ss:*

Thomas Allcock, being duly sworn, says he is now seventy-two years of age; that he is and has been totally blind for the last forty-six years in the right eye, and that for the last two years the left eye has become so bad that deponent is now unable to see scarcely anything at all; that he has to be led around as if he were totally blind, and especially so when the sun is not shining brightly; that deponent is a married man, and his wife is still living; that she is in feeble health and unable to work and support herself and deponent; that deponent has no means whatsoever of earning his living, and is in the most destitute circumstance imaginable.

his
THOMAS + ALLCOCK.
mark.

Witness:
GEORGE R. LOSEY.

Sworn to before me this 15th day of February, 1886.

GEO. R. LOSEY,
Commissioner of Deeds, Rochester, N. Y.

STATE OF NEW YORK,

Monroe County, Clerk's Office, Rochester, N. Y.:

I, Maurice Leyden, clerk of the county of Monroe, of the county court of said county, and of the supreme court, both being courts of record, having a common seal, do certify that George R. Losey, esq., the person before whom the foregoing affidavit was taken, was, on the 15th day of February, 1886, therein mentioned, a commissioner of deeds in and for said city, duly authorized to take the same; that I am well acquainted with the handwriting of the said George R. Losey, and verily believe that the name of the said officer subscribed to the said certificate is his genuine signature.

In testimony whereof I have hereunto set my hand and affixed the seal of said county and courts this 15th day of February, A. D. 1886.

MAURICE LEYDEN, *Clerk.*

In the matter of the application of Thomas Allcock.

MONROE COUNTY, *City of Rochester, ss:*

Robert Y. McConnell, sworn, says he has known said Thomas Allcock for over thirty years, and is well acquainted with his circumstances at present; that said Allcock is so blind that he can not get around only as he is led; that he is in destitute circumstances and without any means of support; that he has a wife who has to work all she is able to support herself and said applicant; that said Allcock is a most worthy man, and needs all the help that he can get to support him in these, his last days.

ROBT. Y. MCCONNELL.

Sworn to before me this 15th day of February, 1886.

GEO. R. LOSEY,
Commissioner of Deeds, Rochester, N. Y.

Mr. COCKRELL. I should like to inquire what is the pension allowed for total blindness?

Mr. BLAIR. Fifty dollars now in new cases.

Mr. COCKRELL. Why is this allowed in this case? This was originally granted by act of Congress.

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

ALTHEA A. FRASNER.

The bill (H. R. 515) granting a pension to Althea A. Frasier, was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Althea A. Frasier, widow of Milton Frasier, late a private in Company H, Fortieth Regiment of Indiana Volunteers.

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

H. W. McDONALD.

The bill (H. R. 4490) granting a pension to H. W. McDonald was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of H. W. McDonald, late of Company A, Fifth Regiment Iowa Volunteers.

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

JOHN H. McCLELLAND.

The bill (H. R. 6003) for the relief of John H. McClelland was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John H. McClelland, late a soldier in Company B of the Twenty-ninth Regiment Iowa Volunteer Infantry.

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

JOHN PENNINGTON.

The bill (H. R. 3982) granting a pension to John Pennington was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John Pennington, late captain of Company A, Forty-seventh Regiment Kentucky Volunteers.

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

DAVID T. ELDERKIN.

The bill (H. R. 5995) granting a pension to David T. Elderkin was considered as in Committee of the Whole. It proposes to place on the

pension-roll the name of David T. Elderkin, late of Company K, One hundredth Regiment Illinois Infantry Volunteers.

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

MARGARET COLBATH.

The bill (H. R. 1585) for the relief of Mrs. Margaret Colbath was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Margaret Colbath, widow of John D. Colbath, late a private in Company B, Eighth Regiment New York Heavy Artillery Volunteers.

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

GEORGE SCHAEFER.

The bill (H. R. 413) granting a pension to George Schaefer was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of George Schaefer, late of Company K, Ninety-ninth Illinois Volunteers, now residing in Bushnell, Ill.

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

MARTHA DOWNS.

The bill (H. R. 4462) granting a pension to Martha Downs was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Martha Downs, of Peoria, Ill., widow of Albert Downs, late a private in Company H, Fourteenth Regiment of Illinois Volunteers.

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

SAMUEL ROBBINS.

The bill (H. R. 6650) granting a pension to Samuel Robbins was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Samuel Robbins, late of Company A, Twelfth Regiment Missouri State Militia.

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

SOLOMON J. GRISSOM.

The bill (H. R. 7617) granting a pension to Solomon J. Grissom was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Solomon J. Grissom, late of Company E, Twentieth Regiment Kentucky Volunteers.

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

SARAH A. VAUGHN.

The bill (H. R. 1592) for the relief of Sarah A. Vaughn was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mrs. Sarah A. Vaughn, dependent mother of Delos A. Graves, late of the Seventeenth Independent Battery Light Artillery, New York Volunteers.

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

MARY NORMAN.

The bill (H. R. 6192) granting a pension to Mary Norman was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Mary Norman, widow of Corporal Turner Norman, late of Company G, Thirty-fifth United States Colored Troops.

Mr. COCKRELL. Let the report be read in that case.

The Chief Clerk read the following report, submitted by Mr. SAWYER May 4, 1886:

The Committee on Pensions, to whom was referred the bill (H. R. 6192) granting a pension to Mary Norman, have examined the same, and report that after examination they have adopted the report of the Committee on Invalid Pensions of the House of Representatives, hereto annexed, and recommend the passage of the bill.

The claimant, Mary Norman, is the widow of Turner Norman, late corporal Company G, Thirty-fifth United States Colored Troops, enrolled May 22, 1863, and who was wounded in battle at Olustee, Fla., February 20, 1864.

War Department records show soldier in hospital from said wound from February 22, 1864, to August, 1864; left with detachment at Jacksonville, Fla., sick since November 26, 1864; present for duty from February 23, 1865, to April 30, 1866.

Soldier was mustered out of service with his company at Charleston, S. C., June 1, 1866. Company was in action at battle at Olustee, Fla., February 20, 1864. Company or regimental records do not give the location of wound.

Surgeon-General's report shows that soldier was treated in general hospital at Jacksonville, Fla., for gunshot wound of head received in battle; also in general hospital at Beaufort, S. C., for gunshot wound of left side of head.

Soldier died December 22, 1869.

Soldier made application for a pension, but died before the same was granted.

Widow filed application for pension February 4, 1880. Rejected on the ground that the death cause, "drowning," was not due to the soldier's military service.

A number of soldier's comrades testify under oath that, although his right jaw-bone was broken, resulting in a running sore, producing great suffering and partial deafness, soldier, after his return from hospital, refused to leave his regiment, but remained, doing light duty, until his regiment was mustered out at the close of the war.

After his discharge he was a great sufferer, and to a great extent unable to perform manual labor.

Soldier was drowned in an accident while crossing the Roanoke River in North Carolina, the indirect result of the wound received while in the service of

the United States and in the line of duty. In crossing said river the boat sprung a leak; the ferryman called to him to save himself; a man who was also in the boat with soldier made his escape, but soldier, suffering from his wound and disabilities received in the service, was unable properly to care for himself, and was drowned as the boat sank. Soldier's widow is quite poor.

Your committee are of the opinion that soldier's death can be easily traced to the disability received in the service and in the line of duty, and believing this poor widow justly entitled to the pension asked, recommend the passage of the bill.

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

WILLIAM BRENTANO.

The bill (S. 1766) granting a pension to William Brentano was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of William Brentano, late of Company B, Thirteenth Regiment Kansas Volunteer Infantry.

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

WILLIAM C. SHIMONECH.

The bill (S. 2229) for the relief of William C. Shimonech was considered as in Committee of the Whole. It proposes that William C. Shimonech, late a principal musician in the Third Regiment United States Infantry, whose name is now borne on the pension-roll at \$14 per month, shall hereafter be paid in lieu thereof the sum of \$24 per month.

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

HIRAM R. ELLIS.

The bill (S. 2183) granting a pension to Hiram R. Ellis was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Hiram R. Ellis, formerly first lieutenant and adjutant of the Twenty-eighth Michigan Infantry Volunteers, as of the rank of first lieutenant and adjutant, in lieu of the pension allowed him, under the general pension law, as of the rank of sergeant of Company I, Fifth Regiment Michigan Cavalry Volunteers.

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

JACOB SMITH.

The bill (S. 2111) granting a pension to Jacob Smith was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Jacob Smith, late of Company E, Second West Virginia Cavalry.

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

IRA MILLER.

The bill (S. 2039) granting an increase of pension to Ira Miller was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Ira Miller, late of the Fifteenth Indiana Volunteer Infantry, at the rate of \$72 per month, in lieu of the \$50 per month heretofore allowed him.

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

ORRIN P. COOLEY.

The bill (S. 1844) granting a pension to Orrin P. Cooley was considered as in Committee of the Whole.

The Committee on Pensions reported an amendment, in line 6, before the word "dollars," to strike out "fifty" and insert "twenty-five;" so as to make the bill read:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll the name of Orrin P. Cooley, late of Company C, Forty-second Illinois Volunteers, at \$25 per month, from and after the passage of this act.

The amendment was agreed to.

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

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

POWHATTAN B. SHORT.

The bill (S. 2163) granting a pension to Powhattan B. Short was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Powhattan B. Short, late a private in Company K, Sixty-eighth Regiment Enrolled Missouri Militia.

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

BYRON R. M'INTYRE.

The bill (S. 2333) granting a pension to Byron R. McIntyre was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of Byron R. McIntyre, late a private in Company A, Forty-seventh Regiment Illinois Volunteers.

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

ISAAC RANSOM.

The bill (S. 2334) granting a pension to Isaac Ransom was considered as in Committee of the Whole. It proposes to place on the pen-

sion-roll the name of Isaac Ransom, late a private in Company C, Forty-ninth Regiment Indiana Volunteer Infantry, for such diseases as now exist.

Mr. PLATT. Why should that language be used "for such diseases as now exist?"

The PRESIDENT *pro tempore*. Does the Senator move to strike out those words?"

Mr. PLATT. I should like some explanation of them. I do not know but that they are all right. I should like to have the report read.

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

The Secretary read the following report, submitted by Mr. SAWYER May 4, 1886:

The Committee on Pensions, to whom was referred the bill (S. 2182) restoring a pension to Isaac Ransom, have examined the same, and report:

That the records in this case show that claimant was a private in Company C, Forty-ninth Regiment Indiana Volunteers, and enlisted October 15, 1861, and was discharged September 13, 1865. It also appears that claimant was pensioned for rheumatism from September 14, 1865, to December 31, 1880, when the pension was discontinued on the ground that claimant had recovered from the disease. It was claimed originally that soldier was sunstruck four times while in the service, but the claim was not allowed, and he was pensioned for rheumatism.

The records show that claimant was a sound man prior to enlistment; that he was a good soldier. The fact of his having been sunstruck is testified to by his captain, John Nafus, by the assistant surgeon of the regiment, and also by Capt. John M. Williams; also by the regimental surgeon, who treated him for other diseases besides rheumatism contracted in the line of his duty.

There is also abundant testimony from claimant's neighbors, who knew him before enlistment and after his discharge, showing that he was a sound man when he enlisted; and since his return from the Army he has been unfitted by his disabilities from performing manual labor.

Taking into consideration all the evidence on file in this case, the committee believe it to be their duty to report a substitute for this bill, and recommend its passage.

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

MALITTY ROSE.

The bill (S. 2335) for the relief of the heirs of Malitty Rose was considered as in Committee of the Whole. It proposes to pay to James E. Rose, Jane Godfrey, and Francis Patton, the only surviving children of Malitty Rose, deceased, the money due upon reissue certificate numbered 3269, issued to Malitty Rose three weeks prior to her death, as the widow of Elias Rose, late a private in Captain McCoy's company, United States infantry, of the Florida war.

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

JOHN C. MILES.

The bill (S. 2130) granting an increase of pension to John C. Miles was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John C. Miles, late of Company C, Forty-eighth Regiment Indiana Volunteer Infantry, at the rate of \$20 per month, in lieu of the \$4 per month heretofore allowed him.

Mr. COCKRELL. There ought to be some amendment there, so that it will not carry arrears of pension. That language is a little too broad. I move to amend after the word "month," where it reads "at the rate of \$20 per month," by inserting "from and after the passage of this act."

Mr. SAWYER. I have no objection to that.

The amendment was agreed to.

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

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

JOHN W. WILLS.

The bill (S. 2129) granting an increase of pension to John W. Wills was considered as in Committee of the Whole. It proposes to place on the pension-roll the name of John W. Wills, late of Company B, One hundred and forty-eighth Regiment Indiana Volunteers, at the rate of \$12 per month, in lieu of the \$2 per month heretofore allowed him.

Mr. PLATT. There ought to be the same amendment in that bill.

Mr. SAWYER. I have no objection.

Mr. PLATT. I move to add "from and after the passage of this act."

The amendment was agreed to.

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

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

HOUSE BILLS REFERRED.

The following bills from the House of Representatives were severally read twice by their titles, and referred to the Committee on Finance:

A bill (H. R. 1628) for the relief of the Continental Fire Insurance Company, the Eagle Fire Insurance Company, the City Fire Insurance Company, and the Commercial Mutual Insurance Company, all of New York city; the Western National Bank, the Merchants' National Bank, and the Maryland Fire Insurance Company, of Baltimore, Md.;

A bill (H. R. 1813) for the relief of Pattison & Caldwell;

A bill (H. R. 2395) to authorize J. G. C. Lee, a major and quartermaster in the United States Army, to issue a duplicate check, and the

assistant treasurer of the United States at New York to pay the same;

A bill (H. R. 2517) for the relief of the estate of Edwin T. Pilkenton, deceased;

A bill (H. R. 5554) for the relief of the legal representatives of G. Alexander Ramsay;

A bill (H. R. 7773) for the relief of Capt. Hollister E. Goodwin and his sureties; and

A bill (H. R. 8676) for the relief of Lafayette Fowler.

The following bills were severally read twice by their titles and referred to the Committee on Military Affairs:

A bill (H. R. 449) for the relief of John P. T. Davis;

A bill (H. R. 1062) for the relief of Ernest N. Wardwell;

A bill (H. R. 1172) to remove the charge of desertion from the record of Franklin Thompson, alias S. E. E. Seelye;

A bill (H. R. 1511) for the relief of Sidney R. Smith;

A bill (H. R. 1740) for the relief of William K. Hammond;

A bill (H. R. 2156) for the removal of the charge of desertion from the record of Martin Murphy;

A bill (H. R. 2195) for the relief of Christopher Schaeffner; and

A bill (H. R. 3384) for the relief of James M. Bacon.

The following bills were severally read twice by their titles, and referred to the Committee on Claims:

A bill (H. R. 190) for the relief of certain employes and others of the twelfth United States light-house district;

A bill (H. R. 658) for the relief of Francis W. Haldeman;

A bill (H. R. 2244) for the relief of J. M. English, administrator of the estate of Richard Fitzpatrick, deceased;

A bill (H. R. 3908) for the relief of John Ellis; and

A bill (H. R. 8596) for the relief of Beaufort Lee and others.

The following bills were severally read twice by their titles, and referred to the Committee on Public Lands:

A bill (H. R. 248) for the relief of Henry Gee;

A bill (H. R. 1418) for the relief of Henry Martin; and

A bill (H. R. 5175) extending the provisions and benefits of the pre-emption law to John E. White.

The following bills were severally read twice by their titles, and referred to the Committee on Post-Offices and Post-Roads:

A bill (H. R. 107) for the relief of Elias B. Moore;

A bill (H. R. 279) for the relief of T. H. Triplett;

A bill (H. R. 707) for the relief of J. R. Martin;

A bill (H. R. 1455) for the relief of Lysander H. Carroll;

A bill (H. R. 3909) for the relief of Harry Fisk;

A bill (H. R. 5553) for the relief of E. J. Phillips;

A bill (H. R. 5651) for the relief of David W. Low; and

A bill (H. R. 8297) for the relief of Frank Shutt.

The bill (H. R. 821) for the relief of Samuel M. Gaines was read by its title, and referred to the Committee on Patents.

The bill (H. R. 4139) for the relief of Thomas Sampson was read twice by its title, and referred to the Committee on Commerce.

HOUSE PENSION BILLS.

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

A bill (H. R. 1059) to grant a pension to Joseph Romiser;

A bill (H. R. 1150) granting a pension to Catherine E. Coffin;

A bill (H. R. 1580) for the relief of Emily B. Baker;

A bill (H. R. 3118) granting an increase of pension to William H. H. Buck;

A bill (H. R. 3551) granting a pension to George W. Cutler, late private in Company B, Ninth New Hampshire Volunteers;

A bill (H. R. 5041) granting a pension to Sally A. Stone;

A bill (H. R. 5091) to restore the name of Harvey Coburn to the pension-roll;

A bill (H. R. 5921) granting an increase of pension to John Ryan;

A bill (H. R. 6278) granting a pension to Margaret O'Connor;

A bill (H. R. 6443) granting a pension to Alexander Falconer;

A bill (H. R. 7244) granting a pension to Robert B. Kirkpatrick;

A bill (H. R. 7616) for the relief of W. D. Havely;

A bill (H. R. 7736) to increase the pension of George W. Parks;

A bill (H. R. 7749) granting a pension to Aretus N. Butler;

A bill (H. R. 7965) for the relief of Frances Mosher;

A bill (H. R. 8066) to pension Martha A. Voorhees;

A bill (H. R. 8151) granting a pension to John P. McDonald;

A bill (H. R. 8205) granting a pension to J. W. Gooding;

A bill (H. R. 8335) to restore William S. Ray to the pension-roll;

A bill (H. R. 8601) granting a pension to James H. Butler;

A bill (H. R. 8602) granting a pension to Sarah M. Carroll; and

A bill (H. R. 8651) increasing the pension of Alfred J. Hill.

The above twenty-two pension bills were severally read twice by their titles, and referred to the Committee on Pensions.

UNIFORM SYSTEM OF BANKRUPTCY.

The PRESIDENT *pro tempore*. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, being the bill (S. 714) to establish a uniform system of bankruptcy throughout the United States.

Mr. HOAR. If it would be convenient for the Senate to adopt the usual rule in cases of bills of that length, I ask unanimous consent that the bill be read by sections for amendment.

Mr. INGALLS. What is the effect of that suppose it should be agreed to?

Mr. HOAR. The effect of it is that the amendments to each section are offered as the section is read.

Mr. INGALLS. But when the reading is concluded if there are sections that any Senator desires to offer amendments to, the opportunity has passed until the bill is reported to the Senate.

Mr. HOAR. Unquestionably.

Mr. INGALLS. I shall object to that, because the bill is of such length that it would be obviously unfair to those who desire to consider it in detail to cut off the opportunity to amend before the whole bill is reported to the Senate.

Mr. HOAR. Nobody would think—I should not certainly—of objecting to going back if any Senator desired at any time to propose anything. The convenience is that this course saves a reading, and it attracts the attention of the Senate and of gentlemen who have amendments to offer to each section as it is being read and discussed, so that we shall not be flying backward and forward. There can be no snap judgment taken, because you have the power of reconsideration and the power of moving amendments in the Senate if I attempted such a thing, which I would not.

Mr. INGALLS. I do not wish to be deprived of the opportunity of offering amendments in Committee of the Whole. With the understanding that after the bill has been thus read as suggested by the Senator from Massachusetts amendments shall be in order to the bill as in Committee of the Whole in all parts thereof, I have no objection.

Mr. HOAR. I will agree to that. I will make my request with that understanding.

The PRESIDENT *pro tempore*. If there be no objection the bill will be read through at length.

Mr. PLUMB. I move to take up—

Mr. TELLER. As a question of order I want to find out what was the understanding come to as to amendments to the bankruptcy bill. We could not hear back here.

The PRESIDENT *pro tempore*. The bill will be open to amendments moved by any Senator in Committee of the Whole.

Mr. HOAR. Will the Chair allow me to make a request for unanimous consent?

The PRESIDENT *pro tempore*. The Chair understands that has already been given. The Chair put the question.

Mr. HOAR. There seems to be some misunderstanding. I desire now to ask unanimous consent that the bill may be read and amendments called for to each section as the reading proceeds, any Senator, however, to be at liberty to return to a section that has been passed to make an amendment if he desires.

Mr. INGALLS. After the reading of the bills shall have been concluded, as in Committee of the Whole?

Mr. HOAR. At any time.

Mr. TELLER. Why should any special rule be made about it? Why not let this bill take the regular parliamentary course?

The PRESIDENT *pro tempore*. It can only be done by unanimous consent. Is there objection?

Mr. TELLER. I will not object, but I do not see any propriety in it.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks unanimous consent of the Senate that this bill shall be considered by sections and open to amendment, and when the reading is gone through with any section shall be still open to amendment. The Chair hears no objection to this arrangement.

DISTRICT APPROPRIATION BILL.

Mr. PLUMB. I now move that the Senate proceed to the consideration of the District appropriation bill.

Mr. HOAR. Will the Senator from Kansas object to having that done by unanimous consent, laying the bankruptcy bill aside informally?

Mr. PLUMB. I have no objection to that. I ask unanimous consent that the Senate proceed to the consideration of the bill (H. R. 6397) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1887, and for other purposes.

The PRESIDENT *pro tempore*. The Senator from Kansas asks the unanimous consent of the Senate that the Senate proceed to the consideration of the appropriation bill indicated by him.

Mr. HOAR. The bankruptcy bill being laid aside informally.

The PRESIDENT *pro tempore*. The pending order being laid aside informally. The Chair hears no objection, and that order will be made.

Mr. GIBSON. Mr. President—

Mr. PLUMB. Before the Senator from Louisiana is recognized, I desire to have unanimous consent that the formal reading of the bill at length be dispensed with, and that it be read by paragraphs for amendment.

The PRESIDENT *pro tempore*. If there be no objection that order will be taken.

Mr. PLUMB. The Senator from Louisiana desires to make a few remarks, and has asked me to yield to him for that purpose, and I do so.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House insisted upon its disagreement to the amendments of the Senate to the bill (H. R. 8762) making appropriations to supply deficiencies in the appropriations for public printing, pensions, and pay of the Army for the fiscal year ending June 30, 1886, agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. RANDALL, Mr. LE FEVRE, and Mr. MCOMAS managers at the conference on the part of the House.

The message also announced that the House had passed the bill (S. 670) to increase the pension of the widow of the late Commander T. A. M. Craven.

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

- A bill (H. R. 320) for the relief of Hiram W. Hubbard; and
- A bill (H. R. 6337) for the relief of James D. Wood.

EXECUTIVE SESSIONS WITH OPEN DOORS.

Mr. GIBSON. I have requested the Senator from Kansas to yield to me that I might ask the Senate to take up the resolution of the Senator from Connecticut [Mr. PLATT] regarding executive sessions, in order to make a few remarks upon it.

The PRESIDENT *pro tempore*. The Senator from Louisiana asks the unanimous consent of the Senate to proceed informally to the consideration of the resolution submitted by the Senator from Connecticut, which will be read.

The Chief Clerk read the resolution, submitted by Mr. PLATT January 29, 1886, as follows:

Resolved, That executive nominations shall hereafter be considered and acted upon in open session, except when otherwise ordered by vote of the Senate, and so much of section 2, Rule XXXVI, and section 2, Rule XXXVIII, of the standing rules of the Senate as conflicts with or is inconsistent with the above is to the extent of such inconsistency rescinded.

The PRESIDENT *pro tempore*. There is no objection, and the resolution is before the Senate.

Mr. GIBSON. Mr. President, when we reflect upon the origin and growth of the institutions of representative or popular government, how they were created, not in the cabinets of kings, nor in the speculations of political philosophers, but by the sturdy efforts of freemen assembled to demand redress of actual grievances or to protect themselves against arbitrary power, and how entirely they draw their nourishment and support from the people, in fact constitute governments of the people and for the people, we can not fail to be astonished at the reluctance they who conduct them have ever exhibited to draw aside the curtain of concealment and to expose all their proceedings to the scrutiny and knowledge of the public; for however popular the origin of parliamentary or congressional government, all legislative assemblies are in theory and within a comparatively recent period were in fact closed against the public.

In both branches of the British Parliament the proceedings were conducted with closed doors from the earliest times down to less than one hundred years ago.

Judge Cooley, in his work on constitutional limitations, says:

Many matters the publication of which now seems important to the just, discreet, and harmonious workings of free institutions and the proper observation of public officers by those interested in the discharge of their duties were treated by the public authorities as offenses against good order and contempts of authority.

No official publication of the debates in Parliament was provided for and no other was allowed. The brief sketches which found their way into print were usually disguised under the garb of a fictitious parliament held in a foreign country. For such publication in 1747 the editor of the Gentleman's Magazine was brought to the bar of the house of commons for reprimand and only discharged on expressing his contrition. And in 1641 Sir Edward Deering was expelled and imprisoned for publishing a collection of his own speeches, and the book was ordered to be burned by the public hangman. Until about the period of the American Revolution, and even subsequent to that event, publication of proceedings was considered a breach of privilege. Freedom to report proceedings and debates was at last due to Wilkes, who became, notwithstanding his infamous private character, a public benefactor by his obstinate defense of the liberty of the press and security from arbitrary search and arrest.

The freedom of the press itself is of comparatively recent origin. No mention was made of it in the English petition of rights nor in the bill of rights. Even in America the magistrates of Massachusetts suffered the publication of the general laws under protest as a hazardous experiment, and for such publication in Virginia the printer was arrested and put under bonds until the king's pleasure was declared that no printing should be allowed in the colony. Books were adjudged to be given to the flames that advocated the general principles of popular freedom, and even as late as toward the close of the seventeenth century the governor of New York was expressly instructed to suffer no printing, and the governor of Virginia thanked God there were no free schools nor

printing presses in that colony, and he trusted that these breeders of disobedience and heresy and sect would long be unknown.

Slow indeed were the approaches toward that freedom of the press and publicity in the proceedings of legislative bodies which prevail today. It was a steady growth, however, from generation to generation as these institutions caught the spirit of modern progress and embraced more and more the cause of the people.

While as a matter of right strangers may be excluded, yet in point of fact accommodations are now provided for reporters of newspapers and secrecy is unknown to the house of commons and lords. Their proceedings are as open as the day. Secret sessions in respect to any matter are not tolerated, and if an attempt were now made to exclude the public from the house of commons it would produce revolution.

If the commons, says Macaulay, were to suffer the lords even to originate money bills we doubt whether such a surrender of their constitutional rights would excite half so much dissatisfaction as the exclusion of strangers from a single important discussion.

The gallery in which the reporters sit has become a fourth estate of the realm.

The publication of the debates, a practice which seemed to the most liberal statesmen of the old school full of danger to the great safeguards of public liberty, is now regarded by many persons as a safeguard tantamount and more than tantamount to all the rest together.

Bagehot, in his admirable work on the English constitution, advises that treaties be made by Parliament. He says:

If we require that in some form the assent of Parliament shall be given to such treaties we should have a real discussion prior to the making of such treaties, we should have the reason for the treaty plainly stated and also the reasons against it. At present, as we have seen, the discussion is unreal. The thing is done and can not be altered, and what is said often ought not to be said because it is captious, and what is not said ought as often to be said because it is material. We should have a manlier and plainer way of dealing with foreign policy, for ministers should be obliged to explain their foreign contracts before they are valid, just as they are compelled to explain their domestic proposals before they can become laws.

I am disposed to deny entirely that there can be any treaty for which adequate reasons can not be given to the English people which the English people ought to make. A great deal of the reticency of diplomacy had, I think, better be spoken out. The worst families are those in which the members never speak their minds to each other.

It is the same with nations. The parties concerned would almost always be better for hearing the substantial reasons which induce the negotiators to make the treaty and the negotiators would do their work much better, for half the ambiguities in treaties are caused by the negotiators not taking the pains to put their own meaning distinctly before their own minds and they would have to make it plain if they had to argue on it before a great assembly.

Our American institutions follow closely the historical antecedents and characteristics which they inherited from those of the mother country. It must not be imagined that they sprang suddenly into existence, for not only in their organic structure but in their modes of procedure they retain the cast and lineaments of the institutions of the country whose loyal subjects their framers once had been.

All the provincial Legislatures sat with closed doors. But it may be said with truth that the first Legislature to make its proceedings public was the Legislature of Massachusetts. Hon. Robert C. Winthrop, in an address before the Maine Historical Society, says:

The earliest instance of authorized publicity being given to the deliberation of a legislative body in modern days was in the same house of representatives of Massachusetts, on the 3d day of June, 1766, when upon motion of James Otis a resolution was carried to open a gallery for such as wished to hear the debate.

But the proceedings of the old Confederation Congress were always in secret. The constitutional convention of 1787 sat with closed doors, and although imperfect reports of the debates have since been published, the injunction of secrecy upon its members was never removed.

Luther Martin, who was a member from Maryland, in a letter addressed to the house of delegates of Maryland in 1788 on the Federal convention of 1787, says:

By order the doors were to be shut and the whole proceedings were to be kept secret, and so far did this rule extend, that we were thereby prevented from corresponding with gentlemen in the different States upon the subject under our discussion, a circumstance which I confess I greatly regret. I had no idea that all the wisdom, integrity, and virtue of this State or of the others were centered in the convention. I wished to have corresponded freely and confidentially with the eminent political characters in my own and other States, not to be implicitly dictated to by them, but to give their sentiments due weight and consideration. So extremely solicitous were they that their proceedings should not transpire that the members were prohibited even from taking copies of resolutions on which the convention were deliberating or extracts of any kind from the journal without formally moving for and obtaining permission by vote of the convention for that purpose.

It is not, therefore, surprising that the Constitution contained no provision requiring that the debates or proceedings of Congress should be conducted in open session and none at all upon the subject except the following in Article I, section 5:

Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member. Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy, and the yeas and nays of the members of either House on any question shall, at the desire of one-fifth of those present, be entered on the journal.

The only purpose and effect of these clauses is to compel Congress to publish from time to time what has been actually done, to give to the world the *acta diurna* merely, such parts of its proceedings as the members themselves may deem proper. We shall be prepared, there-

fore, to find that the Senate of the United States sat with closed doors from April 21, 1789, until February 11, 1794. William Maclay, a Senator from Pennsylvania from 1789 to 1791, kept a journal, published a few years ago, in which may be found sketches of the debates. Maclay says, speaking of what occurred April 27, 1790:

No business was done in the Senate but consenting to nominations sent down on Saturday, and the Senator from Virginia laid a resolution on the table for opening the doors of the Senate on the discussion of legislative matters.

Again, on the 24th April, 1791:

This day nothing of moment engaged the attention of the Senate in the way of debate until the Virginia Senators moved that the doors of the Senate Chamber should be opened on the first day of the next session. I was happy that I had given my voice on a former occasion for it. The reasons I gave then operated with full force on my mind. The first was, that I knew of no reason for keeping the door of any legislative assembly open that did not apply with equal force to us. The second was, that I thought it a compliment due to the smallest States in the Union to indulge them in such a request.

According to him the objections to it were, namely:

That the members would make speeches for the galleries and for the public papers would be the fault of the members. If they waged war in words and oral combats, if they pitted themselves like cocks, or played the gladiator for the amusement of the idle and the curious the fault was theirs. That let who would fill the chair of the Senate I hoped discretion would mark their deportment. That they would rise to impart knowledge and listen to obtain information. That while this line of conduct marked their debates it was totally immaterial whether thousands attended or whether there were not a single spectator.

The objections prevailed, and the resolutions were lost. It was not until 1794 that the doors of the Senate were opened and continued open during the discussion upon the contested election of Albert Gallatin, which was not concluded until April 28, with the decision that the election of Mr. Gallatin was void in consequence of his not having been a citizen of the United States for the constitutional period. The case being settled the doors of the Senate were closed against the public to the end of that session, when the legislative sessions were made public and have remained so, in conformity to the resolution of February 19, 1794—

That after the present session of Congress, and so soon as suitable galleries shall be provided for, the Senate Chamber and said galleries shall be permitted to be opened every morning so long as the Senate shall be engaged in their legislative capacity, unless in such cases as may in the opinion of the Senate require secrecy, after which the galleries shall be closed.

The fact is secrecy was until within a very recent time regarded as an indispensable element in the affairs of state, and reasons of state and state secrets were charmed and potent words, while in the hearts of the most enlightened and philosophical statesmen there dwelt a profound conviction that while the people should have a voice in their government, yet its administration should be removed from their direct control and immediate supervision as far as possible. They felt that concerns of such vast importance as the national honor and safety and fidelity to national obligations and the legislation essential to the general welfare should not be committed to the determination of influences springing from the popular judgment and popular conscience, but that the processes by which public opinion was passed over into the public will expressing itself in legislation should be intricate, remote, and secretive.

Even as late as 1840 John Quincy Adams regarded the political excitements and mass-meetings and the assembling of popular nominating conventions as full of peril to our institutions. He says:

From the organization of the Government under the present Constitution of the United States, the nominations of candidates for the office of President were made in caucuses by members of Congress and by members of the State Legislatures.

He declares that the Congressional caucuses signally failed, and that the State legislative nominations produced only cross-purposes and have been superseded by popular conventions. This has been followed by numerous assemblages in all the States where the opposition is of any strength, and not a week has passed within four months without a convocation of thousands of people to hear inflammatory harangues. "Here," says this accomplished statesman, who entered the public service of our country at an earlier age and continued in it longer than any other and always with matchless ability—

Here—

He says—

is a revolution in the habits and manners of the people. Where will it end? These are party movements and must in the natural progress of things become antagonistical. These meetings can not be multiplied in number and frequency without resulting in yet deeper tragedies. Their manifest tendency is to civil war.

There is not a school-boy to-day in the land that would not laugh at these apprehensions of one of the most learned and gifted statesmen of whom our country can boast.

But at length it has become an axiom in this and all other countries where constitutional freedom prevails that political matters are not private matters but public matters, and that the surest remedy for all evils that afflict society is to be found in the widest publicity and in the resources which the wisdom and the conscience of the many may bring to bear upon the sufferings and wrongs of any one or of any portion of the people.

Dr. Francis Lieber, in his work on civil liberty and self-government, edited by Dr. Theodore D. Woolsey, in speaking of those guar-

antees of liberty which relate more especially to the government of a free country and the character of its policy, says:

The first of all we have to mention under this head is publicity of public business. This implies the publicity of Legislatures and judicial courts as well as of all minor transactions that can in their nature be transacted publicly, and also the publication of all important documents, and reports, and treaties, and whatever else can interest the people at large. It further implies perfect freedom with which reporters may publish the transactions of public bodies. Without the latter, the admission of the public would hardly amount to publicity at all. We do not assemble in the market as the people of antiquity did. The millions depending upon information in our national States could not meet in the assembly as it was possible in the ancient city states, even if we had not a representative government. The public journals are in some respects to modern freemen what the agora was to the Athenians and the forum to the Romans.

An ancient free city can be imagined without a public press; a modern free country can not. Publicity in connection with civil liberty means publicity in the transactions of the business of the public in all branches. In free countries political matters relate to the people, and therefore ought to be public. Publicity informs of public matters; it teaches and educates and it binds together. There is no patriotism without publicity, and though publicity can not always prevent mischief, it is at all events an alarm-bell which calls the public attention to the spot of danger."

There is not a man in America to-day who would not condemn any secret political society or organization as dangerous to political liberty and violative of the spirit of our institutions. There may possibly arise extraordinary circumstances during war or civil commotions when a resort to secret sessions might be justifiable; but why, I ask, as a general rule, should any part of the people's business be shrouded in mystery and concealed from them? It will be admitted that the opening of the doors of the legislative sessions of the Senate has wrought no harm to the Republic, but on the contrary has advanced every interest which under the Constitution has been committed to its charge, and enriched modern literature with specimens of oratory not surpassed in any age or country.

But it is insisted when the Senate comes to give its consent and advice respecting treaties its proceedings should be conducted with closed doors. This was important, perhaps necessary, in the early days of the Republic when European nations treated our country and its representatives with contumely and haughty disdain, and when, owing to our weakness we sought alliances and made concessions to obtain a genuine independence on land and sea and our territorial rights. No American can read the history of our early treaties and of the efforts of our diplomatists to secure respectful treatment and the unquestioned recognition of the rights of our countrymen without a sense of resentment. But that day is past forever. In the plenitude of our power we can afford to discuss all questions in open sessions and with entire frankness and moderation, and the very consciousness of national greatness will inspire Senators with kindness and generosity toward all weak nations and dignity and forbearance even toward the most powerful.

The very discussion of international questions in open session will stimulate the people to take more interest in the welfare of the country as a whole, inspire national sentiments and greater pride in our country's honor and standing among the nations of the earth. It will tend to lift the minds of our statesmen and of our people as well out of the jealousies and narrowness of this section or that into the contemplation and consideration of the vast imperial destinies which are before them. The principles of international law, the interpretation of treaties and their history, the sentiments and views of foreign governments, and the considerations of honor or of interest or policy which should determine our attitude, are all matters which should be brought more and more under popular observation and familiar discussion.

I have always insisted that no dangers are likely to result to our institutions or injuries to any interest by the cultivation of a healthy national spirit. The danger is in the perversion of the national attributes and faculties to advance special privileges or sectional power or interests, to compel unjust concessions from weak nations to false and fraudulent claims of individuals, or to engage the country in complications leading to war to satisfy personal ambitions or the greed and selfishness of particular local interests. The surest guarantees against such misdirection and misapplication is to be found in the widest publicity and appeals to the good sense and patriotism of the people.

But if there be any class of treaties that should be discussed in open session it is that involving the exertion of the revenue power, which under the Constitution was committed to the House of Representatives. By the recognized practice of the Government no longer questioned, such treaties, before they may be proclaimed and made operative and binding, must derive their legal force and validity from the necessary legislation adopted by the House of Representatives. How illogical and inconsistent with all our notions of propriety and good sense is it for the Senate to shroud its discussions of the treaty with the Hawaiian Islands or Mexico in secrecy, while at the same time the House of Representatives may be considering both in the most open manner, and inviting the people whose interests may be sacrificed to a full and respectful hearing and the leading magazines of the country are full of elaborate dissertations upon them. I commend to the careful attention of Senators the interesting and instructive articles of Hon. David A. Wells in the latest numbers of the Popular Science Monthly of New York on the unilateral treaty with Mexico, entitled "An economic study of Mexico."

