The committee will bear me out on this, that I have not touched at all upon that tender, nervous, irritable subject, the five monitors. If we had touched upon that, I do not know how it might have affected this discussion. There are differences on that matter wide and vast. The gentleman from Texas [Mr. SAYERS], my colleague on the committee, who is now looking at me smilingly, would differ, I suppose, entirely from myself about the history of those vessels, the propriety of finishing them, and what they would be good for after being finished. But I say nothing on that subject. I confine myself to these particular items, and say that each one of them could have been appropriated for in the appropriation bill.

In regard to the pay of the Navy, it has been suggested to me by a gentleman who is high authority on this matter that as to the $576,380.24 surplus, it will be necessary in order to make it available that it be reappropriated. I am inclined to think this position is correct. It seems to me on principle it ought to be so.

Mr. HERBERT. I think so myself, under the present decisions.

Mr. HISCOCK. As the gentleman from Connecticut [Mr. BUCK] has referred, I suppose, to a remark of mine, I desire to say, although I do not claim to be very high authority on this subject, that in my opinion every annual appropriation bill carries appropriations for that fiscal year only, not for any other; and therefore if there is a surplus appropriated on any item, that surplus can not be used in the next fiscal year without a reappropriation. But I trust there will be nothing in the form of a reappropriation. I believe every surplus thus arising should be covered into the Treasury, and whatever money may be required for another year should be provided in a new appropriation. If there ever was a vicious practice, it is the practice of reappropriating unexpended balances of previous appropriations.

Mr. BUCK. I think the suggestions of the gentleman from New York [Mr. HISCOCK] are certainly in the proper line; and the chairman of the committee [Mr. HERBERT] seems to concede that there should be a provision for reappropriating or for making a new appropriation.

Mr. HISCOCK. I hope we shall never reappropriate an unexpended balance. Every surplus appropriation of this kind should be allowed to lapse into the Treasury. The practice of reappropriating is objectionable and vicious, because it seems like trying to steal from one year's fund for the benefit of another, and thus improperly to get credit for apparent economy. Under such a system the people do not know how much money we are actually appropriating from time to time.

Mr. BUCK. Whatever may have been the practice or whatever may now be the law, it was the understanding of the committee that this surplus of $576,380.24 could be used without any reappropriation, and that the appropriations in the bill could be reduced by that amount. But notwithstanding these suggestions, it seems to me the position is sound that, if we allow that surplus of $576,380.24 to stand without reappropriation, we permit that surplus to be returned into the Treasury, and must appropriate a corresponding amount in the bill or else make an insufficient provision for the service. Hence I submit I am correct in my conclusion that we have this year recommended appropriations larger than those of last year.

Not wishing to occupy further time, I yield to the gentleman from Iowa [Mr. HEPBURN] the residue of my hour.

Mr. HEPBURN addressed the committee. [See Appendix.]

The CHAIRMAN. The committee will rise, as it is near 5 o'clock, when the House adjourns under the special order.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. CRISP reported that the Committee of the Whole House on the state of the Union had, according to order, had under consideration the naval appropriation bill, and had come to no resolution thereon.

Mr. O'NEILL, of Missouri. I ask by unanimous consent there be an evening session to consider reports of the Committee on Labor.

Mr. KING. There are very few members present.

Mr. BURROWS. I shall object unless the hour is fixed for closing the evening session.

Mr. O'NEILL, of Missouri. I am willing to have it close at 10 o'clock,

Mr. BURROWS. With that understanding I withdraw objoction.

Mr. PETERS. I demand the regular order.

The hour of 5 p. m. 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. BLOUNT: Papers relating to the claim of Winford H. Bailey, of Wilkinson County, Georgia—to the Committee on War Claims.

Also, petition of Winford H. Bailey, of Wilkinson County, Georgia, asking that his case be referred to the Court of Claims—to the same committee.

By Mr. T. M. BROWNE: Petition of 477 citizens of Delaware County, Indiana, for the passage of Senate bill 1886, on pensions—to the Committee on Invalid Pensions.

By Mr. CALDWELL: Petition of D. W. Knight, of Cheatham County, Tennessee, for payment of his war claim—to the Committee on War Claims.

By Mr. COX: Papers relating to the claim of Drury Partin, of Wake County, North Carolina—to the same committee.

By Mr. CUTCHEON: Petition of Albert Fensch, hospital steward, for increase of compensation—to the Committee on Military Affairs.

By Mr. ERMENTROUT: Petition of Albert Fensch and others, and of Frank Criss and others, hospital stewards, United States Army, asking for the passage of Senate bill 1119—to the same committee.

By Mr. FULLER: Petition of Charles City Post, No. 3, Grand Army of the Republic, of Floyd County, Iowa, asking for the passage of Senate bill 1886—to the Committee on Invalid Pensions.

Also, petition of J. W. Dickson and 64 others, citizens of Chickasaw County, Iowa, for the same—to the same committee.

By Mr. GAY: Papers in the claim of Clariece Hewitt, widow of James Hewitt, deceased, of Orleans Parish, Louisiana—to the Committee on War Claims.

By Mr. GIBSON: Papers relating to the claim of Moses Baylor, of Jefferson County, West Virginia—to the same committee.

By Mr. HEWITT: Papers relating to the claim of Seman, Bache & Co.—to the Committee on Claims.

By Mr. LOVERING: Resolutions of the Commonwealth of Massachusetts, asking for such legislation as shall protect the fishery industry of this country in the exercise of its lawful rights—to the Committee on Foreign Affairs.

By Mr. MORGAN: Petition of N. L. Archey and other colored people, asking for an appropriation to aid them to emigrate to Liberia—to the Committee on Appropriations.

By Mr. PETERS: Petition of Harper Post, Grand Army of the Republic, of Harper, Kans., favoring the passage of Senate bill 1886—to the Committee on Invalid Pensions.

Also, petition of the Travelers' Protective Association of Kansas, opposing the tax on commercial salesmen in the District of Columbia—to the Committee on the District of Columbia.

By Mr. SMALLS: Papers relating to the claim of Edward H. Alston, of Georgetown County, and of Martha Knowles, of Beaufort County, South Carolina—to the Committee on War Claims.

By Mr. STAHLNECKER: Resolutions of the commercial associations of New York, in reference to New York Harbor—to the Committee on Rivers and Harbors.

By Mr. SWOPE: Petition of 106 citizens of West Fairview, Cumberland County, Pennsylvania, praying for the passage of Senate bill 1886, for the relief of disabled soldiers—to the Committee on Invalid Pensions.

By Mr. E. B. TAYLOR: Memorial of Post 141, Grand Army of the Republic, of Cleveland, Ohio, in favor of certain additional legislation—to the same committee.

By Mr. VAN EATON: Papers relating to the claim of Mrs. Mary A. Butler, of Le Flore County, Mississippi—to the Committee on War Claims.

By Mr. A. J. WARNER: Petition of James Rutter and 110 others, of Athens County, Ohio, for the passage of Senate bill 1886—to the Committee on Invalid Pensions.

By Mr. WILSON: Papers relating to the claim of Thomas Brown, of Jefferson County, West Virginia—to the Committee on War Claims.

Also, petition of A. R. Brown, son of Thomas Brown, deceased, of Charlestown, W. Va., asking that his war claim be referred to the Court of Claims—to the same committee.

By Mr. WISE: Petition of A. L. Fisher, administrator of John Fisher, of Henico County, Virginia, for payment of his claim—to the same committee.

SENATE.

FRIDAY, *June* 18, 1886.

Prayer by the Chaplain, Rev. J. G. BUTLER, D. D.

The Secretary proceeded to read the Journal of yesterday's proceedings.

Mr. ALLISON. As the Journal is a matter of considerable detail, I think it is hardly necessary to read it through. I move that the further reading of the Journal be dispensed with.

The PRESIDENT *pro tempore*. If there be no objection the further reading of the Journal will be dispensed with, and it will stand approved.

EXECUTIVE COMMUNICATION.

The PRESIDENT *pro tempore* laid before the Senate a communication from the Secretary of the Treasury; which was referred to the Committee on Appropriations, and ordered to be printed, and to be printed in the RECORD; as follows:

TREASURY DEPARTMENT, *June* 17, 1886.

SIR: I have the honor to acknowledge the receipt of Senate resolution of the 20th ultimo, "that the Secretary of the Treasury be directed to inform the Senate what buildings are rented in the city of Washington for the use of the United States and the annual rent of each," and in reply thereto transmit the desired information in the following table.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Buildings rented by the United States in Washington, D. C.

Location of building.	For what purpose used.	Annual rental.
.....	State Department stable	$600
RENTED BY THE TREASURY DEPARTMENT.		
Southwest corner Seventeenth and F streets	Offices of Second Auditor	3,000
610 Seventeenth street, fourth and fifth floors	Offices of Second Auditor (files)	825
1421 G street	Office Marine-Hospital Service	1,800
407 Fifteenth street	Bureau of Statistics	3,000
Total		8,625
RENTED BY THE WAR DEPARTMENT.		
Corner Fifteenth street and Pennsylvania avenue	Quartermaster-General's Office	10,000
Stable, square 183	do	540
610 Seventeenth street	Adjutant-General's Office	2,000
620 Seventeenth street	do	2,100
1704 G street	do	1,600
Corner Seventeenth street and Pennsylvania avenue	Paymaster-General's Office	3,600
17 Fifteenth-and-a-half street	Commissary General's Office	2,500
1503 Pennsylvania avenue	Surgeon-General's Office	3,200
935, 937, and 939 F street	do	4,000
941 F street	do	1,500
1733 G street	do	1,000
614 Seventeenth street	Engineer Office	1,200
1700 Pennsylvania avenue	Office Public Buildings and Grounds	900
2126 Pennsylvania avenue	Officer in charge of Potomac River improvement	600
810 Nineteenth street	Officer in charge of certain river and harbor works	480
1719 and 1721 G street	Signal Service	1,900
616 and 618 Seventeenth street	do	1,800
1725 G street	do	1,200
1718 and 1720 Pennsylvania avenue	do	780
1719 and 1721 Pennsylvania avenue	do	540
Rear of 1132 Seventeenth street	do	540
Rear of 1732 G street	do	120
Rear of 1729 Pennsylvania avenue	do	120
Rear of Nineteenth and G streets	Ordnance Office stable	120
2005G street	Records of Rebellion	1,200
otal		43,540
RENTED BY THE NAVY DEPARTMENT.		
Corner Fifteenth street and New York avenue	Navy Pay Office	900
Corner Seventeenth street and New York avenue	Hydrographic Office	900
Corner Eighteenth and G streets	Museum of Hygiene	2,460
Total		4,200
RENTED BY THE INTERIOR DEPARTMENT.		
635 F street (two rooms)	Department proper	360
Corner Eighth and G streets	Department and Commissioner of Railroads	1,800
F street, between Thirteenth and Fourteenth (Hooe building)	Geological Survey	20,000
Seventh street, between E and F (Second National Bank building)	Indian Office	5,500
Northeast corner Eighth and G streets (Wright building)	Bureau of Education	6,000
1416 F street (Kellogg building)	Bureau of Labor	1,776
Corner Fourth and F streets	United States Pension agent	2,000
1405 H street (Kennady building)	Civil Service Commission for month of June, 1886, per month	240
Total		37,676
RENTED BY THE POST-OFFICE DEPARTMENT.		
Location of building.	For what purpose used.	Annual rental.
Seaton House	City post-office	$5,000
Third and East Capitol streets	Branch city post-office	360
Eighth and E streets	Money-Order Office, Post-Office Department	8,000
914 E street	do	4,500
418 and 420 Ninth street (part)	Topographer's Office, Post-Office Department	*1,500
Total		19,360

*Including heat.

There are no buildings rented in Washington by the Department of Justice.

Respectfully, yours,

C. S. FAIRCHILD, *Acting Secretary.*

Hon. JOHN SHERMAN, *President pro tempore of the Senate.*

PETITIONS AND MEMORIALS.

Mr. BUTLER. I present a report of a committee of the American Medical Association, memorializing Congress on the prevention of yellow fever. The memorial appears to be in aid of a bill now before Congress looking to the appointment of a commission with a view to preventing the introduction of yellow fever by inoculation. I move the reference of the paper to the Committee on Epidemic Diseases.

The motion was agreed to.

Mr. BUTLER. The memorial is accompanied by a letter from Dr. Gaston, of Atlanta, who forwarded it to me. I should be glad to have this report printed, as it relates to a very important subject certainly, for the use of the committee.

The PRESIDENT *pro tempore.* The Senator from South Carolina asks that the paper presented by him be printed in the ordinary document form. The Chair hears no objection, and it is so ordered.

Mr. COCKRELL. I present the petition of Charles Bock, a pension claimant under claim No. 292072, late a member of Company F, Second Illinois Light Artillery, now seventy-one years old, and his wife is sixty-seven, praying an increase of the rate of pension allowed him by law. I move the reference of the petition to the Committee on Pensions.

The motion was agreed to.

Mr. HARRISON presented four petitions, signed by 89 dairymen and butter-makers of Indiana, praying for the passage of the bill regulating

the sale of and taxing imitation butter; which were referred to the Committee on Agriculture and Forestry.

Mr. SEWELL presented a petition of 128 dairy farmers of New Jersey, praying for the passage of the bill regulating the sale of and taxing imitation butter; which was referred to the Committee on Agriculture and Forestry.

Mr. EDMUNDS presented the petition of Mrs. Sophia B. King and others, of Worcester, Washington County, Vermont, praying that the pension of David G. King, late a private of Company E, Eighth Regiment Vermont Volunteers, may be increased from $50 to $72 per month; which was referred to the Committee on Pensions.

He also presented the petition of J. C. Gibson, of Richmond, Va., praying that there may be a Federal code of procedure; which was referred to the Committee on the Judiciary.

Mr. EDMUNDS. I ask unanimous consent, out of time, as I feel obliged, on account of the illness of my colleague [Mr. MORRILL], to go up to see him, though I am glad to say he is not dangerously ill, to introduce a bill out of order.

[The bill appears under the appropriate head.]

Mr. WILSON, of Iowa, presented a petition of the board of county supervisors of Linn County, Iowa, praying for the passage of the bill providing for indemnity for swamp lands sold or otherwise disposed of by the United States; which was referred to the Committee on Claims.

Mr. MANDERSON. I present the memorial of a large number of attorneys of different towns in the State of Nebraska, remonstrating against the passage of House bill No. 7216, which has reference to the location of courts of the United States in the district of Nebraska. I move the reference of the memorial to the Committee on the Judiciary.