Let in the light upon these treaties. Let us know whether they are

intended to advance the national welfare or those of individuals merely. Let us be informed when it is shown that about \$23,000,000 of the hard earnings of the people of this country have been paid to syndicates in the Sandwich Islands without any compensating benefit under the guise of this so-called treaty which repealed the old treaty of 1850, projected by Daniel Webster and completed by John M. Clayton, under which every possible provision, right, and privilege were secured for our whaling fleets, our ships of commerce and of war, our trade and commerce, and for our citizens as fully and completely as if the islands had become a part of our territory. Under that treaty American influence and supremacy soon became undisputed, and the advancement of American interests and of the people of the islands in civilization was remarkable. I ask Senators to contrast articles 6 and 7 of the treaty of 1850 and its effects with the articles of the present subsidized convention or any proposed modification of it as the equivalent of the subsidy! Let us be informed not in secret but in the light of day why the treaty should be continued for one instant, a treaty that has condemned those islands to the baneful influences of coolie slavery and blasted their development as a rising commonwealth in the Pacific sea and an outpost for American institutions and civilization.

Let us if we intend to embark on the doctrine of manifest destiny, the *urbi et orbi* policy—let us proclaim it openly and boldly and buy the islands outright, but I protest against the continuance of a vulgar subsidy so large to aliens who can well afford to spend hundreds of thousands of dollars to perpetuate a bounty so extravagant while so many of our own people are plunged in distress. No questions could be more safely discussed by and before the people than these, and every consideration of national welfare should induce us to open wide the doors when treaties that tax the people and take from their hard earnings are to become the laws of the land. It was but yesterday that a debate in open session was held upon a question that more than any other has perplexed our diplomacy. I mean, of course, the fisheries; and it will be admitted that the very publicity of the debate was productive of good results. Such discussions would expose to the country the principles and considerations that control Senators on all questions concerning not only the relations of our Government to all foreign governments, but also the intercourse and transactions between citizens of our own and of foreign nations, the nature and character of all disputes and the manner and method of their settlement.

The Senate would be spared those unseemly criticisms inspired by unworthy motives, or by ignorance, that secrecy invites and renders it impossible to answer, doing injustice to patriotic Senators and bringing odium upon our institutions and country in the eyes of the world.

But it is held that when the Senate comes to consider whether it will advise and consent to nominations and appointments the doors should be closed and the most rigid secrecy observed. Now, Mr. President, there are two methods for filling offices created by the Constitution and the laws, one by election and the other by appointment, and I submit that the reasons which compel and justify the utmost publicity in the discussion of the merits and qualifications in one case should prevail in the other.

The offices belong to the people, were created for their benefit, and not for the benefit of the office-holders, nor as personal or political perquisites, nor as official patronage, nor for the Senate, but wholly to do the necessary work of the nation; and the people pay their officers for such work out of their own pockets, and they have a right to know all about their qualifications when they come to be appointed or elected. If it were once understood that entire publicity were the rule respecting all appointments the chief difficulty in the way of the thorough reformation of the public service would be removed.

In the first place, unworthy men, knowing their own unfitness or misconduct, would not desire that their names should be exposed to a running fire from the press and their fellow-citizens when presented publicly for the consideration of the Senate. How many such men now insist upon being appointed and secure recommendations who would not venture to go before the people for election, counting upon the shield of secrecy to protect themselves against the condemnation of the public.

In the second place, it would impose greater circumspection and responsibility and better methods upon the appointing power. It is utterly impossible from the nature of things that the President should know the real character of the applicants for office, and he would realize that as the recommendations and considerations that control his selection were to be laid before the Senate, not in secret but in open session, which is tantamount to laying them before the country, it would behoove him to require testimonials from the highest sources, so that a complete record should be made up for the country constituting the credentials of the appointees; and Senators and Representatives and gentlemen in private life who now carelessly give their recommendations right and left without scrutiny would be more careful when it was well understood that the measure of their responsibility was likewise to be declared to the country and not hid away in the archives of the committee-rooms.

In the third place, it would relieve the Senate from the constant discussion of attacks upon private character which secrecy holds out as a temptation to those who would gratify personal malice or revenge by striking under cover or in the dark. The "lion's mouth" at Venice

when the council of ten, the famous oligarchy, ruled the city by the sea was not a more appropriate device to invite the secret denunciation of particular persons than the immunity which secret sessions of the Senate affords.

To him had Venice ceased to be
Her ancient civic boast, "the free,"
And in the palace of St. Mark
Unnamed accusers, in the dark,
Within the "lion's mouth" had placed
A charge against him uneffaced.

With the disappearance of secrecy would also disappear those baseless charges that cause good men hesitate to have their names brought before the Senate. Just, fair, honorable criticism which publicity would beget no American would or could complain of. Indeed, he has a right to such trial and consideration if charges be made; but a secret inquiry conducted in behalf of men whose names are withheld from the accused is repulsive to every honorable mind. The duty to investigate in secret and by secret methods the character of the person assailed and the assailants is the most humiliating and disgusting work ever committed to gentlemen. Let us open the doors of the Senate, and we shall be no longer required to pass on charges springing from such motives.

Publicity is a process of purification, while secrecy breeds suspicions of intrigues and excites odium and discontent. No doubt the effects of this change would be to deprive the Senate of the opportunity of seeking party advantage in the matter of appointments by concealing what might be to the disadvantage of the party of the majority of the Senate and adroitly expose for public censure only what in their judgment might bring reproach upon the party of the minority.

It would also undoubtedly tend to relax the grasp which the Senate itself has taken upon the public patronage as one of its prerogatives and transfer the responsibility to the appointing power, where it properly belongs.

Since the form and structure and jurisdiction of these Federal institutions have been finally settled (so far as anything can be said to be settled in government) by nearly a hundred years of experience and precedents, by the decisions of the Supreme Court of the United States and the arbitrament of civil war, the leading question before the people about which they will concern themselves will be how to promote the honesty, economy, fidelity, and efficiency of the practical administration of the Government, and the party that shall identify itself with these beneficent ends will receive and deserve to receive power at their hands. Faithful to its principles and creed I believe this to be the aspiration of the President and the true mission of the Democratic party.

It may be said, perhaps, that I exaggerate the efficacy of publicity and the civic virtues and spirit of the people; that indifference to public affairs is the characteristic of the more intelligent and well-to-do of our fellow-citizens, and that on this account the more active and ignorant will control and determine the issues of the day and the fate of our Government.

A very brilliant writer, Sir Henry S. Maine, has observed that democracy is monarchy inverted; that the modes of addressing the multitudes are the same as the modes of addressing kings; that it is a form of government under which panegyrics to the multitudes may be easily understood.

This I confess, Mr. President, though intended somewhat as a reproach, is in a great measure a just criticism. This is the people's government. And they after all are the true king, not associated wealth or corporate power, nor combination, or special organizations of any kind, but the many, embracing all classes, greater and stronger than any one, spread all over the country, governing themselves by their industrious sobriety, their intelligent comprehension, their patriotic devotion, their determination to resist and suppress all attempts at violence and lawlessness or at injustice and oppression; they constitute the source of all power, and must and will assert their intelligent supremacy, their capacity for wise administration, for genuine and faithful kingship in respect to the conduct of their government in all its departments according to its appointed constitution and forms, or else the whole scheme must prove in the end to have been a mistake, and add another to the long list of the failures of mankind at self-government.

No public interests require that any of the proceedings of the Senate should be kept secret from them. Secret sessions are as much now out of place and date as the sword John Adams wore when presiding over this body would be upon the person of our President *pro tempore*.

The PRESIDING OFFICER (Mr. MANDERSON in the chair). The resolution will retain its place on the Calendar under Rule VIII.

Mr. HOAR. I should like to ask my honorable friend from Louisiana with reference to one expression in his speech, if he understands that there is on the part of this body or of any member of it on either side of the Chamber a claim to treat the public offices of this country or any of them as the patronage of the body.

Mr. GIBSON. I do not know that I can specify any individual member of the Senate who claims that as a part of the prerogative of the body.

Mr. HOAR. That is not my question, but whether there is any such a thing existing.

Mr. GIBSON. I think the history of the Senate will show that a great

many of the leading Senators of this body have in times past regarded their wishes to the Executive as omnipotent to such an extent that when they were not complied with they felt so humiliated that some of them, not at a very remote period, have resigned their places on this floor as Senators.

Mr. HOAR. I wish to say if the Senator will permit me—

Mr. GIBSON. Certainly.

Mr. HOAR. While his statement with the qualification he makes of it in times past may have some truth in it, I do not believe that for the last ten years, since the close of the second administration of President Grant, there has been any such claim made on the part of the Senate as a body collectively or on the part of any considerable number of individual Senators; and the whole notion in my belief, so far as my experience goes, is a pure myth, a figment of the imagination, such as prevails in some parts of the country. I think every member of this body on both sides of the Chamber would concur most emphatically in rejecting any such claim for himself or for the Senate, as I am sure my friend does.

Mr. GIBSON. I trust the Senator from Massachusetts did not infer that I intended to make any attack upon him or upon any Senator as abusing his position in the Senate with respect to patronage, but I had in my mind the history of the Senate in regard to the matter of appointments. I think every Senator is aware of the fact that in times past certainly the public patronage has been considered in a large measure as the political right of the Senators from the State in which the appointments were to be made, that they were not only entitled to be consulted, but that they were entitled to control the appointments in their respective States.

Mr. HOAR. I did not ask the question of my honorable friend from Louisiana, for whom I have the greatest respect, as understanding that he had made any attack on the Senate or still less that he had made any on me, for I suppose that nobody ever imputed to me any such claim at any time in my public life.

Mr. GIBSON. Certainly not.

Mr. HOAR. But I asked the question because I thought one sentence in the Senator's remarks might be misunderstood, and might make the foundation of such a claim elsewhere.

Mr. GIBSON. Such was not my intention.

Mr. HOAR. I desire to be permitted to say as a person who is a thorough believer in what is called civil-service reform, in divorcing the appointment to executive offices, except those which are political in their nature, from politics; and, having observed this thing pretty closely for the last ten or eleven years, that I do not believe there is a vestige of that claim or practice, if it ever existed, left in the Senate today, or has been for years.

Mr. GIBSON. I will say, if the Senator will permit me, that in the last year there has been a rapid change in that respect.

Mr. HOAR. I do not think the change has taken place in the last year.

Mr. PLATT. I do not wish to continue this discussion at present; but I do not want to let this opportunity pass without affirming my belief that patronage has been the ruin of more men in the Senate politically than anything else.

Mr. HOAR. Of men now in the Senate, or men formerly in the Senate?

Mr. PLATT. With my limited knowledge of the history of the Senate I can cast my eye backward and see men strong in other respects who have been relegated to private life simply on account of their use of the patronage of the Government.

I wish to say one thing more, that since I have been in the Senate I have found it the general, if not the universal, custom of Senators to solicit nominations at the hands of the President, and then come here and act upon those nominations in secret session. If there be a more monstrous impropriety than that I do not know what it is.

Mr. HOAR. It is undoubtedly true that during the administration of Andrew Johnson, on account of the strife which grew up between him and the Senate and House of Representatives, in which the dominant majority in Congress supposed the very existence of the Republic itself was at stake, the Republican Senators, having a two-thirds majority, undertook to deal with the functions of government to some extent as if they had been a Continental Congress without any executive head of the Government whatever; and that in the early part of President Grant's administration there was a contest between the President and the Senate in regard to the limit of these so-called Senatorial prerogatives, in which contest President Grant to some extent yielded the position which he affirmed at the beginning of his administration. The nomination and election of President Hayes was, and was meant to be, by the Republican party a tramping out of that practice. It was effectually and thoroughly trampled out, and has not shown its head as far as I have been able to see for many years past in this body. I do not think my friend from Connecticut will affirm that any of the political ruins to which he has referred are now left in the Senate.

Mr. MORRILL. I merely desire to inquire of the Senator from Connecticut when this subject is likely to be before the Senate again. Several speeches have been made upon it, and all in favor of the proposition. I desire at the earliest opportunity to say something, when it

is in order, against the proposition, very briefly, but something on the subject.

Mr. PLATT. I shall move to take up the resolution for consideration immediately after the disposition of the bankruptcy bill.

Mr. TELLER. Mr. President, I must say that I am a little surprised at the charge made by the Senator from Louisiana. I can only understand it from the fact that he has been acting until very recently with a party out of power, and undoubtedly he has supposed that the Republican members of this body were making claims of the character he mentions. I am very confident that for the last ten years, as stated by the Senator from Massachusetts, no such claim has been made by any considerable portion of this body in theory, nor has there been any such practice.

I had some little opportunity to know what the claims have been by Senators during the last administration, and I say unhesitatingly that I never heard it suggested during that time by any Republican Senator that he was entitled to control the patronage of his State. I can say beyond any fear of controversy as to the correctness of it that that was not the practice of the administration. At least I will speak for the Department over which I presided. When a vacancy occurred it was more frequently the Member from the district where the vacancy occurred who was apt to be consulted than the Senator, and if anybody controlled the patronage of the Department it was the Member and not the Senator.

Mr. HOAR. Did anybody control it?

Mr. TELLER. I would say that nobody controlled it. Suppose a land office should become vacant in the State of Kansas. It was necessary to appoint a successor. The Secretary of the Interior, whose duty it would be to present this matter to the President for his action, would have no idea who was a proper person. The practice was in such a case to go to the Member of Congress in whose district the land office was, and inquire as to the various candidates who had presented themselves for appointment. Always the files of the Department had a large number of applications of that kind. If there was any controversy about it, perhaps the Senators might have been also consulted. Nobody claimed and nobody was allowed to dictate the patronage of his State or of his district.

Of course I do not say that Senators did not come and recommend appointments, and Senators on that side of the Chamber will bear witness that in very many instances they came and were also heard, and in not a few instances their wishes were complied with, as they must remember. The Department simply endeavored to find who were competent.

There are two things to be considered when you are making appointments: First, is the man competent? Secondly, is he acceptable to the people? Recognizing the right of the people to have men not only competent, but men who were not objectionable, other qualities have been looked for beside the mere question of competency. A man might be very competent, and yet he might be very objectionable to the people of the country where he was holding office. Men have been recommended, I know, sometimes and have not been appointed, not because their qualifications were questioned, but because it was believed that for some reason there was personal or political hostility of such a character that it was not wise to make the appointment.

I wish to repeat that so far as I know neither the members of the House nor the members of the Senate during the time of which I speak made any claim to control the patronage in any branch of the public service; and if that is not the case now I do not think the change has occurred within the last year, as the Senator from Louisiana suggests, for certainly for the last five years that has been the rule. I can speak as a member of the Senate for nearly ten years, and certainly I never supposed as a member of the Senate that I was entitled to make applications and insist upon having appointments made.

In very many cases while I was a member of this body the appointments in the State which I in part represent were made contrary to my wishes. I never went to the President to complain. I never sought an appointment in my State, although some of the appointees were personally and politically obnoxious to me. If I was satisfied that they were competent, they passed through. I can say that I never made a controversy in the Senate, although many times they were not the men I should have selected. They were selected through other influences perhaps beside my own, and I had nothing to do with the matter.

I wish to repeat that that claim has been made in the public press until the people have come to believe it, and yet for many years at least it has not been true.

The PRESIDING OFFICER. The resolution will be returned to the Calendar and hold its place under the eighth rule.

OREGON LAND DISTRICT.

Mr. PLUMB. I now call for the reading of the District appropriation bill.

Mr. MITCHELL, of Oregon. I appeal to the Senator from Kansas to allow his appropriation bill to be laid aside temporarily for a moment to permit me to call up a local bill to which there will be no objection.

Mr. PLUMB. What is the bill?

Mr. MITCHELL, of Oregon. It is a bill reported from the committee of which the Senator is chairman, and it provides for the establishment of an additional land district in Oregon.

Mr. PLUMB. I shall not object, if it will lead to no debate.

Mr. MITCHELL, of Oregon. I shall not insist on proceeding with the bill if it leads to any debate whatever.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon?

Mr. HOAR. Having charge of the bankruptcy bill, which was laid aside informally, while I shall not object to this request, I wish to say that I have been notified by pretty high authority in the body that a general yielding to bills as they come up would be a violation of the understanding which has been had on both sides of the Chamber, and after my friend from Oregon has gotten through with his bill I shall object to any further yielding, except of course for the appropriation bills.

Mr. MITCHELL, of Oregon. I am much obliged to the Senator from Massachusetts. I ask the Senate to proceed to the consideration of the bill (S. 1999) to establish an additional land district in the State of Oregon.

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

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

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. O. L. PRUDEN, one of his secretaries, announced that the President had on the 22d instant approved and signed the following acts:

- An act (S. 2187) for the relief of Rebecca E. Haskin;
- An act (S. 612) granting a pension to William Weightman;
- An act (S. 843) granting a pension to Elisha Burki;
- An act (S. 977) granting a pension to Elizabeth Barker;
- An act (S. 1065) granting a pension to Emeline J. Babson;
- An act (S. 1152) granting a pension to Sarah E. Bassett;
- An act (S. 1438) granting a pension to Isom Wilkerson;
- An act (S. 2134) granting a pension to Patrick A. Callanan; and
- An act (S. 2188) granting a pension to Ann Smith.

The message also announced that the President had this day approved and signed the act (S. 2185) for the relief of George Titus.

DISTRICT APPROPRIATION BILL.

Mr. PLUMB. I now ask that the District appropriation bill be proceeded with.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 6397) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1887, and for other purposes.

The bill was reported from the Committee on Appropriations with amendments.

The PRESIDING OFFICER. The Chair understands it to be the order of the Senate that the bill shall be read by paragraphs as in Committee of the Whole for amendment. The reading of the bill will be proceeded with.

The Chief Clerk proceeded to read the bill. The first amendment of the Committee on Appropriations was, in the clause making appropriations "for salaries and contingent expenses for executive office," in line 16, after the word "clerk," to strike out "and assistant secretary;" so as to read:

One clerk, \$1,500.

The amendment was agreed to.

The next amendment was, in the same clause, line 18, after the word "dollars," to strike out "one clerk, \$1,200," and insert "two clerks, at \$1,200 each; one stenographer, \$1,200."

The amendment was agreed to.

The next amendment was, in the same clause, line 24, after the word "stationery," to strike out "livery;" so as to read:

For contingent expenses, including printing, books, stationery, horseshoeing, and other necessary items, \$2,500.

The amendment was agreed to.

The next amendment was, in the same clause, line 25, to increase the total amount of the appropriation "for salaries and contingent expenses for executive office" from \$21,244 to \$23,644.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations "for salaries and contingent expenses for assessor's office," in line 31, before the word "clerks," to strike out "two" and insert "three;" and in line 37, after the words "in all," to strike out "fourteen" and insert "fifteen;" so as to make the clause read:

For assessor's office: For one assessor, \$3,000; two assistant assessors, at \$1,600 each; one clerk, \$1,200; three clerks, at \$1,000 each; one license clerk, \$1,200; one inspector of licenses, \$1,200; one assistant or clerk, \$900; one clerk and messenger, \$900; for contingent expenses, including printing, books, stationery, detection of frauds on the revenue, and other necessary items, \$1,600; in all, \$15,600.

The amendment was agreed to.

The next amendment was, in the clause making appropriations "for

salaries and contingent expenses for collector's office," in line 40, after the word "cashier," to insert:

Who shall in the absence or inability from any cause of the collector perform his duties without additional compensation.

So as to read:

For collector's office: For one collector, \$4,000; one cashier, who shall in the absence or inability from any cause of the collector perform his duties without additional compensation, \$1,800.

The amendment was agreed to.

The next amendment was, in the same clause, line 50, after the word "arrears," to strike out "eight hundred" and insert "two thousand;" so as to read:

For services necessary for preparing an exhibit of all outstanding taxes in arrears, \$2,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 51, to increase the total amount of the appropriation "for salaries and contingent expenses for collector's office" from \$18,000 to \$19,200.

The amendment was agreed to.

The next amendment was, in the clause making appropriations "for salaries and contingent expenses for auditor's office," in line 54, before the word "absence," to strike out "necessary;" so as to read:

For auditor's office: For one auditor, \$3,000; one chief clerk, who shall in the absence or inability from any cause of the auditor, perform his duties, without additional compensation, \$1,800, &c.

The amendment was agreed to.

The next amendment was, in the clause making appropriations "for salaries and contingent expenses for attorney's office," in line 67, to increase the appropriation for salary of "one special assistant attorney" from \$960 to \$1,200.

The amendment was agreed to.

The next amendment was, in the same clause, in line 68, to increase the appropriation for salary of "one law clerk" from \$960 to \$1,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 70, to increase the appropriation for salary of "one messenger" from \$192 to \$240.

The amendment was agreed to.

The next amendment was, in the same clause, line 73, to increase from \$300 to \$500 the appropriation "for contingent expenses, including books, stationery, printing, and other necessary items."

The amendment was agreed to.

The next amendment was, in the same clause, line 73, to increase the total amount of the appropriation for "salaries and contingent expenses for attorney's office" from \$8,512 to \$9,040.

The amendment was agreed to.

The next amendment was, in line 80, after the word "miscellaneous," to insert "items;" in the same line, before the word "hundred," to strike out "five" and insert "three;" and in line 81, after the word "thousand," to strike out "nine" and insert "seven;" so as to make the clause read:

For sinking-fund office, under control of the Treasurer of the United States: For one clerk at \$1,500; one clerk at \$900; for contingent expenses, including books, stationery, printing, and miscellaneous items, \$300; in all, \$2,700.

The amendment was agreed to.

The next amendment was, in line 85, after the word "inquests," to strike out "five" and insert "seven;" and in line 86, after the word "thousand," to strike out "three" and insert "five;" so as to make the clause read:

For coroner's office: For one coroner, \$1,800; for contingent expenses, including jurors' fees, stationery, books, blanks, removal of deceased persons, making autopsies, and holding inquests, \$700; in all, \$2,500.

The amendment was agreed to.

The next amendment was, in the clause making appropriations "for salaries and contingent expenses for engineer's office," in line 112, before the words "market-masters," to strike out "three" and insert "two;" so as to read:

Two market-masters, at \$1,200 each.

Mr. MILLER. I trust the amendment will not be agreed to. I see that all the old officers and inspectors of the District government have been retained, and certainly there is no greater necessity for any of the others than there is for the retention of the market-masters.

Mr. INGALLS. There are three principal markets in the city; the one on B street, what is known as the Northern Liberties, and the Center or Washington Market, between Seventh and Ninth, on the south side of the Avenue. Of course I am not aware of the information that was in the possession of the Committee on Appropriations, and should hesitate to make any suggestion in opposition to their recommendation; but if the Senator having charge of the bill would be willing to permit the number of market-masters to correspond with the number of markets which are maintained, until such time as legislation may be had, perhaps changing or consolidating them, I am inclined to think that the interests of justice might be promoted. I make that suggestion not in the nature of a motion to disagree, but rather in the hope that my colleague may see his way clear to waive the amendment for the present and allow the bill to pass without it.

Mr. PLUMB. The committee was advised somewhat late in its sittings that this office probably was not necessary, but in view of the sug-

gestion which my colleague makes in regard to it, and on account of his familiarity with the affairs of the District, I have no objection to allowing the clause to remain as it came from the other House and to have the amendment disagreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported from the Committee on Appropriations.

The amendment was rejected.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 115, to add to the provision for "one harbor-master at \$1,200" the following proviso:

Provided, That the fees collected by said harbor-master shall be paid to the collector, for payment into the Treasury, to the credit of the United States and the District of Columbia in equal parts.

The amendment was agreed to.

The next amendment was, in the same clause, line 119, before the word "rodmen," to strike out "three" and insert "four;" so as to read:

Four rodmen, at \$780 each.

The amendment was agreed to.

The next amendment was, in the same clause, line 120, before the word "axmen," to strike out "three" and insert "four;" so as to read:

Four axmen, at \$650 each.

The amendment was agreed to.

The next amendment was, in the same clause, line 134, to increase the total amount of the appropriation "for salaries and contingent expenses for engineer's office" from \$65,690 to \$65,920.

The PRESIDING OFFICER. The Chair calls the attention of the Senator from Kansas to the necessity of a change in the total.

Mr. PLUMB. I will ask that that amendment stand over, because the total will have to be readjusted to correspond with the enactment of the Senate a moment ago.

The PRESIDING OFFICER. It will have to be increased \$1,200, the Chair will observe.

Mr. PLUMB. It may be added just as well now. Sixty-seven thousand one hundred and twenty dollars would be the amount.

The PRESIDING OFFICER. The amendment as modified will be agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 144, after the word "insurance," to insert "rebinding and repairing record-books;" so as to make the clause read:

For fuel, ice, gas, repairs, insurance, rebinding and repairing record-books, and general necessary expenses of District offices and markets, \$5,000.

The amendment was agreed to.

The next amendment was, in the appropriations for "improvements and repairs," in line 149 to increase the item "for repairs to concrete pavements, with the same or other not inferior material," from \$55,000 to \$75,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 151, to increase the appropriation "for materials for permit work" from \$50,000 to \$70,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 151, after the word "and," to strike out "hereafter;" and in line 152, after the word "authorized," to insert "in their discretion;" so as to read:

And the commissioners of the District are authorized, in their discretion, to apply such material to, and pay from this appropriation, the cost of labor for the improvement and repair of alleys and sidewalks when, in their opinion, such course is necessary for the public health, safety, or comfort.

The amendment was agreed to.

The next amendment was, in the same clause, line 157, before the word "labor," to insert "such;" and in line 160, after the word "taxes," to insert "and shall, when so collected, be credited to said appropriation; so as to read:"

Provided, That the costs of such labor shall be charged against and become a lien on the abutting property, and its collection shall be enforced in the same manner as the collection of general taxes, and shall, when so collected, be credited to said appropriation.

The amendment was agreed to.

The next amendment was, in the same clause, line 168, to increase from \$256,000 to \$276,000 the appropriation "for work on sundry avenues and streets and replacement of pavements in localities named in Appendix Ff, annexed to the estimates of the commissioners of the District for 1887."

The amendment was agreed to.

The next amendment was, in the same clause, line 169, to increase the total amount of the appropriation "for improvements and repairs" from \$410,000 to \$470,000.

The amendment was agreed to.

The next amendment was, in the same clause, after "\$47,000," in line 169, to insert:

And the money appropriated for new sewers and for work on sundry avenues and streets shall become available on the approval of this act.

The amendment was agreed to.

The next amendment was, in the same clause, line 172, after the word "that," to insert "under this appropriation;" so as to make the proviso read:

Provided, also, That under this appropriation no contract shall be made for making or repairing concrete or asphalt pavement at a higher price than \$2 per square yard for a quality equal to the best heretofore laid in the District.

The amendment was agreed to.

The next amendment was, in the appropriations for "constructing, repairing, and maintaining bridges, in line 177, after the word "care," to insert "under the supervision and control of the commissioners of the District;" in line 182, after the words "control of," to strike out "the" and insert "said;" in line 183, after the word "commissioners," to strike out "of the District of Columbia" and insert "including Benning's and Anacostia bridges;" in line 184, before the word "thousand," to strike out "five" and insert "ten;" and in line 185, after the words "in all," to strike out "seven" and insert "twelve;" so as to make the clause read:

CONSTRUCTING, REPAIRING, AND MAINTAINING BRIDGES.

For ordinary care, under the supervision and control of the commissioners of the District, of Benning's, Anacostia, and Chain bridges, including fuel, oil, lamps, and matches, \$2,000; for one bridge-keeper at Chain Bridge, \$660; and for repairing and maintaining bridges under the control of said commissioners, including Benning's and Anacostia bridges, \$10,000; in all \$12,660.

The amendment was agreed to.

The next amendment was, in the appropriations "for reformatories and prisons," in line 199, before the word "watchmen," to strike out "five" and insert "six;" so as to read:

Six watchmen, at \$365 each.

The amendment was agreed to.

The next amendment was, in the same clause, in line 204, to increase the appropriation for salary of "one female keeper at work-house" from \$180 to \$240.

The amendment was agreed to.

The next amendment was, in the same clause, line 208, to reduce the appropriation for salary of "one teacher" from \$300 to \$240.

The amendment was agreed to.

The next amendment was, in the same clause, line 213, to increase from \$39,000 to \$40,000 the appropriation "for contingent expenses, including improvements and repairs, provisions, fuel, forage, lumber, shoes, clothing, dry-goods, hardware, medicines, repairs to tools and machinery, and other necessary articles.

The amendment was agreed to.

The next amendment was, in the same clause, line 215, after the word "dollars," to insert:

Purchase of dummy engine for tramway, \$2,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 216, to increase the total amount of the appropriation "for reformatories and prisons" from \$55,385 to \$58,747.

The amendment was agreed to.

The next amendment was, in the appropriations "for Reform School," in line 226, to increase the item "for salary of engineer" from \$336 to \$396.

The amendment was agreed to.

The next amendment was, in line 233, to increase the total amount of the appropriation "for salaries of superintendent and employes of Reform School" from \$11,556 to \$11,616.

The amendment was agreed to.

The next amendment was, in line 241, after the word "exceeding," to strike out "six" and insert "nine;" in line 242, after the word "services," to insert "all in the discretion of the commissioners," and in line 243, after the word "thousand," to insert "three hundred;" so as to make the clause read:

For support of inmates, including groceries, flour, meats, dry-goods, leather and shoes, gas, fuel, hardware, table-ware, furniture, farm implements and seeds, harness and repairs to same, fertilizers, books, stationery, plumbing, painting and glazing, medicines, medical attendance, stock, fencing, and other necessary items, including compensation, not exceeding \$900, for additional labor or services, all in the discretion of the commissioners, \$25,300.

The amendment was agreed to.

The next amendment was, in the appropriations "for the Industrial Home School," in line 249, before the word "Home," to strike out "School" and to insert the word "School" after "Home;" and in line 252, after the word "expenses," to insert "all in the discretion of the commissioners;" so as to make the clause read:

For the Industrial Home School: For maintenance of inmates and salaries of superintendent and employes, the promotion of industries, and general repairs, and other necessary expenses, all in the discretion of the commissioners, \$10,000.

The amendment was agreed to.

The next amendment was, after line 253, to insert:

For the erection of a new building for the Industrial Home School, \$3,500.

The amendment was agreed to.

The next amendment was, after the line 255, to insert:

For steam-heating apparatus, \$1,000.

The amendment was agreed to.

The next amendment was, in line 262, to reduce from \$75,132 to

\$70,000 the appropriation for support of the indigent insane of the District of Columbia in the Government Hospital for the Insane in said District, as provided in sections 4844 and 4850 of the Revised Statutes."

The amendment was agreed to.

The next amendment was, in the appropriations "for charities," in line 273, after the word "building," to insert "and improving grounds;" in line 274, after the word "thousand," to insert "five hundred;" and after the words "in all," at the end of line 274, to strike out "eight thousand five hundred" and insert "nine thousand;" so as to make the clause read:

For the National Association for Destitute Colored Women and Children, \$6,500; for furniture and heating apparatus for building and improving grounds, \$2,500; in all, \$9,000.

The amendment was agreed to.

The next amendment was, in line 277, to reduce the appropriation "for Saint Ann's Infant Asylum" from \$7,000 to \$5,000.

The amendment was agreed to.

The next amendment was, after line 280, to insert:

To enable the trustees of the Washington Hospital for Foundlings to complete the building being erected for the use of said institution, \$3,500.

The amendment was agreed to.

The next amendment was, after line 284, to insert:

To aid in the erection of additional accommodations for the use of the Saint Rose Industrial School, \$5,000.

The amendment was agreed to.

The next amendment was, after line 287, to insert:

To aid in the erection of additional accommodations for the use of the House of the Good Shepherd, \$5,000.

The amendment was agreed to.

The next amendment was, after line 290, to insert:

To enable the board of managers of the Association for Works of Mercy to discharge so much of the indebtedness of said association incurred in the purchase of a building, \$5,000.

The amendment was agreed to.

The next amendment was, after line 294, to insert:

For the repair and completion of the building for the National Homeopathic Hospital Association of Washington, D. C., \$5,000.

The amendment was agreed to.

The next amendment was, in line 303, to increase the appropriation for "current work on county roads and suburban streets" from \$40,000 to \$50,000.

The amendment was agreed to.

The next amendment was, in line 303, after the word "dollars," to insert:

For opening and extending suburban streets in connection with existing streets within municipal limits, \$40,000.

Mr. LOGAN. That seems to be put in the bill as an amendment. I should like to know of the Senator having charge of the bill what the intention of it is.

Mr. PLUMB. The object I think is to be fairly implied from the language, that it is designed to extend the streets within the city limits to the country beyond and open up suburban streets as they are extended.

Mr. LOGAN. I supposed that was the intention of it.

Mr. PLUMB. It is work which has been going on more or less for some time in the neighborhood of the place where I think the Senator now resides for the purpose of indicating where the streets are to be extended and improved as they shall be surveyed, and so on.

Mr. LOGAN. There have been several surveys made, and there is one certainly that I think the Senator would not desire to carry out at the expense of the people and the destruction of property that is considered very valuable. They have surveyed right through people's yards for the benefit of the city, with the result of destroying quite a number of people's property, as has been done in this city once before. I object to this amendment, for I think the intention of it is, as the Senator has said, to widen some of the streets. A bill of that kind has been introduced. Now, the subject seems to have got into the appropriation bill. Take the street where I live, Thirteenth street; if you widen that street as desired it will utterly ruin it.

Mr. PLUMB. This gives no authority to go on anybody's property. This can only be done in the event that the property-owners themselves agree to it.

Mr. LOGAN. I have seen that thing done heretofore without their agreeing to it. I desire to amend this, after the words "municipal limits," in line 305, by inserting:

But this shall not be understood to authorize the widening of any street now laid out and opened.

If the intention is to do no property any harm that amendment will not hurt it.

Mr. PLUMB. What is that?

Mr. LOGAN. It is to insert:

Provided, That this shall not be construed to authorize the widening of any street that is now opened.

Mr. PLUMB. I do not object to that. As the committee think, and as the commissioners themselves think, wherever the property-owners are willing to give the property for the purpose of having the streets

which then or will in time connect with the streets in the municipal limits laid out, that property may be donated and the District then may make such improvements as will either establish the grade or at least indicate the grade and also the boundaries, in order that two things may be accomplished: first, that persons who desire to improve may know where to build, and, next, that the District itself may be in the position of obtaining this property for the purpose of the extension of the streets without having them clogged, broken up, and obstructed by buildings directly on the extension of the streets.

Mr. LOGAN. I have no objection to that part of it, but what will be the effect of this provision? I may as well state it now because it will come up again. I reside on the property that I purchased last fall, but unfortunately have not paid for yet; and there the engineers have made out now a survey that would take the whole frontage of my property and come within eight or ten feet of the house where I live and utterly destroy it, and open another street in the rear of it, taking off part of the rear. That is the plat, for I have examined it. It would be utterly destructive not only of what property I have, but of other people's property. This amendment will make it so that there will be no danger of anything of that kind. Then the clause would read:

For opening and extending suburban streets in connection with existing streets within municipal limits, \$40,000; but this shall not be construed to authorize the widening of any street now laid out and opened.

If that amendment is put in I have no objection to the amendment of the committee.

Mr. PLUMB. I have no objection to that. I quite agree with the Senator about the plat, if he refers to the one I do. The plan of laying out the whole District into rectangles is not one that I would approve if I lived in the District. There is no authority for that. The only design of this is that the work of opening streets the property for which shall be given by the property-holders may be going on in order that the present extension of the city may not be interrupted.

Mr. LOGAN. I have no doubt that is the intention of the committee, but the precaution I want to make is on account of what might be done.

Mr. PLUMB. I make no objection to the modification.

Mr. INGALLS. Would not the object of the Senator from Illinois be better subserved by striking out the words "in connection with existing streets" from the committee's amendment so as to leave it simply "for opening and extending suburban streets within municipal limits \$40,000," leaving the question of the continuation of the existing street plan a matter for further consideration?

Mr. PLUMB. Would not those two words "suburban" and "municipal" be inconsistent?

Mr. INGALLS. "Municipal" refers to the District. That includes the limits of the District of Columbia.

As a matter of fact the population of this District has increased so rapidly that it has begun to overflow the corporate limits of the city of Washington; it has reached the Boundary, and is locating itself in various suburban additions to the city on the heights beyond; and the owners of that property, instead of accommodating and adjusting their additions to the existing plan of the city of Washington, have laid out their streets without any reference whatever to that, and the result is a bewildering network of streets of irregular width and uncertain direction; and if the population continues to increase at its present percentage, within a very short time outside the corporate limits a condition of affairs will exist that will be exceedingly embarrassing and will be entirely incompatible with the development of this District upon any symmetrical plan.

Mr. HAWLEY. Let me ask if, when the Senator speaks of "the boundary" he means the boundary of the city?

Mr. INGALLS. What we call Boundary road, that runs up Rock Creek in the west and then continues to the foot of the ridge running eastward, passing the head of Fourteenth street, the car stables, and down by Le Droit Park, and so on toward the Eastern Branch.

Mr. HAWLEY. That is not the boundary of the District.

Mr. INGALLS. No; that is the boundary of the city of Washington, Boundary street.

Mr. HAWLEY. Then the land to which the Senator refers, the additions, will be within the control of Congress.

Mr. INGALLS. Entirely within the jurisdiction of Congress, because it is within the limits of the District of Columbia.

Mr. HAWLEY. Has the committee taken into consideration directing the continuation of surveys and laying out symmetrical plans?

Mr. INGALLS. It is only within a very few years that has been a matter of the slightest practical consequence, because there has been abundant room within the corporate limits of the city for all the population that desired residence property. But now, if the Senator is familiar with the extension of population which has been rapidly toward the northwest and northward, it first began to ascend the heights beyond the Boundary road, and we have the Mount Pleasant addition and others whose names I do not know, and those suburban additions to the city of Washington have been laid out with entire disregard of the street plans of the city.

Mr. HAWLEY. My object in inquiring was that I might make an-

other suggestion. I say to the Senator as representing the Committee on the District of Columbia that I think he would be supported in any immediate measure for preventing that sort of irregular and disagreeable extension.

Mr. INGALLS. The Committee on the District of Columbia have reported, and there is already on the Calendar, a bill providing for an official map of the District that shall provide for the extension of the present avenue and street system to the territorial limits of the District, and that no subdivisions on suburban plots shall hereafter be filed and entitled to the advantages of registration unless they adapt themselves to that map. There is also another plan that has been submitted by property-holders very largely, providing that the Government and the District of Columbia shall provide for an immediate extension of these streets and avenues through the suburban property out to the District boundary by condemnation, the expenses to be paid for out of the Treasury and out of the District funds. My impression is that that would hardly be advisable, and that the amount which would be required would be so great as to be beyond the capacity of the people to pay and perhaps beyond the advantages that would result from it.

I have an idea that the development of the street system of the District ought to be controlled very largely by the topography of the land over which the roads run, and that the attempt to lay out this whole District beyond the boundary of Washington in a rectangular plan would perhaps be unadvisable; but that there should be some method provided by which additions to the city should be laid out to correspond with the existing streets and avenues of the city I am quite clear. I suppose, however, that the intention of the Committee on Appropriations was not to legislate on that subject in this amendment. I therefore suggest that the amendment be amended by omitting the words I have named, leaving this money to be appropriated in the improvement and development of suburban streets.