The motion was agreed to.

Mr. HOAR. I present two memorials of citizens of Massachusetts, remonstrating against the passage of the oleomargarine bill. They are addressed to my colleague [Mr. DAWES] and myself, but evidently intended as memorials to the Senate. I move the reference of the memorials to the Committee on Agriculture and Forestry.

The motion was agreed to.

Mr. HAWLEY presented the petition of Robert E. Horne and 34 other citizens of Litchfield, Conn., praying for the passage of the bill regulating the sale of oleomargarine; which was referred to the Committee on Agriculture and Forestry.

Mr. FRYE presented a petition of citizens of Maine, praying for the passage of the oleomargarine bill, so called; which was referred to the Committee on Agriculture and Forestry.

Mr. MILLER presented the petition of the American Agriculture and Dairy Association and 750 dairy farmers of the State of New York; the petition of the Albright Grange, No. 440, Patrons of Husbandry, of East Homer, N. Y.; the petition of dairymen of Pine Valley, N. Y., and the resolutions of the Board of Trade and Transportation of New York city, praying for the passage of the bill regulating and taxing imitation butter; which were referred to the Committee on Agriculture and Forestry.

Mr. BLAIR presented a petition of 222 dairy farmers of Vermont and New Hampshire, praying for the passage of the bill regulating and taxing imitation butter; which was referred to the Committee on Agriculture and Forestry.

Mr. BLAIR. I present a petition of the local organizations of the National Woman's Christian Temperance Union in each State and Territory, I think—I have a list of them here, which I will not enumerate—most earnestly pleading and protesting against all legislation by Congress, in any form, that may conflict with the laws enacted by States prohibiting the manufacture and sale of alcoholic beverages, or that may impair the efficiency of such laws.

The PRESIDENT *pro tempore* The petition will be referred to the Committee on Education and Labor.

Mr. BLAIR. I present also a petition from the same body in all the States and Territories, in which they most respectfully and earnestly ask that the bill passed by the United States Senate and now pending before the House, to provide for a national commission of inquiry concerning the alcoholic liquor traffic and its relations to the public welfare, may have early concurrence. The bill having passed, I move that the petition lie on the table.

The motion was agreed to.

Mr. DOLPH presented the petition of Joseph Neumann, of California, praying that means be provided to enable him to cause to have made a show-case for the preservation of the first flag made of American silk, presented by him to, and accepted by, Congress and deposited in the Smithsonian Institution, together with the full history of its creation; which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

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 (S. 2485) granting a pension to Robert Boyd; and

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

Mr. SAWYER, from the Committee on Pensions, to whom were referred the following bills, reported them severally without amendment, and submitted a report thereon:

A bill (H. R. 3358) granting a pension to Hiram L. Wait;

A bill (H. R. 8351) for the relief of Edward Coleman;

A bill (H. R. 7750) to place the name of John W. Payton on the pension-roll; and

A bill (H. R. 8372) granting a pension to John E. Doggett.

Mr. SAWYER, from the Committee on Pensions, to whom was referred the bill (H. R. 8066) to pension Martha A. Vorhees, reported it with amendments, and submitted a report thereon.

Mr. BLAIR. I am instructed by the Committee on Pensions, to whom was referred the bill (S. 2609) granting a pension to Emily C. Stannard, to report it without amendment. The report is not ready, and I ask leave to submit the report subsequently.

The PRESIDENT *pro tempore*. Leave will be granted.

INVESTIGATION OF INDIAN AFFAIRS.

Mr. HARRISON. The Committee on Indian Affairs was directed by resolutions of the Senate adopted June 11 and December 3, 1884, and February 3, 1885, to inquire into the condition of the Indians in the Indian Territory and upon other reservations. A partial report in response to those resolutions was submitted some days ago by the chairman of the committee [Mr. DAWES], and I now submit a further report, and ask that it may be printed.

The PRESIDENT *pro tempore*. The order to print will be made under the general rule. The report will be laid on the table.

HOUSE COMMITTEE CLERKS.

Mr. ALLISON. The Committee on Appropriations, to whom was referred the joint resolution (H. Res. 76) fixing the time when the pay of certain clerks to committees of the House of Representatives shall begin, have instructed me to report it without amendment; and as it is a matter which relates to the House organization, the payment of clerks, I ask unanimous consent that it may be considered at this time.

By unanimous consent, the Senate, as in Committee of the Whole, proceeded to consider the joint resolution. It provides that the pay of the clerks to committees of the House of Representatives which have been or may be hereafter authorized by the House, who are paid during the session only, shall begin from the time such clerks entered upon the discharge of their duties, which shall be ascertained and evidenced by the certificate of the chairman of the several committees employing clerks for the session only.

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

PURIFICATION OF WATER-SUPPLY.

Mr. MANDERSON. I am instructed by the Committee on Printing to report back the letter of the Secretary of War with the accompanying documents, being maps and reports relative to the advisability and practicability of providing the water supply of the capital with filters and other appliances for cleansing and purifying the water, which information was called for under a Senate resolution of February 8, 1886. It is considered of sufficient importance by the committee to recommend the printing of the usual number, with no extra copies. I therefore move that the usual number of the communication and accompanying documents be printed.

The motion was agreed to.

BILLS INTRODUCED.

Mr. EDMUNDS introduced a bill (S. 2685) authenticating the official seals used by the Government Departments, and by the several bureaus, officers, and offices thereof, and by the United States courts in the District of Columbia; which was read twice by its title, and referred to the Committee on the Library.

Mr. SAWYER introduced a bill (S. 2686) granting a pension to Morris T. Manton; which was read twice by its title, and referred to the Committee on Pensions.

Mr. ALLISON introduced a bill (S. 2687) granting a pension to William B. Barnes; which was read twice by its title, and referred to the Committee on Pensions.

Mr. INGALLS introduced a bill (S. 2688) granting a pension to Thomas P. Norman; which was read twice by its title, and referred to the Committee on Pensions.

Mr. CALL introduced a bill (S. 2689) to refer the cotton claim of Charles Delano to the Court of Claims of the United States; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2690) requiring patents to be issued to actual settlers on the public lands of the United States within the limits of railroad grants which have been purchased from the grantee to the extent of 160 acres; which was read twice by its title, and referred to the Committee on Public Lands.

Mr. PLUMB introduced a bill (S. 2691) restoring the name of Oliver H. Judd to the pension-roll; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

Mr. COCKRELL introduced a bill (S. 2693) for the relief of the heirs of William H. Finch; which was read twice by its title, and referred to the Committee on Claims.

He also introduced a bill (S. 2694) for the relief of John Finn; which was read twice by its title, and referred to the Committee on Claims.

Mr. JONES, of Arkansas (by request), introduced a bill (S. 2695) to secure to the Cherokee freedmen and others their proportion of certain proceeds of lands under the act of March 3, 1883; which was read twice by its title, and referred to the Committee on Indian Affairs.

Mr. HOAR introduced a bill (S. 2696) granting an increase of pension to Reuben Weiss; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2697) granting an increase of pension to Joseph M. Howe; which was read twice by its title, and referred to the Committee on Pensions.

He also introduced a bill (S. 2698) for the relief of Henry Pickett, of Washington, D. C.; which was read twice by its title, and referred to the Committee on Claims.

Mr. MILLER introduced a bill (S. 2699) granting a pension to Sarah E. Norton; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

He also introduced a bill (S. 2700) for the relief of James H. Berry; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Military Affairs.

He also (by request) introduced a bill (S. 2701) for the relief of Felix Marcinkowski; which was read twice by its title, and referred to the Committee on Military Affairs.

Mr. BLAIR introduced a bill (S. 2702) to remove the charge of desertion from the record of William F. Harris; which was read twice by its title, and referred to the Committee on Military Affairs.

He also introduced a bill (S. 2703) granting a pension to Frank V. Gray; which was read twice by its title, and, with the accompanying papers, referred to the Committee on Pensions.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. CALL, Mr. SAWYER, and Mr. VAN WYCK 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.

Mr. CALL and Mr. MCPHERSON submitted amendments intended to be proposed by them respectively to the legislative, executive, and judicial appropriation bill; which were referred to the Committee on Appropriations, and ordered to be printed.

Mr. TELLER. I offer an amendment to the sundry civil appropriation bill. I offered it the other day, but in the print a portion of the item was left out. I now offer it in a corrected form so that it may be printed.

The amendment was referred to the Committee on Appropriations, and ordered to be printed.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. CALL, it was

Ordered, That the papers in the case of Dr. Oliver Chamberlain be taken from the files and referred to the Committee on Pensions, there being no adverse report.

RAILROAD ATTORNEYS.

The PRESIDENT *pro tempore*. If there be no further "concurrent or other resolutions" the Chair lays before the Senate——

Mr. BECK. If the morning business is closed, I desire to call up the motion to reconsider the vote by which the Senate passed the bill (S. 2578) to prohibit members of Congress from acting as attorneys or employés for railroad companies holding charters or having received grants of lands or pecuniary aid from the United States. The motion to reconsider was made by the Senator from Connecticut [Mr. HAWLEY].

Mr. INGALLS. Does not the resolution I offered yesterday, that comes up this morning, have precedence?

The PRESIDENT *pro tempore*. It does. The resolution submitted yesterday by the Senator from Kansas [Mr. INGALLS] comes over, under objection, and is part of the morning business. The Chair is also of the opinion, and the Senator from Kentucky is informed, that under the order adopted the day before yesterday no business can be considered to-day except under the eighth rule.

Mr. BECK. I have been trying for ten days and giving notice day by day that I should call up the bill which passed the Senate upon a call of the yeas and nays by a vote of 37 to 11, and a motion was made to reconsider. I have faithfully tried day after day to get a decision in regard to that motion; and I think there must be some time when one man's motion can not tie up a bill that has passed upon a call of the yeas and nays by a vote of 37 to 11, and I do not think any order can be made to deprive me of my right. If that can be done, then one man can defeat any bill after it has been passed.

Mr. HOAR. I should like to inquire if the Senator from Kentucky proposes to object to debate or discussion on the motion to reconsider the bill?

Mr. BECK. I allowed the motion to lie over until now, hoping that the Committee on Rules would report a rule making the question debatable. If they do not, I am willing that unanimous consent shall be had for debate in this case. If the bill will not bear discussion it is of no value.

DEPARTMENTAL CLERKS—CIVIL SERVICE.

The PRESIDENT *pro tempore*. The resolution submitted yesterday by the Senator from Kansas [Mr. INGALLS], which came over under objection, is now the order of business clearly, as part of the morning business. It will be read.

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

Resolved, That the President be requested, if in his opinion not incompatible with the public interest, to furnish to the Senate the following information:

First. The number of clerks now embraced within the provisions of the civil-service act of January 16, A. D. 1883, who were removed from office in the several Executive Departments, and the number of such clerks who were appointed to office in the several Executive Departments under the civil-service rules from July 16, A. D. 1883, to March 4, A. D. 1885, not including in such removals and appointments clerks excepted from examination by Rule XIX of the amended civil-service rules.

Second. The number of clerks embraced within the provisions of the civil-service act of January 16, 1883, who were removed from office in the several Executive Departments and the number of such clerks who were appointed to office in the several Executive Departments under the civil-service rules from March 4, A. D. 1885, to June 15, A. D. 1886, not including in such removals and appointments clerks excepted from examination by Rule XIX of the amended civil-service rules.

Third. The number and names of chiefs of division and chief clerks who were removed from office in the several Executive Departments from July 16, A. D. 1883, to March 4, A. D. 1885, and the number and names of such chiefs of division and chief clerks who were appointed to office during the same period, and the number of such appointments which were made by promotion.

Fourth. The number and names of chiefs of division and chief clerks who were removed from office in the several Executive Departments from March 4, A. D. 1885, to June 15, 1886, and the number and names of such chiefs of division and chief clerks who were appointed to office during the same period, and the number of such appointments which were made by promotion.

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

Mr. VANCE. I have no objection to the resolution just read, but I ask to have an amendment adopted which I send to the desk.

Mr. INGALLS. Before the amendment offered by the Senator from North Carolina is read I ask leave to make one or two suggestions of amendment in the original text, if he will allow me, to which I think there will be no objection.

The PRESIDENT *pro tempore*. That will be quite in order at any rate.

Mr. INGALLS. In the third paragraph, after the words "removed from office," I move to insert "or reduced in grade."

The PRESIDENT *pro tempore*. The amendment will be stated.

Mr. HARRIS. The Senator modifies the resolution.

The PRESIDENT *pro tempore*. It is a modification of the resolution.

The CHIEF CLERK. In the second line of the third paragraph it is proposed to insert the words "or reduced in grade;" so as to read:

The number and names of chiefs of division and chief clerks who were removed from office or reduced in grade in the several Executive Departments.

The PRESIDENT *pro tempore*. The Senator from Kansas so modifies the resolution.

Mr. INGALLS. Also in the fourth paragraph, after the words "removed from office," I propose to insert the words "or reduced in grade;" so as to read:

The number and names of chiefs of divisions and chief clerks who were removed from office or reduced in grade in the several Executive Departments.

The PRESIDENT *pro tempore*. The resolution will be so modified, The Senator from North Carolina [Mr. VANCE] offers an amendment, which will be read.

The CHIEF CLERK. It is proposed to add as a new paragraph:

5. And that the President be requested to further inform the Senate how many appointments were made in each of the Departments of officials within the scope of the civil-service act between the date of the approval of the said act, the 16th of January, 1883, and the 15th of July, 1883, when said act went into effect, together with the names of said appointees, the places to which they were appointed, and whether to fill vacancies made by removals or otherwise.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from North Carolina [Mr. VANCE].

The amendment was agreed to.

The resolution as amended was agreed to.

RAILROAD ATTORNEYS.

Mr. BECK. Mr. President——

Mr. HAWLEY. I should like to say a word or two in response to the remark made by the Senator from Kentucky.

Mr. BECK. If the Senator will allow me, I rose only for the purpose of withdrawing my request, after reading the rule for this morning. I was not aware that it extended to to-day as well, until the President kindly sent it to me.

Mr. HAWLEY. For the very reason that the matter has now gone over I should like to say a word or two in reference to what the Senator from Kentucky said.

Mr. BECK. Let me say only this: I shall endeavor to call up the motion to reconsider on Monday morning, and I desire very much that the Committee on Rules should report the rule suggested. I will postpone it until Tuesday or Wednesday if necessary, so that the Committee on Rules can report a rule to allow motions of that character to be debated. I want that done; and perhaps the matter had better remain

until, say, Tuesday morning, to give the committee time to report. I think the Senate will agree to their report as soon as they make it.

Mr. HAWLEY. The Senator from Kentucky in the remarks he first made said he had been trying for ten days to get up this motion to reconsider, and he thought it strange if the motion of one man could prevent the final passage of the bill.

Mr. BECK. I had no reference to any individual.

Mr. HAWLEY. I wish to make it clear that no reproach of that kind lies against me. I entered the motion to reconsider and was ready to reconsider it that day or the next, and the two propositions to delay have come from the Senator from Kentucky, and very reasonably, because he desired to have the rule altered which prevents debate on a motion to reconsider. I assented to that; but I have never asked for any delay, and have been ready to consider the matter at any day briefly, and I proposed to consider it; and both propositions bodily have come from him.

Mr. BECK rose.

Mr. HOAR. I should like to ask unanimous consent, if the Senator will hear me before he proceeds——

Mr. BECK. Certainly.

Mr. HOAR. I ask unanimous consent that when the motion to reconsider is taken up, without affecting at all the time when it shall be taken up, it be debatable.

Mr. BECK. I hope that will be done.

Mr. HOAR. I think the rule was put in by inadvertence; and my suggestion is in this particular matter that when the motion to reconsider is taken up it shall be debatable. That will solve the whole matter.

Mr. HARRISON. As the Senator from Kentucky has already suggested deferring this matter until a time when probably the rule will be before us, would it not be better to await application for unanimous consent until that time, which will undoubtedly then be given?

Mr. HOAR. I hope the Senator from Indiana will not object, because the Committee on Rules may not meet for several days.

The PRESIDENT *pro tempore*. The Senator from Massachusetts asks the unanimous consent of the Senate that when the motion to reconsider the bill referred to is pending the rule shall not be enforced which prohibits debate on a motion to reconsider. Is there objection?

Mr. INGALLS. I object.

The PRESIDENT *pro tempore*. Objection is made.

Mr. BECK. Then I give notice that I shall endeavor on Tuesday to call it up. That will give the Committee on Rules an opportunity to make their report, hoping the Senator will agree to it if made.

I wish to add that the rules of the other House, as I understand them, make a motion to reconsider a privileged motion, and I hope the Committee on Rules will at the same time make it a privileged motion in the Senate for the reason I suggested, not applying it to the Senator from Connecticut, that one man by entering a motion to reconsider may prevent action altogether, unless it is a privileged motion, and in order to call attention to the importance of making such a motion debatable.

Both things, in my judgment, ought to be the rule of the Senate. It is a privileged motion in the other House, and it ought to be debatable, so that a Senator who makes a motion to reconsider shall have a right to give the reasons why he makes it.

It was not with any reference to the Senator from Connecticut that I spoke, for from the beginning he has expressed his desire to have the motion to reconsider acted upon, and he desired to be heard upon it, as I thought was his right.

CHEROKEE FUNDS.

Mr. INGALLS. I move to reconsider the vote by which the Senate yesterday passed the bill (S. 1800) to secure to the Cherokee freedmen and others their proportion of certain proceeds of lands under the act of March 3, 1883.

The PRESIDENT *pro tempore*. The motion to reconsider will be entered.

FERRY AT FORT BUFORD.

Mr. PLUMB. I move to reconsider the vote by which the Senate passed the bill (H. R. 1280) to authorize Frank W. Hunt to erect and maintain a ferry across the Missouri River at the military reservation of Fort Buford, Dakota Territory.

The PRESIDENT *pro tempore*. Does the Senator wish action upon the motion now?

Mr. PLUMB. I simply wish to enter the motion at this time.

The PRESIDENT *pro tempore*. The motion will be entered.

ORDER OF BUSINESS.

Mr. SEWELL. I ask the Senate to take up the bill (H. R. 67) for the relief of Fitz-John Porter.

Mr. SAWYER. I wish to offer a resolution.

The PRESIDENT *pro tempore*. The motion of the Senator from New Jersey is not yet in order. The morning business is not yet closed.

ACCOUNTS OF POSTMASTERS.

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

Resolved, That the Secretary of the Treasury is hereby instructed to furnish the Senate any additional claims not heretofore reported for salaries of postmasters or late postmasters that have been adjusted under the act of March 3, 1883.

Mr. CHACE. I offer a resolution directed to the Postmaster-General, and it is in terms the same resolution as the one offered by the Senator from Wisconsin [Mr. SAWYER] yesterday, changed, however, to cover all the States. That Senator withdrew the resolution after having offered it because the Senator from Kansas [Mr. INGALLS] stated that he had already offered and procured the passage of a similar resolution, and that the Postmaster-General had refused to respond to the resolution on the ground that it would require a very large clerical force—in effect that the Department would be physically unable to respond to it.

I have reason to believe, as the Senator from Kansas said, that that view can not be maintained by the Postmaster-General, that these accounts are adjusted, and that it is simply a matter of making a transcript from the books of the Department.

I wish to say further that from correspondence put into my possession between certain claim agents in this city and claimants under the law of 1883, the evidence points very strongly to the suspicion that there may possibly be some collusion between parties in the Post-Office Department and certain claim agents in this city, one individual in particular, who assumes to put himself above not only the Department, but above Congress itself, and to dictate to claimants what they shall do and what proportion they shall share with him. He even goes so far as to give his own name to an act passed by the Congress of the United States.

I wish to say that in my opinion the Postmaster-General owes it to himself and to the Department to take such prompt action in regard to the adjustment of these salaries as shall purge the Department from this grave suspicion that rests upon it. It is a shame; it is a disgrace. I do not mean to charge (I can not charge because I am not prepared to prove) that anybody in that Department is guilty; but I do say that the circumstances point to a very grave suspicion, and for that reason I offer the resolution.

There ought to be no necessity for any claim agent to intervene between a citizen of the United States who has been an official and who has a claim against the Department. Such claims ought to be adjusted by the Department and reported to Congress promptly, and we should then appropriate the money to pay them, and the claims should be paid promptly.

Mr. HAWLEY. Without commission.

Mr. CHACE. Without commission; and no claim agent should be put into a position where he can say to any claimant, "Stand and deliver!"

Mr. SAULSBURY. I hope the Senator from Rhode Island, as he has stated——

The PRESIDENT *pro tempore*. The Senator from Rhode Island offers a resolution, which will be read; and then the Senator from Delaware will be recognized.

The Chief Clerk read as follows:

Resolved, That the Postmaster-General be, and he is hereby, directed to inform the Senate of the amount of additional compensation ascertained to be due postmasters and late postmasters under the act of March 3, 1883, for the payment of which no provision has been made.

The PRESIDENT *pro tempore*. If there be no objection the resolution is before the Senate, and the question is on its adoption.

Mr. SAULSBURY. I have no objection to the resolution, but the Senator from Rhode Island has stated that there is reason for grave suspicion that persons connected with the Post-Office Department, especially one person, are in collusion with claim agents.

Mr. CHACE. Will the Senator excuse me? I did not say that.

Mr. SAULSBURY. I certainly misunderstood the Senator then; and I was going to say that it would be but just to those who are not liable to such suspicion that the name of the party to whom the Senator refers should be made known.

Mr. CHACE. I have no objection to naming him. It is one Spalding. He assumes to attach his own name to an act of Congress, and calls it the Spalding act, prints it in circulars, and sends it all over the country, calling it the Spalding act, and even goes so far as to print the fact alleged by him that he got the law through.

Mr. BUTLER. This question has been frequently before the Senate, not only under the present administration but under the preceding one, when similar resolutions were offered. I think it is due to the Department, not only as at present administered but as administered by the predecessor of the present Postmaster-General, to say that they have "in season and out of season," upon all occasions where they could properly do so, notified these claimants that they are under no obligations whatever to pay any proportion of the money to any claim agent. I know that to be a fact, because there were quite a number from my State and they have written to me repeatedly about it.

Why there is this delay I confess I can not understand, but I do not think Mr. Spalding has any better standing in the Post-Office Department than he has with the Senator from Rhode Island.

Mr. CHACE. If the Senator will allow me right there, I wish to say that perhaps my language may have been a little stronger than the circumstances would warrant; but these accounts under the law should have been long ago adjusted.

Mr. BUTLER. I agree with the Senator about that entirely.

Mr. CHACE. They are not adjusted, and in numerous instances when applications have been made simply a partial adjustment has been made. It is not that there is any direct evidence, but the facts as they exist create in the minds of persons ignorant of how such things are done a suspicion. I do not mean to say, nor do I mean to insinuate, that I think any one in the Department is guilty of this collusion, but I do say that the manner in which the business is, I will not say done, but neglected to be done, leaves them open to that charge.

Mr. BUTLER. I quite appreciate all that the Senator from Rhode Island has said. After having had some correspondence and communication with the Department on this very subject, I felt justified in stating that claimants have been notified again and again, as I stated before, that they are under no obligation whatever to pay Mr. Spalding one dollar. There is nothing that I know of which can prevent his communicating and corresponding with various claimants, as he is constantly doing, sending his circulars and requesting them to send to their Representatives and Senators——

Mr. CHACE. Allow me to interrupt the Senator there. There is something which can be done, and that is the prompt adjustment of these accounts.

Mr. BUTLER. I understand that, but I say there is nothing that can be done which will prevent Mr. Spalding corresponding with claimants.

Mr. CHACE. Oh, no.

Mr. BUTLER. I agree with the Senator that a prompt adjustment of the claims would soon end the whole matter, and I think it ought to be done promptly. I have no hesitation in saying so, and I said so under the former administration. What the particular trouble is, I confess I myself do not understand.

Mr. CHACE. Nobody can deny that former administrations and this stand in the same position. I did not mean to draw any distinction.

Mr. BUTLER. I understand that perfectly well.

Mr. MAXEY. I know a great deal about the trouble to which the Senator from Rhode Island refers. The bill was in my charge in the Committee on Post-Offices and Post-Roads. After a very thorough investigation I became satisfied that a great many postmasters in the United States were entitled to a readjustment of their accounts fairly and honestly. I know that at that time, which was under a Republican administration, the then controlling powers were disinclined to favor the measure. They thought it would cost a very large amount of money and involve a vast deal of trouble. I replied that it made to me no difference how much it would cost; if the claim was honest it ought to be paid I then believed so; and I now believe so.

So far as Mr. Spalding or Mr. Anybodyelse is concerned, it never had the slightest influence on the committee on this earth. I have received letters not only from my own State but from many portions of the country on the subject. As I happened to be connected with the passage of the bill persons wrote to me wanting the bill passed, and I think there has been, to say the least of it, a delay in the Post-Office Department not only in the last administration but in the present administration that I can not account for. These men ought to have had their money years ago, and I say now that whatever can be done to aid in the prompt adjudication and just settlement of these claims and the payment of the claims ought to be done.

The PRESIDENT *pro tempore*. The question is on the adoption of the resolution.

The resolution was agreed to.

J. H. THORNBURG.

Mr. PLUMB. I introduce a bill, which I ask the Senate to consider now.

The bill (S. 2692) to amend an act approved June 1, 1886, granting a pension to J. H. Thornburg was read twice by its title.

Mr. PLUMB. On the 1st day of June the bill was approved by the President, which had passed both Houses of Congress, granting a pension to a man named "Thornbury," as named in the bill—b-u-r-y. It turns out that it was a mistake either of the printer or the person draughting the bill or of somebody else. It should be Thornburg—b-u-r-g. I do not think that in a matter of that kind any Senator would object to passing a bill to correct the original act; and therefore I ask that the bill I have just presented for that purpose, only changing the terminal letter of this man's name who should receive the pension, may be taken up for consideration now.

The PRESIDENT *pro tempore*. The Senator from Kansas asks the unanimous consent of the Senate to proceed to the consideration of this bill now. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill. It proposes to amend and correct the act approved June 1, 1886, "granting a pension to J. H. Thornburg;" so as to read:

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 John H. Thornburg, late of Company D, Eighth Iowa Cavalry Volunteers.

And the pension is to commence from the date of the approval of the original act.

Mr. INGALLS. That original act ought to be repealed if this is to be a substitute for it, or otherwise there will be an act under which somebody will be entitled to claim.

Mr. PLUMB. I accept the suggestion and will add a section repealing the original act.

Mr. HOAR. Then the other section ought to be changed, because the first section is that that act is amended so as to read so and so, leaving the original act in force except as amended. It would strike me, therefore, that if the Senator adopts his colleague's suggestion the bill says that that act is repealed and that Thornburg be placed on the pension-roll from the time the other act, the repealed act, was approved.

Mr. PLUMB. The time is so short that I do not think that is very material.

Mr. HOAR. But the propositions seem inconsistent.

The PRESIDENT *pro tempore*. The Chair is advised that as the bill now stands it modifies the original act without making it necessary to repeal it.

Mr. PLUMB. I think amending it "so as to read as follows" is sufficient. I do not adopt my colleague's suggestion.

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

DISTRICT WATER SUPPLY.

Mr. VAN WYCK. I offer the following resolution, and ask for its immediate consideration:

Resolved, That the Secretary of War be, and he is hereby, directed to appoint a board, to consist of three officers of the Army other than those now connected with the District government, to examine and report whether the present distribution of the water supply to the District of Columbia is conducted and made according to proper engineering principles; what amount of water is supplied daily for United States Government use; what amount for private use; and whether the water-tax payers of Washington are equally and fairly supplied with water, according to their locality and to the means available by the District government, and to transmit to the Senate the report of the board hereby directed to be appointed.

Mr. INGALLS. It is obvious that that is not within the competence of a Senate resolution. The duties imposed on the Secretary of War are by statute. It is not competent for the Senate by resolution to order the Secretary of War to perform a duty that would otherwise be enjoined upon him by law. I suggest to the Senator from Nebraska that while I have no objection to the inquiry that he desires, the resolution ought to be referred either to the Committee on Military Affairs or the Committee on the District of Columbia for further examination.

Mr. VAN WYCK. That resolution is precisely in the language of a resolution offered some three years ago by the Senator from Minnesota [Mr. MCMILLAN], and I think the point was not then raised upon the resolution. It went over for a day. What action was had I do not remember, but the resolution itself had the effect to accomplish a great deal of good for people who were gathering water in this city by drops; and it occurred to me that we were in that condition again where a great many of the citizens of Washington are doing that very thing now, gathering water by the teaspoonful, and that the introduction of the resolution would probably have the effect of calling the attention of the authorities to it so far that they may aid in giving to the people of the District some relief. Some relief is necessary.