Mr. LOGAN. I do not object to the amendment of the Senator from Kansas [Mr. INGALLS], provided the amendment I propose shall be added also.

Mr. INGALLS. Let us hear that read.

Mr. LOGAN. My amendment is—

Provided, That this section shall not be construed to authorize the widening of any street now laid out and opened.

Mr. INGALLS. I have no objection to that. I do not suppose there is any existing power, without legislation, for the commissioners to proceed to condemn property for streets and avenues and widening existing streets. It requires legislation. I think the apprehensions of the Senator from Illinois are unfounded, but of course I see no objection to the amendment he proposes.

Mr. LOGAN. My apprehensions may be unfounded; but when I see bills introduced in the Senate and in the House by Senators and Representatives who certainly have interests in property here, that utterly destroy the property of others and benefit their own, I have apprehensions.

Mr. INGALLS. The Senator will see that if he has apprehensions based on actions such as he suggests this amendment will not interfere with that.

Mr. LOGAN. I know it will not, but that has not come up yet.

Mr. INGALLS. So I would suggest to the Senator that rather than lead this bill with an amendment that does not concern it, it would be better to leave that until the subject to which he refers comes up, because I am very sure that under existing law there is no power in the commissioners to condemn property for widening streets or opening additional streets in the suburbs in accordance with the existing street plan or otherwise.

Mr. LOGAN. I understand that there is no law now, but this will not hurt the bill. It does not encumber it; it does not appropriate any money; it just prohibits them from destroying people's property. That is all, and that is what I desire to have in it.

Mr. PLUMB. I have no objection to it.

The PRESIDING OFFICER. The question recurs on the amendment of the Senator from Illinois [Mr. LOGAN] to the amendment of the Committee on Appropriations. The amendment to the amendment will be read.

The CHIEF CLERK. In line 305, after the word "dollars," it is proposed to insert:

Provided, That this paragraph shall not be construed to authorize the widening of any street now laid out and opened.

The amendment to the amendment was agreed to.

Mr. INGALLS. Now I suggest that the words "in connection with existing streets" ought to be stricken out; otherwise it would be an unfair inference that no portion of this money could be spent on any street that did not connect with existing streets in the city. I suppose the design is to allow the money to be expended generally, at the discretion of the commissioners, on suburban streets, whether they connect with existing streets or not.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Kansas [Mr. INGALLS] to the amendment of the committee. The amendment to the amendment will be read.

The CHIEF CLERK. In line 304, after the words "suburban streets," it is proposed to strike out "in connection with existing streets."

Mr. PLUMB. Strike out the words "within municipal limits" also. Mr. INGALLS. The words "municipal limits" apply to the limits of the District of Columbia and not to the limits of the city of Washington; but it will make no difference if they go out.

Mr. PLUMB. Let those words go out, for they seem to imply a contradiction to the word "suburban." Of course there is no authority beyond the limits of the District anyhow.

The PRESIDING OFFICER. The proposed amendment will be stated as now modified.

The CHIEF CLERK. In line 304, after the words "suburban streets," it is proposed to strike out "in connection with existing streets within municipal limits;" so as to read:

For opening and extending suburban streets, \$40,000: *Provided*, That this paragraph shall not be construed to authorize the widening of any street now laid out and opened.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in line 307, to increase the total appropriation for streets, &c., from \$151,000 to \$201,000.

The amendment was agreed to.

The next amendment was, in line 317, to reduce the appropriation for illuminating material and lighting, extinguishing, repairing, and cleaning lamps on avenues, streets, and alleys, and for purchasing and erecting new lamp-posts, and to replace such as are old, damaged, and unfit for use, from \$107,000 to \$100,000.

The amendment was agreed to.

The next amendment was, in line 318, before the word "dollars," to strike out "twenty-two" and insert "twenty;" so as to read:

Provided, That no more than \$20 per annum for each street-lamp shall be paid for gas, lighting, extinguishing, repairing, and cleaning under any expenditure provided for in this act.

The amendment was agreed to.

The next amendment was, in line 326, before the word "thousand," to strike out "five" and insert "not exceeding ten;" so as to read:

But not exceeding \$10,000 of the above amount may be used in providing electric lights on one or more of the principal thoroughfares of the city without regard to this limitation.

The amendment was agreed to.

The next amendment was, in line 348, in the appropriations "for Metropolitan police," before the word "privates," to strike out "five" and insert "ten;" so as to read:

One hundred and ten privates, class I, at \$900 each.

The amendment was agreed to.

The next amendment was, in line 361, to increase the appropriation for the pay of "two drivers of patrol-wagons" from \$300 each to \$360 each.

The amendment was agreed to.

The next amendment was, in line 372, to increase the appropriation for "miscellaneous and contingent expenses for Metropolitan police" from \$10,000 to \$11,000.

The amendment was agreed to.

The next amendment was, in line 373, after the word "yards," to insert "concreting and;" in line 375, after the word "stations," to insert "and completing ventilators for dormitories and for fencing at seventh precinct station;" and in line 376, before the word "thousand," to strike out "five" and insert "six;" so as to make the clause read:

Erection of brick stables, concreting the yards, concreting and paving cellars, setting stone steps at sixth and seventh precinct stations, and completing ventilators for dormitories and for fencing at seventh precinct station, \$9,000.

The amendment was agreed to.

The next amendment was, in line 377, to strike out "singal" and insert "signal," and in line 380 to increase the total appropriations, under the head of "Metropolitan police," from \$344,160 to \$350,780.

The amendment was agreed to.

The next amendment was, in line 385, after the word "one," to strike out "secretary" and insert "clerk;" and in line 386, after the word "assistant," to insert the word "chief;" so as to read:

For the fire department: For one chief engineer, \$1,800; one fire-marshal, \$1,000; one clerk, \$900; two foremen, acting as assistant chief engineers, at \$1,200 each.

The amendment was agreed to.

The next amendment was, in line 389, to increase the pay of seven firemen from \$800 each to \$870 each.

The amendment was agreed to.

The next amendment was, in line 390, to increase the pay of two tillermen from \$800 each to \$870 each.

The amendment was agreed to.

The next amendment was, in line 391, to increase the pay of nine hostlers from \$800 each to \$870 each.

The amendment was agreed to.

The next amendment was, in line 394, to increase the pay of "one veterinary surgeon for fire and other departments of the District government" from \$300 to \$400.

The amendment was agreed to.

The next amendment was, in line 395, to increase the appropriation for "repairs to engine-houses" from \$2,000 to \$3,500.

The amendment was agreed to.

The next amendment was, in line 404, after the word "dollars," to insert:

One pumping-engine, \$1,200.

The amendment was agreed to.

The next amendment was, in line 406, to increase the total appropriations for the fire department from \$114,600 to \$118,660.

The amendment was agreed to.

Mr. PLUMB. Before passing from this item in regard to the fire department, I wish to say that the committee were pressed very strongly to provide for a very large increase in the salaries paid to the force. On investigation the committee came to the conclusion that the fire department here is very well served and in every respect what it ought to be, but it was found impossible to give all the increases asked for. So the committee took up merely the pay of petty officers. On two occasions heretofore within the last two years the pay of the privates has been increased. While it is not yet as large as in some of the larger cities, it is the same as in Philadelphia and in Baltimore. It was thought advisable, in view of the fact that the pay of privates has been increased on two occasions heretofore, so as to make the salary the same as that of the petty officers, that the salary of these petty officers should be increased. That was the only feature of increase the committee entered upon for the reason which I have stated.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the clause making appropriations for "telegraph and telephone service," in line 412, before the word "repair-men," to strike out "two" and insert "three;" in line 413, after the word "each," to strike out "two laborers, at \$400 each," and insert "one laborer, at \$400;" so as to read:

Telegraph and telephone service: For one general superintendent, \$1,600; one electrician, at \$1,200; two telegraph operators, at \$1,000 each; three telephone operators, at \$600 each; three repair-men, at \$720 each; one laborer, at \$400.

The amendment was agreed to.

The next amendment was, in the same clause, line 421, after the words "extra labor," to insert "new boxes;" and in line 422, after the word "items," to strike out "\$8,500" and insert "7,000;" so as to read:

General supplies, repairs, new batteries and battery supplies, telephone rental, wire, extension of the telegraph and telephone service, repair of lines, purchase of poles, insulators, brackets, pins, hardware, cross-arms, gas, fuel, ice, record-books, stationery, printing, office-rent, purchase of horse and harness, washing, blacksmithing, forage, extra labor, new boxes, and other necessary items, \$7,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 423, to increase the total amount of the appropriations for "salaries and contingent expenses for telegraph and telephone service" from \$15,340 to \$16,160.

The amendment was agreed to.

The next amendment was, after line 424, to insert:

For the purpose of laying under ground the wires of the telegraph and telephone service, \$7,500.

The amendment was agreed to.

The next amendment was, in the appropriations for "courts," in line 433, after the word "dollars," to insert:

United States marshal's fees, \$1,400.

The amendment was agreed to.

The next amendment was, in the same clause, line 440, to increase the total amount of the appropriations for courts from \$14,818 to \$16,218.

The amendment was agreed to.

The next amendment was, in the appropriations for "public schools," in line 447, to increase from \$561,650 to \$595,750 the appropriation for salaries of superintendents, teachers, and janitors, secretary of the board, and clerks, including additional teachers, rents, repairs, fuel, furniture, books, stationery, new school buildings, furniture for new school buildings, and other necessary items.

The amendment was agreed to.

The next amendment was, in line 457, after the word "teachers," to strike out "not to exceed six hundred and twenty in number;" and in line 461, before the word "thousand," to strike out "fifteen" and insert "eighteen;" so as to make the clause read:

For teachers, to be employed at a rate of compensation not to exceed the rate provided by the present schedule of salaries, and at an average salary not to exceed \$670, \$418,400.

The amendment was agreed to.

The next amendment was, in line 463, before the word "teachers," to strike out "ten;" in the same line, after the word schools, to strike out "at not exceeding \$50 per month for four months;" and in line 464, after the word "thousand," to insert "five hundred;" so as to make the clause read:

For teachers of night schools, \$2,500.

The amendment was agreed to.

The next amendment was, in line 469, after the word "Franklin," to strike out the word "building" and insert "and Stevens buildings, at;" in line 470, after the word "dollars," to insert "each;" in line 472, after the word "Analostan," to insert "Curtis;" in line 473, after "Lincoln," to insert "and;" in the same line, after "Miner," to

strike out "and Stevens;" in line 476, after the word "each," to strike out "of the Curtis building, \$600;" in line 479, before the word "messenger," to insert "janitor and;" in line 481, before the word "messenger," to insert "janitor and;" and in line 486, before the word "hundred," to strike out "three" and insert "nine;" so as to make the clause read:

For janitors and care of the several school buildings: For care of the high-school building, \$1,600; of the Jefferson building, \$1,400; of the Franklin and Stevens buildings, at \$1,100 each; of the Force, Seaton, Henry, Webster, Gales, Peabody, Wallach, Garnett, Sumner, Analostan, Curtis, and Dennison buildings, at \$900 each; of the Lincoln and Miner buildings, at \$800 each; of the Twining, Abbot, John F. Cook, and Randall buildings, at \$700 each; of the Cranch, Amidon, Morse, Brent, Bannaker, Blair, Wormley, Addison, and two new buildings, \$500 each; for janitor and messenger to the superintendent of the first six divisions, \$300; for janitor and messenger to the superintendent of the seventh and eighth divisions, \$200; for care of smaller buildings and rented rooms, at a rate not to exceed \$48 per annum for the care of each school-room, \$6,000; in all, \$31,900.

The amendment was agreed to.

The next amendment was, in line 489, after the word "grounds," to strike out "twenty" and insert "twenty-five;" in line 491, after the word "insurance," to insert "tools and materials for industrial instruction;" and in line 493, after the words "in all," to strike out "sixty-six" and insert "seventy-one;" so as to make the clause read:

For rent of school buildings, \$8,000; for fuel, \$20,000; repairs and improvements to school buildings and grounds, \$25,000; and for contingent expenses, including furniture, books, stationery, printing, insurance, tools, and materials for industrial instruction, and other necessary items, \$20,000; in all, \$71,000.

The amendment was agreed to.

The next amendment was, in line 497, after the word "buildings," to strike out "forty" and insert "sixty-five;" so as to read:

For buildings for schools: For the purchase of sites, and the erection and completion of new buildings, and for furniture for new school buildings, \$65,000.

Mr. HAWLEY. I intended to propose an amendment to increase that appropriation still further. I am not sure that I can do it under the circumstances, but I wish to put on record here, not alone for the benefit of the Senate but as in some measure an appeal to the commissioners of this District themselves, that they shall pay more serious attention to this particular subject.

I see in the preceding paragraph that \$6,000 is appropriated for the rent of school buildings, the principal of which you may call \$125,000 or \$150,000. I submit that that money ought to be expended for an extension of the schools of the District rather than to continue to pay rent. I perceive that the appropriation for the improvement of streets and avenues is \$470,000. I make no objection; I presume that is necessary; but I do not believe that all of it is quite as necessary as money for schools for the children of the District.

It must be remembered that we have on the statute-book an act of Congress passed as long ago as June 25, 1864, making school attendance in the District compulsory. That act fines each parent or guardian who fails to send his child to school twelve weeks in the year \$20 for each offense; yet there are now, I am assured by a responsible citizen of the District, thirteen thousand more children of school age in this District of Columbia than there are school seats in the District; and the District, it must be remembered, can not build a school-house except by permission of Congress; it can do nothing whatever.

I could make a very disagreeable record here if I were to read the facts concerning one section of the city alone. In the third school division one school is kept in an old stable with five or six other stables immediately adjoining, low and narrow, ill-ventilated, and ill-lighted rooms, with stairways up which two children can not go side by side. Another is kept over a tin and paint shop. The teachers complain of the noise made by the tin shop, and the parents complain of the smell caused by the paint below. Another of the schools is kept in an old engine-house.

These three are in absolutely unfit places. There are twenty-seven schools in this division called half-day schools. Children that go in the forenoon must gather up all their books, strap them, and carry them home for other children, strangers, to come and occupy the desks in the afternoon, or they will not be at all sure that they will see their books again. There are twenty-seven schools of that description.

I do not say whose fault it is, but it ought not to be allowed to continue.

The appropriations for school purposes in the District have not kept pace with the acknowledged and obvious rapid increase of population. I have a table of the appropriations: in 1881, \$100,000; in 1882, \$174,630; in 1883, \$100,068; in 1884, 90,000; in 1885, \$69,000—continually decreasing; in 1886, \$60,000; and by this bill as it passed the House \$40,000 only for 1887 against \$470,000 for new streets for the benefit of property purchasers in the suburbs! It is a very bad record, Mr. President.

I am sorry that an effort was not made earlier in this matter, so that the appropriation for this coming year might be something reasonable. I thank the committee for making it \$65,000, but it might be not only \$65,000 but \$165,000 or \$200,000, for \$200,000 expended for additional houses would not accommodate the number of children that will desire to go to school eighteen months from this time in this District.

I have conversed with the member of the Committee on Appropriations who conducts this bill. The committee, I am glad to say, strike

out "forty" and insert "sixty-five," so that the total appropriation may be \$65,000. This eastern division which is so badly off, having so many half-day schools and three in stables and engine-houses, says it ought to have two twelve-room buildings. They have a way of calculating here that I am not familiar with, but a school here is called sixty-five children. The people of the third division or East Washington want two buildings with eight school-rooms each and two with twelve. They are very modest. That would not put all the children in schools; that would not dispense with the half-day schools; that would not dispense with the stables and engine-houses; but they modestly say they would be content with that. I supposed that the bill gave them only one addition of an eight-room school building. But I understand from the member of the committee in charge of the bill—and I say this for the satisfaction of the people of that section—that the commissioners propose to use about \$50,000 of the \$65,000 in the third division; and a commissioner told me that they also desire liberty to sell certain play-grounds which are in excess of the quantity needed, and they will then do something at hiring better buildings and making a change in the buildings hired; but I beg the gentlemen who have these matters more especially under their charge to bring us a more liberal bill next year.

Mr. PLUMB. Mr. President, the amount provided in this bill is \$20,000 in excess of the estimate and \$25,000 in excess of the amount proposed to be appropriated by the other House for school buildings. The total amount appropriated for school purposes by this bill is \$40,000 greater than last year and some \$60,000 greater than the estimates for the present year.

So far as any action by the Committee on Appropriations is concerned either in the present year or in the years heretofore in which I have had to do with the bill, I can say that they have never failed to do all that was asked of them, and at the same time I think they have pretty generally done about what they thought ought to be done, not in the line, perhaps, of overrunning the estimates very largely, but fairly keeping pace with what the demands of the District seemed to require.

I do not take so much offense at the schooling in a stable as my friend from Connecticut does, because in the time when I went to school such a stable as these children are schooled in would have been a first-class school-house; and I remember about a somewhat celebrated personage having been born in a stable. So the word stable does not have any terror for me.

It has been a part of the policy of the District, and I think on the whole wisely, not to enlarge the school facilities in advance of the actual increase of school children; at the same time by degrees in such a way as to be able always to insure having the best possible buildings, that is to say, to avail themselves of all modern ideas in regard to school buildings.

In 1834 the amount appropriated was \$90,000 for school buildings; in 1833 the amount was \$100,000; in 1835 it was \$69,500; and for the current year it was \$60,000. This year it is proposed to make it \$65,000. The committee heard with pleasure a very prominent citizen of the District who spoke of the needs of the sections of the city of which the Senator from Connecticut has especially spoken, and a certain amount which, by the concurrent testimony of that gentleman, who acted in a representative capacity, and the commissioners themselves agree was ample for the purpose which was in view, and we think that the appropriation in the bill will put things in a pretty fair shape in that district, and in another year at the outside there will be no possible occasion for any schools over tin-shops or schools in stables.

I have no doubt there are a large number of school children here who could not be accommodated if they would all go to the schools at once, but that is true of all communities, and I think that when we take into consideration the exceptional condition of things in this District the number here is no larger than elsewhere.

It must be borne in mind that many persons come into these schools in an unauthorized way, who are not proper to be admitted at all. When I speak of those I do not speak of the children of persons who are employed in the Departments, nor of the children of Senators and members of the other House; but the railroad facilities connecting this city with the adjoining country, and the general disposition to get away from the country schools of the contiguous portions of Maryland and Virginia have developed a tendency to bring children from those States into the District schools. I think on the whole that if the schools were pretty carefully weeded out of those children there will be room for a great many more District children than there are now. My belief is that the building accommodations for the schools of the District of Columbia are not bad, all things considered; but whether bad or good they are constantly being made better. It seemed to the committee as though the amount named would fairly meet the requirements of the situation this year. At the same time there has been no disposition whatever to resist an application for even a larger sum if there had been such representations as would seem to make it perfectly certain that it was needed. No disposition exists, so far as I am aware of, not to provide an adequate appropriation for the schools.

The Senator will notice that on page 20 of the bill we have appropriated \$2,500 for the purpose of aiding night schools, which will take in a large number of the children of whom he speaks, who are engaged

in callings which prevent them from being instructed in the schools in daytime, and it is possible that that may become quite a feature of the school system of the District hereafter.

Mr. HAWLEY. Of course I did not censure the Committee on Appropriations, the Senator will remember, and there is force in some of his explanation. I admit—it had not occurred to me—that children who live out of the limits of the District come in easily upon the railroads and help to fill these schools, but after all he has said the fact remains that there are twenty-seven schools in this District where children are allowed to go but half a day.

The PRESIDING OFFICER. The question recurs on the amendment proposed by the Committee on Appropriations.

The amendment was agreed to.

Mr. HOAR. I ask the Senator from Kansas, in line 491, after the word "tools," to put in the word "apparatus" so as to include the proper apparatus in the industrial instruction.

Mr. PLUMB. The language used in that clause was furnished by a member of the board of District commissioners who has this matter specially in charge.

That gives me the opportunity, if the Senator will permit me, to state just exactly what the plan is. Some months ago this member of the board of commissioners got the idea of using some of the vacant space in the basement of one of these school buildings for the purpose of enabling some of the children to have industrial education in a minor way; that is to say, to learn the use of tools in connection with work in wood, &c. That has been carried on in a modest way out of the contingent fund for schools. It is not designed yet, at all events no person suggests, to make it a special feature of teaching in the District, but to enlarge it by degrees as circumstances may seem to warrant, leaving it to take such a place in the school system of the District as may be necessary or as may prove to be valuable by the result of experiment.

It is only intended now to make use of a limited sum, comparatively speaking, for furnishing tools and materials, in order that the boys who attend other portions of the school may have the opportunity to accustom themselves to the ordinary handling of tools. The word "apparatus," while not objectionable in any special degree, would not at all events be necessary to the accomplishment of any purpose now in view.

Mr. HOAR. I have had a good deal of experience, possibly as much as the commissioner of the District referred to, in this particular matter in my time. There are many things which are used, even in very elementary instruction in industrial education, which the words "tools and materials" would not be sure to cover. I do not suggest an enlargement of the appropriation. Of course it would all be within the power of the board. I think it will be found necessary to include more than the words used do.

Mr. PLUMB. I have no objection at all. I only wanted to explain that there was to be no elaborate system of instruction of this kind.

Mr. HOAR. I move to insert the word "apparatus" in line 491.

Mr. HAWLEY. I did intend to make a little reply to the suggestion of the Senator from Kansas concerning the stable that I referred to.

Mr. HOAR. There is no objection to my amendment.

Mr. HAWLEY. No; there is no objection to it.

Mr. HOAR. Let it be adopted.

The PRESIDING OFFICER. If there be no objection the word "apparatus" will be inserted after the word "tools," in line 491.

Mr. HAWLEY. It is of course possible that a building which may have been once a stable may be so refitted as to make a good school-house, but I will read a statement signed by the teachers who use that building at present concerning the condition of that stable:

We, the undersigned, teachers employed in the old stable now used as a school building, and known as Peabody Annex—

Which is a misuse of a very good name—

Peabody Annex, call your attention to the condition of the aforesaid building.

The ceilings are too low to admit of proper ventilation, those on the second floor being less than 9 feet, and no means of ventilation except by windows and doors, subjecting children and teachers to a constant draught. Even this is not fully under the control of the teachers owing to the defective window-pulleys and doors that will not shut.

The light is insufficient; owing to the low ceilings the windows are brought on a level with the pupils' eyes. No shades or single shutters permit any softening of the light. This is a four-room building, into which are crowded eight full schools.

Over five hundred children, if they are all there.

As there are neither play-rooms nor cloak-rooms, and only very narrow halls, afternoon pupils arriving before the morning schools are dismissed, either have to be exposed to the inclemency of the weather or crowd into the morning schools and disturb their closing exercises.

The stairway that leads to the upper floor is too narrow to admit of two pupils passing comfortably, and it is dangerously steep.

There is no water in the building.

The outhouses are not in a sanitary condition.

The building is out of repair generally, the ceiling leaks, plastering falling, blackboards peeling, window panes out, and door-locks broken, one outside door being kept closed by means of a spade, and furniture inadequate to size and number of pupils.

The state of the surroundings and proximity to a row of stables render it an undesirable location.

We invite an immediate investigation of these facts now presented.

Yours, very respectfully,

[Signed by teachers of the Annex.]

Mr. PLUMB. I should like to ask the Senator to whom that was addressed.

Mr. HAWLEY. It is addressed to Mr. Appleton P. Clark, trustee public schools, division 3.

Mr. PLUMB. It seems to have been successfully concealed until the present moment, because it was not before the committee.

Mr. HAWLEY. It was presented to the trustee of the public schools. How far he carried it I do not know. I do not say whose blame it was. These facts are asserted by all the teachers of that district.

Mr. PLUMB. I will state that the subcommittee listened to everybody who in any way wished to bring their desire to our attention in regard to this bill. We sat for days in its consideration, heard everybody with a great deal of patience, and never heard of that. I do not say the statements are not correct; but certainly it must have failed to impress those to whom it was addressed, or there is some other reason why in all the hearings on this very interesting subject those representations were not made to the committee. I do not question it at all. As I said, I know nothing about it; but the committee did not have a chance to act upon it at all events.

Mr. HAWLEY. I supposed that the responsible citizen who handed it to me had presented it to the subcommittee. He certainly should have done so.

The PRESIDING OFFICER. The reading of the bill will be proceeded with.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for "miscellaneous expenses," in line 507, to increase the item "for rent of District offices" from \$3,600 to \$6,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 510, after the word "damages," to insert "forage, care of horses, horseshoeing;" so as to read:

For books for register of wills, printing, checks, damages, forage, care of horses, horseshoeing, and other necessary items, \$2,500.

The amendment was agreed to.

The next amendment was, in the same clause, line 512, to increase the total amount of the appropriation for "miscellaneous expenses" from \$9,600 to \$12,000.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, in the appropriations for "health department," in line 521, before the word "clerks," to strike out "three" and insert "two;" so as to read:

Two clerks, at \$1,200 each.

The amendment was agreed to.

The next amendment was, in the same clause, line 522, after the word "each," to insert:

One clerk, at \$1,000; temporary clerk-hire, \$400.

The amendment was agreed to.

The next amendment was, in the same clause, line 530, after the word "items," to strike out "two thousand five hundred" and insert "four thousand;" so as to read:

And for contingent expenses, including books, stationery, fuel, rent, repairs to pound and vehicles, forage, meat for dogs, horseshoeing, maintenance of ambulance service, and other necessary items, \$4,000.

Mr. PLUMB. I move to amend by making that sum \$4,500. That is done on the very urgent representation of all the commissioners and of the health officer, that a careful computation of what is absolutely necessary in view of present contingencies, that is to say nothing that is unforeseen, will require that amount of money. It is only \$150 more than the amount appropriated last year. I move to amend the amendment by making the amount \$4,500.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, in the same clause, line 531, after the word "garbage," to strike out "and ashes twenty" and insert "fifteen;" so as to read:

Removal of garbage, \$15,000.

The amendment was agreed to.

The next amendment was, in the same clause, line 533, to reduce the total amount of the appropriation for "health department" from \$46,480 to \$43,180.

Mr. PLUMB. The sum should be \$43,680 in place of \$43,180.

The PRESIDING OFFICER. The amendment as modified will be agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Appropriations was, in the appropriations for the "water department," in line 557, after the word "dollars," to strike out "one inspector, at \$3 per day, \$939" and to insert "four inspectors, at \$3 per day each, \$3,756."

The amendment was agreed to.

The next amendment was, in the same clause, line 563, to increase the total amount of the appropriation for "water department" from \$11,939 to \$14,756.

The amendment was agreed to.

The next amendment was, in line 569, before the word "thousand," to strike out "sixty-five" and insert "eighty;" so as to make the clause read:

For engineers and firemen, coal, material, and for high service in Washington and Georgetown, pipe-distribution to high and low service, including public hydrants, fire-plugs, material and labor, repairing and laying new mains, and lowering mains, \$80,000.

The amendment was agreed to.

The next amendment was, in section 2, line 5, after the word "revenues," to insert "including drawback certificates;" so as to read:

That said commissioners shall not make requisitions upon the appropriations from the Treasury of the United States for a larger amount during the fiscal year 1887 than they make on the appropriations arising from the revenues, including drawback certificates, of said District.

The amendment was agreed to.

The next amendment was, in section 2, line 11, before the word "settlement," to insert the words "keeping and;" and in line 13, after the word "act," to insert "and credited to said District as such, together with all other revenues, as received upon the books of the Treasury;" so as to read:

And all the drawback certificates heretofore or hereafter received for general taxes under the acts of June 27, 1879, and July 5, 1884, and paid or deposited in the Treasury, shall be considered and treated as money in the keeping and settlement of accounts between the United States and the District of Columbia under this or any other act, and credited to said District as such, together with all other revenues, as received upon the books of the Treasury.

The amendment was agreed to.

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

Mr. PLUMB. I suggest the insertion of a comma after the word "received," in line 14 of section 2. Probably that will be understood, but it would be best to insert it.

The PRESIDING OFFICER. A comma will be inserted at the point indicated if there be no objection.

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

The bill was read the third time, and passed.

Mr. PLUMB. I ask to have inserted in the RECORD some tables containing the summing up of the different items of appropriations in the bill by comparison with those of preceding years.

The PRESIDING OFFICER. The tables will be inserted in the RECORD unless objection be made.

The tabular statements are as follows:

District of Columbia, 1887.

Amount of estimates, exclusive of water department.....	\$3,656,385 97
Amount of House bill, exclusive of water department.....	3,432,874 97
Increase made by Senate committee, exclusive of water department.....	192,048 00
Amount as reported to the Senate.....	3,624,922 97
Amount to be paid by the United States, as reported to the Senate.....	1,812,461 48
Estimated District revenues for 1887, exclusive of water department.....	1,837,000 00
Amount of District act for 1886, exclusive of water department.....	3,433,286 93
The bill as reported less than estimates.....	31,463 00
The bill as reported exceeds act for 1886.....	191,636 04

The increase made by the Senate Committee to House bill is as follows:

Office of District commissioners.....	\$2,400
Assessor's office.....	1,000
Collector's office.....	1,200
Attorney's office.....	528
Coroner's office.....	200
Engineer's office.....	230
Repairs to concrete pavements.....	20,000
Work on sundry streets and avenues.....	20,000
Materials for permit work.....	20,000
Repairing bridges.....	5,000
Washington Asylum.....	3,362
Reform School.....	360
Industrial Home School.....	4,500
National Association Colored Women and Children.....	500
Washington Hospital for Foundlings.....	3,500
St. Rose Industrial School.....	5,000
House of the Good Shepherd.....	5,000
Association for Works of Mercy.....	5,000
National Homeopathic Hospital Association.....	5,000
Cement work on county roads and suburban streets.....	10,000
Opening and extending suburban streets.....	40,000
Metropolitan police.....	6,620
Fire department.....	4,060
Telegraph and telephone service.....	8,320
Police court, United States marshal's fees.....	1,400
Public schools, including new school buildings.....	34,100
Rent of District buildings.....	2,400
Total increase.....	209,680

Reduction made from House bill is as follows:

Sinking-fund office.....	\$200
Support of indigent insane of the District in Government Hospital.....	5,132
Saint Ann's Infant Asylum.....	2,000
Street lamps, gas, lighting, &c.....	7,000
Health department.....	3,300
Total reduction.....	17,632

Net increase.....	192,048
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Comparative statement showing the appropriations for the District of Columbia for 1886, the estimates for 1887, the amounts of House bill, and the amounts recommended by the Senate Committee on Appropriations for 1887.

Object.	Appropriations, 1886.	Estimates, 1887.	House bill, 1887.	Senate committee, 1887.
SALARIES AND CONTINGENT EXPENSES.				
Executive office.....	\$21,244 00	\$21,844 00	\$21,244 00	\$23,644 00
Assessor's office.....	13,600 00	15,600 00	14,600 00	15,600 00
Collector's office.....	17,300 00	18,500 00	18,000 00	19,200 00
Auditor's office.....	16,500 00	16,500 00	16,500 00	16,500 00
Attorney's office.....	8,712 00	9,000 00	8,512 00	9,040 00
Sinking-fund office.....	2,700 00	3,100 00	2,900 00	2,700 00
Coroner's office.....	2,500 00	2,500 00	2,300 00	2,500 00
Engineer's office.....	65,690 00	68,740 00	65,690 00	65,920 00
Miscellaneous expenses, District offices.....	5,000 00	5,000 00	5,000 00	5,000 00
Total salaries and contingent expenses.....	153,246 00	160,784 00	154,746 00	160,104 00
IMPROVEMENTS AND REPAIRS.				
Repairs to concrete pavements.....	50,000 00	75,000 00	55,000 00	75,000 00
Materials for permit work.....	50,000 00	50,000 00	50,000 00	70,000 00
Continuing surveys of the District.....	5,000 00	5,000 00	4,000 00	4,000 00
For sewers.....	25,000 00	75,000 00	45,000 00	45,000 00
Work on sundry streets and avenues.....	265,000 00	256,057 00	256,000 00	276,000 00
Total improvements and repairs.....	395,000 00	461,057 00	410,000 00	470,000 00
Repairing and maintaining bridges.....	9,380 00	9,100 00	7,660 00	12,660 00
Expenses of Washington Aqueduct.....	20,000 00	20,000 00	20,000 00	20,000 00
REFORMATORIES AND PRISONS.				
Washington Asylum.....	69,680 00	56,690 00	55,385 00	58,747 00
Reform School.....	36,616 00	36,676 00	36,556 00	36,916 00
Georgetown almshouse.....	1,800 00	1,800 00	1,800 00	1,800 00
Transportation of paupers.....	4,000 00	4,000 00	4,000 00	4,000 00
Industrial Home School.....	12,000 00	12,000 00	10,000 00	14,500 00
Total, reformatories and prisons.....	124,096 00	111,166 00	107,741 00	115,963 00
Support of indigent insane.....	53,462 00	130,725 00	75,132 00	70,000 00
FOR CHARITIES.				
Relief of the poor.....	15,000 00	15,000 00	15,000 00	15,000 00
Columbia Hospital for Women, &c.....	15,000 00	15,000 00	15,000 00	15,000 00
Women's Christian Association.....	5,000 00	.....	4,000 00	4,000 00
National Association for Destitute Colored Women and Children.....	6,500 00	.....	6,500 00	6,500 00
Do. for building.....	18,000 00	.....	2,000 00	2,500 00
Children's Hospital.....	5,000 00	.....	5,000 00	5,000 00
St. Ann's Infant Asylum.....	5,000 00	.....	7,000 00	5,000 00
Church Orphanage of the District of Columbia.....	\$1,500 00	.....	\$1,500 00	\$1,500 00
National Homeopathic Hospital Association, District of Columbia, building for.....	15,000 00	.....	.....	5,000 00
Washington Hospital for Foundlings.....	.....	.....	.....	3,500 00
St. Rose Industrial School.....	.....	.....	.....	5,000 00
House of the Good Shepherd Association for Works of Mercy.....	.....	.....	.....	5,000 00
Total for charities.....	86,000 00	\$20,000 00	56,000 00	78,000 00
FOR STREETS.				
Sweeping, cleaning, &c., streets, avenues, and alleys.....	55,000 00	60,000 00	58,000 00	58,000 00
Current repairs of streets, avenues, and alleys.....	25,000 00	30,000 00	25,000 00	25,000 00
Current repairs of county roads and suburban streets.....	40,000 00	45,000 00	40,000 00	50,000 00
Extending suburban streets.....	.....	.....	.....	40,000 00
Cleaning sewers and basins.....	25,000 00	30,000 00	25,000 00	25,000 00
Repairs to pumps.....	3,000 00	3,000 00	3,000 00	3,000 00
Parking commission.....	148,000 00	168,000 00	151,000 00	201,000 00
Lighting streets, avenues, and alleys.....	18,000 00	20,000 00	18,000 00	18,000 00
.....	100,000 00	105,000 00	107,000 00	100,000 00
Total, streets.....	266,000 00	293,000 00	276,000 00	319,000 00
Metropolitan police.....	342,320 00	357,500 00	344,160 00	350,780 00
Fire department.....	108,150 00	115,950 00	114,600 00	118,660 00

Comparative statement showing appropriations, &c.—Continued.

Object.	Appropriations, 1886.	Estimates, 1887.	House bill, 1887.	Senate committee, 1887.
Telegraph and telephone service.....	15,440 00	15,840 00	15,340 00	23,660 00
Police court.....	16,218 00	16,218 00	14,818 00	16,218 00
PUBLIC SCHOOLS.				
For officers.....	7,250 00	7,250 00	6,950 00	6,950 00
For teachers.....	390,000 00	400,000 00	415,400 00	418,400 00
For teachers of night schools.....	.....	.....	2,000 00	2,500 00
For janitors and care of school buildings.....	30,680 00	31,848 00	31,300 00	31,900 00
Rent of school buildings.....	7,000 00	6,000 00	6,000 00	6,000 00
Fuel.....	20,000 00	20,000 00	20,000 00	20,000 00
Repairs and improvements, school buildings and grounds.....	20,000 00	25,000 00	20,000 00	25,000 00
Contingent expenses, furniture, &c.....	20,000 00	25,000 00	20,000 00	20,000 00
Purchase of sites, new school buildings, and furniture for same.....	60,000 00	20,000 00	40,000 00	65,000 00
Total public schools.....	554,930 00	535,098 00	561,650 00	595,750 00
MISCELLANEOUS EXPENSES.				
Repairs, &c., public hay-scales.....	500 00	500 00	500 00	500 00
Rent of District offices.....	3,600 00	3,600 00	3,600 00	6,000 00
General advertising.....	4,000 00	3,000 00	3,000 00	3,000 00
Books for register of wills, printing, &c.....	2,500 00	2,500 00	2,500 00	2,500 00
Total miscellaneous.....	10,600 00	9,600 00	9,600 00	12,000 00
Health department.....	44,130 00	46,400 00	46,480 00	43,180 00
Interest and sinking fund.....	1,213,947 97	1,213,947 97	1,213,947 97	1,213,947 97
General contingent expenses for emergencies.....	5,000 00	5,000 00	5,000 00	5,000 00
Erection of building for District offices.....	.....	125,000 00	.....	.....
To redeem four certificates of indebtedness.....	366 96	.....	.....	.....
To defray the expenses of assessment of real property of the District.....	15,000 00	.....	.....	.....
WATER DEPARTMENT.				
[Payable from its revenues.] For salaries and contingent expenses.....	11,739 00	16,634 00	11,939 00	14,756 00
For engineers, firemen, coal, &c., pipe distribution, new mains, repairs, &c.....	78,000 00	65,000 00	65,000 00	80,000 00
Interest and sinking fund on water-stock bonds.....	44,610 00	44,610 00	44,610 00	44,610 00
Interest and sinking fund on account of increasing the water supply.....	55,047 27	57,239 02	57,239 02	57,239 02
Total, water department.....	189,396 27	183,483 02	178,788 02	196,605 02
Total for the District of Columbia.....	3,622,683 20	3,839,868 99	3,611,662 99	3,821,537 99
Total, exclusive of water department, which is payable out of its revenues.....	3,433,286 93	3,656,385 97	3,432,874 97	3,624,922 97
Amounts payable from the Treasury of the United States.....	1,716,643 46	1,828,102 98	1,716,437 48	1,812,461 43

HOUSE BILLS REFERRED.

The bill (H. R. 6337) for the relief of James D. Wood was read twice by its title, and referred to the Committee on Military Affairs.

The bill (H. R. 320) for the relief of Hiram W. Hubbard was read twice by its title, and referred to the Committee on Post-Offices and Post-Roads.

LOUIS MELCHER—VETO MESSAGE.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, ordered to lie on the table and be printed:

To the Senate of the United States:

I herewith return without approval Senate bill No. 2186, entitled "An act granting a pension to Louis Melcher."

This claimant enlisted on the 25th day of May, 1861, and was discharged for disability on the 16th day of August, 1861, having been in the service less than three months.

The certificate of the surgeon of his regiment, made at the time of his discharge, stated his disability to be "lameness, caused by previous repeated and extensive ulcerations of his legs, extending deeply among the muscles and impairing their powers and action by cicatrices, all existing before enlistment, and not mentioned to the mustering officers at the time."

Upon this certificate, given at the time of the claimant's discharge and while

he was actually under the surgeon's observation, an application for a pension was rejected by the Pension Bureau.

In the absence of anything impeaching the ability and integrity of the surgeon of the regiment, his certificate should, in my opinion, be regarded as a true statement of the condition of the claimant at the time of his discharge, though the committee's report suggests that the surgeon's skill may have been at fault when he declared that the ulcers existed before enlistment. The cicatrices, showing beyond a doubt the previous existence of this difficulty, would be plainly apparent upon an examination by a surgeon, and their origin could hardly be mistaken. The term of the claimant's service was not sufficiently long to have developed and healed even imperfectly, in a location previously healthy, ulcers of the kind mentioned in the claimant's application.

My approval of this bill is therefore withheld upon the ground that I find nothing in my examination of the facts connected with the case which impeaches the value of the surgeon's certificate upon which the adverse action of the Pension Bureau was predicated.

EXECUTIVE MANSION, May 24, 1886.

GROVER CLEVELAND.

EDWARD AYRES—VETO MESSAGE.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, ordered to lie on the table and be printed:
To the Senate of the United States:

A bill which originated in the Senate, entitled "An act granting a pension to Edward Ayres," and No. 363, is herewith returned without approval.

The person named in this bill enlisted October 3, 1861, in an Indiana regiment, and was mustered out of the service December 13, 1865. He represents that he was injured in the hip at the battle of Day's Gap, April 30, 1863, and for this a pension is provided for him by the bill under consideration. His application for pension has been rejected by the Pension Bureau on the ground that it was proved on a special examination of the case that the claimant was injured by a fall when a boy, and that the injury complained of existed prior to his enlistment.

There is not a particle of proof or a fact stated either in the committee's report or the records in the Pension Bureau, so far as they are brought to my notice, tending to show that the claimant was in hospital or under medical care a single day during the whole term of his enlistment.

The report of the committee contains the following statement:

"The record evidence proves that he was in this engagement, but there is no proof from this source that he was wounded. By numerous comrades who were present it is proven that he was hurt by the explosion of a shell as claimed. It is also shown that he has been disabled ever since; and the examining surgeon specifically describes the wound, and twice verifies that he is permanently disabled. From the fact that a man was exceedingly liable to injury under the circumstances in which he was placed, and from the evidence of eye-witnesses, the committee are of opinion that he was wounded as alleged."

A wound from a shell causing the person injured to be "disabled ever since" usually results in hospital or medical treatment. Not only is there no such claim made in this case, but on the contrary it appears that the claimant served in his regiment two years and nearly eight months after the alleged injury, and until he was mustered out.

It is represented to me by a report from the Pension Bureau that after his alleged wound, and in May or June, 1863, the claimant deserted, and in July of that year was arrested in the State of Indiana and returned to duty without trial. If this report is correct, the party now seeking a pension at the hands of the Government, for disability incurred in the service, seems to have been capable of considerable physical exertion, though not very creditable, within a few weeks after he claims to have received the injury upon which his application is based.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 24, 1886.

DUDLEY B. BRANCH—VETO MESSAGE.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, ordered to lie on the table and be printed:
To the Senate of the United States:

I hereby return without approval Senate bill No. 857, entitled "An act granting a pension to Dudley B. Branch."

This claim is based upon the allegation, as appears by the committee's report, that the person named in the bill has a hernia, and that on the 9th day of June, 1862, while in the military service and in the line of duty "in getting over a fence he fell heavily, striking a stone or hard substance, and received the hernia in his left side."

In December, 1875, thirteen and a half years thereafter, he filed an application for a pension, which was rejected by the Pension Bureau on the ground that there was no record of the alleged hernia and the claimant was unable to furnish satisfactory evidence of its origin in the service.

The fact is stated in the committee's report that late in the year 1863 this soldier was transferred to the Invalid Corps; and the records show that he was thus transferred for a disability entirely different from that upon which he now bases his claim. He was mustered out in September, 1864, at the end of his term of service.

I am convinced that the rejection of this claim by the Pension Bureau was correct and think its action should not be reversed.

I suppose an injury of the description claimed, if caused by violence directly applied, is quite palpable, its effect usually immediate, and its existence easily proved. The long time which elapsed between the injury and the claimant's application for a pension may be fairly considered as bearing upon the merits of such application, while the fact that the claimant was transferred to the Invalid Corps more than a year after he alleges the injury occurred, for an entirely different disability, can not be overlooked. In the committee's report the statement is found that the beneficiary named in the bill was in two different hospitals during the year 1863, and yet it is not claimed that the history of his hospital treatment furnishes any proof of the injury upon which his claim is now based.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 24, 1886.

JAMES C. CHANDLER—VETO MESSAGE.

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States; which was read, and, with the accompanying bill, ordered to lie on the table, and be printed:
To the Senate of the United States:

I return without approval Senate bill No. 1630, entitled "An act granting a pension to James C. Chandler."

It appears from the report of the committee to whom this bill was referred and from an examination of the official records, that the proposed beneficiary

first enlisted on the 27th day of August, 1861, and about nine months thereafter, on the 1st day of June, 1862, was discharged on account of disability arising from chronic bronchitis.

Notwithstanding the chronic character of his alleged disability, he enlisted again on the 3d day of January, 1864, seventeen months after such discharge.

No statement is presented of the bounty received by him upon either enlistment.

He was finally mustered out on the 19th day of September, 1865.

He first applied for a pension under the general law in May, 1869, alleging that in April, 1862, he was run over by a wagon and injured in his ankle. This accident occurred during his first enlistment; but instead of the injury having been then regarded a disability, he was discharged from such enlistment less than two months thereafter on account of chronic bronchitis.

It appears from the committee's report that his application was rejected, and that another was afterward made, alleging that the claimant had been afflicted with typhoid fever contracted in May, 1862, resulting in "rheumatism and dis-ease of the back in region of kidneys."

This application was also rejected on the ground that any disability that might have arisen from the cause alleged "had not existed in a pensionable degree since the date of filing the claim therefor," which was February 10, 1865.

There still remained an appeal to Congress; and probably there were not wanting those who found their interests in advising such an appeal and who had at hand Congressional precedents which promised a favorable result. That the parties interested did not miscalculate the chances of success is demonstrated by the bill now before me, which, in direct opposition to the action of the Pension Bureau, grants a pension to a man who, though discharged from enlistment for a certain alleged disability, made two applications for a pension based upon two distinct causes, both claimed to exist within two months prior to such discharge, and both different from the one upon which he accepted the same; and notwithstanding the fact that the proposed beneficiary, after all these disabilities had occurred, passed an examination as to his physical fitness for re-enlistment, actually did re-enlist, and served till finally mustered out at the close of the war.

If any money is to be given this man from the public Treasury it should not be done under the guise of a pension.

GROVER CLEVELAND.

EXECUTIVE MANSION, May 24, 1886.

UNIFORM SYSTEM OF BANKRUPTCY.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 714) to establish a uniform system of bankruptcy throughout the United States.

The PRESIDING OFFICER. The Chair understands that it was the order of the Senate that the bill should be read by sections for amendment.

Mr. HOAR. With the understanding that any Senator might return to any section.

Mr. EDMUNDS. The understanding is, although it goes through that way, that any motion to go back is in order.

The PRESIDING OFFICER. The Chair so understands it. The bill will be read in the manner indicated.

The Secretary read from section 1 to section 7, inclusive.

Mr. TELLER. I wish to call the attention of the Senator who has charge of the bill to section 7, which reads, beginning in line 16:

In districts which are not within any organized circuit of the United States the powers and jurisdiction of a circuit court in bankruptcy may be exercised by the district judge.

I should like to inquire what portion of the country that refers to.

Mr. HOAR. It refers to the District of Columbia and, I suppose, the Territories, although the Territories are provided for expressly.

Mr. TELLER. I was under the impression that it might be intended to include the Territories, but it does not include the Territories, because the judge of a Territory is not a district judge within the meaning of the law, and if it was meant to refer to the District of Columbia it would be easy to say so.

Mr. HOAR. I was mistaken; it does not include the Territories.

Mr. TELLER. It does not refer to the Territories at all?

Mr. HOAR. That is true. The Senator is right. That was a hasty remark. I said it might include the Territories, although they were provided for in their own way.

Mr. TELLER. If this means the District of Columbia, why not make it definite?

Mr. HOAR. If the Senator will let it pass, we can come back to it.

Mr. TELLER. I have no objection to letting it pass, but I should like to know exactly to what it refers.

The PRESIDING OFFICER. The Secretary will continue the reading of the bill.

Mr. PLATT. Before we go on, let me call the attention of the Senator in charge of the bill to the word "district," in section 7. It ought to be better defined as to what territory or what division is meant than by the word "district." If it refers to the district court of the United States there is no difficulty about it; but if it refers to anything else the language ought to be changed.

Mr. TELLER. There are no districts which are not in circuits, unless it applies to the District of Columbia or the Territories. It can not apply to the Territories, because it speaks of the "district judge." It means a district judge in a United States district court. The Territories are not districts in the use of the term when so used.

Mr. HOAR. I think the clause beginning in line 16 should be stricken out. I think it is a remnant of a bill which did not contain the provision which was put afterward into this bill in section 2:

That the several district courts of the United States and of the Territories, and the supreme court of the District of Columbia, are constituted courts of bankruptcy within their several territorial limits.

When that was inserted, which was not in the original draught of Judge Lowell, these three lines in section 7 I think should have been stricken out. They may be stricken out, and if before the bill gets into the Senate I find any reason for retaining them I shall call the attention of the Senator from Colorado to the language again.

The PRESIDING OFFICER. The Secretary will report the proposed amendment.

The SECRETARY. In section 7, line 16, it is proposed to strike out down to and including the word "judge," at the end of the section, as follows:

In districts which are not within any organized circuit of the United States the powers and jurisdiction of a circuit court in bankruptcy may be exercised by the district judge.

The amendment was agreed to.

The Secretary read section 8 of the bill, as follows:

SEC. 8. That the final judgment, decree, or order of the circuit court having jurisdiction in all matters, questions, and controversies properly arising in the courts of bankruptcy as such, in whatever mode they may be tried, shall not be reviewed by the Supreme Court excepting upon a certificate of division of opinion between two of the judges of said circuit court.

Mr. TELLER. I desire to call the attention of the Senator in charge of the bill to the fact that this section allows the Supreme Court to review the action of the circuit court, but not the action of the Territorial supreme court. It seems to me the Territorial supreme court of each Territory should be put in the same position with the circuit court, and if appeals lie or reviews are had in any shape upon certificate or otherwise to the Supreme Court from the circuit court, there is probably greater reason why the review should be had from the Territorial rather than from the circuit courts. It seems to me that the section should be amended so as to include the supreme court of each Territory as well as the circuit court.

Mr. HOAR. This only refers to a review, I suppose.

The PRESIDING OFFICER. Does the Chair understand the Senator from Colorado to move an amendment to the bill?

Mr. TELLER. No; this is not my bill, and I have not any sympathy with it at all. I wish to see the bill, however, if it ever becomes a law, put upon the statute-book in such a way that it will mean something. Section 7 provides:

That the circuit court of each district and the supreme court of each Territory shall have a general superintendence and jurisdiction of all controversies and questions arising in the district court of such district or Territory, sitting in bankruptcy.

Then section 8 provides:

That the final judgment, decree, or order of the circuit court having jurisdiction in all matters, questions, and controversies properly arising in the courts of bankruptcy as such, in whatever mode they may be tried, shall not be reviewed by the Supreme Court excepting upon a certificate of division of opinion between two of the judges of said circuit court.

That provides for a review of the circuit court proceedings, but there is no provision at all for a review of the Territorial supreme court, which could not come up on a division of the judges, because there are three of them.

Mr. HOAR. It was not intended to apply to a full court as in a Territory, at least three or four, or I suppose in some five judges before long, on account of the great pressure for an increase. I understand it to apply to the review which comes up in a district from the circuit court on a division of opinion where the court is held by two judges.

It seems to me that on the whole, considering the infrequency of such cases and the crowded state of the docket of the Supreme Court it would not be well to enlarge their jurisdiction by carrying up from the Territorial supreme court, consisting of several judges, any question whatever of the final decree in a court of bankruptcy.

Mr. PLATT. Does the bill allow an appeal from the circuit court in questions where the amount involved is \$5,000?

Mr. HOAR. I do not understand that it does. On the question of the distribution of the estate, the decision of the court is final except where the two judges dissent. That is the policy of the bill.

Mr. HARRISON. It seems to me that whatever the rule would be, independent of section 8, as to the power of the Supreme Court to review any proceeding had in the supreme court of any Territory, it remains unaffected by section 8 of the bill. Section 8 is a limitation upon the power of the Supreme Court to review an order or decree of the circuit court, but it is not a limitation upon their power to review any decree or judgment of the supreme court of a Territory reviewing the proceeding of the associate judge of the Territory. So, if it was intended that there should be no appeal or no review in the Supreme Court of anything done by the supreme court of a Territory there should be some limitation in the bill, because it seems to me that in any case where an appeal lies generally from the decision of the supreme court of a Territory to the Supreme Court of the United States it would lie under this bill in bankruptcy, the limitation in the eighth section relating only to circuit courts and not limiting at all an appeal from the supreme court of a Territory. I do not know what the rule is now.

The PRESIDING OFFICER. If no amendment is offered to section 8, the Secretary will under the rule adopted by the Senate read the next section.

The Secretary read section 9 of the bill, as follows:

SEC. 9. That any debt, demand, or property claimed by the trustee shall be

sued for in such court, either State or Federal, as the bankrupt would have been entitled to resort to in enforcing the same claim: *Provided*, That the court of bankruptcy may in any case, where the jurisdiction of the State and Federal courts is concurrent, direct that the suit shall be brought in the State court.

Mr. PLUMB. In line 5, I move to strike out the word "may" and insert the word "shall;" so as to read:

Provided, That the court of bankruptcy shall in any case, &c.

Mr. HOAR. Will the Senator state that again?

Mr. PLUMB. I move to strike out the word "may," in line 5, and to insert the word "shall," so that wherever the jurisdiction of the State and Federal courts is concurrent the suit shall be brought in the State court.

Mr. HOAR. That was a subject of great consideration in the committee and in the subcommittee. It seemed to us that the law ought not to provide that the State court should in all cases have jurisdiction; in other words, that we should not take away in the case of bankruptcy all the powers of the United States court, all the right of a citizen of another State. For instance, where a citizen of another State happens to be traveling we did not think it right that he should be sued by an assignee in bankruptcy without his power to transfer the suit to the United States court. I doubt whether that would be constitutional, and it seems to me that it would not be reasonable or expedient; but the person having property or title which is in suit ought to have, if it be for the interest of the estate, the right to have the United States courts open to him, and if the court of bankruptcy shall direct it, may go either to the United States court or the State court.

Mr. PLUMB. How would the direction of the court in bankruptcy obviate the constitutional provision in the case the Senator has cited?

Mr. HOAR. I was speaking rather to the whole policy of this thing, not that particular case.

Mr. PLUMB. It seems to me that if there is to be any discretion, there ought to be an entire discretion; or else it ought to be limited in such a way as to bring the discretion entirely within the constitutional provision.

Mr. HOAR. That matter was very fully discussed in the Senate. If I recollect aright, the proposition which the Senator now makes was made by the Senator from Mississippi [Mr. GEORGE], and after discussion the arrangement proposed here was inserted in the bill by the Senate in the last Congress.

Mr. PLUMB. I do not know that it makes any special difference, for if we are to pass any bankrupt law, to use a common expression, the tail may as well go with the hide; for whatever is now left of the jurisdiction of the State courts will be wholly and entirely sucked up and taken away by this bill. So I do not know that I care to contend about the little remnant of jurisdiction which would be left to the State courts under the amendment which I have proposed.

I may as well say here and now as at any other time that I regard this bill as the most vicious that could possibly receive the sanction of Congress. It is not only to take away all the jurisdiction that is left to the State courts and put it into that great omnium gatherum, the Federal courts of the United States, but it is the compulsory adaptation to the system of business now prevailing in the seaboard cities of that of the small dealers and traders in the United States situated at interior and country points.

Under this bill there is not a local merchant in the State of Kansas who may not be adjudged a bankrupt every day of his life, however solvent he may be. It is an attempt to put into leading-strings under the absolute control of the great financial powers of Boston and New York all the great and all the minor affairs of the business of the interior portion of this country, to prescribe to them rules and regulations under penalty of the violation of which they can only do business—rules and regulations which are entirely foreign to the character of the business which they do, to the necessities of their situation, and to all that by which they are surrounded and which goes to make up what they call their business, minor, of course, in comparison with the princely merchants that the Senator from Massachusetts represents, and yet major in the sense that it affords them their livelihood, and not only that, but constitutes in addition the link which binds all the affairs of their neighborhood to the greater affairs of the community at large.

These people carrying on business ranging from a thousand to five and ten thousand dollars a year, modest, unpretending, solvent to the last degree, honest, making up the great middle class of this country in a trade way, are to have their business broken in upon, caught up, brought into this rude and jostling relation to the business of New York city and Boston for the purpose of enabling the men who sell goods in those places to reach out from their counting-houses and catch hold upon the unwary and at the penalty of involuntary bankruptcy compel them to submit to extortion.

This bill may be as perfect as human language can make it, and yet no one can tell until it is tried that it will not be the miracle of extortion and oppression which the bankrupt law was that was repealed in 1877. The repeal of that law was the beginning of prosperity for the people of the United States. In my humble judgment, it contributed as much as almost any other single thing to the revival of prosperity which immediately succeeded it.

Mr. HOAR. What is the present condition?

Mr. PLUMB. The Senator from Massachusetts asks as to the present condition. If his question means anything, it means that the bankrupt law which preceded 1877 was the means of the lack of prosperity of that time. I have no doubt that as bad as things are to-day they can be aggravated by the passage of unwise laws, of which this is one.

There is no demand from any section of the country, except from the large cities, for this law. There is no man who is a minor trader, who is a small merchant, who lives in any town of 5,000, or from that to 50,000, inhabitants, who has ever asked for the passage of a bankrupt law. As I said before, there is not one of all those people who do not commit a multitude of acts of bankruptcy every year measured by the requirements of this act, and yet who are solvent far beyond the average of the merchants in the large cities.

This is an endeavor to experiment upon the great business body of this country for what purpose? For no good purpose; for, as I say, nobody has asked for this bill except the great merchants. There is not a petition, there is not a letter, there is not a report of any kind in favor of this bill from any one of that great constituency that makes up the trading public who buy goods to be sold at retail—not one. None of them want it, and it will be nothing but a sign of disaster to all of them.

Why the necessity to bring in a bill of this kind at this time? Is anybody particularly unable to pay his debts as compared with previous times? Are there any classes of men who are failing who want the advantages of going into bankruptcy for the purpose of discharging their obligations? I can say, after having had experience under the old bankrupt law, and many years' experience at the bar in my own State, that the men who compromised and settled with their creditors before the bankrupt law was adopted always got better settlements than they got under the bankrupt act, and more than that their creditors got more than they ever got under the bankrupt law. There never was but one case, I believe, under the bankrupt law as administered in Kansas, in which the creditors got anything. That I think was case number one. That was recognized at once as an example which should not be followed, and thereafter there was always a deficit.

However wise this form of words may be as compared with that, there are certain evils necessarily to result from the arbitrary practice that will be adopted and necessarily adopted under any bankrupt law which are bound to ensue. I remember very well a case where a merchant possessing a stock of goods valued at about \$2,000, being in debt about \$1,800 failed to pay at maturity and for thirty days afterward a note of \$600, which he owed to one of his creditors. He was, upon the petition of that creditor, put into bankruptcy. His stock of goods of course was seized.

For the purpose of invoicing, the goods comprising his stock were thrown together, mixed up, so to speak, and while in that condition, being perishable property, boots and shoes, dry goods, groceries, &c., all the stock of a country store, the court was petitioned and ordered a sale of the property in gross, an order that was proper enough on its face, and an order of a kind that in nine cases out of ten would be granted as of course. The property was put up and sold at \$800, and bought in by the creditor who had put the debtor into bankruptcy, and sold again by him for \$1,800 at private sale the very day after he got it straightened out. So he made \$1,200 by that transaction beyond the amount of his claim, and yet the result of the sale only sufficed to pay the costs of the suit, leaving the bankrupt with nothing except the beggarly account of debts he had left behind him.

Cases of that kind can not be prevented; they inhere in every possible system of bankruptcy that can be devised, as I think; and such cases as this are not infrequent, and their injustice is so gross that they are not to be justified on the ground that the act may in some other particular do justice. I never yet have known a case where a person had failed in business, if he could show to his creditors that he had failed honestly, that he had surrendered up or was prepared to surrender all the property which he had, that he could not get a favorable settlement in such a way as to be able to resume business fairly and honorably; and I never have known a case settled under the bankrupt law where the creditors themselves got as much as they got by these voluntary settlements.

The great city merchants doing business upon a plan that is totally inapplicable to the merchants of the country desire to reach out and subject to them and their violent processes and desires all the business of this great country and to hold in *terrorem* over every person with whom they deal the perils of bankruptcy if he does not yield to whatever they demand. This is the device of Wall street, of the active capital of the country, against its property and its prosperity.

In moving this amendment that some of these suits may be tried in the State courts, it is simply with a desire to save if possible some little jurisdiction to those honorable but fast becoming useless institutions, the courts of the States, whether they be district courts or circuit courts or supreme courts. Under the various statutes of the United States, from time to time enacted, nearly all their jurisdiction has been taken away. If this bill should be enacted, practically they will have nothing left except the settlement of the local disputes and troubles that may arise. All that which concerns the major transac-

tions of life, all that which is material to their jurisdiction as affecting the transactions of those by whom they are surrounded, the merchants, the bankers, the dealers of different kinds, will be taken away. We might as well add another section and provide for the total abolition of the State courts and for the transfer of all causes pending and the bringing of all such causes hereafter in the Federal courts, and be done with it.

Mr. HOAR. Mr. President, as to the particular amendment which is before the Senate, it is enough to say that the section as it now stands limits and does not extend anywhere the discretion or privilege that the bankrupt whom the assignee succeeds would have. If he had a choice between jurisdictions, the bill says that in such case, if the jurisdiction of the State and Federal courts is concurrent, the court of bankruptcy may direct that the suit shall be brought in the State court. So it is wholly a step in the direction of preserving State jurisdiction where possible. It does not seem to the committee expedient to go further, and it did not seem to the Senate expedient to go further on full discussion during the last Congress.

Now, in regard to the general remarks of my honorable friend from Kansas—

Mr. PLATT. Before the Senator goes to that point, will he state what reason there is for not giving the trustee or assignee all the rights to collect the debts of the assignor or bankrupt that the assignor had before his bankruptcy?

Mr. HOAR. Because of the desire of the Senate to concede to a feeling such as that represented by the Senator from Kansas and the belief that in the substantial interests of the estate it must be safe with the bankruptcy court, the United States officer. So it was deemed well to go to that extent.

I hardly think that I ought to ask the Senate at 5 o'clock in the afternoon to listen to a speech from me which should go over the general argument in favor of a bankruptcy bill.

The desire for a bankruptcy law, the opinion of its necessity is one which is almost a measure of the progress of civilization and of business, and of wealth and of prosperity. Mr. Webster argued with great force that the constitutional mandate was intended to be imperative, peremptory upon Congress, in conferring the power to provide for a uniform system of bankruptcy. I do not agree with my friend from Kansas that there is no desire for this legislation except from the wealthy merchant and creditor classes. There have been since the last bankrupt act was repealed more than sixty-one thousand failures in the United States reported to Bradstreet, and unquestionably in addition to those there have been enough to make the number in the United States much larger, beyond the amount of one hundred thousand in all.

Remember the constant increase of the dealing of our States with each other, so that the manufacturer in Rhode Island has his competitor in Ohio or Michigan or Missouri or Kentucky, and his customer in Mississippi or Arkansas or South Carolina. Remember that almost every one of our great commercial cities is within an hour or two or three of journey to the border of the State where it is situated. Take Boston, take Portland, take Providence, take Worcester, take Springfield, New York, Jersey City, the great manufacturing cities of New Jersey, Philadelphia, Baltimore, Cincinnati, Chicago, Milwaukee, Saint Louis, Atlanta, and a great many others that I might name, the men who do business in these cities go in and out, day by day, to their daily occupations, large numbers of them from residences in adjacent States. Under the Constitution of the United States there is not one of this vast army of debtors who, if he happened to be so unfortunate as to become insolvent, is not, unless there be a bankrupt law, put at the mercy of a single creditor, and these men must pass through life paupers, unable to enter upon the ordinary business of American citizens, dragging "at each remove a lengthening chain," without right to lay up for their old age, for their wives, for their children, for those dependent upon them, what it is the pride and the ambition of every American citizen to be able to lay up, a provision after he has gone, unless the humane power conferred upon Congress by the Constitution be exercised; and it is mainly and chiefly in the interest of this class of persons who are driven to the alternative of a life of poverty or a life of fraud—

Mr. TELLER. I wish to ask a question. Will the Senator yield?

Mr. HOAR. Certainly.

Mr. TELLER. Has the Senator any evidence before his committee that he can produce to the Senate of any considerable desire among that class of people for the passage of this bill?

Mr. HOAR. The evidence has been pouring in upon the Senate and upon the committee in correspondence and in articles in the press and in various ways for the last four or five years.

Mr. TELLER. Not from that class of men.

Mr. HOAR. Yes, sir.

Mr. TELLER. Not from those centers where the industrial interests of the country are agricultural; but from the great commercial centers.

Mr. HOAR. I differ from the Senator in that respect.

Mr. PLUMB. Let me ask a question. If that is the chief purpose of this bill why will the Senator from Massachusetts not consent that all in regard to involuntary bankruptcy be stricken out, so as to make it especially a beneficent measure in favor of the debtors?

Mr. HOAR. When I have finished my speech the Senator will understand what I propose. He puts in the form of a question in substance a gibe rather than a question.

Mr. President, I was coming to another view of this matter. I believe that this bankruptcy legislation is in the interest of the new frontier agricultural communities and the old sparsely-settled planting communities of this country even more than it is in the interest of the commercial cities. Why, Mr. President, we had from some of the representatives of these same communities to which the Senator from Kansas and the Senator from Colorado have alluded, a remonstrance against the policy which preserved the credit of the Union.

They said that the desire to have the bonds paid in gold, the desire to have a banking system which would give a uniform and sound currency to the people of the whole country, was the desire of the bloated wealthy classes of the bondholders, the gold dealers of the commercial cities. They were mistaken, and the people of those communities see their mistake to-day. They see that the one thing which is essential to the prosperity, and the hope, and the growth of youth, whether a human being or a State, is the preservation of credit. The old community where capital is piled up, where laws are well established, where business is running in its accustomed channels, can get along on a cash basis; but to the new State, the new community, the youth starting, leaving behind the old home for the new, the one thing which determines his success in life is the preservation of an unsullied credit, that his promise is as good everywhere as any other man's performance, that his promise is the sure presage and prophecy of his performance.

Mr. President, here is an existing system, without a bankrupt law, under which the credit of those communities largely suffers. The man who is asked to make a loan to the planter in Mississippi or Arkansas or to the young farmer in Dakota or Colorado, or the capitalist who is asked to furnish the capital for any great measure to develop those communities, finds that at present his debt is deferred to that of the next-door neighbor, or perhaps to some fraudulent claims, and he makes the borrowing community pay for that risk, and what is the result? That while in two minutes you can communicate by telegraph (and very soon will be able to do it by telephone) from one end of the country to the other, here are millions upon millions, hundreds upon hundreds of millions of money locked up in Wall street or in State street seeking investments, seeking loans upon call in those communities at 2, 2½, 3, or 4 per cent., when the United States can sell its bonds at a rate which amounts to but a fraction over 2 per cent. per annum, the ruling rate of interest in these communities is 8, 10, 12, 15, or 20 per cent., 8, or 10, or 12 per cent. being the ordinary rate on what is called first-class securities in some parts of this country. Why is it that these millions hoarded of the capitalist in New York or in Boston waiting to be loaned do not pour out their fertilizing streams to the most distant borders of the country? It is because of the doubt on this matter of credit. It is because of the doubt whether the creditor will have his fair share, if the debtor happens to be unfortunate, of the estate.

I believe that the passage and maintenance of a just, rational, and humane bankrupt law would reduce the rate of interest in Mississippi or Arkansas from 10 or 12 per cent. down to 4 within four or five years, and that these communities pay the most fearful and unnecessary and exaggerated price for their resistance to this legislation.

However, I do not propose to go into this general discussion at this time in the afternoon. I hope the amendment will be rejected.

Mr. MORRILL. I move that the Senate do now adjourn.

Mr. HOAR. Let us take a vote on this amendment.

Mr. TELLER and Mr. MORRILL. Not to-night.

THE PRESIDING OFFICER (Mr. MITCHELL, of Oregon, in the chair). The Senator from Vermont moves that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 15 minutes p. m.) the Senate adjourned until to-morrow, Tuesday, May 25, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

MONDAY, May 24, 1886.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. W. H. MILBURN, D. D.

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

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. EDEN, until June 15.

To Mr. LORÉ, for four days, on account of important business.

To Mr. GUENTHER, for ten days.

To Mr. HAYDEN, indefinitely, on account of sickness.

SHIPPING FEES, ETC.

Mr. DINGLEY. I am instructed by the Select Committee on American Ship-building and Ship-owning Interests to present a privileged report, which I ask may be read.

The Clerk read as follows:

The Select Committee on American Ship-building and Ship-owning Interests, to whom was referred an act (H. R. 4838) "to abolish certain fees for official services to American vessels, and to amend the laws relating to shipping commissioners, seamen, and owners of vessels, and for other purposes," returned from the Senate with amendments and a request for a conference on said amendments, report the same back with recommendations as follows:

That the House concur in amendments numbered 1, 2, 10, 13, 15, 17, 18, and 19.

That the House non-concur in amendments numbered 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 16, 20, 21, 22, 23, 24, 25, and 26.

And that the House agree to the conference asked by the Senate on the same.

The amendments in which the committee recommended concurrence were severally read and concurred in.

The SPEAKER. Does the gentleman from Maine desire to have read separately the amendments as to which the committee recommend non-concurrence?

Mr. DINGLEY. Unless other members desire a separate vote on other amendments, amendment 5 is the only one upon which the committee desire separate action.

The SPEAKER. The Chair suggests that business will be facilitated by first taking the question as a whole upon all those amendments on which separate action is not requested.

The question being taken on the several amendments (excepting No. 5) in which the committee recommended non-concurrence, they were non-concurred in.

Amendment No. 5 was read, as follows:

On page 3, line 11, strike out "but shall not apply to any canal-boat, barge, or lighter," and insert "including canal-boats, barges, and lighters."

The amendment was non-concurred in.

The SPEAKER. If there be no objection the request of the Senate for a conference with the House on the amendments to this bill will be agreed to. The Chair hears no objection. The Chair will appoint the managers on the part of the House some time during the day.

POST-OFFICE APPROPRIATION BILL.

The SPEAKER announced the appointment of Mr. BLOUNT, Mr. RIGGS, and Mr. BINGHAM as conferees on the part of the House upon the disagreeing votes of the two Houses on the Post-Office appropriation bill.

JAMES D. WOOD.

Mr. WAKEFIELD. I ask unanimous consent that the Committee of the Whole House on the Private Calendar be discharged from the further consideration of the bill (H. R. 6337) for the relief of James D. Wood, and that the House now proceed to consider the same.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, directed to pay James D. Wood, late captain and assistant adjutant-general of volunteers in the war of the rebellion, out of any money in the Treasury not otherwise appropriated, the sum of \$133.50, being the value of a horse and equipments lost in action at the battle of Chancellorsville, as found by the Court of Claims.

There being no objection, the Committee of the Whole House on the Private Calendar was discharged from the further consideration of the bill, and the House proceeded to consider the same.

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

Mr. BEACH. I would like to inquire why this claim was not paid under the general law. We have a general law on this subject.

Mr. WAKEFIELD. I am unable to inform the gentleman. I only know this is a little matter in which I am trying to do a favor for a Democratic friend of mine who has been endeavoring for the last twenty years to obtain this allowance.

Mr. BEACH. Has the bill been reported by a committee of the House?

Mr. WAKEFIELD. Yes, sir; two or three times.

Mr. BEACH. I would like to hear the report.

The report (by Mr. GEDDES) was read, as follows:

The Committee on War Claims, to whom was referred the bill (H. R. 1265) for the relief of James D. Wood, beg leave to report:

That the Committee on Military Affairs of the Forty-eighth Congress, not being clearly and fully advised of all the facts in the case, referred it to the Court of Claims for a finding of the facts, 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.

Said claim has been returned by said Court of Claims with the following findings of fact, filed December 14, 1885, which findings have been referred to the Committee on War Claims of the present Congress, to wit:

"The claimant, James D. Wood, while captain and assistant adjutant-general of the Fourth Brigade, First Division, First Corps, Army of the Potomac, lost a horse and equipments purchased by himself, which he had lawfully in the service of the United States, under the following circumstances: During the battle of Chancellorsville, Va., May 3, 1863, the claimant, after crossing the Rappahannock River at or near that place, received a verbal order from the general commanding the corps ordering the extra horses of all officers back across the river. In compliance therewith claimant sent his extra horse back to the other side of the river in charge of his colored servant. The servant was forcibly dispossessed of the horse by a bearer of dispatches from the general in command, and the claimant has never been able to recover the same. The loss was without any fault or negligence on the part of either the claimant or his servant. The horse was worth \$115, and the equipments, \$18.50; total, \$133.50."

Your committee therefore recommend the payment of the amount found by said court, and recommend that the accompanying bill do pass.

The bill was passed.

Mr. WAKEFIELD 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.

HIRAM W. HUBBARD.

On motion of Mr. TOWNSHEND, by unanimous consent the Committee of the Whole House on the Private Calendar was discharged from the further consideration of the bill (H. R. 320) for the relief of Hiram W. Hubbard; and the House proceeded to consider the same.

The bill was read, as follows:

Be it enacted, &c., That the proper officers of the Post-Office Department are hereby authorized and directed to credit in the account of Hiram W. Hubbard, postmaster at Centralia, Ill., the sum of \$640, being the value of postage-stamps, and \$140 in money, all belonging to the United States, stolen from the safe in said post-office on the 23d day of October, 1884, without fault or negligence of said postmaster.

The bill was ordered to be engrossed and read a third time; and being engrossed, it was accordingly read the third time, and passed.

Mr. TOWNSHEND 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.

MARIE LOUISE CRAVEN.

Mr. HATCH. Mr. Speaker, I demand the regular order.

The SPEAKER. The regular order is the consideration of a bill coming over from the session of Friday evening last, upon which the previous question has been ordered.

Mr. GREEN, of New Jersey. I ask unanimous consent that the consideration of that bill be postponed until after the call of States and Territories is concluded to-day.

Mr. SPRINGER. I ask unanimous consent that it be postponed until Friday next, when private legislation is in order.

Mr. DUNHAM. I shall object to that.

Mr. SPRINGER. I think it better for private business coming over from Friday to go over until the next Friday, as a rule.

The SPEAKER. The Chair will submit the request of the gentleman from New Jersey. Is there objection?

Mr. SPRINGER. I object, and ask unanimous consent that it be postponed until Friday next, to be taken up immediately after the reading of the Journal.

Mr. ZACH. TAYLOR. I object to that.

Mr. DUNHAM. I demand the regular order.

Mr. SPRINGER. Is it in order to move that the further consideration of this bill be postponed to Friday next?

The SPEAKER. It is not. The previous question has been ordered upon the passage of the bill, and under the rules and practice of the House it must be acted upon unless by unanimous consent it be postponed.

Mr. SPRINGER. Then I withdraw my objection to the request of the gentleman from New Jersey.

Mr. DUNHAM. I renew the objection.

The SPEAKER. The Clerk will report the bill.

The bill (S. 670) to increase the pension of Marie Louise Craven, widow of the late Commander T. A. M. Craven, was read at length. The question being upon the passage of the bill,

Mr. REAGAN. I ask that the report be read.

The SPEAKER. That can only be done by unanimous consent, the previous question having been ordered upon the passage of the bill. Is there objection to the reading of the report?

Mr. GREEN, of New Jersey. There was no debate on Friday last, and I understand under the rules we are entitled to a half hour after the previous question has been ordered.

The SPEAKER. The report was read, as is shown by the RECORD, which is in the nature of debate and has been so held constantly in the House.

Mr. GREEN, of New Jersey. I think it was read by unanimous consent, and was not understood to be in the nature of debate.

The SPEAKER. It has been uniformly held that the reading of the report is in the nature of debate.

Mr. HAMMOND. In order that we may be informed before we vote on this bill, I ask unanimous consent that five minutes on each side be allowed for explanation.

Mr. SPRINGER. Would it be in order to move to recommit the bill?

The SPEAKER. It would.

Mr. SPRINGER. Then the bill had better be recommitted. We do not understand the bill, and debate is closed upon it. It should go over, at all events, until next Friday.

Mr. HAMMOND. Will the Chair submit the request for unanimous consent for debate for five minutes on each side?

Mr. SCOTT. Is it in order to move that the motion to recommit be laid on the table?

The SPEAKER. The Chair does not understand the gentleman from Illinois as having submitted the motion to recommit.

Mr. SPRINGER. I will withdraw that until debate is had.

Mr. HAMMOND. Then I ask unanimous consent for five minutes' debate.

The SPEAKER. The gentleman from Georgia asks unanimous consent that five minutes be allowed on each side upon the passage of the bill.

Mr. GREEN, of New Jersey. I think we should have more than that. The understanding was, when the bill was laid over on Friday, that there would be fifteen minutes on each side. I move, therefore, to amend by making it fifteen minutes on a side.

The SPEAKER. It can not be done by a motion, but only by unanimous consent.

Mr. GREEN, of New Jersey. Then I ask unanimous consent that fifteen minutes on a side be allowed.

Mr. WELLBORN. There has been no debate upon it.

The SPEAKER. The report has been read, which has always been held to be in the nature of debate.

Mr. BRADY. While it is true that the report was read on last Friday evening, yet I understand that fifteen minutes is allowed on each side, and the report did not consume more than two or three minutes to read.