Strange as it may appear, four years have elapsed since an appropriation of about $600,000 was made for the extension of the Aqueduct; and now, after time enough has passed to have built a railroad across this continent, they are asking for about the same amount to finish the extension of the Aqueduct; which means, I presume, four years more before the Aqueduct will be finished—eight years to finish what is called an extension of the Aqueduct. Why, I suppose the people of this District do not know, and the Congress of the United States do not know; but there is the fact. In winter time the water is suffered to run to waste a great deal by half the population of the city for fear of the frost bursting the pipes; and in the summer time it half runs away for another class of population who want to have fountains in their parks. Therefore it is that those who actually need, for the necessaries of life, water, are really deprived of it in the city.

I desire to do enough to call the attention of the authorities to this matter. There may be far off in the future a time when there is to be water enough in this city and the supply will be so abundant that the citizens will not have to be watching that a drop is not wasted here or there, but that seems far off yet. Four years have gone and we have an expenditure of nearly three-quarters of a million of dollars without result.

I am perfectly willing that this resolution shall be referred to the Committee on the District of Columbia, and trust——

Mr. INGALLS. Say the Committee on Military Affairs, as it is directed to the Secretary of War.

Mr. VAN WYCK. I prefer the Committee on the District of Columbia, because they are connected with the District commissioners and the water board, and I trust at least this will have the effect which the resolution of three years ago had.

Mr. INGALLS. Very well.

The PRESIDENT *pro tempore*. The resolution will be referred to the Committee on the District of Columbia.

ORDER OF BUSINESS.

The PRESIDENT *pro tempore*. The morning business is closed.

Mr. SEWELL. I ask to take up Order of Business 303, being the bill (H. R. 67) for the relief of Fitz-John Porter.

The PRESIDENT *pro tempore*. The Senate has adopted a special order which requires a new mode for conducting business to-day, which will be read. Senators will please take notice of the terms of the order under which the Senate is acting to-day.

The Chief Clerk read as follows:

Ordered, That Thursday, June 17, be devoted to the Calendar under the five-minutes' limitation for debate and subject to objection, which objection shall operate only to pass over the case, retaining its place on the Calendar; and that no motion shall be made to proceed to the consideration of any bill where objection is made to the consideration of the same; and that Friday shall be devoted to the Calendar under the eighth rule.

The PRESIDENT *pro tempore*. Business under the eighth rule is now in order.

Mr. SEWELL. I ask unanimous consent to take up the bill I have named. I understood the Senator from Illinois [Mr. LOGAN] to desire to fix a day for it. I want to take up the bill in order that we may agree upon a time to consider it.

The PRESIDENT *pro tempore*. The Chair does not understand whether the Senator from New Jersey is asking the Chair a question.

Mr. SEWELL. I ask unanimous consent to take up this bill for the purpose of naming a day which the Senator from Illinois and myself may agree on.

Mr. VAN WYCK. I do not see how that can well be done now.

The PRESIDENT *pro tempore*. Pending the special order, the Senator from New Jersey asks unanimous consent of the Senate to proceed to the consideration of Order of Business No. 303, being the bill (H. R. 67) for the relief of Fitz-John Porter. Is there objection?

Mr. INGALLS. Is unanimous consent asked to take that up in violation of the order previously made?

The PRESIDENT *pro tempore*. That is the only way in which it can be done, by unanimous consent. Is there objection?

Mr. INGALLS. I object.

Mr. SEWELL. I move to take up the bill, the objection to the contrary notwithstanding.

The PRESIDENT *pro tempore*. That motion is not in order under the eighth rule. No bill can be taken up on such a motion, under the eighth rule, unless it is objected to in its due order when reached.

Mr. SEWELL. We can always move to take up a bill, I understand.

Mr. HOAR. Does the Chair understand that this order continues through to-day.

The PRESIDENT *pro tempore*. It continues through to-day. Whenever a bill is reached under the eighth rule on the Calendar, then it is in order to move to proceed to its consideration if objection be made to it.

Mr. HOAR. I do not speak in reference to this matter, which is not in my charge at all, but to another; but when the order was passed, I expressly stipulated that it should be on condition that it should be in the power of a Senator to move to proceed to consider a bill; and the Senator from Vermont [Mr. EDMUNDS] said that he so understood it.

Mr. SEWELL. This case was passed over without prejudice.

Mr. INGALLS. Where does the consideration of the Calendar begin to-day under this order?

The PRESIDENT *pro tempore*. At Order of Business 163. If the bill to which the Senator from New Jersey refers is on the Calendar it will be reached no doubt in a short time.

Mr. MCPHERSON. I understood the understanding to be that on a motion made to-day to take up any bill on the Calendar which was passed over yesterday with a like understanding it would be in order to move its consideration notwithstanding any objection.

Mr. SEWELL. My colleague and I did not understand that the Calendar would be commenced at Order of Business 163. I withdraw my motion for the present. We shall reach the bill after a while.

The PRESIDENT *pro tempore*. The first case on the Calendar under the order will be stated.

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 and joint resolution; in which it requested the concurrence of the Senate:

A bill (H. R. 506) for the relief of Eleanor T. Brookbanks and others;
A bill (H. R. 528) for the relief of Silas Quackenbush;
A bill (H. R. 917) for the relief of Henry S. Cohn;
A bill (H. R. 932) for the relief of T. J. Pitzer;
A bill (H. R. 1034) for the relief of Bangs, Brownell & Co.;
A bill (H. R. 1501) referring the claim of William Dalton to the Court of Claims;
A bill (H. R. 1659) for the relief of the survivors of the exploring steamer Jeannette, and the widows and children of those who perished in the retreat from the wreck of that vessel in the arctic seas;
A bill (H. R. 1776) for the relief of Faran & McLean;
A bill (H. R. 1802) for the relief of Moses B. Walker;
A bill (H. R. 2013) for the relief of Myron E. Dunlap;
A bill (H. R. 2053) for the relief of Rachael J. Floyd;
A bill (H. R. 2176) for the relief of Alexander Goble;
A bill (H. R. 2918) for the relief of William Huntington;
A bill (H. R. 3642) for the relief of the heirs of Jacob Cramer;
A bill (H. R. 3750) for the relief of Frances H. Plummer;
A bill (H. R. 3930) for the relief of Wells C. McCool;
A bill (H. R. 5872) for the relief of R. D. Beckley and Leon Howard;
A bill (H. R. 5877) for the relief of William H. Morhiser;
A bill (H. R. 8751) for the relief of Samuel F. Rice;
A bill (H. R. 9017) for the relief of Henry S. Cohn; and
Joint resolution (H. Res. 67) for the relief of William B. Isaacs & Co.

The message also announced that the House had non-concurred in the amendment of the Senate to the bill (H. R. 3037) relating to the licensing of vessels engaged in towing to carry persons in addition to their crews, asked a conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. CRISP, Mr. CLARDY, and Mr. DUNHAM managers at 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. 1357) authorizing the Court of Claims to hear and determine certain claims, asked a conference on the disagreeing votes of the two Houses thereon, and had appointed Mr. SPRINGER, Mr. WARNER, and Mr. BUCHANAN managers at the conference on the part of the House.

The message also announced that the House had passed the bill (S. 209) for the relief of the legal representatives of John M. Robeson, deceased, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed a concurrent resolution for the printing of 4,500 copies, with the necessary illustrations, of the report of the International Polar Expedition to Lady Franklin Bay, Grinnell Land, by First Lieut. A. W. Greely, Fifth Cavalry, United States Army, acting signal officer.

EXECUTIVE SESSIONS WITH OPEN DOORS.

Order of Business 163, being the resolution submitted by Mr. PLATT declaring that executive nominations shall hereafter be considered in open session, was announced as the first business in order.

Mr. ALLISON. I object to that.

The PRESIDENT *pro tempore*. Objection being made, the resolution goes over.

ELON A. MARSH AND MINARD LAFEVER.

The bill (S. 500) for the relief of Elon A. Marsh and Minard Lafever was announced as next in order.

Mr. ALLISON. I object to that also.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

STEPHEN N. SMITH.

The bill (S. 708) for the relief of Stephen N. Smith was announced as next in order.

Mr. ALLISON. I object to the bill.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

WILLIAM C. DODGE.

The bill (S. 301) for the relief of William C. Dodge was announced as next in order.

Mr. ALLISON. I do not object to the consideration of that bill, but it seems to me that the blanks in it ought to be filled.

The PRESIDENT *pro tempore*. There are amendments reported which provide for that. The amendments will be read.

The Chief Clerk read the amendments reported by the Committee on Patents, which were to fill the blanks in line 6 and line 10 by inserting "ten thousand" before the word "dollars."

Mr. ALLISON. I object to the bill.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

CALIFORNIA LAND SALES.

The bill (S. 994) granting to the State of California 5 per cent. of the net proceeds of the sales of lands in said State was announced as next in order.

Mr. ALLISON. I object.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

DISTRICT TAX-SALES.

The bill (S. 634) relating to sales for taxes in the District of Columbia was considered as in Committee of the Whole.

The Committee on the District of Columbia reported an amendment, in line 15, after the words "deed and," to strike out "such deed shall be conclusive evidence;" so as to make the bill read:

Be it enacted, &c., That hereafter sales of real estate, after advertisement as required by law, by the collector of taxes for the District of Columbia, for taxes or assessments that have been or may be levied by the commissioners of said District, or by other lawful authority, shall entitle the purchaser, his heirs or assigns, if the property be not redeemed within two years of the date of such sale, to a deed from the commissioners of the District which deed shall vest in the grantee a good and valid title, and shall be presumptive evidence in all controversies in relation thereto that the property so conveyed was subject to the taxes for which the property was sold, that such taxes were not paid, and that the property was not redeemed before the execution of the deed, that the manner of levy, notice, sale, and all the other prerequisites of law were complied with necessary and proper to make such deed and title valid.

The amendment was agreed to.

Mr. CALL. That is a very important bill. There is a large amount of property in this District the taxes upon which I understand have been accumulating for a number of years under the former system of special assessments. I do not know how far this bill may cover such cases. As it is a very important matter, I ask the chairman of the Committee on the District of Columbia if the bill has been carefully considered in reference to that class of persons who have been unable to pay the large assessments made for improvements.

Mr. INGALLS. It has been very carefully considered. It was passed by the Senate at the last session. It merely provides a method by which the payment of taxes can be enforced.

There is at the present time nearly a million dollars of delinquent taxes in the District, much of which is not paid simply because people can use their money in some other way more profitable than by paying their taxes. This bill merely provides that a deed may be issued when the property is sold for taxes after the proper time for redemption has elapsed. It is a provision that exists in every other community in the Union, so far as I know. The committee have endeavored to guard it carefully. I trust that the Senator will not interpose any objection to the bill.

Mr. CALL. I do not object. I only wish to know whether there has been any provision made for that class of people who have incurred large indebtedness on their property by reason of special assessments made some years ago for improvements in the District. I wished to ascertain whether it would apply to that class of tax-payers.

Mr. MCPHERSON. I desire to say with respect to this bill, which does not entirely commend itself to my judgment, that on careful investigation of the matter I understand that unless the District commissioners can proceed in the manner provided in this bill there will be great loss to the revenues of the District. If we had pursued this policy at a much earlier date the community would have been far better off. There are taxes laid from which the District gets no benefit. I hope the bill will become a law.

Mr. CALL. My object has been accomplished; I merely wished to call attention to the fact that there were a very large number of deserving people here whose property has been virtually confiscated under the system of special assessments. There ought to be some relief for them.

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.

DISTRICT LIQUOR SALES.

The bill (S. 1380) relating to the sale of distilled and fermented liquors in the District of Columbia was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, at the end of section 2 to strike out the following proviso:

Provided, however, That where the written permission of a majority of the persons owning real estate and a majority of the residents keeping house has been secured as above required, such written permission shall hold good until the commissioners, in their discretion, shall direct the party applying for the license to again secure such written permission.

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.

HEIRS OF PETER DELLA TERRE.

The Senate, as in Committee of the Whole, proceeded to consider the bill (S. 492) for the relief of Frank Della Terre and Susan F. Della Terre, heirs of Peter Della Terre, deceased.

The Committee on Claims reported an amendment, after the words "sum of," in line 6, to strike out "fifty" and insert "ten;" so as to make the bill read:

Be it enacted, &c., That out of any money in the Treasury of the United States the Secretary pay to Frank Della Terre and Susan F. Della Terre, heirs of the late district attorney of the northern district of California, Peter Della Terre, deceased, the sum of $10,000, in full consideration for extraordinary services rendered by said Peter Della Terre, during the years 1857, 1858, and 1859, in defending the title of the United States to public property in the State of California, and recovery of 19,148 square miles of territory, valued at $150,000,000.

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.

TRUSTEES OF ISAAC R. TRIMBLE.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1388) for the relief of the trustees of Isaac R. Trimble.

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

FLORIDA INDIAN WAR CLAIMS.

The bill (S. 1729) to authorize the Secretary of the Treasury to settle the claim of the State of Florida on account of expenditures made in suppressing Indian hostilities was announced as next in order.

Mr. CALL. Let the bill be passed over.

The PRESIDING OFFICER (Mr. HARRISON in the chair). The bill will be passed over on objection.

MOBILE DOCK COMPANY.

The bill (S. 300) for the relief of the Mobile Marine Dock Company was announced as next in order.

Mr. LOGAN. I object to the consideration of that bill.

The PRESIDING OFFICER. The Senator from Illinois objects to the consideration of the bill. It will be passed over.

CLERK-HIRE TO POSTMASTERS.

The bill (H. R. 4415) to make the allowances for clerk-hire to postmasters of the first and second class post-offices cover the cost of clerical labor in the money-order business, and for other purposes, was considered as in Committee of the Whole.

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

FEE ON DOMESTIC MONEY-ORDERS.

The bill (H. R. 4177) to reduce the fee on domestic money-orders for sums not exceeding $5 was considered as in Committee of the Whole. It proposes to reduce the fee for each domestic money-order not exceeding in amount $5 from 8 cents to 5 cents, the reduction to take effect within one month after the date of the approval of the act by the President.

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

OBSTRUCTION OF NAVIGABLE WATERS.

The bill (S. 64) to prevent the obstruction of navigable waters and to protect public works against trespass or injury was announced as next in order.

Mr. DOLPH. I ask that that bill go over, retaining its place on the Calendar.

The PRESIDING OFFICER. The Senator asks that this bill go over without prejudice, retaining its place under the eighth rule. The Chair hears no objection.

FITZ-JOHN PORTER.

The bill (H. R. 67) for the relief of Fitz-John Porter was announced as next in order.

Mr. LOGAN. There is no use in reading that bill. I object to taking it up now.