The SPEAKER. The Chair can not take cognizance of the length of time that was occupied in the reading of the report, whether it occupied five minutes, or fifteen minutes, or an hour. If there has been debate, the rule provides that there can be no further debate after the previous question has been ordered, no matter how long or how short the time previously consumed in debate may have been.

Is there objection to the request of the gentleman from New Jersey that fifteen minutes be allowed on each side?

Mr. HAMMOND. I ask the gentleman to modify his request for fifteen minutes and say ten minutes.

Mr. GREEN, of New Jersey. Very well; I will say ten minutes.

There being no objection, it was ordered that debate be had for ten minutes on each side.

Mr. GREEN, of New Jersey rose.

Mr. MATSON. Mr. Speaker—

The SPEAKER. The gentleman from New Jersey is recognized.

Mr. GREEN, of New Jersey. I will reserve my time if the gentleman from Indiana wishes to proceed now.

Mr. MATSON. I only wish to say Mr. Speaker, by way of introducing this discussion, that this bill was reported adversely from the Committee on Invalid Pensions; and if anything can be said in behalf of the bill, I think that side ought to be heard first.

Mr. GREEN, of New Jersey. Mr. Speaker, the Committee on Invalid Pensions, while recognizing the fact that the naval record of Commander Craven developed great merit, reported this bill adversely on the ground that in their opinion the benefit asked, which is to increase the pension to \$50 a month, should be confined within the grade of the general officers of the Army and Navy. I think I have stated the report fairly and fully when I say that they put it solely on the ground that the benefit should be confined within the grade of the general officers of the Army and Navy.

With great respect for the opinions of that committee, and in no spirit of criticism, I submit that the rule thus laid down by the committee is not in harmony with the spirit or policy of the pension laws and not in accord with the former action of Congress.

The pension law makes no distinguishing recognition of general officers by themselves. It neither graduates the amount of pension according to the distinctive rank, nor pensions the general officers at a higher rate than some others in lower grades. On the contrary, it groups together certain officers of different rank, classing the general officers with others of lower grade. The provisions of the law are that for total disability of the following officers and for their widows after their death there shall be a pension—to a lieutenant-colonel and all officers of higher rank in the military service and in the Marine Corps of \$30 a month; and for a captain and all officers of a higher rank and all officers of a lower rank down to and including the master commanding in the Navy of \$30 a month. That is the first group. There is another group composed of officers of the inferior grades. So that the pension law makes no recognition of the distinctive rank of the general officers discriminating against other officers in the same group.

The lieutenant-colonel and the general, and all officers of intermediate rank, and the master commanding, and the admiral and all officers of intermediate and corresponding rank, are placed upon the same plane, each receiving the same amount, each entitled to the same consideration, each subject to the same provisions; and their widows to be the recipients of the same bounty, and to be governed by the same rules.

Therefore I say, Mr. Speaker, according to the spirit and policy of the pension law, there is no room for the rule which grants benefits to the general officer which does not grant them to other officers within that same group. There is no reason why an exception should be made in favor of a general officer under certain circumstances, which should not under the same circumstances be made to an officer in the same group; no reason why an increase of pension as an exceptional case should be granted to the widow of a commodore and with the same exceptional circumstances existing be denied to the widow of a commander.

Neither has Congress regarded the \$30 as fixed by an inflexible and

iron rule. It has been the custom, and it is a praiseworthy one, to recognize exceptional cases which present instances of heroism and bravery challenging admiration and commanding distinctive recognition.

In the Forty-eighth Congress I find an increase of pension to \$50 a month to the widows of the following officers: Commander S. Dana Green, Capt. Kidder R. Breese, United States Navy; Maj. Thomas D. Thornburgh, Capt. Thomas L. Bent, United States Army; Surgeon-General Palmer, Commander Jeffries, General Arnold, Commissary-General Eaton, General Rodman, General Ripley, Admiral Scott, Commander Bissell, Paymaster-General Alvord, Admiral Creighton.

In the Forty-seventh Congress a like increase to the widows of Col. William Dulany, Col. James D. Mulligan, Maj. Levi Twiggs, Admiral Goldsborough, Surgeon-General Finley, Admiral Hoff, Admiral Reynolds, Surgeon-General Wood, General Mitchell, Admiral Lardner, General Casey, General Custer, Admiral Spotts, Admiral John Rogers, General French, General Ramsey.

It will be noted that the increase is not confined to the widows of general officers, but includes those of Commander S. Dana Green, on whom the command of the Monitor devolved when Worden was disabled; Capt. Kidder R. Breese, distinguished at Fort Fisher; Major Thornburgh, murdered by the Indians; Capt. Thomas L. Bent; Col. William Dulany; Col. James A. Mulligan, and Maj. Levi Twiggs.

Therefore, I say, I find no warrant either in the spirit of the pension law or in the former action of Congress that justifies the laying down or the enforcement of a rule that the increase of a pension is to be confined within the grade of the general officers of the Army and Navy. The rule has been to grant it in exceptional cases, and I think it can be demonstrated that this is a case so exceptional in its character that if there had been a contrary precedent Congress should depart from the rule.

Mrs. Marie L. Craven is the widow of the late Tunis A. M. Craven, at the time of his death, August 5, 1864, a commander in the Navy. He entered the Navy in the year 1829, and was continually on duty up to the time of his death, having performed twenty-four years and six months' service at sea. He was third in the rank of commander, and had he lived he would undoubtedly have been promoted to the highest grade. He lost his life while in the command of the monitor *Tecumseh*, leading the attack on the fortifications in Mobile Bay. That position had, it was supposed, been rendered impregnable by fortifications and its approaches impassable by obstructions and torpedoes, and its defense was supplemented by the iron-clad ram *Tennessee* and numerous gunboats for aggressive attack. So secure was it supposed to be that Farragut says it was claimed they would all be blown up if they attempted to enter. The position assigned to Craven was the post of honor and of danger. His it was to lead the fleet into the fire of these defenses and over these submerged instruments of destruction. His disaster would mark the path to be avoided. So important did Farragut consider the services of Craven and his ship the *Tecumseh* that he awaited her arrival from New York before he attempted to enter Mobile Bay. He says in his report:

The *Tecumseh*, Commander Craven, arrived on the evening of August 4; and everything being propitious I proceeded to the attack on the following morning, the *Tecumseh* having been given the leading position.

The attacking fleet steamed steadily up the main ship-channel, the *Tecumseh* firing the first shot at forty-seven minutes past 6 o'clock a. m.

The SPEAKER. The time of the gentleman from New Jersey has expired.

Mr. GREEN, of New Jersey. I ask leave to extend my remarks in the RECORD.

There was no objection.

Mr. MATSON was recognized, and yielded two minutes to Mr. GREEN.

Mr. GREEN, of New Jersey. In his report of the action Lieut. Commander Jouett says:

At fifty minutes after 6 the *Tecumseh* hoisted her colors and fired a gun. Fort Morgan replied. In a short time the action became general between the fort, the ironclads, the *Brooklyn*, *Hartford*, and *Richmond*. At this time the rebel fleet took their stations across the channel, delivering a raking fire upon our line. Thirty-five minutes past 7, amidst the hottest of the fire, the *Tecumseh* was blown up.

Captain Drayton says:

About thirty-five minutes past 7 I heard the cry that a monitor was sinking, and looking on the starboard bow saw the turret of the *Tecumseh* just disappearing under the water, where an instant before I had seen this noble vessel pushing on gallantly in a straight line to attack the enemy's ram *Tennessee*, which had apparently moved out to give him an opportunity.

Craven, in steering to attack the *Tennessee*, crossed the torpedo line, and striking one, it exploded under the turret of the *Tecumseh*, which went down stem first almost in an instant, carrying him down with her. But his death was characterized by an incident which should never be forgotten as long as the English language contains the words chivalry and heroism. It is related by the pilot, Mr. Collins, whose life was saved.

At the moment of the explosion Craven and the pilot were in the iron tower or pilot-house, directly over the turret. There was no way of escape from their prison except through a narrow scuttle or opening just sufficient for one to pass through. Seeing the inevitable fate of the

vessel they both instinctively made for this narrow opening. As it is told, when they reached the place together Craven drew back, in a characteristic way saying, "After you, pilot." Collins, who fortunately escaped to tell the act of heroism, says: "There was nothing after me; as I got out the vessel seemed to drop from under me."

It is related of Sir Philip Sidney, three hundred years ago, that when being carried wounded and bleeding from the battlefield of Zutphen he complained grievously of thirst. A bottle of water was procured for him. As he put it to his mouth his eye caught the wistful gaze of a mortally wounded soldier eagerly watching his every movement. Taking it untasted from his lips he sent it to the dying man with the words, "Thy necessity is yet greater than mine." He was buried in Old St. Paul's among the noble and the great of England. Although centuries have rolled away, his country forgets him not, and history, still repeating "Thy necessity is yet greater than mine" with the incident, ever keeps the name of Sidney the synonym of true nobility of character and of heroic self-denial.

Noble and chivalric as it was, his was but a temporary relinquishment of relief from suffering. Craven's "After you, pilot," cost him his life, the American Navy one of its bravest and most accomplished officers, mankind a hero. No grand old cathedral treasures his remains; no sculptured marble records his heroism; he rests in his iron turreted tomb off Fort Morgan, with naught but the buoy which swings to and fro with the ebb and flood of the tide in Mobile Bay to mark the scene of his bravery and his death.

The Secretary of the Navy, in writing to Admiral Farragut after that terrible conflict, said:

Great results in war are seldom attained without great risks, and it was not expected that the harbor of Mobile would be secured without disaster. The loss of the gallant Craven and his brave companions, with the "*Tecumseh*," by a concealed torpedo, was a casualty which no human foresight could guard: While the nation awards cheerful honors to the living, she will ever hold in grateful remembrance the memory of the gallant dead who periled their lives for their country and died in her cause.

The country has honored the living; let not Congress forget the Sidney of the American Navy!

The widow of this gallant man in her old age and her necessity appeals for this increase. I hope it will be accorded to her.

Mr. MATSON. It is true, Mr. Speaker, as stated by the gentleman from New Jersey [Mr. GREEN], that the general law fixes no distinctive rate of pension for the widows of general officers, and that the rate of \$30 per month applies to the widows of all officers of the Army, including the rank of lieutenant-colonel and above that, and to the widows of all officers of the Navy, including the rank of captain and above that. That is true; but some years ago Congress, seeing, I suppose, that there was no distinctive rate in the law for the widows of general officers, entered upon the increase of the pensions of the widows of general officers of the Army and Navy from \$30 to \$50 per month, and in every case where the widow of a general officer has asked such increase it has been granted, but as to the widows of officers below the rank of general officers, the increase has generally been refused.

There have been, however, some few exceptions to the rule. In a few cases bills have passed the House increasing the pensions of widows of officers below the rank of general officers from \$30 to \$50 a month, and in some instances from \$30 to \$40. In this case the applicant is the widow of a commander in the Navy. His was not a general office; it corresponded perhaps to the rank of a lieutenant-colonel in the Army. This widow now asks that her pension be increased from \$30 to \$50 per month. The cases cited by my friend from New Jersey [Mr. GREEN] are doubtless correctly cited, and the additional ones that he proposes to print will no doubt be taken from the record; but they are the exceptions, and the question for this House to decide is whether it can afford to enter upon the indiscriminate increase of these pensions. I have always believed that the House had gone too far in undertaking to increase the pensions of the widows of any officers from \$30 to \$50 a month. I have always believed that \$30 a month was a large enough pension for any widow, and therefore I have opposed these increases, even for the widows of general officers.

The rule, not of the committee but of the House, has been to refuse the increase to those who were not the widows of general officers, and in the last Congress this very bill, after it had passed the Senate, was voted down in this House on a yea-and-nay vote by a full House. Now, the question for us to determine is, whether there is anything in this case that should make it exceptional or that would justify the House in abrogating its well-established rule to refuse the increase in cases like this. I yield the balance of my time to the gentleman from Wisconsin [Mr. PRICE].

Mr. PRICE. Mr. Speaker, I do not presume that any gentleman will vote for this bill as a payment in money for patriotic duty well performed. I understand that the theory of the pension laws is to take care of the widows, the children, the helpless ones, left by those who sacrificed life or fortune in defense of our common country. If that be the true theory, then, Mr. Speaker, I ask you what excuse can any one render for voting, in a case like this, to make the pension \$50 a month when this widow has already a pension of \$30, and when all over our country there are cases equally meritorious of people who are suffering for want of a single dollar, or \$8 a month, or any other given sum.

I believe it to be the duty of this Government, Mr. Speaker, to take care of all those who are dependent upon their own exertions, and are disabled and needy because of suffering or loss sustained in defense of the country. But I deny the correctness of the theory that we consistently may, or that we should, give a pension of more than \$30 a month to one while hundreds of others equally deserving get nothing. I would take care of them all, and to do that, not having revenue enough to take care of everybody on this grand scale, I would divide what we do appropriate fairly. Gentlemen may talk about the gallantry of this commander, and I concede it all; gentlemen may speak of the amiable characteristics and personal merits of his widow, and I concede it all; but is that a reason why we should heap these extravagant pensions and increases of pensions upon those who are already provided for, leaving others equally meritorious to languish in suffering and want? Gentlemen say this does not decrease their chances. I say it does. The last national convention of Grand Army men was made up so largely of those already provided with pensions that they voted down a proposition to pension those who were yet suffering and in want, and every case of this kind where you grant an increase of pension to the widow of some distinguished character diminishes your ability to do justice to others who have an equal claim.

As to the merits of this particular case, it is proper to remember that when Commander Craven blew up his ship he was acting in direct conflict with express orders. He had been told to keep to the right of certain buoys; he took to the left; he blew up his ship by striking one of those hidden torpedoes; the next vessel to his backed and filled, and his mismanagement threw the whole fleet into disorder.

The SPEAKER. The question is, Shall this bill pass?

The House divided; and there were—ayes 66, noes 67.

Mr. GREEN, of New Jersey. I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 104, nays 99, not voting 119; as follows:

YEAS—104.

Adams, G. E.	Evans,	Lehlbach,	Scranton,
Allen, C. H.	Everhart,	Lindsley,	Sessions,
Bayne,	Findlay,	McAdoo,	Shaw,
Bingham,	Fleeger,	McComas,	Smalls,
Bliss,	Frederick,	McKenna,	Snyder,
Bound,	Funston,	McKinley,	Sowden,
Boutelle,	Gallinger,	Millard,	Spooner,
Boyle,	Giffill,	Milliken,	Spriggs,
Bragg,	Goff,	Moffatt,	Stallacker,
Breckinridge, WCP.	Green, R. S.	Morrow,	Stephenson,
Browne, T. M.	Hall,	O'Neill, Charles	Stewart, J. W.
Brown, C. E.	Hanback,	O'Neill, J. J.	Strait,
Brown, W. W.	Harner,	Osborne,	Struble,
Buchanan,	Henderson, D. B.	Parker,	Symes,
Bunnell,	Hepburn,	Payne,	Taylor, I. H.
Burrows,	Herbert,	Perkins,	Townsend,
Butterworth,	Herman,	Peters,	Van Eaton,
Cannon,	Hiestand,	Pettibone,	Viele,
Catchings,	Hires,	Plumb,	Wade,
Cobb,	Hitt,	Randall,	Wadsworth,
Cooper,	Howard,	Rice,	Ward, J. H.
Daniel,	Jackson,	Rockwell,	Weaver, J. B.
Dingley,	James,	Rowell,	Weber,
Dorsey,	Ketcham,	Ryan,	White, A. C.
Dunham,	Laird,	Sawyer,	Whiting,
Eldredge,	Le Fevre,	Scott,	Wolford.

NAYS—99.

Allen, J. M.	Dougherty,	Lowry,	Skinner,
Anderson, C. M.	Dunn,	Matson,	Springer,
Ballentine,	Forney,	McMillin,	Stewart, Charles
Barksdale,	Glass,	McRae,	St. Martin,
Barnes,	Green, W. J.	Miller,	Stone, E. F.
Beach,	Grout,	Mills,	Stone, W. J., Ky.
Bennett,	Hale,	Morgan,	Stone, W. J., Mo.
Blanchard,	Halsell,	Morrill,	Swope,
Bland,	Hammond,	Morrison,	Taylor, J. M.
Blount,	Harris,	Neal,	Taylor, Zach.
Breckinridge, C. R.	Hatch,	Neece,	Thomas, O. B.
Cabell,	Haynes,	Oates,	Throckmorton,
Caldwell,	Heard,	O'Donnell,	Tillman,
Candler,	Hemphill,	Peel,	Turner,
Comstock,	Henderson, J. S.	Perry,	Wakefield,
Cowles,	Hill,	Price,	Ward, T. B.
Cox,	Holman,	Reagan,	Weaver, A. J.
Crain,	Hudd,	Reid, J. W.	Wellborn,
Crisp,	Johnston, J. T.	Reese,	Wheeler,
Croxton,	Johnston, T. D.	Richardson,	White, Milo
Culbertson,	Jones, J. H.	Riggs,	Willis,
Dargan,	Laffoon,	Sadler,	Wilson,
Davidson, R. H. M.	Lanham,	Sayers,	Wise,
Dawson,	Lawler,	Seymour,	Worthington.
Dockery,	Martin,	Singleton,	

NOT VOTING—119.

Adams, J. J.	Bynum,	Cutcheon,	Ford,
Aiken,	Campbell, Felix	Davenport,	Fuller,
Anderson, J. A.	Campbell, J. E.	Davidson, A. C.	Gay,
Arnot,	Campbell, J. M.	Davis,	Geddes,
Atkinson,	Campbell, T. J.	Dibble,	Gibson, C. H.
Baker,	Carleton,	Dowdney,	Gibson, Eustace
Barbour,	Caswell,	Eden,	Glover,
Barry,	Clardy,	Ellsberry,	Grosvenor,
Belmont,	Clements,	Ely,	Guenther,
Brady,	Cole,	Ermentrout,	Hayden,
Brumm,	Collins,	Farquhar,	Henderson, T. J.
Buck,	Compton,	Felton,	Henley,
Burleigh,	Conger,	Fisher,	Hewitt,
Burnes,	Curtin,	Foran,	Hiseock,

Holmes,	Louttit,	Outhwaite,	Tarsney,
Hopkins,	Lovering,	Owen,	Taulbee,
Houk,	Lyman,	Payson,	Taylor, E. B.
Hutton,	Mahoney,	Phelps,	Thomas, J. R.
Irion,	Markham,	Pidcock,	Thompson,
Johnson, F. A.	Maybury,	Pindar,	Trigg,
Jones, J. T.	McCreary,	Pirce,	Tucker,
Kelley,	Merriman,	Ranney,	Van Schaick,
King,	Mitchell,	Reed, T. B.	Wait,
Kleiner,	Muller,	Robertson,	Warner, A. J.
La Follette,	Murphy,	Rogers,	Warner, William
Landes,	Negley,	Romeis,	West,
Libbey,	Nelson,	Seney,	Wilkins,
Little,	Norwood,	Steele,	Winans,
Long,	O'Ferrall,	Storm,	Woodburn.
Lore,	O'Hara,	Swinburne,	

So the bill was passed.

The following-named members were announced as paired until further notice:

Mr. WILKINS with Mr. WEST.
 Mr. SENEY with Mr. ELY.
 Mr. GEDDES with Mr. LYMAN.
 Mr. ARNOT with Mr. DAVIS.
 Mr. HEWITT with Mr. CONGER.
 Mr. DOWDNEY with Mr. WAIT.
 Mr. ERMENROUT with Mr. ATKINSON.
 Mr. DAVIDSON, of Alabama, with Mr. SWINBURNE.
 Mr. PIDCOCK with Mr. PIRCE.
 Mr. HUTTON with Mr. HIESTAND.
 Mr. DIBBLE with Mr. HOPKINS.
 Mr. LANDES with Mr. LITTLE.
 Mr. BARBOUR with Mr. BRADY.
 Mr. GIBSON, of Maryland, with Mr. HAYDEN.
 Mr. BURNES with Mr. CASWELL.
 Mr. ROGERS with Mr. EZRA B. TAYLOR.
 Mr. FORAN with Mr. LONG.
 Mr. ROBERTSON with Mr. LIBBEY.
 Mr. CARLETON with Mr. HOLMES.
 Mr. JONES, of Alabama, with Mr. BURLEIGH.
 Mr. COLE with Mr. THOMAS, of Illinois.
 Mr. WINANS with Mr. HOUK.
 Mr. NORWOOD with Mr. GUENTHER.
 Mr. BYNUM with Mr. MCKENNA, on all political questions.

The following were announced as paired for this day:

Mr. EDEN with Mr. GROSVENOR.
 Mr. STORM with Mr. KELLEY.
 Mr. CLEMENTS with Mr. REED, of Maine.
 Mr. WARNER, of Ohio, with Mr. PAYSON.
 Mr. ADAMS, of New York, with Mr. MARKHAM.
 Mr. KLEINER with Mr. FARQUHAR.
 Mr. O'FERRALL with Mr. VAN SCHAIK.
 Mr. MULLER with Mr. DAVENPORT.
 Mr. TRIGG with Mr. BRUMM.
 Mr. MCCREARY with Mr. BUCK.
 Mr. HIESTAND. I am paired on political questions with the gentleman from Missouri [Mr. HUTTON]; but as I do not consider this a political question, I have voted.

The result of the vote was announced as above stated.

Mr. GREEN, of New Jersey, moved to reconsider the vote just taken; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

ORDER OF BUSINESS.

The SPEAKER. This being Monday, the Chair will proceed to call the States and Territories for the introduction and reference of bills and resolutions, on which call resolutions and memorials of State and Territorial Legislatures may be presented, and also resolutions of inquiry directed to the heads of Executive Departments.

BRIDGE OVER TENNESSEE RIVER.

Mr. WHEELER introduced a bill (H. R. 8978) authorizing the construction of a bridge over the Tennessee River at or near Sheffield, Ala., and for other purposes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

ISAAC S. SIMPSON.

Mr. WHEELER also introduced a bill (H. R. 8979) for the relief of Isaac S. Simpson; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

SALARIES OF COLLECTORS OF CUSTOMS, ETC.

Mr. BRECKINRIDGE, of Arkansas, introduced a bill (H. R. 8980) to fix the salaries of collectors and other officers of customs, and to consolidate customs districts; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

CITIZENS OF SAN FRANCISCO, CAL.

Mr. MORROW introduced a bill (H. R. 8981) for the relief of certain citizens of San Francisco, Cal.; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

AMENDMENT TO SECTION 856 REVISED STATUTES UNITED STATES.

Mr. MORROW also introduced a bill (H. R. 8982) to amend section 856 of the Revised Statutes of the United States; which was read a first and second time, referred to the Committee on the Revision of the Laws, and ordered to be printed.

JAMES T. HUGHES.

Mr. CANDLER introduced a bill (H. R. 8983) to perfect the military record of James T. Hughes; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

AUGUSTUS KOVATS.

Mr. ADAMS, of Illinois, introduced a bill (H. R. 8984) to increase the pension of Augustus Kovats, late captain of Company F, Twenty-fourth Regiment Illinois Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ROBERT SCHOTTE.

Mr. ADAMS, of Illinois, also introduced a bill (H. R. 8985) to increase the pension of Robert Schotte; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES M'CAULEY.

Mr. ADAMS, of Illinois, also introduced a bill (H. R. 8986) for the relief of James McCauley; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

WILLIAM CARROLL.

Mr. TOWNSHEND introduced a bill (H. R. 8987) for the relief of William Carroll; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANDREW J. WARREN.

Mr. TOWNSHEND also introduced a bill (H. R. 8988) for the relief of Andrew J. Warren; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM CLEAVELIN.

Mr. TOWNSHEND also introduced a bill (H. R. 8989) for the relief of William Cleavelin; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM FRANKLIN GARDNER.

Mr. TOWNSHEND (by request) also introduced a bill (H. R. 8990) for the relief of William Franklin Gardner; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

PHILLIP CURRAN.

Mr. LAWLER introduced a bill (H. R. 8991) granting a pension to Phillip Curran, late a private Company K, Tenth New York Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES W. KINYON.

Mr. MORRISON introduced a bill (H. R. 8992) for the relief of James W. Kinyon; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

FRED. W. BESHORE.

Mr. MORRISON also introduced a bill (H. R. 8993) granting a pension to Fred. W. Beshore; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HENRY MAVES.

Mr. MORRISON also introduced a bill (H. R. 8994) granting a pension to Henry Maves; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SAMUEL HAYS.

Mr. SPRINGER introduced a bill (H. R. 8995) granting a pension to Samuel Hays; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM W. WINEGER.

Mr. RIGGS introduced a bill (H. R. 8996) granting a pension to William W. Wineger; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ROBERT PATTERSON.

Mr. RIGGS also introduced a bill (H. R. 8997) to grant a pension to Robert Patterson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THOMAS P. MULCAHY.

Mr. WARD, of Illinois, introduced a bill (H. R. 8998) to authorize the appointment of Thomas P. Mulcahy to the rank of second lieutenant; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LIZZIE KOENIGSBERG.

Mr. WARD, of Illinois, also introduced a bill (H. R. 8999) granting a

pension to Lizzie Koenigsberg, widow of Maxwell Koenigsberg; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MALINDA LEMON.

Mr. JOHNSTON, of Indiana, introduced a bill (H. R. 9000) granting a pension to Malinda Lemon, widow of Samuel Lemon; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

JOSIAH M. DAVISSON.

Mr. CONGER (by Mr. FULLER) introduced a bill (H. R. 9001) for the relief of Josiah M. Davison; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

BRIGGS ALDEN.

Mr. CONGER (by Mr. FULLER) also introduced a bill (H. R. 9002) increasing the pension of Briggs Alden, a soldier in the war of 1812; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

SARAH E. MYERS.

Mr. LYMAN introduced a bill (H. R. 9003) for the relief of Sarah E. Myers, widow of Abraham Myers, late of Company E, Twenty-second Iowa Infantry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CAROLINE P. BOLTON.

Mr. LYMAN also introduced a bill (H. R. 9004) for the relief of Caroline P. Bolton; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELIZA BOYD.

Mr. LYMAN also introduced a bill (H. R. 9005) for the relief of Eliza Boyd; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NANCY HARDIN.

Mr. HEPBURN introduced a bill (H. R. 9006) granting a pension to Nancy Hardin, of Moravia, Iowa; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELI SHERER.

Mr. RYAN introduced a bill (H. R. 9007) granting a pension to Eli Sherer; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THOMAS A. OSBORN.

Mr. MORRILL introduced a bill (H. R. 9008) for the relief of Thomas A. Osborn; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

MRS. SUSAN E. BARRY.

Mr. HANBACK introduced a bill (H. R. 9009) granting a pension to Mrs. Susan E. Barry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SYLVANUS SANDFORD.

Mr. HANBACK (by request) also introduced a bill (H. R. 9010) for the relief of Sylvanus Sandford; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN KITTERMAN.

Mr. HANBACK also introduced a bill (H. R. 9011) granting a pension to John Kitterman; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HOLMES M'CLEARY.

Mr. HANBACK also introduced a bill (H. R. 9012) granting a pension to Holmes McCleary; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES SMITH.

Mr. PERKINS introduced a bill (H. R. 9013) granting a pension to James Smith; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

E. F. PEARSON.

Mr. PERKINS also introduced a bill (H. R. 9014) granting a pension to E. F. Pearson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NAVY-YARD, NEW ORLEANS.

Mr. ST. MARTIN submitted a resolution of the General Assembly of the State of Louisiana, relative to the establishment of a navy-yard in the fifth municipal district of the city of New Orleans; which was read, and referred to the Committee on Naval Affairs.

WILLIAM O. M'DONALD.

Mr. MILLIKEN introduced a bill (H. R. 9015) granting a pension to William O. McDonald; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

AUGUSTUS BRADBURY.

Mr. MILLIKEN also introduced a bill (H. R. 9016) granting a pension to Augustus Bradbury; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

J. J. B. WALBACH.

Mr. FINDLAY introduced a bill (H. R. 9017) to remove the disabilities of J. J. B. Walbach, of Maryland; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

WILLIAM HIGH.

Mr. SHAW introduced a bill (H. R. 9018) granting a pension to William High; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MICHAEL J. McLAUGHLIN.

Mr. COLLINS introduced a bill (H. R. 9019) to remove the charge of desertion from the name of Michael J. McLaughlin, formerly a private Company A, Second Regiment Massachusetts Volunteers, in the service of the United States; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

MICHAEL D. CASEY.

Mr. COLLINS also introduced a bill (H. R. 9020) to remove the charge of desertion from the record of Michael D. Casey; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

LEOPOLD KARPELES.

Mr. ROCKWELL introduced a bill (H. R. 9021) granting a pension to Leopold Karpeles; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

GERTRUDE M. STARKWEATHER.

Mr. WHITING introduced a bill (H. R. 9022) granting a pension to Gertrude M. Starkweather; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FRANCISCO V. DE COSTER.

Mr. STRAIT introduced a bill (H. R. 9023) for the relief of Francisco V. De Coster; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

THEO. B. BEAULIEU.

Mr. STRAIT also introduced a bill (H. R. 9024) for the relief of Theo. B. Beaulieu; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

MRS. SOPHIA SPRAIN.

Mr. STRAIT also introduced a bill (H. R. 9025) for the relief of Mrs. Sophia Sprain, widow, and two minor children of Louis T. Sprain; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

NIRIUS CISSELL.

Mr. WHITE, of Minnesota, introduced a bill (H. R. 9026) granting a pension to Niriuss Cissell; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LUCY A. KIDD.

Mr. BARKSDALE introduced a bill (H. R. 9027) for the relief of Lucy A. Kidd; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

INCOME TAX.

Mr. BLAND introduced a bill (H. R. 9028) to revive the income tax, the proceeds thereof to be applied to the payment of all pensions heretofore granted, or that may hereafter be authorized by Congress; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

EVALINE P. BROWN.

Mr. HALE introduced a bill (H. R. 9029) granting a pension to Evaline P. Brown; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM H. ANDERSON.

Mr. HALE also introduced a bill (H. R. 9030) granting a pension to William H. Anderson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANDREW BYERS.

Mr. HALE also introduced a bill (H. R. 9031) granting a pension to Andrew Byers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM M. PLEAS.

Mr. HALE also introduced a bill (H. R. 9032) for the relief of William M. Pleas; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

E. B. BAILEY.

Mr. DOCKERY introduced a bill (H. R. 9033) for the relief of E. B. Bailey; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

LIFE AND PROPERTY IN THE DISTRICT.

Mr. HEARD (by request) introduced a bill (H. R. 9034) for the further protection of property from fire and safety of lives in the District of Columbia; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

HEAZLETT P. COCKRELL.

Mr. STONE, of Missouri, introduced a bill (H. R. 9035) to increase the pension of Heazlett P. Cockrell, of Saint Clair County, Missouri; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

THOMAS DUVAL.

Mr. WEAVER, of Nebraska, introduced a bill (H. R. 9036) to remove the charge of desertion from Thomas Duvall, late of Company I, One hundred and eighteenth Ohio Volunteer Infantry; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

D. FRANK MEISSNER.

Mr. BEACH introduced a bill (H. R. 9037) increasing the pension of D. Frank Meissner; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

DUTIES UPON LEATHER GLOVES.

Mr. BLISS (by request) introduced a bill (H. R. 9038) providing for the levying of specific duties upon leather gloves; which was read a first and second time, referred to the Committee on Ways and Means, and ordered to be printed.

NORMAN S. KENYON.

Mr. FELIX CAMPBELL (by Mr. Bliss) introduced a bill (H. R. 9039) granting a pension to Norman S. Kenyon; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MRS. MARY JANE WATTS.

Mr. FELIX CAMPBELL (by Mr. Bliss) also introduced a bill (H. R. 9040) for the relief of Mrs. Mary Jane Watts; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANNA SCHIER.

Mr. TIMOTHY J. CAMPBELL introduced a bill (H. R. 9041) for the relief of Anna Schier; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MRS. CHARLOTTE E. ROWLEY.

Mr. WEBER introduced a bill (H. R. 9042) for the relief of Mrs. Charlotte E. Rowley; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SARAH C. McCAMLY.

Mr. BURLEIGH (by Mr. WEBER) also introduced a bill (H. R. 9043) granting a pension to Sarah C. McCamly; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

EDUCATION.

Mr. BENNETT introduced a bill (H. R. 9044) to divide the surplus moneys in the Treasury of the United States on the 1st day of June, 1886, among the several States and Territories, to be used for purposes of common-school education; which was read a first and second time, referred to the Committee on Education, and ordered to be printed.

JOSIAH C. DODDS.

Mr. THOMPSON (by request) introduced a bill (H. R. 9045) granting a pension to Josiah C. Dodds, late Company E, One hundred and seventy-ninth Ohio Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PATRICK COLLINS.

Mr. ANDERSON, of Ohio, introduced a bill (H. R. 9046) granting a pension to Patrick Collins; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MICHAEL MURPHY.

Mr. ANDERSON, of Ohio, also introduced a bill (H. R. 9047) granting a pension to Michael Murphy; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ANTHONY McNALLY.

Mr. ANDERSON, of Ohio, also introduced a bill (H. R. 9048) granting a pension to Anthony McNally; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN RAFFERTY.

Mr. ANDERSON, of Ohio, also introduced a bill (H. R. 9049) to restore the name of John Rafferty to the pension-roll; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

FREDRICK RONIKE.

Mr. ANDERSON, of Ohio, also introduced a bill (H. R. 9050) granting a pension to Fredrick Ronike; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MES. MARY VON KUSSEROW.

Mr. O'NEILL, of Pennsylvania, introduced a bill (H. R. 9051) granting an increase of pension to Mrs. Mary von Kusserow, widow of Brig. Gen. Charles von Kusserow, deceased; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CAPT. JOHN F. MORRIS.

Mr. FLEEGER introduced a bill (H. R. 9052) granting an increase of pension to Capt. John F. Morris; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

HENRY FEUSTERMAKER.

Mr. EVANS introduced a bill (H. R. 9053) granting a pension to Henry Feustermaker; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BARBARA A. SMITH.

Mr. ERMENTROUT (by Mr. RANDALL) introduced a bill (H. R. 9054) granting a pension to Barbara A. Smith; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LUKE REILLY.

Mr. RANDALL introduced a bill (H. R. 9055) for the relief of Luke Reilly; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

EXPLOSION AT FRANKFORD ARSENAL.

Mr. RANDALL also introduced a bill (H. R. 9056) for the relief of the sufferers by the explosion of the United States arsenal at Frankford, Philadelphia; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

EMILY G. MILLS.

Mr. BUNNELL introduced a bill (H. R. 9057) for the relief of Emily G. Mills, widow of Oscar B. Mills, late second assistant engineer, United States Navy, retired; which was read a first and second time, referred to the Committee on Pensions, and ordered to be printed.

MARTIN WILES.

Mr. BUNNELL also introduced a bill (H. R. 9058) to remove the charge of desertion from the record of Martin Wiles, Company A, Fifty-seventh Regiment Pennsylvania Volunteers; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

ANN E. LEWIS.

Mr. HARMER introduced a bill (H. R. 9059) granting a pension to Ann E. Lewis, widow of Thomas H. Lewis, late of Company B, One hundred and twenty-ninth Pennsylvania Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM H. YOUNG.

Mr. HARMER (by request) also introduced a bill (H. R. 9060) for the relief of William H. Young; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

ROBERT DOUGHERTY.

Mr. SWOPE introduced a resolution requesting the Committee on Appropriations to make provision for the payment of \$365 to Robert Dougherty; which was referred to the Committee on Claims.

GEORGE W. CAMPBELL.

Mr. BROWN, of Pennsylvania, introduced a bill (H. R. 9061) granting a pension to George W. Campbell; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES VARNER.

Mr. WHITE, of Pennsylvania, introduced a bill (H. R. 9062) granting a pension to James Varner; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

J. HOWARD SLAYMAKER.

Mr. EVERHART (by request) introduced a bill (H. R. 9063) granting a pension to J. Howard Slaymaker; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

TAX-SALES OF PROPERTY IN DISTRICT OF COLUMBIA.

Mr. HEMPHILL (by request) introduced a bill (H. R. 9064) prescribing the times for sales and for notice of sales of property in the District of Columbia for overdue taxes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

REV. NATHANIEL B. FULLER.

Mr. SMALLS introduced a bill (H. R. 9065) for the relief of Rev. Nathaniel B. Fuller, of Spartanburg, S. C.; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

JOHN G. AND CARRIE SIMS, CLEVELAND AND R. P. WEBSTER.

Mr. RICHARDSON introduced a bill (H. R. 9066) for the relief of John G. and Carrie Sims, and Cleveland and R. P. Webster, citizens of Bedford County, in the State of Tennessee; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

SCHOOL LANDS IN WYOMING TERRITORY.

Mr. LAFFOON introduced a bill (H. R. 9067) to compensate for deficiencies in the sixteenth and thirty-sixth sections within the Territory of Wyoming reserved for school purposes, and to secure the proceeds arising from the sale thereof; which was read a first and second time, referred to the Committee on the Public Lands, and ordered to be printed.

MARY A. LORD.

Mr. ZACH. TAYLOR (by request) introduced a bill (H. R. 9068) for the relief of Mary A. Lord; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BRIDGE ACROSS MISSISSIPPI RIVER AT MEMPHIS, TENN.

Mr. ZACH. TAYLOR also introduced a bill (H. R. 9069) to authorize the construction of a bridge across the Mississippi River at Memphis, in the State of Tennessee; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

SECTION 5258 REVISED STATUTES.

Mr. THROCKMORTON introduced a bill (H. R. 9070) to amend section 5258 of the Revised Statutes; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

JAMES C. DOGGETT.

Mr. GROUT introduced a bill (H. R. 9071) granting an increase of pension to James C. Doggett; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELIZA TREFREN.

Mr. STEWART, of Vermont, introduced a bill (H. R. 9072) granting a pension to Eliza Trefren; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WASHINGTON SAFE DEPOSIT COMPANY.

Mr. BARBOUR (by request) introduced a bill (H. R. 9073) enlarging the powers of the Washington Safe Deposit Company, and for other purposes; which was read a first and second time, referred to the Committee on the District of Columbia, and ordered to be printed.

DAVID C. GARMAN.

Mr. GOFF introduced a bill (H. R. 9074) granting a pension to David C. Garman; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARY JANE BLAIR.

Mr. THOMAS, of Wisconsin, introduced a bill (H. R. 9075) to grant a pension to Mary Jane Blair, widow of W. H. Blair, deceased, late a private of Company H, Forty-fourth Regiment of Wisconsin Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

CYRUS PECK.

Mr. THOMAS, of Wisconsin, also introduced a bill (H. R. 9076) to grant a pension to Cyrus Peck, late first lieutenant Company H, Thirty-sixth Regiment Wisconsin Volunteers; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ELI D. HORTON.

Mr. THOMAS, of Wisconsin, also introduced a bill (H. R. 9077) to increase the pension of Eli D. Horton, late private of Company I, First Regiment of Wisconsin Cavalry; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

STEPHEN A. WATERMAN.

Mr. THOMAS, of Wisconsin, also introduced a bill (H. R. 9078) to grant a pension to Stephen A. Waterman; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

WILLIAM TAYLOR.

Mr. PRICE introduced a bill (H. R. 9079) granting an increase of pension to William Taylor; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARGARET JACKSON.

Mr. PRICE also introduced a bill (H. R. 9080) granting a pension to Margaret Jackson; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JAMES C. M. ALLEN.

Mr. PRICE also introduced a bill (H. R. 9081) granting a pension to James C. M. Allen; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PETER MAYER.

Mr. HUDD introduced a bill (H. R. 9082) granting a pension to Peter Mayer; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

PHILIP HENKEL.

Mr. GUENTHER introduced a bill (H. R. 9083) to pay Philip Henkel for property unlawfully confiscated and destroyed; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

GEORGE M. HARE.

Mr. GUENTHER also introduced a bill (H. R. 9084) to pay George M. Hare for services while on detail as master-mechanic and ship-builder; which was read a first and second time, referred to the Committee on War Claims, and ordered to be printed.

PUBLIC BUILDING AT FOND DU LAC, WIS.

Mr. BRAGG introduced a bill (H. R. 9085) for the erection of a public building at Fond du Lac, Wis.; which was read a first and second time, referred to the Committee on Public Buildings and Grounds, and ordered to be printed.

LEVEES ON RIO GRANDE.

Mr. JOSEPH introduced a bill (H. R. 9086) to provide for building levees on the banks of the Rio Grande River, in the Territory of New Mexico; which was read a first and second time, referred to the Committee on Commerce, and ordered to be printed.

WASHINGTON TERRITORY.

Mr. VOORHEES introduced a bill (H. R. 9087) to validate certain acts of the Legislative Assembly of Washington Territory; which was read a first and second time, referred to the Committee on the Territories, and ordered to be printed.

HENRY WEBBER.

Mr. VOORHEES also introduced a bill (H. R. 9088) for the relief of Henry Webber; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

The SPEAKER. This completes the call of States and Territories. If there be no objection the Chair will recognize such other gentlemen as have bills to introduce.

REPORT NATIONAL BOARD OF HEALTH.

Mr. BARKSDALE introduced a joint resolution (H. Res. 174) authorizing the printing of 25,000 copies of the report of the National Board of Health; which was read a first and second time, referred to the Committee on Printing, and ordered to be printed.

JOHN F. HOPKINS.

Mr. STONE, of Kentucky, introduced a bill (H. R. 9089) granting a pension to John F. Hopkins; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

LABOR COMMITTEE BUSINESS.

Mr. DANIEL submitted the following resolution; which was referred to the Committee on Labor:

Resolved, That Thursday, June 10 next, be set aside for consideration of bills now on the Calendar reported from the Committee on Labor then undisposed of, said order to continue from day to day until all of said bills shall have been disposed of.

EDUCATIONAL BILL.

Mr. DANIEL also submitted the following resolution; which was referred to the Committee on Labor:

Resolved, That Thursday, the 10th day of June, 1886, be set apart for the consideration of House bill No. 7266, entitled "A bill to aid in the establishment and temporary support of common schools," which was referred to the Committee on Labor and reported with amendments; and that its consideration be continued from day to day until finally disposed of, and that said bill be considered in the House as in the Committee of the Whole.

If the consideration of said bill be displaced, then the next day not previously set apart shall be devoted to its consideration, and so on until the same shall be disposed of.

FOURTH-CLASS MAIL MATTER.

Mr. BLOUNT introduced a bill (H. R. 9090) to prevent improper mailing of matter at fourth-class post-offices; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

PENALTY ENVELOPES.

Mr. BLOUNT introduced a bill (H. R. 9091) to allow pension agents to use penalty envelopes for official business, and for other purposes; which was read a first and second time, referred to the Committee on the Post-Office and Post-Roads, and ordered to be printed.

NAVAL ESTABLISHMENT.

Mr. HERBERT submitted a resolution fixing a day for the consideration of the bill (H. R. 6664) to increase the naval establishment; which was referred to the Committee on Naval Affairs.

JOHN K. LE BARON.

Mr. HOPKINS introduced a bill (H. R. 9092) for the relief of John K. Le Baron; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

BENJAMIN FAIRCHILD.

Mr. SESSIONS introduced a bill (H. R. 9093) to increase the pension of Benjamin Fairchild; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

JOHN FRIEDLIN.

Mr. LAIRD introduced a bill (H. R. 9094) for the relief of John Friedlin; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

O. M. DOTY.

Mr. LAIRD also introduced a bill (H. R. 9095) granting a pension to O. M. Doty; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

INTERFERENCE WITH RAILROAD TRAFFIC.

Mr. LAIRD also introduced a bill (H. R. 9096) to amend section 5258 of the Revised Statutes; which was read a first and second time, referred to the Committee on the Judiciary, and ordered to be printed.

BRAZZILLA F. FARRELL.

Mr. LAIRD also introduced a bill (H. R. 9097) granting a pension to Brazzilla F. Farrell; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARY C. HAZEN.

Mr. LAIRD also introduced a bill (H. R. 9098) granting a pension to Mary C. Hazen; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

GEORGE D. PAUL.

Mr. LAIRD also introduced a bill (H. R. 9099) for the relief of George D. Paul; which was read a first and second time, referred to the Committee on Military Affairs, and ordered to be printed.

J. B. TINGLEY.

Mr. LAIRD also introduced a bill (H. R. 9100) granting a pension to J. B. Tingley; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

ISAAC REED.

Mr. LAIRD also introduced a bill (H. R. 9101) granting a pension to Isaac Reed; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

SAMUEL MOORE.

Mr. LAIRD also introduced a bill (H. R. 9102) granting a pension to Samuel Moore; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

MARY A. HUFFMAN.

Mr. SENEY introduced a bill (H. R. 9103) for the relief of Mary A. Huffman; which was read a first and second time, referred to the Committee on Invalid Pensions, and ordered to be printed.

BUSINESS FROM THE COMMITTEE ON THE JUDICIARY.

Mr. TUCKER submitted the following resolution; which was read, and referred to the Committee on the Judiciary:

Resolved, That Saturday, June 5, and Saturday, June 19, after the reading of the Journal, be set apart for the consideration of such business as may be presented by the Committee on the Judiciary; this order not to interfere with the consideration of revenue or general appropriation bills, and if so interfered with, shall be in full force and effect for Saturday, June 26, after the reading of the Journal.

CAPT. JOHN GRANT.

Mr. BLANCHARD introduced a bill (H. R. 9104) for the relief of Capt. John Grant; which was read a first and second time, referred to the Committee on Claims, and ordered to be printed.

FUNERAL EXPENSES OF CHARLES TREUTLEN.

Mr. BRECKINRIDGE, of Arkansas, submitted the following resolution; which was read, and referred to the Committee on Accounts:

Resolved, That the Clerk of the House be directed to pay out of the contingent fund of the House to the family of Charles Treutlen, late an employé of this House, the expenses attending his last sickness and funeral, not to exceed \$250.

JOSEPH NIMMO, JR.

Mr. REAGAN submitted the following resolution; which was read, and referred to the Committee on Claims:

Resolved, That the Committee on Appropriations be requested to provide in the sundry civil appropriation bill for the payment of the sum of \$2,000 to Joseph Nimmo, jr., to enable him to revise and extend the report on "the range and cattle business of the United States," prepared by him as Chief of the Bureau of Statistics of the Treasury Department in reply to the resolution of the House of Representatives dated February 17, 1885, such revision and extension of said report to include also information in regard to the raising of horses and sheep on ranges and ranches.

Mr. REAGAN. Mr. Speaker, I ask that the resolution be referred to the Committee on Appropriations.

The SPEAKER. Is it an expenditure for a public work already authorized by law?

Mr. REAGAN. No, sir.

The SPEAKER. Then the Appropriations Committee can not introduce new legislation. The Committee on Claims is the proper reference.

SITE OF WASHINGTON CITY POST-OFFICE.

Mr. BURROWS. Mr. Speaker, I now ask unanimous consent to have printed in the RECORD the heading of a petition, which is very short, with reference to the new city post-office. I do not ask to include the names.

There was no objection.

The petition was read, and referred to the Committee on Public Buildings and Grounds.

It is as follows:

To the Senate and House of Representatives in Congress assembled:

We, the undersigned, business men and property-holders of the District of Columbia, believing that square No. 406, west of the General Post-Office Department, to be the most suitable site for the post-office for the city of Washington, do respectfully petition your honorable bodies to acquire said square, believing it to be the most central location for business purposes and a central point between the great Department buildings of the Government.

ORDER OF BUSINESS.

The SPEAKER. The Chair will now proceed to call the committees for reports.

BRIDGE ACROSS YOUNG'S BAY, OREGON.

Mr. CRISP (on behalf of Mr. BYNUM), from the Committee on Commerce, reported back with a favorable recommendation the Senate amendments to the bill (H. R. 4670) granting to the county of Clatsop, in the State of Oregon, the right to construct a bridge across Young's Bay, a navigable stream in said county and State; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

MISSION INDIANS, CALIFORNIA.

Mr. LA FOLLETTE, from the Committee on Indian Affairs, reported back with a favorable recommendation the bill (S. 53) for the relief of the mission Indians in the State of California; 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.

SECTION 1858 OF THE REVISED STATUTES.

Mr. PERRY, from the Committee on the Territories, reported, as a substitute for H. R. 8287, a bill (H. R. 9105) to repeal section 1858 of the Revised Statutes of the United States; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

House bill No. 8287 was ordered to be laid on the table.

PUBLIC BUILDING AT NEWPORT, KY.

Mr. SNYDER, from the Committee on Public Buildings and Grounds, reported back with a favorable recommendation the bill (S. 538) to provide for the erection of a public building in the city of Newport, Ky.; which was referred to the Committee of the Whole House on the state of the Union, and, with the accompanying report, ordered to be printed.

PUBLIC BUILDING AT FORTRESS MONROE, VA.

Mr. SNYDER, from the Committee on Public Buildings and Grounds also reported back with a favorable recommendation the bill (S. 479) to provide for the erection of a post-office building at Fortress Monroe, Va.; 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.

INVALID PENSIONS.

Mr. LOUITTIT, from the Committee on Invalid Pensions, reported back with a favorable recommendation the bill (H. R. 3238) to amend section 4700 of the Revised Statutes, relating to invalid pensions; 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.

VIRGINIA TAYLOR RANDALL.

Mr. WOLFORD, from the Committee on Pensions, reported back with a favorable recommendation the bill (H. R. 7712) granting a pension to Virginia Taylor Randall; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

CHANGE OF REFERENCE.

On motion of Mr. SPRINGER, the Committee on Claims was discharged from the further consideration of the bill (H. R. 8657) referring certain claims to the Court of Claims; and the same was referred to the Committee on War Claims.

On motion of Mr. SPRINGER, the Committee on Claims was also discharged from the further consideration of the bill (H. R. 8464) for the relief of L. M. Pearlman; and the same was referred to the Committee on War Claims.

MRS. SARAH HOLROYD.

Mr. HOWARD, from the Committee on Claims, reported back with a favorable recommendation the bill (S. 94) for the relief of Mrs. Sarah Holroyd, widow and administratrix of the estate of John Holroyd, deceased; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

NORTH GERMAN LLOYD STEAMSHIP COMPANY.

Mr. SHAW, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 4018) for the relief the North German Lloyd Steamship Company; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ZEB WARD.

Mr. MCKENNA, from the Committee on Claims, reported back with a favorable recommendation the bill (H. R. 86) for the relief of Zeb Ward; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ADVERSE REPORT.

Mr. CROXTON, from the Committee on Private Land Claims, reported back with an adverse recommendation the joint resolution (H. Res. 161) for the relief of Mary C. Crosby; which was laid on the table, and the accompanying report ordered to be printed.

MONUMENT AT STONY POINT, N. Y.

Mr. STAHLNECKER, from the Committee on the Library, reported back with a favorable recommendation the joint resolution (H. Res. 156) authorizing the Secretary of War to erect at Stony Point, N. Y., a monument; 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.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. McCook, its Secretary, informed the House that the Senate insisted upon its amendments to the bill (H. R. 8762) making appropriations to supply deficiencies in the appropriations for public printing, pensions, and pay of the Army for the fiscal year ending June 30, 1886, disagreed to by the House of Representatives, asked a conference with the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. ALLISON, Mr. HALE, and Mr. COCKRELL to be the conferees on the part of the Senate.

The message further announced that the President *pro tempore* had appointed Mr. BECK a manager at the conference on the part of the Senate on the disagreeing votes of the two Houses on the amendments of the Senate and the amendments of the House of Representatives to the fifth amendment of the Senate to the bill (H. R. 5887) making appropriations for the service of the Post-Office Department for the fiscal year ending June 30, 1887, in the place of Mr. CALL, excused.

ORDER OF BUSINESS.

The SPEAKER. If there be no objection the Chair will recognize gentlemen to make reports who were not in their seats when their committees were called.

There was no objection.

NORTHERN PACIFIC RAILROAD COMPANY.

Mr. BLISS, from the Committee on Pacific Railroads, reported a joint resolution (H. Res. 175) directing the Secretary of the Interior to demand information from the Northern Pacific Railroad Company in regard to certain alleged violations of law by that company; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

POLYGAMY, ETC.

Mr. TUCKER, from the Committee on the Judiciary, reported back joint resolutions of the following titles; which were laid on the table:

Joint resolution (H. Res. 16) proposing an amendment to the Constitution of the United States in relation to polygamy, &c.;

Joint resolution (H. Res. 50) proposing an amendment to the Constitution of the United States so as to establish uniform laws on the subject of marriage and divorce;

Joint resolution (H. Res. 140) proposing an amendment to the Constitution of the United States prohibiting polygamy; and

Joint resolution (H. Res. 143) proposing an amendment to the Constitution of the United States prohibiting polygamy.

Mr. TUCKER, from the Committee on the Judiciary, also reported a joint resolution (H. Res. 176) for the amendment of the Constitution of the United States in regard to polygamy and polygamous association or cohabitation between the sexes; which was read a first and second time, referred to the House Calendar, and, with the accompanying report, ordered to be printed.

Mr. TUCKER. I ask on behalf of my colleague on the committee, the gentleman from North Carolina [Mr. BENNETT], that he have leave to present the views of the minority, and that they be printed with the report of the majority.

There was no objection, and it was so ordered.

MARY B. HOOK.

Mr. STRUBLE, from the Committee on Pensions, reported back with a favorable recommendation the bill (S. 2095) granting an increase of pension to Mary B. Hook; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

SARAH P. M'KEAN.

Mr. STRUBLE, from the Committee on Pensions, also reported back with a favorable recommendation the bill (S. 973) granting an increase of pension to Mrs. Sarah P. McKean, of Marion, Lynn County, Iowa; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

ELIZABETH S. DE KRAFFT.

Mr. STRUBLE, from the Committee on Pensions, also reported back with a favorable recommendation the bill (S. 2223) granting a pension to Elizabeth S. De Krafft; which was referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

RACHAEL BARNES.

Mr. STRUBLE, from the Committee on Pensions, also reported, as a substitute for H. R. 7690, a bill (H. R. 9106) granting a pension to Rachael Barnes; which was read a first and second time, referred to the Committee of the Whole House on the Private Calendar, and, with the accompanying report, ordered to be printed.

The original bill (H. R. 7690) was laid on the table.

BUREAU OF ANIMAL INDUSTRY.

Mr. SWINBURNE (by Mr. PRICE) presented the views of the minority of the Committee on Agriculture upon the bill (H. R. 3350) to aid the Bureau of Animal Industry; and, by unanimous consent, they were ordered to be printed with the report of the committee.

ORDER OF BUSINESS.

Mr. COBB. Mr. Speaker, I move to go to the Speaker's table and take up the bill forfeiting lands granted to the Southern Pacific and California Railroad Company.

Mr. HATCH. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole on the state of the Union for the purpose of considering general revenue bills.

The SPEAKER. The gentleman from Indiana moves to proceed to the consideration of business on the Speaker's table for the purpose of taking up bills forfeiting land grants made to certain railroad companies; pending that motion the gentleman from Missouri [Mr. HATCH] moves that the House resolve itself into Committee of the Whole on the state of the Union for the purpose of considering revenue bills, a motion which has priority.

Mr. HATCH. Mr. Speaker, I wish to say that my purpose is to reach bill H. R. 8328, known as the oleomargarine bill.

Mr. TUCKER. Mr. Speaker, is that a bill reported from the Committee on Ways and Means?

The SPEAKER. It is a bill reported from the Committee on Agriculture.

Mr. COX. Mr. Speaker, I call up the privileged report of the Select Committee on Reform in the Civil Service in relation to the Warder case.

Mr. HATCH. On that, Mr. Speaker, I raise the question of consideration.

Mr. MILLER. Mr. Speaker, before that is reached I desire to raise the question of consideration in favor of the special order made on April 26, House bill 5788, a bill to provide for the issue of small bills for circulation.

The SPEAKER. There can be but one question of consideration pending at a time. The first question is, Will the House now consider the report made from the Select Committee on Reform in the Civil Service in relation to certain employes of the House?

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

The SPEAKER. The gentleman will state it.

Mr. HATCH. I am not advised of the character of the report to which the gentleman from North Carolina [Mr. COX] refers, but I desire to ask the Chair if it is a privileged report.

The SPEAKER. It is. It relates to the conduct of certain employes of the House.

Mr. HATCH. Then I insist upon my motion, raising the question of consideration.

Mr. BRAGG. Mr. Speaker, I desire to make a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BRAGG. I desire to know where the Committee on Agriculture got the function of reporting a revenue bill?

The SPEAKER. The House by a vote referred the bill to that committee.

Mr. BRAGG. I shall raise the question of consideration.

The SPEAKER. There is no question of consideration in that case. The only way to accomplish the object the gentleman has in view is to defeat the motion to go into the Committee of the Whole on the state of the Union for the purpose of considering revenue bills.

Mr. BRAGG. My committee desire to retain the hour that belongs to them to-morrow.

Mr. BLAND. Mr. Speaker, I understood the gentleman from Texas [Mr. MILLER] to call up a special order. What is that special order?

The SPEAKER. The gentleman can not call up a special order while a matter of privilege is pending before the House. When that is disposed of the Chair will hear what the gentleman from Texas proposes. The first question is, Will the House now proceed to the consideration of the report made by the Select Committee on Reform in the Civil Service in relation to certain employes of the House?

The question was taken; and there were—ayes 46, noes 92.

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

The question was taken; and 25 members voted in the affirmative.

Mr. TUCKER. No quorum.

A MEMBER. This does not require a quorum.

The SPEAKER. A quorum is required to determine the question of consideration.

Mr. HISCOCK. The point is made too late.

The SPEAKER. It is not too late. The Chair had announced the vote, but not the result of the vote. The Chair will appoint as tellers the gentleman from North Carolina [Mr. COX] and the gentleman from Missouri [Mr. HATCH].

The House again divided; and the tellers reported—ayes 45, noes 122.

So the House refused to proceed to the consideration of the report of the Select Committee on Reform in the Civil Service.

Mr. MILLER. I now move that the House proceed to the consideration of House bill No. 5788, which was made a special order on the 26th of April.

The SPEAKER. If the Chair understands what the bill is to which the gentleman from Texas [Mr. MILLER] alludes, he thinks it is made a special order subject to the consideration of general appropriation and revenue bills; and if so, the question must be first taken, as heretofore stated by the Chair, on the motion made by the gentleman from Missouri [Mr. HATCH].

Mr. BLAND. I would like to understand what the bill is which the gentleman from Texas desires to bring up.

The SPEAKER. The Chair would be glad if the gentleman from Texas would state what the bill is.

Mr. MILLER. It is the bill reported from the Committee on Banking and Currency, providing for the issue of one and two dollar silver certificates.

Mr. BLAND. It seems to me the silver-certificate bill ought to have consideration—

The SPEAKER. These questions are not debatable. The special order to which the gentleman from Texas refers was "to be considered in the House as in the Committee of the Whole House, not to interfere with general appropriation bills, bills raising revenue, nor prior orders." Consequently, the question is first upon the motion made by the gentleman from Missouri, that the House now resolve itself into Committee of the Whole House on the state of the Union to consider revenue bills.

Mr. HERBERT. I desire to ask whether the order just read by the Chair excepts the morning hour for the consideration of bills called up by committees?

The SPEAKER. The Chair did not read the entire order, but only enough to show that in the present situation of affairs the question must first be taken upon the motion of the gentleman from Missouri.

Mr. HERBERT. In order that we may intelligently vote upon these questions, I desire to ask whether that order would have the effect of dispensing with the morning hour for the consideration of bills?

The SPEAKER. It would if called up before the business of that hour had been entered upon. The only exceptions made in the order are those read by the Chair.

Mr. COBB. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. COBB. I made a motion to proceed to the consideration of bills forfeiting land grants. The gentleman from Missouri [Mr. HATCH] moved to amend that motion so as to go into the Committee of the Whole House on the state of the Union for the consideration of his bill. Then a privileged motion was made by the gentleman from North Carolina [Mr. COX] to take up the report of his committee. Now, what has become of my motion?

The SPEAKER. The gentleman from Missouri moved to go into the Committee of the Whole, not to consider a report made by his committee, but to consider bills raising revenue; and that motion has priority over the motion of the gentleman from Indiana [Mr. COBB] to proceed to the consideration of bills on the House Calendar forfeiting land

grants to railroad companies, as the gentleman from Indiana will see by referring to the order made with reference to that class of business.

Mr. COBB. If this motion of the gentleman from Missouri should be voted down—

The SPEAKER. Then the motion of the gentleman from Indiana comes next.

Mr. COBB. I trust the House will vote down the motion of the gentleman from Missouri.

Mr. HATCH. And I trust the House will adopt it.

The question being taken on the motion of Mr. HATCH, that the House resolve itself into the Committee of the Whole on the state of the Union for the purpose of considering bills raising revenue, there were—ayes 87, noes 64.

Mr. McMILLIN. Desiring to reach bills forfeiting land grants, I demand the yeas and nays on this question.

The yeas and nays were ordered, 50 voting in favor thereof.

The question was taken; and there were—yeas 142, nays 83, not voting 97; as follows:

YEAS—142.

Adams, G. E.	Fuller,	Lindsley,	Sadler,
Allen, C. H.	Funston,	Louttit,	Sawyer,
Barbour,	Gallinger,	Lovering,	Scott,
Barksdale,	Gay,	Lowry,	Scranton,
Bayne,	Gillilan,	Lyman,	Sessions,
Beach,	Glass,	Matson,	Seymour,
Bingham,	Goff,	McComas,	Singleton,
Bliss,	Green, W. J.	McCreary,	Smalls,
Bound,	Grout,	McKenna,	Snyder,
Boutelle,	Halsell,	McKinley,	Sowden,
Brady,	Hanback,	Millard,	Spriggs,
Browne, T. M.	Harmer,	Moffatt,	Springer,
Brown, C. E.	Hatch,	Morgan,	Stahlnecker,
Brown, W. W.	Haynes,	Morrill,	Stephenson,
Buchanan,	Heard,	Morrow,	Stewart, J. W.
Buck,	Henderson, D. B.	Murphy,	Strait,
Bunnell,	Henderson, J. S.	Necce,	Struble,
Burrows,	Henderson, T. J.	Nelson,	Swope,
Caldwell,	Hepburn,	O'Donnell,	Symes,
Campbell, J. M.	Herman,	O'Ferrall,	Taylor, I. H.
Cannon,	Hiestand,	O'Neill, Charles	Taylor, Zach.
Cooper,	Hill,	Osborne,	Thomas, O. B.
Cox,	Hires,	Parker,	Thompson,
Croxton,	Hiscock,	Payne,	Townshend,
Curtin,	Hitt,	Perkins,	Wade,
Daniel,	Hopkins,	Peters,	Wadsworth,
Davidson, R. H. M.	Howard,	Pettibone,	Wakefield,
Dawson,	Hudd,	Plumb,	Ward, T. B.
Dingley,	Jackson,	Price,	Weaver, J. B.
Dockery,	Johnson, F. A.	Randall,	Weber,
Dorsey,	Johnston, J. T.	Rice,	White, A. C.
Dougherty,	Ketcham,	Riggs,	White, Milo
Eldredge,	King,	Rockwell,	Whiting,
Everhart,	La Follette,	Romeis,	Worthington.
Felton,	Laird,	Rowell,	
Frederick,	Lehbach,	Ryan,	

NAYS—83.

Anderson, C. M.	Farquhar,	McMillin,	Stone, W. J., Ky.
Belmont,	Findlay,	McRae,	Stone, W. J., Mo.
Bennett,	Fisher,	Miller,	Tarsney,
Blanchard,	Ford,	Mills,	Tauber,
Bland,	Forney,	Morrison,	Taylor, J. M.
Blount,	Green, R. S.	Neal,	Throckmorton,
Bragg,	Hammond,	O'Neill, J. J.	Tillman,
Breckinridge, C. R.	Harris,	Outhwaite,	Tucker,
Breckinridge, W. C. P.	Hempbill,	Payson,	Turner,
Cabell,	Herbert,	Peel,	Van Eaton,
Campbell, J. E.	Holman,	Perry,	Van Schaick,
Campbell, T. J.	Irion,	Reagan,	Viele,
Candler,	James,	Reid, J. W.,	Ward, J. H.
Cobb,	Johnston, T. D.	Richardson,	Warner, William
Cowles,	Jones, J. H.	Sayers,	Wellborn,
Crain,	Laffoon,	Shaw,	Wheeler,
Crisp,	Lanham,	Skinner,	Willis,
Culbertson,	Lawler,	Spooner,	Wilson,
Dargan,	Martin,	St. Martin,	Wise,
Dunham,	Maybury,	Stewart, Charles	Wolford.
Dunn,	McAdoo,	Stone, E. F.	

NOT VOTING—97.

Adams, J. J.	Comstock,	Hewitt,	Pideock,
Aiken,	Conger,	Holmes,	Pindar,
Allen, J. M.	Cutcheon,	Houk,	Pirce,
Anderson, J. A.	Davenport,	Hutton,	Ranney,
Arnot,	Davidson, A. C.	Jones, J. T.	Reed, T. B.
Atkinson,	Davis,	Kelley,	Reese,
Baker,	Dibble,	Kleiner,	Robertson,
Ballentine,	Dowdney,	Landes,	Rogers,
Barnes,	Eden,	Le Fevre,	Seney,
Barry,	Ellsberry,	Libbey,	Steele,
Boyle,	Ely,	Little,	Storm,
Burleigh,	Ermentrout,	Long,	Swinburne,
Burnes,	Evans,	Lore,	Taylor, E. B.
Butterworth,	Fleeger,	Mahoney,	Thomas, J. R.
Bynum,	Foran,	Markham,	Trigg,
Brumm,	Geddes,	Merriman,	Wait,
Campbell, Felix	Gibson, C. H.	Milliken,	Warner, A. J.
Carleton,	Gibson, Eustace	Mitchell,	Weaver, A. J.
Caswell,	Glover,	Muller,	West,
Catchings,	Grosvenor,	Negley,	Wilkins,
Clardy,	Guenther,	Norwood,	Winans,
Clements,	Hale,	Oates,	Woodburn,
Cole,	Hall,	O'Hara,	
Collins,	Hayden,	Owen,	
Compton,	Henley,	Phelps,	

So the motion was agreed to.

During the roll-call the following additional pairs were announced from the Clerk's desk:

For the rest of the day:

Mr. REESE with Mr. WOODBURN.

Mr. PINDAR with Mr. EVANS.

Mr. BALLENTINE with Mr. BAKER.

Mr. MITCHELL with Mr. ANDERSON, of Kansas.

URGENCY DEFICIENCY BILL.

The SPEAKER. Before announcing the result the Chair will appoint conferees on the part of the House.

Mr. RANDALL. I move that the House further insist on its disagreement to the amendments of the Senate to the bill (H. R. 8762) making appropriations to supply deficiencies in the appropriations for public printing, pensions, and pay of the Army for the fiscal year ending June 30, 1886, and agree to the conference requested by the Senate on the disagreeing votes of the two Houses.

The motion was agreed to.

The SPEAKER appointed as managers of said conference on the part of the House, Mr. RANDALL, Mr. LE FEVRE, and Mr. MCCOMAS.

The vote was then announced as above recorded.

TARIFF.

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

The CHAIRMAN. The Clerk will report the first bill on the Calendar.

The Clerk read as follows:

A bill (H. R. 7652) to reduce tariff taxes and to modify the laws in relation to the collection of the revenue.

Mr. MORRISON. I ask that that bill be passed over.

Mr. DUNHAM. I object.

Mr. HISCOCK. I hope the gentleman will not object. There is no use to take up the time of the House.

Mr. HATCH. It is only taking up the time of the House for nothing.

The CHAIRMAN. Under the rules the committee will rise and report the objection to the House.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union having reached the bill (H. R. 7652) to reduce tariff taxes and to modify the laws in relation to the collection of the revenue, objection was made to its consideration, and the committee accordingly rose and reported the objection to the House.

The SPEAKER. The question is, Shall the committee be directed to pass over the bill which has been indicated?

The motion was agreed to.

INTERNAL REVENUE.

The House again resolved itself into Committee of the Whole on the state of the Union, Mr. SPRINGER in the Chair.

The CHAIRMAN. By order of the House the tariff bill has been passed over, and the next bill on the Calendar is the bill (H. R. 8327) to reduce the number of internal-revenue officers, provide a better and more economical administration of the internal-revenue laws, and for other purposes.

Mr. HATCH. I move that that bill be laid aside.

Mr. CABELL. I object.

Mr. HISCOCK. I rise to a parliamentary inquiry, whether it is in order to move to lay aside all tariff and revenue bills which precede the oleomargarine bill?

Mr. HATCH. This is the only one.

The CHAIRMAN. The Chair can not entertain objection to any bill except the one pending.

Mr. CABELL. This is a revenue bill, and has come up regularly, and I hope the House will consider it.

The CHAIRMAN. Is there objection to passing the bill over?

Mr. CABELL. I object.

The committee rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union having reached the bill (H. R. 8327) to reduce the number of internal-revenue officers, provide a better and more economical administration of the internal-revenue laws, and for other purposes, objection was made to its consideration, and, under the rules, the committee rose and reported the fact to the House.

The SPEAKER. The question is, Shall the committee be directed to pass over the bill indicated?

The House divided; and there were—ayes 91, noes 43.

Mr. REID, of North Carolina, demanded the yeas and nays.

The House divided; and there were ayes 39.

Mr. SPRINGER. Count the other side.

The other side was counted; and there were noes 102.

So (more than one-fifth having voted in the affirmative) the yeas and nays were ordered.

The SPEAKER. The question is, Shall the Committee of the Whole be directed to pass over the bill indicated?

Mr. REID, of North Carolina. Is it in order to have the bill read?

The SPEAKER. Not in the House; it might have been read in committee.

The question was taken; and it was decided in the affirmative—yeas 139, nays 86, not voting 97; as follows:

YEAS—139.

- | | | | |
|-----------------|------------------|------------------|-------------------|
| Adams, G. E. | Funston, | Lyman, | Seranton, |
| Allen, C. H. | Gallinger, | McComas, | Sessions, |
| Allen, J. M. | Gillilan, | McCreary, | Seymour, |
| Anderson, C. M. | Glass, | McKenna, | Singleton, |
| Anderson, J. A. | Glover, | McKinley, | Snalls, |
| Barksdale, | Grout, | Millard, | Sowden, |
| Bayne, | Halsell, | Milliken, | Spooner, |
| Beach, | Hanback, | Moffatt, | Springer, |
| Bland, | Harmer, | Morgan, | Stahlnecker, |
| Bliss, | Hatch, | Murphy, | Stephenson, |
| Bound, | Haynes, | Neece, | Stewart, J. W. |
| Boutelle, | Head, | Nelson, | Stone, W. J., Mo. |
| Browne, T. M. | Henderson, D. B. | O'Donnell, | Strait, |
| Brown, C. E. | Henderson, T. J. | O'Neill, Charles | Struble, |
| Brown, W. W. | Henley, | O'Neill, J. J. | Swope, |
| Buchanan, | Hepburn, | Osborne, | Symes, |
| Buck, | Herman, | Outhwaite, | Tarsney, |
| Bunnell, | Hiestand, | Parker, | Taylor, I. H. |
| Burrows, | Hires, | Payne, | Taylor, Zach. |
| Campbell, J. E. | Hiscock, | Payson, | Thomas, O. B. |
| Cannon, | Hitt, | Perkins, | Thompson, |
| Cooper, | Holman, | Peterson, | Townshend, |
| Cutcheon, | Hopkins, | Plumb, | Wade, |
| Dawson, | Howard, | Price, | Wadsworth, |
| Dingley, | Hudd, | Ranney, | Wakefield, |
| Dockery, | Jackson, | Rice, | Ward, T. B. |
| Dorsey, | Johnson, F. A. | Riggs, | Weaver, A. J. |
| Eldredge, | Johnston, J. T. | Rockwell, | Weaver, J. B. |
| Everhart, | Ketcham, | Romeis, | Weber, |
| Felton, | La Follette, | Rowell, | White, A. C. |
| Fisher, | Laird, | Ryan, | White, Milo |
| Fleeger, | Le Fevre, | Sadler, | Whiting, |
| Ford, | Lindsley, | Sawyer, | Worthington. |
| Frederick, | Louttit, | Scott, | |
| Fuller, | Lowry, | | |

NAYS—86.

- | | | | |
|------------------------|--------------------|-------------|-------------------|
| Barbour, | Daniel, | Lanham, | Snyder, |
| Barnes, | Dargan, | Lawler, | Stewart, Charles |
| Belmont, | Davidson, R. H. M. | Lovering, | St. Martin, |
| Bennett, | Dougherty, | Martin, | Stone, W. J., Ky. |
| Blanchard, | Dunham, | Matson, | Taubee, |
| Boyle, | Dunn, | Maybury, | Taylor, J. M. |
| Brady, | Ellsberry, | McMillin, | Throckmorton, |
| Bragg, | Farquhar, | McRae, | Tillman, |
| Breckinridge, C. R. | Forney, | Miller, | Tucker, |
| Breckinridge, W. C. F. | Gay, | Mills, | Turner, |
| Cabell, | Green, R. S. | Morrison, | Van Eaton, |
| Caldwell, | Green, W. J. | Neal, | Van Schaick, |
| Campbell, T. J. | Hammond, | Oates, | Viele, |
| Candler, | Harris, | O'Ferrall, | Ward, J. H. |
| Catchings, | Hemphill, | Peel, | Warner, William |
| Cobb, | Henderson, J. S. | Perry, | Wellborn, |
| Collins, | Herbert, | Reagan, | Wheeler, |
| Cowles, | James, | Reid, J. W. | Willis, |
| Cox, | Johnston, T. D. | Richardson, | Wilson, |
| Crisp, | Jones, J. H. | Sayers, | Wolford, |
| Croxton, | King, | Shaw, | |
| Culbertson, | Laffoon, | Skinner, | |

NOT VOTING—97.

- | | | | |
|-----------------|-----------------|--------------|---------------|
| Adams, J. J. | Curtin, | Hutton, | Pindar, |
| Aiken, | Davenport, | Irion, | Pirce, |
| Arnot, | Davidson, A. C. | Jones, J. T. | Randall, |
| Atkinson, | Davis, | Kelley, | Reed, T. B. |
| Baker, | Dibble, | Kleiner, | Reese, |
| Ballentine, | Dowdney, | Landes, | Robertson, |
| Barry, | Eden, | Lehlbach, | Rogers, |
| Bingham, | Ely, | Libbey, | Seney, |
| Blount, | Ermentrout, | Little, | Steele, |
| Brumm, | Evans, | Long, | Stone, E. F. |
| Burleigh, | Findlay, | Lore, | Storn, |
| Burnes, | Foran, | Mahoney, | Swinburne, |
| Butterworth, | Geddes, | Markham, | Taylor, E. B. |
| Bynum, | Gibson, C. H. | McAdoo, | Thomas, J. R. |
| Campbell, Felix | Gibson, Eustace | Merriman, | Trigg, |
| Campbell, J. M. | Goff, | Mitchell, | Wait, |
| Carleton, | Grosvenor, | Morrill, | Warner, A. J. |
| Caswell, | Guenther, | Morrow, | West, |
| Clardy, | Hale, | Muller, | Wilkins, |
| Clements, | Hall, | Negley, | Winans, |
| Cole, | Hayden, | Norwood, | Wise, |
| Compton, | Hewitt, | O'Hara, | Woodburn. |
| Comstock, | Hill, | Owen, | |
| Conger, | Holmes, | Phelps, | |
| Crain, | Houk, | Pidecock, | |

So the House directed the committee to pass over the bill.
Mr. HOPKINS. I wish to state, Mr. Speaker, that I am paired on political questions; but not regarding this as a question of that character I have voted.

Mr. HATCH. I ask unanimous consent that the reading of the names be dispensed with.

Mr. VAN EATON. I object.

The Clerk then recapitulated the names of those voting.

The following additional pair was announced:

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

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

Mr. VAN EATON. I move that the House do now adjourn.

The motion was not agreed to.

The Committee of the Whole resumed its session.

IMITATION DAIRY PRODUCTS.

The CHAIRMAN (Mr. SPRINGER). The House has directed the committee to pass over the bill the title of which has been read. The Clerk will now report the next business upon the Calendar.

The Clerk read as follows:

A bill (H. R. 8328) defining butter, also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine.

The bill was read at length.

Mr. HATCH. Mr. Chairman, it is not my purpose at this time to occupy the floor in an explanation of this bill, as I have already expressed my own views and those of the Committee on Agriculture in the report accompanying the bill. I shall, however, avail myself of the privileges accorded to me under the rules of the House to occupy my hour in closing the general debate.

I recognize, Mr. Chairman, that this is an important bill, and desire that it shall have a full and fair discussion in the committee. I shall not attempt to-day to fix any limit to the debate, and shall be governed to some extent at least by the disposition and wishes of the House in that regard.

I now yield the floor to the gentleman from Pennsylvania [Mr. SCOTT] such time as he may desire to occupy.

Mr. SCOTT. Mr. Chairman, it was my privilege a short time ago to introduce in the House a bill designed in its provisions to regulate the manufacture and sale of what is known as oleomargarine. The bill was referred to the Committee on Agriculture, as were other bills subsequently presented bearing upon the same subject. Hearings were allowed by the committee to those desiring to be heard, whether in favor of or opposed to legislation upon the question; and after weeks of patient labor a bill has been reported which in all respects meets my unreserved approval. The honorable chairman of the committee having courteously tendered me an hour of the time allotted for the discussion, I will undertake to briefly state some reasons why in my judgment such a measure is at this period not only opportune but absolutely necessary if one of the chief industries of the country is to be spared from the doom which now threatens it.