Mr. SEWELL. The Senator from Illinois desires to make a suggestion, I suppose.

The PRESIDING OFFICER. The Senator from Illinois interposes an objection to the consideration of the bill.

Mr. LOGAN. The Senator from New Jersey said that when this bill was reached he would be willing to fix a day for taking it up for consideration. I am perfectly willing to do so; and if the Senate will agree to it I suggest that it be taken up next Thursday and disposed of.

Mr. SEWELL. The Senate will have to give unanimous consent to take it up and make it a continuous order so as to supersede everything else.

Mr. LOGAN. That can be done by unanimous consent.

Mr. ALLISON. I shall object to making it a continuous order.

Mr. LOGAN. We can make it a special order for Thursday and take it up and dispose of it.

Mr. SEWELL. To follow whatever the unfinished business is on that day.

Mr. ALLISON. I do not object to that, but if any appropriation bills are ready they should have preference.

Mr. SEWELL. Of course; everything gives way to appropriation bills.

The PRESIDENT *pro tempore.* Will Senators state their proposition?

Mr. SEWELL. I ask unanimous consent, as the Senator from Illinois is not ready to go on with the discussion to-day, that the bill be made the special order for Thursday of next week, to follow any unfinished business coming up that day, subject of course to the appropriation bills.

The PRESIDENT *pro tempore.* The Senator from New Jersey asks unanimous consent that the pending bill be made the special order for Thursday next, subject only to any unfinished business on that day. If there be no objection that will be considered the order of the Senate. The Chair hears no objection, and it is so made a special order.

JAPANESE WORKS OF ART.

The bill (S. 1772) providing for the purchase of the Capron collection of Japanese works of art, now on temporary deposit in the National Museum, was considered as in Committee of the Whole.

Mr. ALLISON. Let the report be read.

The Secretary read the following report, submitted by Mr. VOORHEES, from the Committee on the Library, March 4, 1886:

In the matter of the purchase of "the Capron collection of Japanese works of art," now on temporary deposit in the National Museum, referred by resolution of the Senate to the Committee on the Library, that committee reports a bill for the purchase of the same.

Your committee also reports the letter of Spencer F. Baird, Secretary of the Smithsonian Institution and Director of the United States National Museum, together with the letter of G. Brown Goode, assistant director, on the subject of said collection.

[United States National Museum, under direction of the Smithsonian Institution.]

WASHINGTON, *February* 26, 1886.

SIR: I am in receipt of your communication asking my opinion as to the probable value of the Capron collection of Japanese works of art, and as to the desirability of their purchase. I have requested one of my assistants to examine the collection, and inclose herewith his report.

The Capron collection is an interesting one, and is constantly increasing in value. In fact, several of the articles included could probably not be readily obtained elsewhere. In view, therefore, of the fact that Japanese art is undergoing great deterioration and is rapidly disappearing, it would seem eminently appropriate that a collection, which is so interesting to artists and so suggestive to students of industrial art and to designers, should become the property of the Government and be displayed in the National Museum. We have already a large number of objects of a similar nature, for the most part the gift of the Japanese Government, acquired both at the time of Perry's expedition and during the past year. The Capron collection added to these would give to the National Museum a very creditable collection illustrating Japanese arts and manufactures.

I am, sir, yours, very respectfully,

SPENCER F. BAIRD,
Secretary Smithsonian Institution and Director United States National Museum.

Hon. W. J. SEWELL,
Chairman Joint Library Committee, United States Senate.

[United States National Museum, under direction of the Smithsonian Institution.]

WASHINGTON, *February* 23, 1886.

SIR: Pursuant to your instructions, I have carefully examined the collection of Japanses works of art belonging to the estate of the late General Horace Capron, with the view of estimating its desirability for the use of the National Museum, and of forming an idea of its commercial value, and have the honor to report as follows:

The collection, in connection with similar objects already the property of the Museum, would be extremely serviceable, and I should hope that it may be possible to acquire it.

The lacquered objects are the most valable, particularly the four which bear the crest of one of the families of shoguns—the Tokagawa family, if my memory serves me right. These I estimate at $3,000. There are also about twenty pieces of smaller size, many of them of great age and fine quality. These are probably worth $1,000. Total for lacquer, $4,000.

The bronzes are forty-six in number, five being of large size. I place their value at $3,500.

There are also two pieces in silver bronze and one in gold bronze, representing birds and flowers, which I place at $1,100.

There are 37 carvings of ivory, estimated worth $700, and 10 carvings in wood, at $500.

The porcelains and enamels are worth, perhaps, $1,025. The armor, lance, and sword, $400. The large pictorial screens, albums, and scrolls, $450. This makes a total of $11,675.

There is also the collection of coins, containing 63 pieces; 35 of them are of gold, and weigh about 600 grams. I am told that an expert from New York appraised this collection as worth $5,000. I think it may safely be considered worth $3,000, although I know little or nothing of the value of Japanese coins.

The estimates thus amount to $14,675. I may add that there has been an enormous increase in the value of such objects since the collection was first deposited in the Museum, and that the figures here presented are nearly double what I should have thought it proper to submit under similar circumstances five years ago. I have not, of course, a dealer's familiarity with values, but am tolerably well acquainted with the subject under consideration, and do not believe that my estimates are too high. That they are not too low, particularly in the case of the lacquers, I am not at all positive.

Yours, very respectfully,

G. BROWN GOODE, *Assistant Director.*

Professor SPENCER F. BAIRD,
Director United States National Museum.

A revised descriptive catalogue of the foregoing collection is also submitted as a part of this report.

Descriptive catalogue (revised) of General Horace Capron's collection of specimens of antique Japanese works of art, temporarily deposited in the United States National Museum, Smithsonian Institution.

INTRODUCTION.

In Japan, the love of art has penetrated even to the lowest classes of the people. Their fancies, conceits, poetry, puns, legends, and mythology are all expressed in characteristic forms of art, such as are enumerated in the collection herein described. Instead of ink and paper, or paint and canvas, the artists have selected, as their mediums of expression, porcelain, lacquer-work, screens, embroidery, ivory, and ertal.

This rare and original collection was made by General Capron during a long residence in Japan, which covered a period of the greatest interest in the history of that empire, embracing as it did the closing scenes of a revolution which terminated in the abolition of the feudal system, thereby forcing the Daimios and princes of the empire to offer for sale vast treasures in the way of rare art productions of the days of Japan's greatest prosperity and unrivaled proficiency, specimens of which had been sacredly guarded for centuries. It was from such sources that this collection was taken.

The numerous legends herein recorded were gathered from the people during actual residence among them, and subsequently corrected and elaborated, reference for the purpose to Professor W. E. Griffis's works, The Mikado's Empire (Harpers, New York), Corea, the Hermit Nation (Scribner's, New York), Japanese Fairy World (J. H. Barbyte, Schenectady, N. Y.), and to Audesley and Bowers, The Keramic Art of Japan.

The greater portion of the lacquered work of the collection was taken from the private stores of the Tycoons which were confiscated at the close of their reign by the Mikado's Government. These pieces bear the armorial insignia of the princely families in which they have been treasured for centuries. Other specimens in this collection were derived from imperial sources as presents. The peculiar significance of the combinations of plants and birds in these pieces will be found in the notes appended to this catalogue.

All the articles embraced in this collection were secured before any attempt had been made to imitate these rare and unrivaled works of Old Japan and the substitution of gamboge, tinfoil, and other combinations for pure gold used in the decorations of these antiques.

The time required to produce a first-class lacquered specimen was formerly from four to six years. The longer the time given to each coating the harder and more durable it becomes. From six to eight and even twenty coats of lacquer are necessary for the best work, applied at intervals of from four to six months; hence the worthlessness of the lacquer productions of the present period.

In their keramic products likewise, especially the Satsuma faience, time or labor under the old dynasties were not considered, and during the existence of the Satsuma princes in full power the pure specimens of their potter's work, now so rare, were made without regard to cost. These were never designed to be sold, but were made to serve as presents among the princes and rulers of the empire. No such ware is made at the present time worthy the attention of foreign purchasers. The Satsuma faience in this collection was procured when the lords of Satsuma were wealthy and in the height of their power.

No. 1. The cock on the drum is often chosen by the artist in cloisonné, lacquer, porcelain, and bronze. It is a symbol of good government and a peaceful state of society. It was an ancient custom in China and Japan to station a drum on a stand in front of the magistrate's office. Any one oppressed or maltreated could come and, by beating the drum, call attention to his complaint, and receive redress. In time of misrule or public disturbance the drum would often sound, scaring away bird and beast; but when all was "peace under heaven" the drum was neglected. Years rolled by in peace and quietness; vines grew up and encircled the drum; rust corroded it, and a large piece fell from the side. The cock with his flock becoming familiar with its peaceful aspect selected it as a fit abode for his harem, and the quiet repose of the mother with her little brood as they appear in peaceful possession of the great drum is the result. By such simple means are great events remembered and ancient customs transmitted for ages.

ELABORATELY CARVED IVORIES.

No. 2. Medicine chest.

No. 3. An elaborately carved ivory cylinder, exhibiting a religious procession winding up a hill through bowers of trees and flowers.

No. 4. Cigar-case.

No. 5. *Fukuroku Jin.*—Fukuroku Jin is one of the seven gods of happiness, and the patron of long life and prosperity. He is represented with a cheerful countenance and long flowing beard, and is usually accompanied by a crane or stork, which is the symbol of longevity, and said to live ten thousand years. Every one likes Fukuroku Jin, and wants to get his favor and live long. Children are amused by him. He is mostly seen at weddings, with his long white hair and pleasant smile. (Jap. Fairy World, page 78.)

No. 6. *Akechi.*—This figure, it is believed, is intended to represent Akechi, who assassinated Nobunaga Kioto in 1558-'60. He was a stern, proud man. Not liking the familiar manner in which Nobunaga, in a merry mood, at a feast at his own castle, seized Akechi around the neck and made a drum of his head by drumming on it with a fan, he determined upon revenge. This he accomplished by surprising Nobunaga in his palace at Kioto. (The Mikado's Empire, page 231.)

No. 7. *Kiyomori.*—This tall figure of a warrior in a passion—in white ivory—is Kiyomori, who caused the death by assassination of Yoshitomo. In 1159 he conceived a plan for the complete extermination of the Miame tos, which was centered in the children of Tokiwa, the concubine of Yoshitomo. (The Mikado's Empire, page 121.) Tokiwa is represented in an ivory group of a mother and her three little children fleeing for safety through the snow. For the interesting history of her escape from his wrath, and the eventual restoration of her family to power, see legend attached to that group of ivory, No. 24.

No. 8. The ivory figure with goggle eyes and distorted countenance is one of the thunder-gods. They are seen standing on either side of the main entrance to Buddhist temples. They are of colossal size, and the more hideous the better.

No. 9. A beautiful carved representation of a brave man who killed a serpent which for a long time had infested his neighborhood.

No. 11. Represents a citizen of the third class in holiday dress.

No. 12. Represents a lady of the third class in holiday dress.

No. 13. *Yoritomo.*—This elaborate carving in ivory represents one of Japan's greatest heroes. He was of the Minamoto family, and lived in the twelfth century. Japanese history is filled with his heroic exploits. In his younger life he was a "Prince Hal," and in his after life he became a "Bluff King Harry," barring his polygamic tendencies. (Chap. xiv, The Mikado's Empire.)

No. 14. *Kai Riu O.*—(The god with a black ball in one hand, white in the other.)—This figure represents the god of the sea, who is in the act of raising a tempest in the sea by rolling a black ball or smoothing it down by rolling the white ball. (Japanese Fairy World, page 273.—"The Jewels of the Ebbing and the Flowing Tide.")

No. 15. *Hideyoshi.*—Hideyoshi, born of a peasant family in 1536, was represented as a cunning, reckless boy, at one time a "betto" (groom). He grew up a man of war and a successful soldier. He first reduced the daimios to submission, and then sent his generals Konishi and Kato Kiyomasa, to invade Corea, which he made tributary to Japan. Hideyoshi was one of Japan's ablest rulers. He died in 1598. (See "Corea, the Hermit Nation.")

No. 17. *Kato Kiyomasa.*—This figure is supposed to represent Kato Kiyomasa, who commanded one wing of Hideyoshi's army in the Corean expedition in the sixteenth century. It was he that instigated the cutting off of the ears of the Coreans killed in battle. The ears of ten thousand Coreans killed in one battle were cut off and preserved in salt, or *sake*, and carried back to Japan. In the city of Kioto stands to this day a barrow—*Mimidzuka*, or Ear Monument—under which are entombed the ears of the ten thousand Corean warriors. (The Mikado's Empire, page 245.)

No. 18 represents an ancient warrior in full armor. Japanese armor is made of steel and lacquered paper laced with silk cords.

No. 19. *Lu Wen, the Japanese Rip Van Winkle.*—This woodman, one day, shouldered his own ax and started for the woods to procure his winter's supply of fuel, but was beguiled by a large fox a long distance up the mountain, when suddenly he came upon two beautiful ladies seated upon the ground playing checkers. Lu Wen stopped and wondered, but the ladies took no notice of him, continuing their game, not even asking him to play with them. At last Lu Wen bethought himself of his home and family, and the necessity for his preparation of his winter's wood. Turning back, he went off down the mountain, but his cabin was gone! The venerable rocks were there, but a strange people surrounded them; the children mocked, the dogs barked at him; no one knew him and he knew no one. His long white beard swept the ground and his strange appearance excited wonder. At last he was met by a venerable lady, who, taking compassion upon him, informed him that away back in the history of her family there was a man lived in that neighborhood by the name of Lu Wen, but that was six generations back, and no one ever knew what became of him, so poor Lu Wen hobbled up the mountain side, and was never heard of after. (The Mikado's Empire, page 503.)

No. 20. *Hotei, the Japanese Santa Claus.*—Hotei is one of the seven patrons of happiness. He is as round as a pudding, and as fat as if rolled out of dough. He is a jolly vagabond, but a great friend of the children, who romp over him, standing upon his knees, and hanging around his shoulders, pulling his hair and his long ears. He always has something good for them, which he carries in a sack, which he partially opens that they may see what it contains, but suddenly closes it before they have fairly ascertained its contents. By and by, if the children are good, he opens it. (Japanese Fairy World, page 83.)

No. 21. *Daikoku.*—Another of the seven patrons is a short, chubby fellow, with eyes half sunk into his fat face, but winking with fun. He has a cap set on his head, a long sack over his shoulders, his throne is two straw bags of rice, and

his badge a small hammer or mallet, with which he makes people rich when he shakes it at them. He has long-lopped ears.

No. 22. *Raiko and the Dragon.*—Raiko was famous for his prowess in arms, and deified because of his having killed the great ghoul with three eyes, and the Dojl, or giant-boy demon who ate up young girls. (Japanese Fairy World, page 191.)

No. 23. This exquisitely-wrought ivory figure represents a Japanese fisherman returning from the scene of his daily labor, bearing his little child upon his shoulders holding a fish. It is a beautiful illustration of a Japanese's love for his children. To fully appreciate the delicacy of the carving in this as in all the other pieces in this collection, it should be examined under a magnifying glass.

No. 24. This group represents Tokiwa. Tokiwa was a young peasant girl of superior beauty, whom Yoshitomo made his concubine, and who bore him three children. She fled to escape the minions of Taira after the death of her lord in 1159, who was assassinated in a bath by three hired assassins at Utsumi, in Owari. Tokiwa's flight was in winter, and snow lay upon the ground. She knew neither where to go nor how to subsist; but clasping her babe to her bosom, her two little sons on her right, one holding his mother's hand, the other carrying his father's sword, they trudged on, nearly frozen and half starved. She was met in her flight by a Taira soldier, who, pitying her and her children, gave her shelter and protection, supplying her and her children from his own meager rations. Her husband's great enemy, Kiyomori, was anxious to overtake her, and, believing that her filial affection for her mother would cause her to yield herself up, had seized upon her. Tokiwa heard of her mother's durance at Kioto. Then came the struggle between maternal and filial love. To enter Kioto she feared would be the death of her children, but for the salvation of her mother, a sentiment so strong with the Japanese, she was influenced to take her course into the city, and to trust to her beauty and accomplishments to melt the heart of Kiyomori. Thus she saved the lives of her mother and children. The babe at the breast was the future Yoshitsune, a name which at this period awakens in the breast of a Japanese youth emotions that kindle his enthusiasm to emulate a character that was the mirror of chivalry, valor, and knightly conduct. He was the Chevalier Bayard of Japan. The oldest son, who is represented in the group carrying his father's sword, became a noted warrior. (The Mikado's Empire, page 124.)

No. 25. This figure, a companion to No. 23, is another specimen of skill of the highest order in this art of carving in ivory, and should be examined under a high magnifying power.

No. 26. A mail-clad warrior of the sixteenth century.

No. 27. A Japanese water-carrier.

No. 28. A street juggler, with his boy acrobat.

No. 29. Peasant girl and child.

No. 30. The children's friend and adviser.

No. 31. An exquisite carving, representing three field-mice.

No. 32. One of the gods possessing power to control wild beasts.

No. 33. Fukuroku Jin, mounted on a horse. (See legend attached to No. 5.)

No. 34. *Benton, Queen of the World under the Sea.*—Legend. In the sixth century there lived upon the coast of Tango a poor fisherman and his wife. Their only means of subsistence was the fish caught from the sea by their only son, Taro by name. One day in autumn Taro was out as usual in his boat. The sea was rough and the waves high. He uttered a prayer to the sea-god Kai Riu O. Suddenly there appeared upon the crest of the waves a divine being, robed in white, riding upon a large tortoise. Approaching the wearied fisherman, he greeted him kindly, and invited the poor fisherman to follow him and he would make him a happy man. Taro, mounting the tortoise, sped away with marvelous celerity. The wonderful sights he witnessed in the realms below the sea it would take pages to describe—splendid palaces, richly-dressed ladies with retinues of pages, waiting to welcome him; music, feasts, flowers, songs, and dances; rich jewels and precious gems, dazzling to behold. Amidst this splendor he spent most happily (what he supposed to be) seven days, when he bethought himself of his parents, whom he felt it was wrong to leave so long without their usual supply of food. He determined to return to them. The queen allowed his request; he was escorted to the white marble gate of the palace, and mounting the same tortoise, soon reached the spot which he had left in his boat. The mountains and rocks were familiar to him, but no trace of his parents' hut was to be seen. All was changed. He made inquiries of an old gray-headed fisherman, who informed him that centuries before the persons he described had lived there, and had been buried long years ago, pointing out the place of their interment. He thought their names could be read upon some of the very old tombstones, if the moss and lichens which completely hid them, could be removed. Thither Taro hied, and, after a long search, found the tomb of his parents. A cold shiver ran through him; his teeth, one by one, dropped from his mouth; his limbs stiffened, and his face wrinkled. The weight of four centuries was upon him—he died. The fishermen in various parts of Japan worship the memory of this good boy, Taro, who, even in the palace of the sea gods, forgot not his old parents. (The Mikado's Empire, page 498.) In those days, the jelly-fish—which is now a simple lump of jelly as white and as helpless as a pudding—was a lordly fellow, who waited upon the Queen of the World under the Sea, and right proud he was of his office. He would get his back up and keep it up high when he wished. He was on good terms with the king's dragon, which often allowed him to play with his scaly tail, and never hurt him in the least. But, alas! by betraying the queen's confidence on a certain occasion he was condemned to lose his shell, and was afterward to float helplessly and ashamed. Their children also were ever to be soft and defenseless. Banished from the queen's province, the jelly-fish blushed in confusion, and squeezing himself out of his shell he swam out of sight. (Japanese Fairy World, page 141.)

No. 35. Carpenter with his adze.

No. 36. Old man and boy sheltered from the storm by a palm.

No. 37. *Daikoku* (a small ivory figure with a dragon on its back).—A long while ago, when the Japanese first became Buddhists, they continued to burn incense to Daikoku, because he was the patron of wealth. The Buddhist idols took exception to this, and determined to get rid of him. They sent a dragon to destroy him, but Daikoku clung fast to his money-bags, and only laughed at the dragon and all efforts to destroy him. At last he shook him off, and sent him away howling.

The dragon.—Chief among the ideal creatures of Japan is the dragon. It is seen carved upon the tombs, on the temples, dwellings, and shops. It appears upon the government documents, on their paper money, stamped upon their coins, carved in bronze, in wood, in ivory, and glares upon you from their pictures. There are many kinds of dragons, such as the violet, the green, the red, the white, the black, and the flying dragon. Some are scaly, some horned, all hideous—the more so the better. When the white dragon breathes, the breath of his lungs goes into the earth and turns to gold. When the violet dragon spits, his spittle becomes balls of pure crystal. One delights to kill human beings. One causes floods and storms. The fire dragon is only 7 feet long, but its body is all flame. (The Mikado's Empire, page 478.)

No. 38. Finely wrought group representing the goat-tamer with his little boy.

In Case No. 87 will also be found a choice collection of small but rare specimens of carving in bronze. They are all antiques. They are numbered from 39 to 67, inclusive.

These exquisite specimens of the carver's art are called Netsuke. They are all drilled with two holes in the back, through which silken cords (holding pipe, tobacco pouch, and the smoker's outfit) are run; and the ivory button thrust through the girdle holds the smoker's kit easily. In every sense these ivory toggles are fine illustrations of Japanese decorative art.

No. 68. A case containing a collection of Japanese coins. These were secured only after several years' persevering labor. No attempts at preserving the coins of the country had been made, and those were found here and there among the old curio-hunters, assisted by the obliging managers of the Oriental Bank, and Mitsui, the great Japanese banker. Some date from the sixteenth century, others from the fourteenth, and exhibit the early attempts of the Japanese to convert their bullion into convenient forms for circulation, and show their gradual advancement to the beautiful milled coinage of the present day.

Nos. 72 and 73 are two albums, bearing the Tycoon's crest. They were taken from his private collection. They were originally intended for the preservation of autograph verses of their most renowned poets, of which some twenty or more specimens are inserted in the Japanese Hiragana. The reverse pages have been utilized by the collector for many excellent photographs made by Japanese during 1874, the photographic art then having been only a few years known there. They embrace various scenes, such as the most famous shrines, temples, and parks.

Case 86. In the western division of this case will be found a variety of specimens of Japanese work in bronze and in lacquer, all of which are the productions of the most renowned artists of Old Japan, such as Goro Saburo, of Kioto.

No. 76 is a delicately executed carving in bronze, representing an eagle upon a rock surprised by a serpent crawling from under his perch. Nothing can excel this specimen, either in the workmanship or the expression with which the artist has inspired his work.

No. 77. A beautifully enameled holder for a Japanese pencil or brush-pen.

No. 78. An oval vase, carved in a most elaborate manner to represent a religious procession winding around an eminence. Pilgrimages to famous sacred mountains are considered very meritorious acts among the Japanese.

No. 79. This piece is wrought out of the root of a shrub, and represents birds treed by dogs. This is an artistic delineation of a peculiar tendency of the Japanese to study nature in all its forms, and to work into a significant shape every old stump or root, which, in their imagination, resembles a living form of man or beast.

No. 80. One of the seven patrons of husbandry, mounted upon a mythical animal resembling a reindeer. It is in gold bronze, and is a most spirited piece. He is supposed to be on an errand of mercy.

No. 81. Bamboo cigar-holder.

No. 82. A beautiful chow-chow box. A chow-chow box is a convenient arrangement for serving up for a guest a meal of several courses. It is generally made of wood or papier-maché, finely laid on lacquer. It is divided into sections (in this case four) held in place by a conveniently arranged handle. This serves not only to keep the contents warm but to keep them from slopping over. One of these is placed before each guest as they are seated upon the matted floor, and a pretty Japanese maiden is always in attendance kneeling, ready to replenish the food when required One of these sections may contain fish, another rice, another soup from the seaweed, and a fourth the vegetable daikon, or colossal silver radish, which comprises the principal menu of the Japanese.

No. 83. A large scarf-box of pure gold lacquer, from the Tycoon's collection.

No. 84. Gold-lacquered tray.

No. 85. *A gold-lacquered hibachi* (the hibachi, or fire-brazier).—"The hibachi, or fire-brazier," says Professor Griffis, "is to the Japanese household what the hearth or fire-place is in an occidental home; around it friends meet; the family gathers; parents consult; children play; the cat purrs, and the little folks listen to fairy legends of household lore from nurse and grandma." The hibachi is always found in a Japanese house in some form; often in bronze, carved into fantastic shapes. It is an indispensable requisite, and constant one to light the pipe; for the Japanese of both sexes and of all ages and conditions smoke. Time is allowed for every laborer in the progress of his daily employment to "take a smoke." The Japanese pipe which accompanies the hibachi is made with a tiny bowl. After long mechanical practice the nimble fingers, with automatic precision, roll up the small pellet of the gossamer-cut tobacco in size just to fit the bowl of his pipe. This he touches to the glowing coal in the ubiquitous hibachi, and after one, or, at most two, very deliberate puffs, the pipe is emptied, and a fresh pellet prepared. A native will sit by the hour, mechanically rolling up these tobacco pills, oblivious, apparently, to all surroundings, and the exactness with which he forms his pellets to fit his pipe is wonderful. A shrewd judge once discovered the thief who had stolen his gold-mounted pipe by noticing a suspected person engaged in preparing his pellets to fill his pipe. He saw him draw from its pouch his golden pipe, and commence abstractedly to roll up the globules of tobacco, when, on turning to the brazier, the mouth of the bowl downward, out rolled the pellet. It was made too small for the bowl of the pipe. Here, then, there was conclusive evidence that the pipe was not his own. (The Mikado's Empire, page 501.)

No. 86. Robe chest, formerly belonging to the Tycoon; *it bears his crest of the* three mallow leaves within a circle. This is one of the finest representative pieces of the work of old Japanese artists extant.

No. 87. A cabinet, in old gold lacquer, from the Tycoon's private collection.

Nos. 88 and 89. Two gold-lacquered dispatch boxes, also from the Tycoon's private stores.

No. 90. A pearl-inlaid scarf box.

No. 91. The old Tycoon's helmet case, on which is emblazoned his crest.

No. 92. A chow-chow case of less pretensions. On the eastern section of case No. 86 will be seen the following rare pieces:

Nos. 93 and 94. Two hanging tablets, originally intended for holding slips of poetry, but now, through the agency of Tiffany & Co., converted into beautiful holdings for a thermometer and a weather glass. They are very old and of pure gold lacquer.

Nos. 95 and 96 are two specimens of rare carving in wood. They are the production of an unknown age, but believed to be of the fifteenth century. These pieces, when discovered, were laid away in a family tracing far back its descent. They were looked upon as "heir-looms," but want tempted the owners to part with them. The frames to these pieces were so old as to fall off in the handling, and were newly framed since they came into the possession of the present owner.

No. 97. *Cloisonne vase.*—Is a splendid specimen of cloisonne work. There are few superiors.

No. 98. Another cabinet from the Tycoon's private stores. It is one of the finest specimens of old gold lacquer. It has on it the Tycoon's crest of three leaves within a circle, said to have been derived from a cake ornamented with three mallow leaves, offered in hospitality to the founder of the Tokugawa family, in the fourteenth century.

No. 99. One of the imperial presents. It is several feet in height. The base or pedestal is of pure old gold lacquer; nothing ever made of this character of work surpasses it. On the pedestal rests a richly wrought silver vase of basket-form, from which springs two branches of the Japanese plum-tree (mume), converging to form an arch; on these branches are perched two nightingales wrought in silver. This combination of the nightingale with the plum-tree is the poet's combination. It is symbolical of friendship and esteem.

No. 100. Another imperial present, equally exquisite in design and execution The base is of pure gold lacquer. On this pedestal rests a representative of a rock carved in bronze, around which are twining branches of "Paulownia Imperialis," the imperial tree of Japan. Upon the top of this rock are perched, in graceful attitude, two of the mythical "Ho-ho," or, according to Griffis,

Ho-wo. Both of these mythical birds are wrought from pure silver, and are of the highest order of Japanese art. These two pieces—Nos. 99 and 100—were selected by members of the royal household from a collection of rare productions in the possession of the ancient princes of the Empire, said to be two hundred years old.

The Japanese idea of the mythical Ho-ho (the Ho-wo, or phœnix, as seen in piece No. 100; sometimes written by the English Ho-ho).—The Ho-wo, as seen on the smaller silver (imperial presents) is a fabulous bird of Chinese mythology, whose visits upon the earth are as rare as those of the angels. It is seen sculptured upon the tombs of the Shoguns of Japan, stamped upon their paper currency, and pictured in every way. It seems to be a combination of the pheasant and peacock. According to Professor Griffis, it is described by the Chinese as follows: "The phœnix (Ho-wo, in Japan) is the essence of water. It was born in the Vermilion cave. It roosts not but upon the most beautiful trees; it eats not but of seeds of the bamboo; it drinks not but of the sweetest springs; its body is adorned with the five colors; its song contains the five notes. As it walks it looks around; as it flies, the hosts of other birds follow it. Virtue, obedience, justice, fidelity, and benevolence are symbolized in the decoration of its head, wings, body, and breast. Its appearance is waited with great eagerness, as the annunciation of some great event or the appearance of some great leader."