It is needless for me to speak of the importance to a nation of throwing every possible safeguard about its agricultural interests. They who devote their entire lives to the production of those articles which are relied upon for the sustenance of the people have a primal right to make known their grievances and to persist in their appeals until at least a measure of relief is afforded. The farmer is never aggressive, but always patient. His hours of toil are not limited to the period between the rising and the setting of the sun; he suffers hardships in his battles with nature, but his struggles are the struggles of peace; he is always law-abiding, and never fractious. True to the independent characteristics of his calling, he is slow to invite others to his assistance; and when that appeal is made it should be answered with a promptness that attests the nation's confidence in his statements and appreciation of his worth.

Within a period of less than ten years a gigantic traffic has grown up which has already displaced one-fifth of the purest product of the dairy and substituted therefor an article the ingredients of which are acknowledged to be not only offensive in their original character to human taste but positively injurious to the public health. So rapidly has this traffic developed, and so vast have its proportions become, that State Legislatures have been powerless to arrest its growth, and the National Congress is finally appealed to to pass laws that shall at least check its further disastrous advance.

With this object in view a convention of men representing the dairy interests of twenty-six States of the Union was held in the city of New York early in the present year. It was composed of delegates appointed by governors of States, as well as delegates from State agricultural societies and boards of agriculture, State and local dairy associations and granges, and from the produce and mercantile exchanges of New York and other cities. This convention was not the mere outgrowth of meaningless agitation, but it was the culmination of an honest sentiment, based upon a sense of injustice, and carrying with it a determination to organize upon the principle of self-protection. They temperately discussed the evils from which they were suffering. In view of the wrong that has been inflicted upon them and the nature of the commodity which has made such inroads upon their individual welfare, it would not have been surprising if they had asked for its complete extermination; but, recognizing the personal as well as the commercial rights of others, they sought in a spirit of moderation and through the adoption of laws to be placed upon at least an equal footing with their dangerous competitors.

In the first place, it is nowhere denied that oleomargarine is sold in immense quantities, honestly as oleomargarine but fraudulently as the purest article of dairy butter. In fact the highest indorsement afforded it by the manufacturers of the compound is to the effect that so thoroughly have they mastered the secret of deception that the most skillful expert is unable to distinguish the pure from the imitation article. It is at this point that the wrong begins; and this is a wrong no less to the dairyman than to the consumer. The genius which has

succeeded by the application of chemical fluids and compounds in transforming a mass of loathsome and unwholesome ingredients into an article of food at a trifling cost, does not hesitate to impose the product upon the public, and receive in the way of excessive profit the difference between the cost of the imitation or counterfeit article and that of pure butter. It was to the regulation of this feature of the traffic that the convention applied itself.

All will recognize the indisputable fact that a natural and constant demand exists for genuine butter. It is to furnish the supply to meet this demand that the dairyman has invested his money in land, and crops, and stock, and machinery, and applies his labor. If, after all his toil and expense to produce an article of unadulterated purity, which the public demand, he finds, on reaching the market, that his real product has been forestalled by a spurious article unsuspectingly purchased by the consumer, surely he is entitled to some redress. The manufacture and sale of oleomargarine, therefore, unrestricted by legislation, is a present and increasing injury to that class of the agricultural community especially engaged in the dairying interest. The provision of the proposed bill in no wise inflicts hardship upon the manufacturer of oleomargarine, but simply raises the farmer to the plane of fair and honest competition.

As in the past there have been so there will in the future continue to be various grades of butter, and side by side with these the differing grades of oleomargarine may still be offered and accepted by those who prefer the one to the other. The cost of from 7 to 9 cents a pound, at which it is claimed the best grades of oleomargarine can be produced, renders it possible, notwithstanding the proposed tax, for the imitation to openly compete with the genuine. The question will then be solved by the preference of the individual, and the penalty will only follow the imposter and wrongdoer.

An interesting and, in my judgment, a very important question is involved in the consideration of a measure of this character. This country is distinctively adapted to agricultural pursuits, and the rapid development of State after State since the birth of the Republic has been largely due to the peculiar attractiveness of our territory for labor in connection with the cultivation of the soil. They who represent this class of labor are usually self-reliant and industrious men. They realize the privations associated with the calling, and measure by the true standard the chances of success. They are early taught practical lessons in economy and thrift, and how best to apply these first principles is the problem to the solution of which the best years of their lives are devoted. That such magnificent results, in the aggregate, have been so speedily achieved, is the most flattering certificate of their ability, as a class, that could be formulated.

I do not need, in my present surroundings, to cumber my remarks with statistics, so thoroughly recognized and impressive is the record of their accomplishments. But what has it cost to produce these results? In the first place, toil of the most unremitting and exacting character; in the second place, that peculiar order of genius or tact which is constantly seeking to apply means to ends. Unless a farmer is possessed of both of these qualities his lands will go to waste and his cattle will starve. Nor is the one useful without the assistance of the other. He may toil without ceasing, but if he does not possess tact to direct his labor he will reap a poor reward; and however liberally he may be endowed with tact, unless he supports it with his toil, only disappointment and desolation will result.

A kindred principle applies to the intelligent conduct of his work, namely, the dependence of one branch of his industry upon another. It is only the operation of a natural law of compensation which compels a return to the soil of a portion of that which it has yielded as a reward to the husbandman for his toil. It is a mistake to argue that the world owes every man a living; on the contrary, every man owes to the world a due measure of toil through which his living is acquired. And it is through the perfection of this idea that the condition of mankind is advanced, and the world is rendered better according to the measure of individual contribution to the general sum. The farmer who should rely upon the first-mentioned theory, to which expression is often idly and thoughtlessly given, and should possess himself of his farm with the idea that he, being its owner, is entitled to a sustenance therefrom without properly caring for his stock or intelligently providing for the development of his crops, would speedily run abreast of bankruptcy and starvation.

Moving together hand in hand, the cereal and the dairy branches have attained for agriculture that perfection which has rendered the system an object of national pride. Having done this much for itself without the fostering aid of class legislation, the great farming interest may rightfully insist upon a hearing when it appeals for protection against an insidious foe whose further advancement must inevitably destroy its chief support. If the farmer is stripped of his direct profit derived from the products of his dairy he must part with his cattle, and thus lose the incidental advantage that accrues from their natural contributions to the soil.

The sundering of this link can not fail of being disastrous in its effects, not only to the individual, but in time to the country at large. If the traffic in oleomargarine shall continue with the same energy which has marked its growth during the brief period that has intervened since

the earliest productions of the compound, it will in a few years almost wholly supplant the trade in genuine butter. The farms, deprived of their herds, will inevitably degenerate in the character of their soil, and instead of being, as at present, the abodes of comfort, thrift, and happiness, they will become impoverished tenancies, yielding no revenue to the State and barely an existence to the unfortunate dwellers upon them.

In the rapid march of American progress agriculture has promptly followed in the track of the railway. Before the age of steam it was the pioneer of civilization, but as the railroad penetrated farther and farther into the great West agriculture yielded its leadership, but only to become the chief auxiliary to the more vigorous representative of the spirit of the times. Less than half a century ago the northernmost limit of the great wheat belt of the continent was to be found in the famous valleys of the Mohawk and the Genesee; and upon the banks of the Genesee and at the falls of that river, in the city of Rochester, the great milling industries of the country were centered, while at the falls of the James River the Haxhall flour, produced from the wheat grown in the rich valleys of Virginia, was of a quality second to none in the world, and commanded the markets of South America, into which we are now unsuccessfully endeavoring to introduce the surplus products of our mills and factories.

To-day the great stone mills on the borders of the Genesee are devoted to other uses. The wheat belt rapidly extended into the new States of Ohio and Indiana, thence into Illinois, Michigan, and Wisconsin, and later into the vast Territories of the great Northwest. With it the milling interest departed from Eastern centers, and now, around the Falls of Saint Anthony, in Minnesota, a locality which only a generation ago was the tenting-place of the savage, are clustered a series of majestic flouring mills, which, in their capacity and appointments, are not only the pride of the nation, but the wonder of the world. As the population in the East became more dense, the farming lands increased in value.

The tendency of continued cropping to cereals being toward the exhaustion of the soil, the herd supporting the dairy became more and more necessary for the successful maintenance of the farm. Convenience to ready markets and facilities for transportation rendered this branch of the industry one to be preferred; hence the cereals, which could no longer be profitably grown in the East, were gradually shifted to the cheaper lands of the West which nature for centuries had been nursing into fertility for the approach and reward of the pioneer.

But nature is always exacting. Having given to man the virgin soil of the prairies from which, through industry, to reap his bountiful harvest, she has compelled the maintenance of the same degree of fertility which she originally bestowed; hence the herd of the dairyman again became a necessity, and has continued to be a necessity wherever the cereals have advanced to extract the original vigor of the soil. While the two have never wholly parted company, the dairy in its work of repairing the exhaustion has largely extended its area, and in so doing has encroached so far upon the territory of its companion industry that to-day the great fields of the cereals are found far out upon the Western and Northwestern frontiers, while the butter-making and cheese interests have grown to immense proportions in the States of Michigan, Wisconsin, Minnesota, Nebraska, and Iowa, as well as in Kansas and Missouri, reaching eastward through Tennessee, Kentucky, Virginia, and the Middle States to the famous dairying communities of Pennsylvania and New York.

As the country with the lapse of time and increasing age is gradually taking upon itself the conditions of permanence in the location of its industries, it is fair to assume that within the region outlined the dairying interest is destined to become for all time established. The importance to the nation of its proper maintenance can not be questioned. So wisely have the geographical limits of our country been defined that there is little in the way of products of the soil necessary to the existence of its people that can not be grown within our own borders; and so thoroughly balanced and nicely distributed are our gifts, that the system of dependence of the various sections one upon the other is perfect, while our national independence, which is our chief glory and pride, is at the same time assured.

The particular region in which the dairying industries of the country have established themselves is especially adapted by nature for their perpetuation, not for climatic reasons alone, but because they are indispensable for the preservation in a productive state of the soil of the vast territory upon which they flourish. It is always an omen of approaching disaster whenever any legitimate industry shows signs of decay, for it is upon the well-being and contentment and prosperity of all that a nation thrives. A blow to the dairying interests of this country is a blow to the vitals of the nation. The effect of its decadence would not be confined to those directly engaged in the pursuit, but would be felt in every nerve of our national system. It would mean the lapsing of lands to a condition of unproductiveness and waste and a surplussage of labor in another branch of industry.

The effect would speedily be felt in our revenues as well as in every avenue of trade. So completely do the laws of nature intertwine themselves with every system of human government for the betterment of the condition of mankind, that when the farms of a great country be-

come tenantless, and the soil is allowed to remain uncultivated, no theory of political economy can be devised which will point to national prosperity and success. In our Northern clime cultivation of the soil means compensation to the soil, and this the herd of the dairyman is designed especially to provide. The great South finds a substitute for this element of Northern husbandry in her tropical sun, which warms and nurses into life the seed sown in her soil, and transforms it into her vast stretches of cotton, rice, and sugar-cane.

But there is another view of this question, which, it seems to me, should preponderate in the mind of every man who is not content with looking only to the present, but who desires to contribute something to the well-being of the generation that shall follow. As a people, we have advanced within a century of time from the limited importance of a mere colony to the position of a leading nation of the earth.

A few years ago we regarded Europe as the permanent market for our cereal products. But the ingenuity and enterprise of man are constantly changing the problems that statesmanship is called upon to solve. From the first era of civilization with which commerce is in any way identified, a short route to the Indies from the continent of Europe has been one of the chief objects sought to be attained, and the most enterprising nations of the earth have been engaged in the solution of the problem. It was the pursuance of this idea more than any other which gave to the world a new continent, and rendered it possible for the Anglo-Saxon race to become the dominant race of the world.

It was reserved to the nineteenth century to witness the solution of the problem, which has been accomplished through the construction of the Suez Canal, supplemented by the invention of steam-power. The early navigators, leaving the shores of the Mediterranean and doubling the Cape of Good Hope in their search for the shortest route that would command the trade of the Indies, little suspected that their ships need never have passed the Straits of Gibraltar in their efforts to reach their goal. The construction of that canal has revolutionized the maritime trade of the world.

According to the estimates of competent authorities, it has in ten years alone saved in transportation an amount in excess of that required for its construction. It has brought the wheat fields and the cheap labor of the Indies into serious competition with the enterprise of our own country, and it may yet prove a serious factor in the competition of the cotton markets of the world. He must be a wise man indeed who will hazard a prediction as to what the ultimate result to us will be. Already one marked effect is apparent in the reduced demand for our cereals. Should this condition of affairs continue, the fields upon which has been grown the surplus of cereals, and which surplus we have been able to sell in European markets, must be devoted to other uses, and to nothing can they be so readily applied as to the production of articles connected with the dairy.

For these the demand at home and abroad is practically unlimited. Properly fostered and cared for, the dairy industry is more profitable than wheat-growing; it does not rob the soil of its vigor to the same extent as the cereals, while it is constantly repairing the exhaustion that occurs in its operation. We need have no fear of competition with other countries in this particular branch if we only remain true to ourselves. In fostering this industry we not only protect the five millions of farmers at present identified with it, but we offer to every farmer now engaged in growing grain, if found unprofitable, the opportunity to devote a portion of his farm and energies to the development of his dairy.

In view, therefore, of the possibilities of a largely increasing demand for our dairy products in the future, and the competition we have already encountered in connection with our cereals, this proposed legislation is especially seasonable; for if we permit the products of the dairy to be driven from our home and foreign markets through unfair competition, the milk of the cow can not be utilized for other purposes. Nor will the passage of such a law as that proposed react injuriously upon other branches of the agricultural industry, inasmuch as the healthy and pure product of the hog, which it is claimed enters largely into the manufacture of butterine, has at present a ready and profitable market when rendered into lard and lard oil, and the former is now a formidable competitor with butter for many of the purposes for which butter can be used.

The same theory is also applicable when considered in connection with the suet and fat of the beef-producing animal. How soon the great necessity will be upon us of turning almost wholly from the cereals to productions of the dairy with which to supply our export demand we may not now be able to accurately determine; but that we are rapidly approaching such a possible condition of affairs no one who studies the signs of the times in this connection will deny. For the past few years we have seen the price of wheat steadily decline, until to-day No. 2 wheat is selling for about 76 cents per bushel on the Chicago Grain Exchange. From this price must be deducted elevator charges at point of shipment, railroad transportation rates, and commissions to middlemen. These may be fairly estimated at 26 cents per bushel, leaving as the average amount realized by the producer on his farm 50 cents per bushel.

It is unnecessary to say that this means bankruptcy to the farmer if

wheat is his main reliance. But that is the condition at this time, and within two months the reaper will resume its work with every indication of an abundant harvest. Yet, even at these low figures, our exportations of wheat are gradually decreasing in volume. Over one-half of our population are engaged in the cultivation of the soil; and if any measures can be devised which will afford relief to or strengthen the farmer in his struggle with the adverse conditions which prevail, from whatever cause they may arise, we would, in my judgment, be rendering a most acceptable service to the country by thoughtfully applying ourselves to their prompt consideration and adoption.

In conclusion, I will only briefly refer to the objections to the passage of this bill which have been advanced upon constitutional grounds. As I understand the Constitution, one of its fundamental principles is to promote the general welfare of those who seek protection under its shield. In my judgment, the manufacture and sale of oleomargarine, and all other articles represented and sold as the products of the dairy, but lacking their purity, while being sold as articles of genuine quality, is a system of piracy which not only deprives the farmer of his honest and well-earned dues, but while advancing under false colors inflicts a positive injury upon the public health.

The Congress of the United States unquestionably possesses the right to tax any industry or any commodity, however innocent in its effects. The harmless article of salt, which enters so largely into the manufacture of butter, carries with it the enormous tax of 236½ per cent., while whisky is taxed 90 cents per gallon, with the avowed object of restricting its sale because of the baneful influence which springs therefrom. There are those who favor the taxation of oleomargarine to the point of extermination, but with these I can not agree. If there are those who prefer oleomargarine to the genuine butter, the manufacturer should be allowed to supply that demand; but, in my judgment, he should be required to pay a tax sufficient at least to equalize the difference in the cost of producing the counterfeit and the cost of producing the genuine article which he seeks to imitate and displace.

This theory I maintain upon the principle that one who devotes his time, his capital, and his labor to the production of a pure and wholesome commodity, and who is thereby contributing to the general welfare of the people, is entitled to as much consideration as one who is devoting his time, his capital, and his labor to the production of an impure and unwholesome commodity, which has an impairing influence upon the population and does not contribute to the permanent welfare of the people.

In view of the report made by the Committee of Agriculture, after a thorough investigation of the subject, I believe that we, as the representatives of the people, are competent judges of the effect of counterfeit dairy production upon the general welfare. The bill before us seeks to promote that welfare, and is hence, beyond all suggestion, thoroughly in harmony with the spirit of the Constitution.

The line of our duty in this respect, therefore, it seems to me, is made so clear to all, that upon the simplest and most rudimentary basis of reasoning the passage of a law such as that now being considered and seeking to correct the evils pointed out is of paramount importance to the country at large, to the end that not only a great national industry shall be protected from the assaults of an illegitimate competitor, but that the general welfare may be promoted thereby.

Mr. HATCH. Mr. Chairman, I now yield the remainder of my hour to the gentleman from Illinois [Mr. HOPKINS] on my left.

Mr. HOPKINS. Mr. Chairman, no more important bill has been before this House during the present session than the one we are now considering. Representing as I do one of the richest and best dairy districts in the United States, I feel an especial interest in the question now under discussion. The enactment of this bill into a law by the Forty-ninth Congress will be but tardy justice to a most deserving class of citizens. Our farming interests, in my judgment, have not received heretofore the care and consideration from Congress they deserve. In time of peace or war we look to the tillers of the soil for the source of all our national prosperity.

Let us now give them this national legislation to insure their prosperity. During the time I shall occupy the attention of the House in the discussion of the bill I shall only note its leading features, and limit myself to a statement of some of the reasons why it should be enacted into a law, and answer so well as I can the arguments urged against it by those who profess a preference for a shadow to the substance of a thing—a fraud to the genuine article. The bill, Mr. Chairman, defines butter, and states "that for the purposes of this act the word 'butter' shall be understood to mean the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter."

All substitutes or imitations of butter, commonly known as oleomargarine and butterine; "oleolardine, suine, neutral and oleomargarine oil; and all mixtures and compounds of these substances; and all lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, annatto and other coloring matter; intestinal fat and offal fat made in imitation or semblance of butter, or calculated or intended to be used as butter or for butter," are defined oleomargarine for the purposes of this act.

Manufacturers of oleomargarine and wholesale and retail dealers in

this product are all required to be licensed, and the product is required to be put up in various-sized packages by the manufacturer to suit the conveniences of his business, properly stamped, so that the dealer, with the manufacturer, can not be imposed upon, but will know that he is buying oleomargarine and not butter. Such requirements are also placed upon the wholesale and retail dealers that no imposition can well be practiced on the consumer or public. A tax of 10 cents per pound is fixed on the manufacture of oleomargarine, and proper penalties attached to all infractions or violations of the law. To secure an effective enforcement of the proposed law it is made a part of our internal-revenue system.

I think, sir, it is so framed that it can easily be enforced, and yet is so comprehensive in character that it will serve as a sure protection against the sale of any imitations or fraudulent substitutes for pure butter as defined in the first section of the act. I am well aware that grave objections can be urged against some of its provisions. It, however, has received the most careful scrutiny of some of the best legislators in the country and been approved by them. The Committee on Agriculture have given the whole subject embraced in the bill the most careful and patient examination, and they report this bill without a dissenting vote or voice.

If left to my individual vote I would pass the bill without any amendment or change, and yet I would not imperil its passage in the House by obstinately adhering to the tax of 10 cents per pound on every pound of oleomargarine manufactured where some other member, actuated by honest motives, as I presume him to be, shall feel that 2 or 5 cents per pound is as much as should be imposed. What I want is that a stop shall be put upon the sale of an article for butter which has not an element of that product in its composition. Do away with all deception and fraud. Let all products be placed upon the market on their merits. That there should be legislation of the character proposed in the bill I think must be apparent to all men; that it is a crying need is seen and felt by those who have the interests of farmers and dairymen at heart.

Those of you whose thoughts are engrossed in other subjects are little aware of the great interests involved and invested in the dairy business in America. There are produced annually in this country 1,600,000,000 pounds of butter and 400,000,000 pounds of cheese. Nineteen hundred million dollars is a moderate estimate of the value of the property invested in producing that amount of butter and cheese per annum. The dairy interest ranks among the first of our great American industries. How has it fared in the busy hum and whirl of life? To build up great manufacturing interests in our cities, on the shores of our vast lakes and along the banks of the great rivers that flow to the sea, laws have been enacted, and justly, too, I think, to foster and protect them. High duties have been placed upon all like articles manufactured in foreign countries.

As a result of such laws foreign competition has been driven out of our market. Men have been encouraged to invest their capital in manufactories. The furnace has been lighted, the wheels of machinery set in motion, the loom and the spindle made to give forth their homely music, and as a result we have become the greatest manufacturing nation in the world. During the time these manufacturing interests have been developing from small beginnings to such gigantic proportions the farmers of America have bravely borne their part. They have quietly submitted to the imposition of a tax or duty upon the tools and machines they used, the clothes they wore, and the beds upon which they slept, on the assurance that these manufactories would build up a home market for the products of their farms and dairies. They have gone on month by month and from year to year cultivating their farms, increasing the number of their cows for the dairy, and improving the breed of their stock. The good housewife has cheerily gone about the work of converting the milk and cream in her dairy into pure butter and rich cheese that delight the eye and satisfy the taste of the most critical.

Within a score or more years creameries have been established and butter and cheese factories built to relieve the laborious work of butter and cheese making upon the farm, and to encourage the farmer to still further invest in dairy interests until property to the amount of the estimate I have given has become invested in this business, and the annual production of butter and cheese so great as to almost amaze us. These results have been reached not by the aid of legislation, but by the honest industry and economy of the farmers. With many the earnings of a life are found in their cows and the butter they make. This great interest has become imperiled by one of the most gigantic frauds of modern times.

During the Franco-Prussian war an inventive genius by the name of M. Mège discovered that the fats of such animals as cattle, horses, and dogs could be made into a substitute for butter. The war measure of the inventive Frenchman was seized and improved upon by the ever restless Yankee. Our Patent Office has been besieged with applicants for patents. Without inquiring into the merit of the article proposed to be manufactured, or testing the questions whether, when manufactured, it would work a fraud on the honest producer of butter or be injurious to the health of the consumer, the Government has granted patent after patent, until now there are fifty-eight distinct and differ-

ent ways patented for ruining the honest producer of butter and for undermining the health of the consumer.

The following is a list comprising sixty different articles named by seventeen patentees in their patents, and claimed by them to be used in the manufacture of oleomargarine oil, neutral lard, oleomargarine butter, butterine, &c.:

Sugar of lead, bisulphate of lime, saltpeter, borax, boracic acid. Salicylic acid, benzoic acid, orris root, cotton-seed oil, vegetable oils. Butyric acid, bicarbonate of soda, nitrate of potassa, glycerine, caprylic acid.

Cuparic acid, alum, capsic acid, sulphite of soda, cow's udder. Commercial sulphuric acid, pepsin, sal-soda, tallow, lard. Sea-salt, farinaceous flour, butyric ether, caustic potash, carbolic acid.

Sulphuric acid, castor oil, chalk, slippery-elm bark, caul. Oil of sesame, oil of sunflower seeds, olive oil, curcumin, turnip-seed oil.

Bromo chloralum, chlorate of potash, niter, oil of sweet almonds, oil of peanuts.

Peroxide of magnesia, stomach of pigs, of sheep, of calves, nitrate of soda, bennie oil, gastric juice.

Mustard-seed oil, nitric acid, dry-blood albumen, sugar, butyric acid. Bicarbonate of potash, chloride of sodium, caustic soda, corn starch, coloring matter.

Factories for the manufacture of such fraudulent, and I might almost say criminal, substitutes for butter have been established in different cities in the country. In Chicago alone, I am told on good authority, 200,000 pounds are made daily, and I have it from reliable sources that at least 200,000,000 pounds of these fraudulent imitations of butter are made annually. If these imitations of and substitutes for pure butter were marked or labeled what they really are, and the dealers and consumers advised of what they are purchasing and eating, no complaints would be made by the dairymen. The great wrong is the fraud and deception practiced in selling such loathsome compounds for genuine butter.

By this deception not only are the farmers and dairymen cheated, and that most dishonestly too, out of the sale of 200,000,000 pounds of the butter they manufacture, but the knowledge of these frauds being practiced upon the people has lessened the consumption of butter an almost equal amount annually. The evil of oleomargarine and butterine is not confined to the domestic trade in butter. Prior to these fraudulent substitutes we had established a market for our American butter in Scotland, England, France, Germany, Austria, Italy, and other countries of Europe. Our export trade to these countries is being ruined by the shipment of the products defined in this bill as oleomargarine and sold there as pure dairy butter.

The baleful results of these frauds are seen everywhere among the farmers and dairymen. Mortgages are being placed upon the farms. The once fine herd of cows, the pride of the farmer, is lessening in numbers, and those that remain yield but a small, if any, profit to their owners. The proprietors and managers of the creameries and butter and cheese factories are failing and making assignments for the benefit of their creditors. An almost complete prostration and stagnation of the dairy interests of the country is inevitable unless Congress comes to their relief. This legislation is asked not for the purpose claimed by the opponents of the bill, to discriminate against one legitimate industry for another. It is asked for, in addition to the aid for revenue, that all products may be manufactured and sold to the consumer for what they are and that no deception may be practiced.

The farmers and dairymen have no fear of competition if the product is sold for what it is. The manufacture of all these articles enumerated in the bills and defined "oleomargarine" are denounced because they are made to imitate genuine butter.

Mr. WARNER, of Missouri. Is that the purpose of this bill—to secure the proper printing and marking of oleomargarine and other imitations of butter?

Mr. HOPKINS. That is one of the purposes of the bill.

Mr. WARNER, of Missouri. That is the important purpose?

Mr. HOPKINS. That is one of the important purposes.

You may protect yourself from an open enemy, but it is the assassin who attacks you in the dark or cowardly strikes you in the back from behind who is to be feared. The manufacture and sale of oleomargarine have played the part of the midnight assassin to the production of honest butter. The claim of its being a legitimate and honest industry as compared with dairy butter is about the same as that of the assassin, that his hellish work should meet with the approval of law-abiding citizens and God-fearing men.

The Government provides by the most stringent laws against counterfeiting money. The manufacture and sale of bogus butter is equally as destructive of public morals and as injurious to those upon whom the deception is practiced. That such a law as this proposed is constitutional is no longer a debatable question. No lawyer on this floor will imperil his reputation by taking the position that it is unconstitutional. The Supreme Court of the United States has forever settled the constitutionality of such legislation. The only reasons that can be urged against the bill relate to the policy of the Government embarking in this kind of legislation.

It is always policy to do right. It is wise legislation to protect honest industry from fraud and deception. The public interests demand it. The present practice of oleomargarine manufacturers and dealers is to deceive the people of the United States to their harm by leading them to purchase these counterfeits for the real article. It is asserted by the friends of these bogus substitutes for butter that they are healthy. They can not be. All kinds of filthy fats are used in their manufacture. Animals dying from all kinds of disease are utilized, and after going through their bleaching and deodorizing processes are manufactured into oleomargarine and sold for pure butter.

Gentlemen of rare scholarship and scientific attainments have given this whole subject years of careful thought and study, and are unqualified in their statements of its unwholesome and loathsome character. Its consumption in their judgment leads to insanity, Bright's disease, and many of the ailments that undermine the strongest and most robust constitutions. I appeal to the members of this House to now and here lay a heavy hand on this greatest of all modern frauds. Make this bill a law, and compel all who are engaged in the manufacture and sale of this article carry on their business under honest colors.

As has been wisely and well said in a recent editorial in the New York Daily Tribune:

Such a production as that of bogus butter can have no legitimate standing-place in the field of American industry. It has no more right to recognition of Congress than the sawdust game or the policy business. Its place is in the catalogue of "crooked" occupations, and nowhere else is it entitled to representation.

The latest argument I have heard against this bill is that it is legislation against the laboring man; that oleomargarine is the poor man's butter; and to tax it is to take the amount of the tax out of his hard earnings. Shakspeare has given us an answer to that:

Mark you this, Bassanio,
The devil can cite scripture for his purpose.
An evil soul, producing holy witness,
Is like a villain with a smiling cheek;
A goodly apple rotten at the heart;
O, what a goodly outside falsehood hath!

Who are the men who make this argument for the poor man? They are the fat and well-flavored—the Mark Antony kind of men. They are the men who have grown rich in the manufacture or trade of oleomargarine at the expense of the farmer and the public.

Within a day or two I have received a series of resolutions condemning this proposed legislation from a body of gentlemen in Chicago.

They are eminently respectable as the world goes. They style themselves "Representatives of the stock exchange." They are most emphatic in their statement that such legislation is injurious to the poor man. God help the poor man if all the rights he enjoys are obtained and preserved through such sources! Why this sudden awakening by these men on the question of the poor man's rights? Does anybody believe this argument would be heard from such a source, at least if the rich oleomargarine manufacturers and dealers were not to be affected by this bill if it becomes a law? I say to the poor man, "Beware of these gift-giving Greeks!" Do not permit such men to use you to strike down the great butter industry of this country. This argument is really an insult to the laboring men.

Has it come to this in America that the laboring man must live upon adulterated food? Must his wife and family use for the pure butter of our dairies an artificial butter, the compounds of diseased hogs and dead dogs? Let the rich and prosperous men, these new converts to the poor man's rights, pay the laboring man better wages, so he can live upon wholesome food. Let their sympathy be expressed in that way. Let them prove to the world by their acts, not their words, that they are in truth the poor man's friend.

But I deny, Mr. Chairman, the charge that this legislation will increase the price paid by the laboring men for the butter they consume. Oleomargarine is now sold at butter prices by the deception practiced.

This bill will make the dealer in that article sell it for what it is. If the poor man wants it, he can buy it for less per pound than it is now sold. The manufacturer and dealer may not make as great profits, but the consumer will certainly not be required to pay more for it per pound. This talk about the poor man or laboring man is false and dishonest. It is the last resort of a class of men who have been preying upon the public and one of our greatest industries for years.

Let the mask be torn from them and let them appear before the public in their true colors! If this bill becomes a law oleomargarine can no longer be sold for dairy butter. If it is a wholesome article of food, as claimed by its friends, under this bill it can be manufactured and sold at a profit. If it is not wholesome it is criminal to manufacture and sell it.

I hope, Mr. Chairman, before the sun goes down to-morrow night the glad news will be sent to the farmers in all parts of our great country that this bill has been passed by the House. [Applause.]

[Here the hammer fell.]

Mr. DUNHAM. Mr. Chairman, I yield ten minutes of my time to the gentleman from Georgia [Mr. HAMMOND].

Mr. HAMMOND. Mr. Chairman, the farmers of this country are much more interested in preserving our American system of govern-

ment in its purity than in suppressing the manufacture and sale of oleomargarine.

This report gives two reasons for the passage of this bill: one, that Congress has the power to do it, and the other that it ought to do it, because oleomargarine produces dyspepsia. Neither of these is a good reason for this Congress doing anything. Congress has the power to do many things which it ought not to do. Congress is nobody's doctor. [Laughter.] When the gentleman from Pennsylvania [Mr. SCOTT] was asked to put it upon any constitutional basis, he sought to rest it upon the "general-welfare" clause of the Constitution. There is no such clause in the Constitution as allows Congress to do whatever it may think for the general welfare. He called selling oleomargarine piracy. Did he rest it upon the piracy clause?

There is such a clause, but the making of oleomargarine is not piracy "on the high seas." The gentleman from Illinois who just took his seat [Mr. HOPKINS] says that oleomargarine produces Bright's kidney disease, and he wishes Congress to become a doctor. Let us look at the matter seriously. Just what the Congress can do it ought to do to take care of the farmers and everybody else, provided it does it honestly and in accordance with the Constitution of the country.

This report cites the case of the Veazie Bank, in which it was decided the Government might tax out of existence, if it saw proper, rival State banks, in order to give circulation for its own currency. That was no new doctrine. All parties had agreed upon that power. It was recommended by Mr. Cobb as Secretary of the Treasury in 1857. But what is the declaration in the Veazie Bank case as to the reason of the thing? I read from that decision at page 451, 8 Wallace:

There are indeed certain virtual limitations arising from the principles of the Constitution which would undoubtedly be an abuse of power if so exercised as to impair the separate existence and independent self-government of the States—

Everybody will admit that. But further it says: or if exercised for ends inconsistent with the limited grants of powers in the Constitution.

Now I tell every man in this House that can conscientiously say that his vote for this bill is only to raise a tax that he may honestly vote for it under the taxing power of the Constitution. But if his reason is to help one Yankee to fight another Yankee in his industry, and he votes for this bill, he will have abused the powers of the Constitution which he swore to support. The gentleman from Pennsylvania [Mr. SCOTT] said that the States are powerless, and therefore the General Government should act. In 1833, with a very large establishment in my own city making oleomargarine, Georgia passed an act declaring that every particle of butterine should be so marked, and that every man who carried it into his boarding-house, restaurant, or hotel for eating should put up a placard that "his house uses oleomargarine"—that he should put it on his bills of fare and publish it in every room, or be guilty of a crime. And the manufacture died in Georgia. According to the protectionists' logic, *post hoc propter hoc*, the law killed the factory. It can be done everywhere where the people desire to kill it. And then you keep the constitutional system intact.

I have before me, but will not stop to read from it in my limited time, "Cooley's Constitutional Limitations." It declares that the States, and the States only, may make laws to protect the health and morals of the people or make laws to keep people from drinking liquors in the States. The Government of the United States can not do it. The Government of the United States can tax liquors. But the honorable gentleman from Pennsylvania [Mr. SCOTT] was mistaken when he said that those taxes were levied on tobacco and liquor because they were supposed to be injurious. They were levied because those things are classed as the non-necessaries and by some as luxuries. No government ever yet taxed either for the purpose of excluding bad things from the stomachs of its people.

Any State now may so far interfere with the taxing power of the Federal Government as to declare that no gallon of liquor shall be made or sold within that State. The Supreme Court has so held from "the License cases" in 5 Howard's Reports down; because the State under State police power has the authority and the exclusive authority. Cooley also declares that the Government of the United States has a police power, but that that police power is only to enable it to carry out the powers delegated in the Constitution, those surrendered by the people to that Government and not to the States. Now, if what I have said is true, this bill as a bill to suppress the manufacture of oleomargarine is unconstitutional.

Again, it is protection run mad when we say, "Protect my industry against that other fellow's here at home." This bill is not framed to prevent cheating people. The very first section protects colored butter. It says "butter" shall include "butter made with or without coloring matter. You may swindle me as much as you please by making white butter look yellow. It is only the thing which comes in competition with that colored butter that must be excluded, because it is not genuine butter.

I have other objections to this bill, which I will state in the few minutes I have. It is a bill to popularize, and therefore perpetuate and extend, the internal-revenue system. Who else will come here next week and say, "Add a few officers in the Internal Revenue Depart-

ment to protect me, who am selling my Pennsylvania tobacco, against that man who sells Sumatra covered up and calls it Pennsylvania; I want you to add on to your law that that shall be a crime—cheating in cigars.' Another man will say he is selling pure woolen goods, but that others put cotton in their goods and tell lies about them, and ask for another set of men to watch him. And the whole time of the Congress will be taken up in trying to catch up with American rascality—a thing that is impossible. [Laughter.]

There is a demand for the cheap and the nasty, and as long as people ask for cheap things there will be adulteration. This bill is wrong for another reason. It is admitted now that butterine is made so pure in appearance, so pure in taste, and in many other particulars, that nobody can distinguish it from genuine butter.

A MEMBER. You have been eating it at your hotel in Washington. Mr. HAMMOND. I have no doubt I have been eating it for years, and I have enjoyed it. [Laughter.] If I had known it was butterine I would not have enjoyed it. Just as your 90 cents on whisky has taken away all that was good and given you all that was mean, so this tax will not keep butterine out of the market, but will make dearer butter, and meaner this substitute for those who want cheap food.

There is a demand for butter under 50 cents a pound. These great dairymen in Pennsylvania and in the West, who make their millions of pounds of butter and cheese for shipment all over the world, say they can not get as much as they ought to get for their products if others can sell their manufactures. The reply is: Under the Constitution we have given protection by customs duties as against foreigners, but never have we undertaken to give protection to one individual of our own people as against another individual of our own people. It is said that this is a very important matter. Of course it is very important. Nothing that affects so large a body of respectable and good men or the powers of our Government can be unimportant.

The truth is our country is so big that the smallest thing in it, when you come to aggregate it and consider it, becomes a problem large enough to burst a common man's head. The true theory, though, the theory that we have stood upon heretofore and upon which we should continue to stand, is to let all the people in this country buy and sell what they please to each other, except when the States where the article is made or where it is sold believe it injurious to the public health or morals. And there I propose to stand. My State has no special interest in this business that I know. There is not a pound of oleomargarine made in my State of which I am aware. There can not be while our present law exists on the statute-book, and we intend to enforce it.

Our people do not make butter for sale, but we are purchasers of butter and of cheese. Of course our farmers do make butter to sell to us in small quantities. And the very fact that there is a spurious article makes the honest man's character count, and makes his butter bring a better price, because when I buy it I can say, "I know that I am not cheated when I am trading with you." The very fact that this imitation butter is shipped into Georgia makes every Georgia farmer that much better off when he goes to market, because he can say to his customers, "Here is something that did not come from abroad; it has on it the stamp of my integrity, and the character of my wife and daughter is a guarantee of its purity."

[Here the hammer fell.]

Mr. DUNHAM was recognized, and yielded fifteen minutes to Mr. REAGAN.

Mr. REAGAN. Mr. Chairman, our first inquiry is, what is the object sought to be attained by the passage of this bill? Judging from the arguments that have been made in support of it and from the provisions of the bill itself, I take it that the purpose is to drive oleomargarine out of use, in order to protect the people against fraud and to preserve the public health. The provisions of the bill which induce me to think that the object is to drive oleomargarine out of use are those which require the manufacturer to pay a tax of \$600 and the wholesale dealer a tax of \$480, and also the provision which levies an additional tax of 10 cents a pound upon the article in the hands of the retail dealer.

Mr. HENDERSON, of Iowa. I beg the gentleman's pardon. The manufacturer has to pay the 10-cent tax, not the retail dealer.