The Ho-wo and the Paulownia Imperialis tree are often blended as imperial emblems on the Mikado robes, curtains, &c. This tree is an emblem of rectitude. Its leaves form the imperial crest. (The Mikado's Empire, page 481.)

No. 101. The Tycoon's sword-rack in gold lacquer.

No. 102. The sword of the Tycoon.

No. 103. A specimen of Japanese carving in wood, representing a fishing junk, with crew, dog, and nets.

In the long case resting against the north wall are the following pieces:

Nos. 104 and 105 are two Japanese screens, decorated with paintings on silk, representing street scenes in the city of Tokio in the times of the Shogunate, and also Japanese annual celebrations, as, for instance, the Feast of Flags, the annual display of the Nobori. This last is explained in the following sketch:

Nobori (the paper fish).—The fifth day of the fifth month—5th of May—is celebrated in Japan as the Feast of Flags, and is the day on which is displayed the Nobori, or paper fish. It is suspended from a tall bamboo pole over every house wherein a male child has been born during the preceding year. This fish is generally of paper, but sometimes, among the wealthy, is made of silk, and graduated in size to suit the purse—in some instances 30 to 40 feet in length, generally from 6 to 10. They are formed and painted to represent the carp, which fish is selected because of its ability to swim swiftly against a rapid current and leap over waterfalls, thus symbolizing great energy of character, the ability to surmount great difficulties and eventually to achieve success. (Japanese Fairy World, p. 227.) This fish being hollow and suspended by the mouth, the wind expands the body and it floats in the air with all the grace of movement of a fish in his native element.

Screens Nos. 106 and 107. On these screens the paintings are on silk. They represent the three ruling classes in the Japanese Empire, under the dual form of government. The robes of state and the details of every article of dress in each of the three ranks, the Mikado, the Tycoon, and the Daimios, even to the color and quality of the material, as well as to form, was regulated by edict; so also was the style of dressing the hair. All were different down to the common cooly. The double eyebrow, as seen upon the forehead of the Mikado, his wife, as also that of the Tycoon's consort, indicate their direct descent from the royal family. The Tycoons themselves were not of royal descent, but as commanders-in-chief of the armies had usurped the whole power of the throne for several centuries.

Of the bronzes in this case—

No. 108 is an incense-burner in octagon shape.

No. 108½. Another small incense-burner.

No. 109. An elaborately-carved falcon, perched upon the branch of a tree, which may be used as a bouquet holder, although it was not originally intended for that. This beautiful specimen of Japanese carving in bronze will bear inspection, but to appreciate more clearly the wonderful productions during past ages of this isolated and half-civilized people it should be borne in mind that all this exquisite carving in bronze and in ivory are the results of patient hand labor, unaided by any mechanical appliances whatever. It is not infrequent that the decoration of one of these pieces has required the work of a skilled artisan for years.

No. 110 is a Japanese god upon a fish, representing the first introduction of letters to Japan. (Corea, the Hermit Nation, pages 20 and 51.)

No. 111 is a Japanese god upon a reindeer in repose.

Nos. 112 and 113. A pair of richly carved vases, 36 inches in height. They are the work of centuries back.

Nos. 114 and 115. A pair of bronze vases of the famous Zogan style of workmanship; inlaid with gold and silver; 26 inches in height.

No. 116. *Jiariya* (Young thunder).—A poor but brave and ambitious boy, expert swordsman, and ambitious to restore the shattered fortunes of his family, became chief of a band of robbers, who plundered many wealthy merchants, and in a short time in this way had accumulated much wealth. Jiariya, hearing of an old man that lived in a mountainous region, started out to rob him. Overtaken in a heavy storm, he took refuge in an humble house. Entering, he found a very beautiful woman, who treated him with kindness. At midnight, when all was still, he unsheathed his sword, and going noiselessly to her room, was about to strike off her head, when in a flash her body changed into a very old man, who seized the heavy steel blade and broke it in pieces as though it was a stick. Jiariya was amazed, but not frightened. "I am Senso Dojin," exclaimed the old man, "and have lived in these mountains many hundred years; but my body is a frog. I can easily put you to death, but I have another purpose." Jiariya was undaunted, and asked to be received as his pupil. The old man said to him: "Henceforth cease from robbing the poor. Take from the wicked rich and those who acquire money dishonestly and help the suffering." Thus speaking, the old man turned into a huge frog and hopped away. From that time forth the oppressed poor people rejoiced as the avaricious and extortionate money-lenders lost their treasures, while they were protected. Jiariya married a beautiful woman, and after a very eventful life, and in one of his greatest battles, he was successful in killing the great dragon coil. During the time he remained with the old man of the mountains he had learned how to govern the frog, which, at his bidding, assumed great size, so that on its back he could stand up and cross rivers. He also learned how to cause storms, control the mountain spirits, and direct the elements at will, and throughout the country was known as "Young Thunder." He was made a Daimio of Idzu, and lived for many years in the bosom of his family, engaged in the reading of books, teaching his children, cultivating flowers, and beautifying his yashiki by the introduction of rare and beautiful plants. (Japanese Fairy World, page 126.)

No. 117. *Senso Dojin* (legend).—When Jiariya, or Young Thunder, in his youth, became chief of a band of robbers, he started out on an expedition to rob an old man. This old man was Senso Dojin, who had lived in the mountains many hundred years. His true body, however, was that of a frog, but retained the form of a very old man. He determined to instruct Jiariya in the way of the mountain spirits, how to cause a storm of wind or rain, to make a deluge, and control the elements; also how to govern frogs, and at his bidding to assume great size. Senso Dojin then bade Jiariya depart and henceforth cease from robbing the poor, but to take from the rich, the wicked, and dishonest. Thus speaking, the old man turned into a frog and hopped away.

No. 118. Lacquered pedestal.

No. 119. Japanese god upon a horse.

No. 120. Same as 119.

No. 121. One of the Seven Patrons of Happiness, Toshitoku, upon a reindeer in repose.

No. 122. A finely wrought vase, 12 inches in height.

No. 123. Japanese bull, used as a beast of burden.

No. 124. Bronze vase, square form, 12 inches in height.

Nos. 125 and 126. Pair of cloisonne vases, 25 inches in height.

No. 127. A Satsuma vase, 26 inches in height. One of the finest specimens of an Old Satsuma vase, both as to form and decoration, to be found.

Nos. 128 and 129. A pair of Satsuma vases of the sixteenth century, very unique in form and finish; 24 inches in height.

Nos. 130 and 131. A pair of Satsuma vases, 27 inches in height. The form and decoration of this pair of vases are of the highest order. In Audesley and Bowes's work on Japanese Keramics, plate 16, part 2, and plate 22, part 6, will be seen engravings of this character of vase.

Nos. 132 and 133. A pair of Old Satsuma vases, 25 inches in height, of the elephant trunk pattern. This particular form of decoration was only in vogue during the seventeenth century, which indicates strictly the period of their manufacture. For an illustration of a pair exactly similar to these, see plate 23, part 2, Audesley and Bowes's work on Japanese Keramics.

Nos. 134 and 135. A pair of Hizen vases, 48 inches in height. Decoration, blue and gold under a glaze. These vases are of a peculiar construction, in two perfect cylinders, one within the other. The outer cylinder is open work, a pattern rarely seen, and greatly admired by connoisseurs in this art.

No. 136. Incense burner, in Satsuma faience. Very old and rare.

137. Japanese coat of mail of the sixteenth century.

Nos. 138 and 139. Lacquered pedestals.

Nos. 140 and 141. Lacquered pedestals.

Nos. 142, 143, and 144. Three extra fine old Satsuma vases.

PORCELAIN.

Satsuma Faience.

The manufacture of Satsuma faience was commenced in the sixteenth century.

"The earliest reliable specimens of Satsuma pottery are of very rude manufacture, being of a dark colored clay, rudely modeled and very different from those beautiful works of a soft-tinted faience of a later period, decorated with flowers, birds, and other objects, a style more delicate and artistic than can be found throughout the entire range of keramic art outside the islands of Japan."

About the year 1597, after the Japanese had invaded Corea, Shimadzu Yoshihisa, Prince of Satsuma, who accompanied that expedition, brought with him on his return to Japan a number of Corean potters, skilled in the fabrication of porcelain, and settled them in the neighborhood of Kagoshima, in the province of Satsuma. Speedily setting to work, they experimented on the various materials obtainable in that neighborhood, and after repeated trials succeeded in producing a hard faience which is now known by the name of Satsuma ware.

The descendants of these Corean potters have ever since—up to the year 1871—been under the authority and patronage of the many generations of the Satsuma princes, whose immense wealth and influence were directed to the perfection of this work.

Shimadzu Yoshihisa had taken care to secure the best and most experienced workmen, which policy has been continuously followed by all his successors up to the time of the abolishment of the feudal system in 1871.

Since that period, deprived of the protection and support of the reigning princes of Satsuma, this work has gradually fallen away, until at the present time there is none manufactured worthy the attention of the foreign collectors. See report to the Asiatic Society, after a most careful inspection into the condition of the works in Japanese keramics.

The production of a fine crackle observable in the pure Satsuma is due to the unequal contraction which takes place between the body and the glaze, which results in the minute net-work of fine cracks. "It can be said that in the entire range of keramic art there has been no surface produced more refined or more perfectly adapted to receive the colored decoration so famous in the Satsuma faience."

The specimens of the Satsuma faience which are sometimes met with, heavily decorated with religious or heraldic designs, most probably received their finish in the Kioto school. The pure Satsuma is, in most cases, finished in floral designs in combination with birds, with occasional medallions in geometrical figures emblematical of some sentiment.

The imitation Satsuma, manufactured at Awata in Hizen, and decorated in Tokio, is easily detected, the pure Satsuma being somewhat roughly potted, and generally of a hard and rather grayish-white body, while the faience of the Awata ware is most carefully manipulated, and is of a fine, soft texture, of a warm creamy or pale yellow tint, covered with a thinner or more minute crackle glaze than that applied to the pure Satsuma. It is also more profusely decorated and heavily ornamented with storks, tortoises, dragons, and birds of various kinds in heavy imitation of gold, and enameled in gaudy tints. Samples of this class of work are illustrated in plates 38, 39, 40, and 42, of Audesly and Bowes's Keramic Art of Japan, and are very fine specimens, although not Satsuma.

The pure Satsuma is of a very light tint, ranging between grayish white and vellum, or light cream color; the imitations are mostly in a buff color or light yellow. At a very early period a black ground was resorted to, but not long followed. A few specimens of this are now in existence.

ARITA.

The ware known as Arita, Imari, Nagasaki, &c., are all manufactured in the province of Hizen, and mostly exported from Nagasaki, but little or none is manufactured in that town. The great Hizen vases, such as were exhibited at the exposition at Vienna and at Paris (specimens may be seen in the vestibule at the Corcoran Art Gallery), are made at Arita, in the province of Hizen, and are known as Hizen manufacture. Their great fault is too much crowding in the decoration and great want of taste. This style still clings to this class of keramic art.

Of the fine specimens of blue under a glaze, so much admired by connoisseurs in the pure Hizen manufacture, there are two in vases in this collection—Nos. 130, 131.

Symbolical combinations.

(See "The Mikado's Empire," page 581.)

The combination of trees, flowers, and birds on the Japanese porcelains, screens, &c., are symbolical of some sentiment, as, for instance, the pine tree and the stork, emblems of longevity. They are seen embroidered on silk robes, and presented to newly born infants.

The willow and the swallow, the bamboo and the sparrow are indications of gentleness, and are often seen on screens and fans.

The young moon and the cuckoo, the bird as seen flying across the crescent, has a poetic reference to a renowned archer, who shot a hideous beast, having the head of a monkey and the claws of a tiger.

The Phœnix bird (Ho-wo, or Ho-ho), with the Paulownia Imperialis, as seen embroidered on the Mikado's robes, rugs, curtains, gilded screens, &c., is an emblem of rectitude. The leaves of this tree form the imperial crest.

The red maple leaves and the stag are often painted upon their screens with

great effect. It signifies change, as, for instance, in the fall of the year the leaf changes to a beautiful crimson, sometimes to a brilliant maroon, and when used upon their screens and presented to another party may indicate a change of feeling or sentiment. A lover to send his once loved a sprig of this autumn maple is equivalent to giving her the mitten.

The cherry blossom and pheasant are often combined in poetry and art decorations. The beautiful feathered bird and the bloom of the Sakura tree, which is cultivated solely for its blossoms, the national flower of that beautiful land. The flowers are often as large as a rose, and the falling bloom whitens the ground.

FLOWERS, ETC., 2.

The plum (Mume) tree, joined with the nightingale, is the poet's combination. It is always admired. This beautiful flowering tree is not infrequently seen in full bloom and not a leaf visible. It bursts into clouds of fragrance and beauty in February; sometimes it may be seen in full bloom with the ground, in early morning, covered with snow.

The combination of bamboo and the sparrow or the willow with the sparrow are emblems of happiness.

The plum tree in Japan blooms in February; the cherry tree in April; the lotus in July; the chrysanthemums in August, and long into winter.

THE JISHIN UWO, OR EARTHQUAKE.

The great fish, upon whose back is supposed to rest the main portion of the Japanese Empire, is the largest of all their mythical creation. The head of the fish, it is believed, is under the most northern portion of the main island, and its tail somewhat near Tokio and Kioto, the two parts where the greatest effects of the earthquake is felt. A gentle quaver of the earth is produced when he simply bristles his spine. A severe shock indicates that the brute is on a rampage, like a wounded whale. When the great sea-dragon thrashes the ocean bottom in his wrath, the ground trembles, and rocks and houses tumble, and destruction follows. When he arches his back in his wrath, the ocean rolls, and the awful tidal wave engulfs the land, and cities and towns are swept away in interminable ruin.

Japan feels the gentle quaver when he breathes; frequently, Mr. Griffis says, about twice a month on an average. I have felt them twice in a day, and one hundred have occurred in one moon. The last great upheaval occurred in 1856, when it is claimed fifty thousand people perished in Tokio alone. Serious shocks, however, have occurred since and are frequent.

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

CHARLES A. SIBLEY.

The bill (S. 918) for the relief of Charles A. Sibley, guardian of Lloyd M. Stevens, was announced as next in order.