Mr. REAGAN. Well, the point is that in addition to the license tax there is another tax of 10 cents a pound, whether it is to be paid by the manufacturer or by the retail dealer. Then, any person who purchases or receives for sale any oleomargarine that has not been properly branded according to law is liable to a penalty of \$50, and higher penalties are imposed for other violations of the law. If the object was to tax oleomargarine for revenue, it would be within the power of Congress to levy such a tax, but the object manifestly being to drive it out of existence, to destroy it as a product, there is, in my judgment, no power under the Constitution authorizing the passage of such a bill. We nowhere in the Constitution find any power authorizing Congress to destroy any product or to outlaw any article. There is no such power. The States may, if they see proper to do so, but we have not been informed that any State has attempted to do it, and if the community suffers the injury which it is alleged grows out of the manufacture and use of oleomargarine, it is singular indeed that the people in the several States have not discovered

that fact and applied the remedy which they clearly have the power to apply in such cases.

Mr. Chairman, it is said and will be said again that there are many improper and unhealthy ingredients in these articles, and that the use of them ought to be prohibited and prevented. I have just stated that under the Constitution we have no power to do that. There are a great many things that are wrong and injurious to the individual and to the public that Congress can not prevent or prohibit. Assault and battery is wrong, murder is wrong, larceny is wrong, arson is wrong, bribery is wrong, many things are wrong and do great injury which Congress can not punish, because the power was not delegated to it by the people who made it. No more can you undertake to punish the manufacturers of oleomargarine by destroying their property, because no such power is delegated to you under the Constitution. Mr. Chairman, if Congress should undertake to do all the things that are necessary to the perfect peace, security, and happiness of the people, it would be compelled to have sessions of twenty-four months in each year, and then it would not get through.

Now, sir, I agree with gentlemen who think that some legislation is necessary in reference to the manufacture and sale of oleomargarine. I would, wherever Congress has the power, require the makers of this article to place upon it the evidence of what it is.

Mr. BROWN, of Pennsylvania. Can that be done without taxing it?

Mr. REAGAN. In the District of Columbia and in the Territories it can be done. If the people of the various States are not interested enough in the subject to want it done, Congress had better not interfere. If the States see proper to regulate this matter they have the power to do so.

Mr. PETERS. May I ask the gentleman a question?

Mr. REAGAN. I have only a few moments.

Mr. PETERS. I would simply like to call the gentleman's attention to this point: Suppose one State does regulate this matter by law and an adjoining State does not, what good does the regulation do in the State that undertakes to regulate?

Mr. REAGAN. Each State can protect its own citizens by proper regulation and proper inspection, whether another State does so or not, just as it can protect its own citizens against any other violation of the law without the concurrence of any other State. There is no trouble about that.

Mr. Chairman, I would by State law adopt some provision requiring oleomargarine when offered for sale to be sold for precisely what it is, just as I would within the States if I had the power compel the makers of brown paper shoe-soles to stamp upon them the evidence that they are brown paper and not leather; just as I would require wines and liquors when sold in bottles or other packages to be stamped or labeled with the actual quantity instead of permitting them to be sold for one-third or one-fourth more. All these matters are proper subjects for regulation by State authority; but I would not, because evils of this kind require to be regulated, strike down our system of Government and overturn the Constitution; for these matters can be more properly regulated by State authority.

Mr. Chairman, if things continue to go on as they have gone on at this session, we shall, after another Congress or two, find people coming here with petitions declaring that in their neighborhood a tree has been blown by a storm across their fences and asking Congress to give them relief. There is no telling what we shall come to in view of the way we are proceeding this session.

A MEMBER. And all done under Democratic administration! [Laughter.]

Mr. REAGAN. Yes; I am ashamed to say these things are done in a Democratic House. I do not pretend to excuse Democrats who vote for these measures. Republicans may be excused because they do not believe there is any Constitution. [Laughter.]

Mr. HENDERSON, of Iowa. You ought to know better than that, Brother REAGAN.

Mr. REAGAN. Anything introduced in this House which would clearly violate the Constitution could, I think, get a solid vote on the other side because it violated the Constitution. But we have on this side a few who still have some little compunction about disregarding the Constitution.

Mr. MILLIKEN. I desire to ask the gentleman whether the case he put, of a tree having been blown down and the Government being asked to pay for the damage, does not illustrate some of the provisions in the river and harbor bill, which I believe the gentleman sustained.

Mr. REAGAN. I do not see the pertinency of the gentleman's question; if I did I would try to answer it.

Mr. MILLIKEN. I am afraid the gentleman does not look very sharp to discover it.

Mr. REAGAN. I suppose the gentleman means to imply that the river and harbor bill was unconstitutional.

Mr. MILLIKEN. No; I merely mean to imply that it contained some provisions for the protection and benefit of private property by appropriations out of the public Treasury.

Mr. REAGAN. There was never any such provision inserted in the bill with my consent.

Mr. STRUBLE. If the bill now under consideration is in fact unconstitutional, may we not expect that the Supreme Court of the United States will so declare, and thus preserve the Constitution?

Mr. REAGAN. No, sir. By this I do not mean to say that the Supreme Court would not in a case coming within its judicial control enforce the Constitution; but as to a certain class of questions, political in their nature, the Supreme Court of the United States will not revise the action of Congress. Although it may be clear that the act was passed in disregard of the Constitution, that the men who voted for it violated that instrument either through ignorance or from some other motive, yet it is not all matters of legislation in respect to which the Supreme Court can correct the unconstitutional action of Congress.

Mr. STRUBLE. Do not the court act upon the principle that the question being of a political nature they will leave it to the people to say what shall be done in the premises?

Mr. REAGAN. I suppose the gentleman means that the people can do anything, Constitution or no Constitution.

Mr. HISCOCK. Do I understand the gentleman from Texas to say that this bill in its terms as written is unconstitutional?

Mr. REAGAN. I say that taking the provisions of the bill in connection with the arguments employed in support of it, it is clearly shown that the purpose of the measure is not revenue but the exclusion of a particular article from use. The object is clearly to legislate in favor of one class of people and against another class; to legislate in favor of people who make butter, and against people who make oleomargarine.

Mr. HISCOCK. Then I understand the gentleman to concede that the bill as written is in its terms constitutional.

Mr. REAGAN. I can not make any other answer than I have made. The bill shows upon its face that it is not meant for revenue, but to exclude from use oleomargarine. The arguments in support of it are all in the same line.

Mr. HISCOCK. Then do you not pronounce it constitutional? I understand you do.

Mr. REAGAN. I do not wish to be misunderstood. I do not desire to have it supposed that I have any sympathy with the improper practices of those engaged in the making of oleomargarine. I would require by the proper authorities, by the States within States, and if necessary by Congress where it has jurisdiction, that those engaged in this business should clearly show what it is.

I would make it highly penal to put any unhealthy ingredients in it. I would make it an offense to sell it without proper evidence of its character. This being shown, it would then take its proper place as oleomargarine, and not be palmed off as real butter.

I have no sympathy with a fraud which represents oleomargarine as genuine butter. And when you put these restrictions upon its sale it will then be known as oleomargarine. Then if this cheap substitute for butter is desired by poor people who are not able to buy genuine butter which is costly, if the cheap substitute be healthy and pure, who here will say poor people shall not supply themselves with it? And this is one of the reasons why I oppose the bill. I would allow its manufacture, I would prevent putting improper ingredients in it, I would provide for showing what it is, so that those wishing to purchase genuine butter may do so, and those wishing to purchase a cheaper and healthful food, may also have the opportunity to do so.

[Here the hammer fell.]

Mr. DUNHAM obtained the floor.

Mr. SCOTT. Before the gentleman from Texas takes his seat I would like to ask him one question.

Mr. REAGAN. My time has expired, or I would be glad to yield to the gentleman from Pennsylvania.

Mr. DUNHAM. I will yield long enough for the gentleman from Pennsylvania to ask his question.

Mr. SCOTT. The gentleman from Texas says he wants to protect the poor people. The object of this bill is to protect the poor people by enabling them to get the genuine article of butter. It can be proved a spurious article, not what it is represented to be, can be purchased at 7 cents a pound, and is purchased at the factory at 7 cents a pound, and then palmed off upon poor people as genuine butter at from 18 to 25 cents a pound.

Mr. REAGAN. So far as the fraud is concerned of representing oleomargarine as butter, I would prevent that; but I think the gentleman is mistaken as to the object of the bill. It is to protect dairymen who own cows and make butter which is sold at a high price and against furnishing poor people with a cheap substitute therefor at a low price.

Mr. SCOTT. No; it is to protect poor people and secure to them genuine butter at a low price, and not oleomargarine, a spurious article, at a high price.

Mr. DUNHAM. I will reserve the remainder of my time, as I understand the other side desire to be heard.

Mr. HISCOCK. Mr. Chairman, as I understand the gentleman from Texas [Mr. REAGAN] who has just preceded me, and as I understood the gentleman from Georgia [Mr. HAMMOND], there is not a provision in this bill to tax oleomargarine and imitations of butter which is unconstitutional. As I understand the arguments of both of these gentlemen, they assume to put reasons in my mouth and to assign reasons

to gentlemen generally upon this floor why they may or will vote for the bill, asserting, if you please, the reasons thus assigned are unconstitutional, or have no warrant in the Constitution, and therefore the bill itself is unconstitutional, they argue.

They propose to look back of the bill itself and to say that I am animated to vote for it because I wish to protect the butter industry, and that as Congress has no power under the Constitution to do that, therefore the bill is unconstitutional. I apprehend every member of this committee who examines the provisions of the bill in detail, or considers it as a whole, will agree it nowhere is in conflict with the Constitution.

The gentleman from Georgia [Mr. HAMMOND] suggests it is not in the interest of the farmer—if he knew, poor man, what his interest was—that this bill should become a law.

Well, sir, as I am informed, two-thirds of the States of the Union, and more than two-thirds of the people of the United States, have by affirmative legislation upon the statute-books of their States respectively declared they do want just such a law as the pending bill enacted. And, so far as the first question is concerned, whether it is in the interest of the agricultural people of the United States that we should have this legislation, I propose to leave it to them, to that class, and I am not compelled to confine myself to memorials which are often cheap, very cheap, which have come to us, but I can point to their declarations in emphatic terms, through their chosen representatives, in the form of State law, and I need not go any further than the statute of the State of Georgia, to which the distinguished Representative from that State has referred. It voices the sentiment of the people of the other States and characterizes their legislation.

Now here is a product so vile in its ingredients and so unhealthy in its use the people of the State of Georgia have said of it that an inn-keeper using it shall place a sign over the entrance to his inn announcing that oleomargarine is used there as food; and, further, that upon the register where a man writes his name as a guest notice shall be given that they feed their guests on the nasty and unwholesome food, outterine.

That is the character of the product; and gentlemen may bring here the report of chemists as much as they please, for what can speak more plainly or more emphatically of the bad character of this compound or more intelligently than this solemn act of the Legislature of the intelligent people of a great State compelling inn-keepers to advertise this compound as the poison which is given to guests if it uses butterine or oleomargarine or any of the base imitations of butter, by whatever name called?

What next? And now, Mr. Chairman, I am coming, and shall speak very briefly, to the constitutional question involved here. I ask gentlemen upon the other side of the House, who always have or profess to have special charge of the Constitution, when has there ever been a time in the history of our country when, for the purpose of taxation, we have not discriminated in favor of one industry and against that of another? It is conceded on all hands that under the taxing power we can tax the manufacture of any product out of existence, and where then is the ground for opposition to this bill? It has always been conceded by every statesman, or less, who has ever discussed a tax law, that it was proper to discriminate in favor of, protect, if you please, one industry if it needed it as against another. This can not be disputed, and who challenges the assertion?

How long has it been since the Democratic party in its national convention declared in positive terms in favor of the doctrine which I have just cited? Taxation with incidental protection was once a plank in its platform, unless my recollection fails me, and we need invoke nothing further here. This side of the House has ever been ready to go that length, and does not that doctrine cover the suggestions of the gentleman from Georgia and the objections of the gentleman from Texas, and justify all parties in supporting the pending bill? Constitutional warrant for taxation with incidental protection is all that is required or asked for. The principle underlying that plank of the platform in the national convention carries with it the power to enact this bill.

Gentlemen have been appealed to and put upon their consciences and oaths in delivering their votes upon this bill. Well, by our votes one industry is to be stricken down; that great industry in favor of which three-fourths of all the States have legislated—agriculture, an industry from which this country derives practically all of the wealth it has—or we are to foster and support it. What is asked? That in levying taxes we will give it incidental protection as against a compound which has been declared by those who have examined it to be vile in its component parts and carrying with it the germs of insidious disease, a fraudulent, spurious article, which is palmed off upon the poor as an honest product of the dairy. And, Mr. Chairman, I have heard the poor man alluded to in this discussion more than once. There are those here who seem to have him always with them in their professions. This compound is palmed off upon him, freighted with disease, as a wholesome product, and for it he pays the full price of the genuine product of the dairy.

What, then, do we propose by this bill? We propose, under the Constitution, if you please, to give incidental protection to the agri-

cultural industries of the country by forcing this vile, dirty, diseased product to pay an internal tax. By all parties who have ever formulated a tariff bill this principle has underlain the whole subject. It has been the foundation-stone upon which such bills have been constructed always, and it is fair to say that the internal-revenue taxes upon our statute-books can only be sustained upon that theory, and that theory alone. Alcohol and its products, believed by the people to carry with their manufacture and sale vice and crime, is still taxed upon the theory that it is a tax upon vice and crime, and in some degree may restrain them; and there is not a feature of the internal-revenue taxes now collected but that the argument has been made over and over again in favor of it that it should be supported and sustained because the industry taxed can well afford to pay it.

Suppose a provision should come in here to repeal the bank tax? Would not the argument be urged against it that the tax is upon capital, upon wealth; that the banks can afford to pay taxes? Would this argument be presented in favor of the repeal, that it was unconstitutional? And that that tax is imposed for no other reason in the world than that the banking capital can afford to pay, and is discriminated against, and for the benefit of other property?

And I repeat, and challenge contradiction, the whole system of internal-revenue taxation rests upon the principle of protection: that it is within the province of the legislators to discriminate in the levying of taxes, to levy them upon the industries which can well afford to pay them and upon those which are believed to foster crime and disease. Can we not carry that same principle a little further, and levy a tax upon this industry which carries with it and disseminates disease; levy a tax upon an industry that is prosperous because frauds are practiced by it?

Who is there who believes for a moment that oleomargarine would be sold in the markets of the United States if the purchaser knew the vile compound he was buying? It has its place in the markets here because people are ignorant of what it is. They buy it without knowing that they are being deceived; and can we not as against this diseased product, this fraud, in levying taxes exercise the powers which have been exercised by the Government heretofore against whisky, tobacco, and banks, and impose a tax upon it and brand it? Because it is unhealthy, vended by deceptive and fraudulent practices, does that give it immunity? Because it is only bought, because the consumer does not know of the fraud that is being practiced upon him and is ignorant of what he purchases, do gentlemen tell us, then, that in enacting this taxing law we are violating the Constitution?

Well, Mr. Chairman, if we are, and I deny it, I will take my part, and I hope you will take your part, in all the violation of the Constitution there is involved in voting for the passage of this bill!

It has been suggested in this discussion that State legislation is the proper method of dealing with this matter. Sir, there is no way to regulate the trade in this article unless you regulate, control, supervise the manufacture of it. The manufacture can only be regulated in that way. The Government must take possession of the factory where it is made, and it must be made under Government inspection and under Government license. Its manufacture must be surrounded by all the regulations, by all the laws, by all the penal provisions of the statute, if you please, that are made to surround the manufacture of alcohol and its products. With that precedent upon the statute-book, with all the precedents that we have had in the past upon this question, are we to be frightened from the support of this bill because possibly it can be construed, claimed, imagined, guessed, dreamed that some gentlemen may have supported it for unconstitutional reasons?

It is not my intention in this discussion to enter at any length into the methods of the making of this what should be a contraband article. I concede what will be asserted upon this floor that oleomargarine can be made as pure, as healthy for use as food as butter is itself. I grant it; and when evidence is brought forward here in support of that proposition I concede it all. I have no doubt the evidence points to the fact that it can be manufactured so that it is butter; in all its constituent parts, and, in the proportion which one part bears to another, as pure as butter.

But, sir, that is not all. You can, and they do in the main, manufacture it so that it is little less than poison—I amend my remark and strike out "little less than." It is manufactured so that it is poison; and yet the ordinary consumer can not tell it from the pure article—from butter—and pays the price of butter for it. I go further than that, and say that no man except the scientist by an analysis or by the microscope can tell it from the pure article or from butter; and this vile compound it is that is put upon the market and sold to the poorer class who consume it. Having collected in it the germs of all the diseases which infect animals, and never having been subjected to that degree of heat which would destroy the germs, it is absolutely a poison to the human stomach, freighted with disease, freighted with death. It can be made in that way, and, as I said a moment ago, it is not within the power of any man unless he has scientific attainments and brings analysis or the microscope to bear upon it to distinguish the poor article, the poison, from the good.

I refer to it again and urge it as a power that we have, as a duty that is imposed upon us here, to so legislate, so tax, that industries of this

kind—industries which ought not to prosper, industries that if we had the power, the constitutional power, we ought to strike down and out of existence—should pay their proportion of the taxes for the support of this Government.

I grant, sir, that this bill carries with it all the machinery which is necessary for the purpose of forcing this article, if marketed at all, of forcing it to be advertised so that its true character and its true nature may be known to the consumer. I grant, sir, this measure may possibly have the effect of stamping this industry out of existence. I do not know whether it will or whether it will not. If it is so unwholesome that when advertised no man will buy it, I shall have no sorrowing over my share in the alleged violation of the Constitution of my country by the vote I shall give in favor of this bill, and that should not afford a reason why it should not be taxed. Must we, are we forbidden to tax by the Constitution those products, that the mere process of taxation, and because the process of their taxation, will advertise their quality and character and stop their production and sale? *

And right here, Mr. Chairman, for I am advised that I ought to consume about all the time until five o'clock, as no one else wishes to take the balance of the time till then—there is one suggestion in this connection I will make, and I hope that I will hear from the friends of oleomargarine upon that point before this discussion is over. Why is it that you so struggle against this bill? Why is it that day after day for weeks our desks have been covered with literature upon this bill? Is it because of the tax which is imposed upon it? Is that the reason? I believe and doubt not it will be demonstrated in this discussion that oleomargarine can be manufactured to-day, the pure article, healthy as food, pay all the tax that this bill imposes, and compete in the markets with butter.

Mr. CANNON. And not be raised in price?

Mr. HISCOCK. And not be raised in price to the purchaser at retail.

Mr. JOHNSTON, of Indiana. What advantage then do you gain by this bill?

A MEMBER. The Government gets the tax.

Mr. HISCOCK. It can be manufactured, as I have said, can pay the tax which this bill imposes, and be sold if pure and healthy side by side with butter—I mean at the price that butter commands in the market. But now for the reason why this bill is opposed. The imposition of this tax is not the reason why it is opposed. The opposition is due to the fact that an impure article is known to be poison, to be unhealthy, destructive to the human race, carrying with it disease to whoever eats it; and that fact may have the effect to stop the sale of all imitations of butter, for who can tell whether he is buying a pure or an impure article?

Again, sir, imitation butter is now sold as butter and at a butter price to the unsuspecting consumer. He it is that is poisoned and cheated. The effect of the bill will be to brand the goods, give them their true character, obviate, prevent fraud, and all this opposition is not against the tax, but because it will prevent fraud and deception. And shall we forbear to tax the vile stuff, a poison, because thereby the true character may be known?

I trust gentlemen will cease to invoke the Constitution as an argument against the bill.

Mr. HATCH. Will the gentleman from New York yield to me?

Mr. HISCOCK. I yield to the gentleman.

Mr. HATCH. I move that the committee rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. SPRINGER reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 8328) defining butter; also imposing a tax upon and regulating the manufacture, sale, importation, and exportation of oleomargarine, had come to no resolution thereon.

Mr. HATCH. Mr. Speaker, I ask unanimous consent that the House take a recess until half past 7 o'clock; the evening session to be devoted to general debate upon this bill, no other business to be transacted.

Mr. DUNHAM. To that proposition, Mr. Speaker, I shall have to object. I move that the House do now adjourn.

Mr. HATCH. Pending that I move that the House take a recess.

The SPEAKER. The motion to adjourn has priority.

Mr. HATCH. I trust the gentleman will withdraw it.

The House divided on the motion to adjourn; and there were—ayes 49, noes 54.

Mr. DUNHAM. I demand tellers.

Mr. HATCH. Mr. Speaker, I am satisfied that the gentleman from Illinois [Mr. DUNHAM] is determined that this order shall not be made, and it is not worth while to try to have tellers in the minute and a half or two minutes that remain between now and 5 o'clock.

Mr. DUNHAM. Mr. Speaker, I am satisfied that the gentleman from Missouri [Mr. HATCH] is perfectly correct in his statement. [Laughter.]

The SPEAKER. The noes have it, and the House refuses to adjourn.

Mr. HAMMOND. Mr. Speaker, I move the House take a recess until half past 7 o'clock for debate only on this bill.

Mr. DUNHAM. On that motion I demand the yeas and nays.
While the House was dividing on the question of ordering the yeas and nays, the hour of 5 o'clock having arrived, 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. G. E. ADAMS: Petition of the Trade and Labor Assembly of Chicago, Ill.—to the Committee on the Judiciary.

By Mr. BOUTELLE: Petition of the Women's Indian Association, of Bangor, Me., in favor of the passage of Senate bill 54 for the allotment of lands in severalty—to the Committee on Indian Affairs.

By Mr. T. M. BROWNE: Petition of William H. Sigmore, late of Company G, Seventeenth Kentucky Infantry, and of Jeremiah Hutchison, of Sullivan County, Indiana, for invalid pensions—to the Committee on Invalid Pensions.

By Mr. BURROWS: Petition of about 1,000 citizens of the District of Columbia, asking that square No. 406, west of the General Post-Office Department building, be secured as a site for the city post-office—to the Committee on Public Buildings and Grounds.

By Mr. BUTTERWORTH: Petition of Eliza Rodde, of Cincinnati, Ohio, for relief—to the Committee on Invalid Pensions.

By Mr. COLLINS: Petition of J. McLaughlin, for the removal of the charge of desertion—to the Committee on Military Affairs.

Also, memorial of A. L. St. Clare, of Charlestown, Mass., asking that all foreign laborers be excluded for a certain time—to the Committee on Labor.

By Mr. CUTCHEON: Resolutions of the board of trade of the city of Detroit, Mich.—to the Committee on Agriculture.

By Mr. DANIEL: Petition of citizens of Lynchburg, Va., in favor of the National Board of Health—to the Committee on Commerce.

Also, petition of Francis Sorrel, of Roanoke County, Virginia, for removal of disabilities imposed by the fourteenth amendment to the Constitution—to the Committee on the Judiciary.

By Mr. DOCKERY: Petition of Arlanta T. Taylor, widow, for a pension—to the Committee on Invalid Pensions.

By Mr. DORSEY: Petition of the Board of Trade of Elgin, Ill., regarding butterine—to the Committee on Agriculture.

Also, petition of 89 citizens of Clay Centre, of 74 citizens of Geneva, of 123 citizens of Orleans, of 25 citizens of Wisner, and of 73 citizens of Omaha, Nebr., asking passage of an act authorizing the Union Pacific Railway Company to build branch lines—to the Committee on Pacific Railroads.

By Mr. ELDRIDGE: Petition of C. N. How and 23 others, of Washtenaw County, Michigan, praying for an act upon the subject of pensions in accordance with the recommendations of the Grand Army of the Republic—to the Committee on Invalid Pensions.

By Mr. EVERHART: Petition of J. Howard Slaymaker, for an invalid pension—to the same committee.

By Mr. FINDLAY: Memorial of Douglas H. Thomas and others, and of John D. Earley and others, of Baltimore, Md., in favor of the redemption of the trade-dollar—to the Committee on Coinage, Weights, and Measures.

By Mr. FLEEGER: Petition of Capt. John F. Morris, late of the Eighty-third Regiment Pennsylvania Volunteers, for an increase of pension; also medical testimony in support of same—to the Committee on Invalid Pensions.

Also, petition of members of the Grand Army of the Republic of Meadville, Pa., asking an increase of pension to Capt. John F. Morris, late of the Eighty-third Regiment Pennsylvania Volunteers—to the same committee.

By Mr. GOFF: Petition of David C. Gorman, Company C, Seventh Regiment West Virginia Infantry Volunteers, for a special-act pension—to the same committee.

By Mr. GROUT: Petition of George T. Oflin and 20 others, citizens of Putney, Vt., for a tax on oleomargarine—to the Committee on Agriculture.

By Mr. HAILEY: Petition of Thomas E. Bassett and 728 others, citizens of Bingham County, Idaho, against the passage of House bill No. 6153—to the Committee on the Territories.

By Mr. HANBACK: Petition of members of the late Union Army at Tivoli, Kans., for pensions to all soldiers of the late war—to the Committee on Invalid Pensions.

By Mr. HARMER: Petition of Margaret Stewart, for a pension—to the same committee.

By Mr. HAYNES: Memorial of A. H. Cragin and others, asking damages by reason of change of grade around East Capitol Park—to the Committee on the District of Columbia.

By Mr. T. J. HENDERSON: Petition of ex-soldiers of Ashtabula County, Ohio, to equalize bounties of soldiers, sailors, and marines of the late war—to the Committee on Military Affairs.

By Mr. HEPBURN: Memorial of B. F. Allen, of Iowa, asking for relief from certain costs assessed by the Supreme Court of the United States—to the Committee on the Judiciary.

By Mr. HISCOCK: Petition of Mrs. A. J. Northrup and others, for

the passage of Senate bill 53, for the relief of the Mission Indians of California—to the Committee on Indian Affairs.

By Mr. HOPKINS: Petition of citizens of Libertyville, of Maple Park, of Ringwood, of Hebron, of Pingree Grove, of Sulphur Glen, of Wanconda, of Dundee, of Marengo, of Sycamore, of Plato Centre, of Poplar Grove, of Spring Grove, and of McHenry, Ill., in favor of taxing oleomargarine—to the Committee on Agriculture.

By Mr. JACKSON: Petition of soldiers of Beaver, Pa., in favor of the passage of additional pension laws—to the Committee on Invalid Pensions.

By Mr. J. T. JOHNSTON: Petition of Malinda Lemon, widow of Samuel Lemon, asking for the passage of a bill granting her a pension—to the Committee on Pensions.

By Mr. LYMAN: Petition of Progressive Association of Hamburg, Iowa, for various reforms—to the Select Committee on Reform in the Civil Service.

Also, papers to accompany House bill for the relief of Sarah E. Myers, widow of Abraham Myers, Company E, Twenty-second Iowa Infantry—to the Committee on Invalid Pensions.

By Mr. MCCOMAS: Petition of S. Prigg Belt, administrator of Charles R. Belt, deceased, late of the District of Columbia—to the Committee on War Claims.

By Mr. MILLARD: Petition of citizens of New York, asking for the redemption of the trade-dollar—to the Committee on Coinage, Weights, and Measures.

Also, resolutions of the Legislature of New York, in behalf of Col. J. D. Stevenson—to the Committee on Military Affairs.

By Mr. MILLIKEN: Petition of William Conner and others, for a pension to Augustus Bradbury—to the Committee on Invalid Pensions.

By Mr. MITCHELL: Petition of Women's Indian Association, of New Haven and of Guilford, Conn., for the passage of Senate bills 53 and 54—to the Committee on Indian Affairs.

By Mr. MORROW: Memorial of the Ladies' Silk-Culture Society of California, requesting an appropriation of \$30,000 to continue the work of the Pacific Coast Silk Culture Station for the next two years—to the Committee on Agriculture.

By Mr. OSBORNE: Petition of 54 miners and laborers, citizens of Clearfield County, Pennsylvania, requesting that the Curtin committee shall investigate the causes of trouble now at issue in that district—to the Committee on Labor.

By Mr. OUTHWAITE: Petition of the Womans' Indian Association of Columbus, Ohio, in favor of the passage of Senate bills 53 and 54—to the Committee on Indian Affairs.

By Mr. PARKER: Petition of citizens of Independence, N. Y., in favor of the bill of the Committee on Agriculture to tax fraudulent butter—to the Committee on Agriculture.

By Mr. PEEL: Papers relating to the claim of J. M. Hobbs—to the Committee on Claims.

By Mr. REAGAN: Petition of Joseph Nimmo, jr., for relief—to the Committee on Appropriations.

By Mr. RICHARDSON: Petition of W. A. Bowers, legal representative, and heirs of Joseph C. Bowers, deceased; of Jane M. Massengill, of Jefferson County, and of William Quearles, administrator of Mary Quearles, deceased, asking that the case be referred to the Court of Claims—to the Committee on War Claims.

By Mr. ROCKWELL: Petition and papers for the relief of Leo Karpelles—to the Committee on Military Affairs.

By Mr. SENEY: Protest of the Chamber of Commerce of Milwaukee, of the Board of Trade of Kansas City, of Commercial Exchange of Chicago, of the Merchants' Association of Milwaukee, of the Live-Stock Exchange of Kansas City, of the Chamber of Commerce of Cincinnati, of the Produce Exchange of Toledo, and of Armour & Co. of Chicago, against taxing oleomargarine—to the Committee on Agriculture.

By Mr. SNYDER: Petition of Malinda Rodgers, of Greenbrier County, West Virginia, for relief—to the Committee on War Claims.

By Mr. SOWDEN: Petition of the Women's Indian Association of Bethlehem, Pa., favoring the passage of Senate bills 53 and 54—to the Committee on Indian Affairs.

By Mr. STAHLNECKER: Petition of the Board of Trade of Saint Joseph, Mo., against taxing oleomargarine—to the Committee on Agriculture.

Also, petition of Charles Schiff, vice-president of the Alabama Great Southern Railroad, and many others, for an appropriation to carry out the plans recently adopted for the organization of the section of steam transportation in the United States National Museum—to the Committee on Appropriations.

Also, resolutions of the common council of Norfolk, Va., urging the establishment of a ship-yard at that city—to the Committee on Naval Affairs.

Also, petition of the Board of Trade of Elgin, Ill., in favor of the bill now pending on the subject of oleomargarine—to the Committee on Agriculture.

By Mr. J. W. STEWART: Petition of Eliza Trefren for widow's pension—to the Committee on Invalid Pensions.

By Mr. W. J. STONE, of Kentucky: Petition of John F. Hopkins,

asking that his name be placed on the pension-roll—to the same committee.

By Mr. ZACH. TAYLOR: Petition of J. A. Morris and wife; M. A. Moore, J. W. Wilkes and others, heirs of Joseph Mitchell, deceased, of Hardeman County, Tennessee, asking that their claim be referred to the Court of Claims—to the Committee on War Claims.

By Mr. WEBER: Petition of Charles Schiff, vice-president of the Alabama Great Southern Railroad, and others, for carrying out the plans for the organization of the section of steam transportation in the United States National Museum—to the Committee on Appropriations.

By Mr. WISE: Petition of the Common Council of Norfolk, Va., relating to the establishment by the Government of a yard on the Atlantic coast for the construction of iron ships—to the Committee on Naval Affairs.

The following petitions, urging the adoption of the bill placing the manufacture and sale of all imitations of butter under the control of the Commissioner of Internal Revenue, taxing the same 10 cents per pound, and urging the adoption of such effective measures as will save the dairy interests from ruin and protect consumers of butter from fraud and imposition, were presented, and severally referred to the Committee on Agriculture:

By Mr. FELTON: Of citizens of Saint Helena, Napa County, California.

SENATE.

TUESDAY, May 25, 1886.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.
The Journal of yesterday's proceedings was read and approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Navy, transmitting, in reply to a resolution of March 5, 1886, information in regard to changes made from the original plans of construction of the cruisers Chicago, Boston, Atlanta, and Dolphin; which was read.

The PRESIDENT *pro tempore*. This communication is accompanied by a large mass of documents, which, if there be no objection, will be referred to the Committee on Printing, to ascertain and report whether it is necessary that they should be printed.

Mr. CAMERON. Let the communication itself from the Secretary of the Navy be referred to the Committee on Naval Affairs.

The PRESIDENT *pro tempore*. The communication from the Secretary of the Navy will be printed and referred to the Committee on Naval Affairs, and the accompanying documents will be referred to the Committee on Printing.

PETITIONS AND MEMORIALS.

The PRESIDENT *pro tempore* presented a communication from the governor of Ohio, transmitting resolutions of the senate of Ohio in regard to the election of Hon. HENRY B. PAYNE as a United States Senator from that State; which, with the accompanying papers, was referred to the Committee on Privileges and Elections.

He also presented a petition of the board of county commissioners of Bernalillo County, New Mexico, praying for prompt and favorable action on the bill to settle private land claims in Colorado, New Mexico, and Arizona; which was referred to the Committee on Private Land Claims.

Mr. SEWELL presented a memorial of Welcome Circle, No. 3, Brotherhood of the Union, of Camden, N. J., remonstrating against the acquisition of land in this country by aliens; which was referred to the Committee on Public Lands.

Mr. ALLISON presented a petition of Knights of Labor of Dubuque, Iowa, praying that liberal appropriations be made for works of internal improvement and especially for the construction of the Hennepin Canal; which was referred to the Committee on Commerce.

Mr. CONGER presented a petition of Peter Nelson and 54 other citizens of Barkville, Delta County, Michigan, and a petition of J. C. Bishop and 21 other citizens of Ottawa County, Michigan, praying for the enactment of a law authorizing the Postmaster-General to pay the expenses of rent, light, and fuel, and granting other relief to all postmasters of the third and fourth classes; which were referred to the Committee on Post-Offices and Post-Roads.

Mr. HOAR. I present a petition of E. C. Flagg and other citizens of Upton, Mass., highly respectable farmers there, praying for the enactment of the provisions contained in the bill concerning oleomargarine, reported by the House Committee on Agriculture. I move that the petition be referred to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. EUSTIS presented resolutions adopted by the Legislature of Louisiana, favoring the passage of a law to establish a navy-yard at New Orleans; which were referred to the Committee on Naval Affairs.

Mr. PALMER presented resolutions adopted by the Detroit Board of Trade remonstrating against the proposed tax on butterine or oleomargarine; which were referred to the Committee on Agriculture and Forestry.

Mr. WILSON, of Iowa. I present the petition of Richard B. Rians, praying for the passage of an act to increase his pension.

The petitioner states that his father served in the American Army in the Revolutionary war; that he himself served in the Army in the war of 1812, and also served as a member of the Thirty-seventh Regiment, Iowa Volunteers, known as the Gray Beard Regiment, in the war of the rebellion; that he had four sons, two sons-in-law, and thirteen step-sons who served in the Union during the war of the rebellion, making twenty members of the Army from that family; and that he is now drawing a pension from the United States of \$12 per month. He is nearly eighty-eight years of age, is almost blind and nearly helpless, and in consequence of his age and infirmities is entirely unable to do anything toward his support.

I think the petition presents, in connection with the papers accompanying it, a case that the Committee on Pensions may early and favorably consider.

The PRESIDENT *pro tempore*. The petition will be referred to the Committee on Pensions.

Mr. LOGAN presented a memorial of the board of directors of the Chicago Board of Trade, remonstrating against the passage of the bill proposing to tax oleomargarine and butterine; which was referred to the Committee on Agriculture and Forestry.

He also presented a memorial adopted by a joint session of Local Assemblies No. 4080, No. 1597, No. 405, No. 4327, No. 4449, No. 5959, and No. 1912, Knights of Labor, of Englewood, Ill., remonstrating against the proposed tax on imitations of butter; which was referred to the Committee on Agriculture and Forestry.

He also presented a resolution adopted by the Board of Trade of Chicago, Ill., favoring the construction of a railroad bridge across the Ohio River at or near Cairo, Ill.; which was referred to the Committee on Commerce.

Mr. MILLER presented a petition of citizens of Ellicottville, N. Y., praying for the passage of the bill taxing all imitations of butter at 10 cents a pound; which was referred to the Committee on Agriculture and Forestry.

REPORTS OF COMMITTEES.

Mr. SEWELL, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

- A bill (H. R. 1505) granting a pension to William Dermody;
- A bill (H. R. 5333) granting a pension to Edward L. Hill;
- A bill (H. R. 5306) granting a pension to Roxana V. Rowley;
- A bill (H. R. 6257) for the relief of Julia Connelly;
- A bill (H. R. 1943) granting a pension to James L. McClarran;
- A bill (H. R. 5307) granting a pension to Lieut. Joseph Prost; and
- A bill (H. R. 5334) granting a pension to Henry Annin.

Mr. SEWELL, from the Committee on Military Affairs, to whom was referred the bill (S. 2249) to authorize the Secretary of War to credit the Territory of Dakota with certain sums for ordnance and ordnance stores issued to said Territory, and for other purposes, reported it without amendment, and submitted a report thereon.

Mr. HOAR. I am directed by the Committee on Claims, to whom was referred the bill (S. 998) referring to the Court of Claims the claim of the owner of the bark General Berry, destroyed while in the service of the United States, to ask to be discharged from its further consideration and that the same be referred to the Committee on the Judiciary. I desire to say one word upon that motion.

This claim came in by way of petition, the petition of one James Hooper, and was very fully and thoroughly considered by the Committee on the Judiciary. An adverse report was unanimously agreed to. Then the petitioner, feeling aggrieved, urged a rehearing, which was granted him, and he iterated and reiterated his desire, and the matter was very thoroughly and patiently heard and disposed of.

Now the same claim comes in again in the guise of a bill which does not allude to the petitioner's name, but says, "A bill referring to the Court of Claims the claim of the owner of the bark General Berry." Instead of giving the name of the person, it describes him in that way, and the bill is sent to another committee.

I think under the circumstances, whichever committee should originally have had jurisdiction of such a claim, the same committee that dealt with it before should deal with it again.

The PRESIDENT *pro tempore*. If there be no objection the Committee on Claims will be discharged from the further consideration of the bill and it will be referred to the Committee on the Judiciary.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (S. 2419) granting a pension to Jackson Steward, moved its indefinite postponement; which was agreed to.

He also, from the same committee, to whom were referred the following bills, reported them severally without amendment, and submitted reports thereon:

- A bill (H. R. 7979) granting a pension to Jackson Steward;
- A bill (H. R. 6430) granting a pension to Lucy G. Dutcher;
- A bill (H. R. 5021) granting a pension to Mrs. Margaret A. Jacoby;
- A bill (S. 2479) granting a pension to Mrs. Adaline P. Loy;
- A bill (S. 2459) granting a pension to Eliza Wilkins;
- A bill (S. 2420) granting a pension to Sidney Denton;
- A bill (S. 2391) granting a pension to John G. Warren;