Mr. INGALLS. Let that go over.

The PRESIDENT *pro tempore*. Being objected to, the bill goes over.

NICHOLAS J. BIGLEY.

The bill (S. 42) for the relief of Capt. Nicholas J. Bigley was announced as next in order.

Mr. INGALLS. Let that go over.

The PRESIDENT *pro tempore*. Being objected to, the bill goes over.

GEORGE W. SAULPAW.

Mr. HOAR. I am obliged to leave the Chamber for a short time to attend a committee meeting, and I should like to have unanimous consent that Order of Business 326, being the bill (S. 474) for the relief of George W. Saulpaw, may be passed over, retaining its place on the Calendar. I do not propose to call it up to-day, but not to have it lose its place on this Calendar if it comes up again.

The PRESIDENT *pro tempore*. That order will be made if there be no objection. The Chair hears none.

CINNABAR AND CLARK'S FORK RAILROAD COMPANY.

The bill (S. 980) granting the right of way to the Cinnabar and Clark's Fork Railroad Company was announced as next in order.

Mr. VEST. I object to the consideration of that bill.

Mr. SAWYER. The Senator from South Carolina [Mr. BUTLER] is very much interested in that bill, and I ask that it be passed over without prejudice until he comes in.

The PRESIDENT *pro tempore*. If there be no objection the bill will be passed over without prejudice.

Mr. SAWYER. Only until the Senator from South Carolina comes in.

Mr. VEST. No; I do not consent to that.

Mr. SAWYER. Then I move to proceed to the consideration of the bill.

Mr. MANDERSON. I rise for the purpose of making an inquiry. If this bill shall be considered, notwithstanding the objection, will it be considered under the eighth rule, limiting debate to five minutes?

The PRESIDENT *pro tempore*. The Chair is of opinion that it will ["No!" "No!"], until 2 o'clock at any rate.

Mr. HARRISON. I think where a bill is taken up on motion over an objection, the debate on it proceeds without limitation.

The PRESIDENT *pro tempore*. That would be true, unless the rule was modified by the special order applicable to this day.

Mr. MANDERSON. My vote would depend on that ruling. I do not desire to antagonize the consideration of the bill if it can be considered without the limitation of five minutes on debate.

Mr. INGALLS. The language of the rule is:

But if the Senate shall proceed with the consideration of any matter notwithstanding an objection, the foregoing provisions touching debate shall not apply.

The PRESIDENT *pro tempore*. The Chair, on reflection and examining the rule, is of opinion that the special order under which the Senate is acting to-day does not abrogate the eighth rule in that respect, so that if the bill is taken up on this motion it will be open to general debate.

Mr. HARRISON. Before that motion is put I would suggest to the Senator from Missouri whether it would not be better to yield to the request of the Senator from Wisconsin, and let the bill go over without prejudice. If it is taken up and debated to-day, it will take a large part of the day.

Mr. VEST. I have no objection to that.

Mr. SAWYER. I will now yield, because the Senator from South Carolina has come in.

Mr. BUTLER. I have no interest in the bill. I am simply the mouthpiece of the Committee on Territories.

Mr. LOGAN. Let it go over without prejudice, retaining its place on the Calendar.

Mr. BUTLER. What would be the effect of that?

Mr. LOGAN. It does not lose its place. It will be reached again.

The PRESIDENT *pro tempore*. If passed over without prejudice it will retain its place.

Mr. INGALLS. A majority can take it up at any time they desire.

Mr. BUTLER. I do not desire to antagonize the rule agreed upon. Therefore I consent to that arrangement.

The PRESIDENT *pro tempore*. The bill will be passed over without prejudice. A majority can take it up at any time.

Mr. BUTLER. Very well.

FOREST RESERVATION AT CLARK'S FORK.

The bill (S. 581) to establish a forest reservation on the headwaters of the Missouri River and the headwaters of Clark's Fork of the Columbia River was announced as next in order.

Mr. COCKRELL. I should like to hear some explanation of that bill, especially of the boundaries of this park.

The PRESIDENT *pro tempore*. There is no written report accompanying the bill.

Mr. COCKRELL. Is there any member of the Committee on Agriculture present who has any knowledge or information in regard to this bill?

The PRESIDENT *pro tempore*. The Senator from New York [Mr. MILLER], the chairman, who reported the bill, is absent by leave of the Senate on committee service. Is there objection to the consideration of the bill?

Mr. COCKRELL. I do not object to it, because it is probably right, but I think we should know something about the size of this reservation, and have some explanation of it. The Senator from Vermont [Mr. EDMUNDS] who introduced the bill is not present. I understand the Senator from New York will be here in a few moments.

Mr. LOGAN. Let it be passed by temporarily.

Mr. COCKRELL. Let it be passed by, to be called up as soon as the Senator from New York comes in.

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

ERNEST H. WARDWELL.

The bill (S. 1455) for the relief of Ernest H. Wardwell was announced as next in order.

Mr. LOGAN. I object to that at present.

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

RICHARD C. RIDGWAY AND OTHERS.

The bill (S. 1839) for the relief of Richard C. Ridgway and others was announced as next in order.

Mr. INGALLS. I move that that bill be referred to the Committee on Finance.

Mr. CALL. I hope the Senator will withdraw that motion. This bill has received very careful consideration, more than once as I understand by the Commissioner of Internal Revenue, and has been very exhaustively considered in the Committee on Claims, as is exhibited by a report made by Senator Jackson, formerly a member of this body. It is a case of very great hardship and seems to be perfectly plain, one in regard to which there can be no kind of doubt. If the Senator will look at the report he will see that the case is a perfectly clear one, and one to which there can be no objection.

Mr. INGALLS. I can not understand on what theory the bill ever went to the Committee on Claims, or ever was reported by that committee. It is a matter for the consideration of the Committee on Finance. It relates to the collection of internal revenue, refunding the taxes that were paid under the excise law. Obviously it is a mistake, and it is not too late to rectify it, and I hope therefore that the motion I have made will be agreed to.

Mr. CALL. I do not know that it is a matter exclusively within the jurisdiction of the Finance Committee. It is scarcely an argument to be urged when a committee of this body having jurisdiction, and quite as capable of considering the merits of the claim as any other committee, and having given to it the most careful consideration, has reported a state of fact in regard to which if the Committee on Finance were to report adversely it would not affect the substantial force and conclusiveness of the facts contained in this report. There is a report that parties have paid under an improper construction of the law, as admitted by the Department, taxes upon spirits which were not in bond. The law is entirely plain on the subject, and is so reported by the proper officer of the Government that the tax was improperly paid—paid upon spirits which were not in bond, when the instruction of the

Department had been to exact tax only on such amount of spirits as were found to be in the warehouse.

For these reasons I think the Senate ought to act on this claim, which has been pending Congress after Congress on this state of facts, after the Department has acknowledged its propriety, and there is no dispute in regard to any fact whatever. The bill simply asks that the matter be referred to the Commissioner of Internal Revenue, to pay such amounts as he shall ascertain were improperly exacted under that construction of the law.

The PRESIDENT *pro tempore*. The Senator from Kansas moves that the bill be referred to the Committee on Finance.

A division was called for.

Mr. INGALLS. In order that the absence of a quorum may not be disclosed, I object to the consideration of the bill.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over under the rule.

Mr. CALL. I have a right, I believe, to move that that bill be taken up by vote of the Senate notwithstanding the objection.

The PRESIDENT *pro tempore*. The Senator has a right to make that motion.

Mr. CALL. I make that motion, then.

Mr. COCKRELL. I hope it will not prevail.

The PRESIDENT *pro tempore*. The Senator from Florida moves that the Senate proceed to the consideration of Senate bill 1839, notwithstanding the objection.

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

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. CAMDEN (when his name was called). I am paired with the Senator from Connecticut [Mr. PLATT.]

Mr. HARRIS (when his name was called). The Senator from Vermont [Mr. EDMUNDS] is absent to-day owing to the illness of his colleague [Mr. MORRILL]. I was asked to pair with him, and I agreed to do so on all questions where I thought we would differ; but on this question I am sure we would vote the same way. I therefore vote "nay."

My colleague [Mr. WHITTHORNE], who is necessarily absent, is paired with the Senator from Oregon [Mr. MITCHELL].

Mr. KENNA (when his name was called). I am paired with the Senator from Minnesota [Mr. SABIN].

Mr. MITCHELL, of Oregon (when his name was called). I am paired with the Senator from Tennessee [Mr. WHITTHORNE]. If he were present, I should vote "nay."

Mr. HARRIS. The Senator may vote on this question if he chooses to do so.

Mr. MITCHELL, of Oregon. I decline to vote.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. I should vote "yea" if he were present.

The roll-call was concluded.

Mr. JONES, of Arkansas. I am paired with the Senator from Rhode Island [Mr. CHACE], who is called away. I have no idea how he would vote.

Mr. MANDERSON. I am paired with the Senator from Kentucky [Mr. BLACKBURN]. I do not know how he would vote.

Mr. DOLPH (after having voted in the affirmative). I withdraw my vote. I recollect that I am paired with the Senator from Georgia [Mr. BROWN].

Mr. JONES, of Arkansas. I vote "yea," to make a quorum.

The result was announced—yeas 17, nays 23; as follows:

YEAS—17.

Beck,	Cullom,	Jones of Arkansas,	Walthall,
Berry,	Eustis,	McPherson,	Wilson of Md.
Butler,	George,	Maxey,	
Call,	Gibson,	Pugh,	
Colquitt,	Gray,	Ransom,	

NAYS—23.

Aldrich,	Dawes,	Jones of Nevada,	Sawyer,
Allison,	Frye,	Logan,	Sherman,
Blair,	Harris,	McMillan,	Teller,
Cockrell,	Harrison,	Mahone,	Van Wyck,
Coke,	Hawley,	Miller,	Wilson of Iowa.
Conger,	Ingalls,	Plumb,	

ABSENT—36.

Blackburn,	Fair,	Mitchell of Oreg.,	Sabin,
Bowen,	Gorman,	Mitchell of Pa.,	Saulsbury,
Brown,	Hale,	Morgan,	Sewell,
Camden,	Hampton,	Morrill,	Spooner,
Cameron,	Hearst,	Palmer,	Stanford,
Chace,	Hoar,	Payne,	Vance,
Dolph,	Jones of Florida,	Pike,	Vest,
Edmunds,	Kenna,	Platt,	Voorhees,
Evarts,	Manderson,	Riddleberger,	Whitthorne.

So the motion was not agreed to.

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

PROPERTY SEIZED IN THE UTAH EXPEDITION.

Mr. COCKRELL. There is a House bill on the table, which I ask to have laid before the Senate.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives non-concurring in the amendments of the Senate to the bill (H. R. 1357) authorizing the Court of Claims to hear and determine certain claims, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

On motion of Mr. COCKRELL, 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 House on the disagreeing votes of the Houses thereon.

By unanimous consent it was

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

The PRESIDENT *pro tempore* appointed Mr. JONES of Arkansas, Mr. HOAR, and Mr. MITCHELL of Oregon.

CARRYING OF PASSENGERS BY STEAM-VESSELS.

The PRESIDENT *pro tempore* laid before the Senate the action of the House of Representatives non-concurring in the amendment of the Senate to the bill (H. R. 3037) relating to the licensing of vessels engaged in towing to carry persons in addition to their crews, and asking a conference with the Senate on the disagreeing votes of the two Houses thereon.

On motion of Mr. MILLER, 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 House on the disagreeing votes of the two Houses thereon.

By unanimous consent, it was

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

The PRESIDENT *pro tempore* appointed Mr. MILLER, Mr. DOLPH, and Mr. GORMAN.

FOREST RESERVATION AT CLARK'S FORK.

Mr. COCKRELL. Now I ask that Order of Business 325, which was passed over in the absence of the Senator from New York [Mr. MILLER], being the bill (S. 581) to establish a forest reservation on the headwaters of the Missouri River and the headwaters of Clark's Fork of the Columbia River, be called up.

Mr. MILLER. That is a bill which passed the Senate at the last session.

Mr. COCKRELL. I had the matter laid over informally until the Senator from New York could be sent for, simply to have some explanation of the area of this country and the object of the bill.

Mr. MILLER. I am not able to state at this very moment the precise area. The matter has gone out of my mind, and the papers in connection with it were sent to the other House some time ago, and I have not yet been able to have them returned, but it is precisely the same bill which passed the Senate at its last session.

The Senate will remember that the bill was introduced by the Senator from Vermont [Mr. EDMUNDS], who had charge of it at the last session, and who made a statement then which was printed in the RECORD.

I am very sure that the boundaries of the reservation and the amount of land contained in it would commend the measure to all the Senators if I were able to state the exact figures, but having sent the papers to the other House and been unable to secure their return, I am not able to give the exact data. The location is at the headwaters of the Columbia River and other streams in a mountainous region, and it is simply for the preservation of the forest in that region and for the protection of the waters of those rivers.

Mr. COCKRELL. The area is the same as was embraced in the bill passed by the Senate during the last Congress?

Mr. MILLER. Precisely the same in that respect as the bill passed at the last session.

Mr. PLUMB. I think I shall object to the bill, for the present at all events.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over under the rule.

REPEAL OF THE CIVIL-SERVICE LAW.

The bill (S. 839) to repeal chapter 27 of the acts of 1883, relating to civil service, was announced as next in order.

Mr. ALLISON. Let that be indefinitely postponed.

The PRESIDENT *pro tempore*. There is an adverse report.

Mr. HAWLEY. That bill might as well be indefinitely postponed.

The PRESIDENT *pro tempore*. If there be no objection the bill will be indefinitely postponed.

Mr. VANCE. There is objection. I ask for a vote upon that question.

Mr. HAWLEY and Mr. ALLISON. Let us take the vote by yeas and nays.

Mr. COCKRELL. I object to the consideration of the bill.

Mr. ALLISON. I move the indefinite postponement of the bill.

Mr. INGALLS. I object to the consideration of it.

Mr. HARRIS. Being objected to, it goes over.

Mr. VANCE. I move that it be taken up notwithstanding the objection. I want a vote upon it at some time.

Mr. HAWLEY. I hope it will be taken up and disposed of.

Mr. VANCE. It can as well be disposed of now as at any other time.

The PRESIDENT *pro tempore*. The Senator from North Carolina moves that the Senate proceed to the consideration of the bill, notwithstanding the objection.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 839) to repeal chapter 27 of the acts of 1883, relating to civil service.

Mr. HAWLEY. I care to make no speech upon it. There is an adverse report from the Committee on Civil Service.

Mr. LOGAN. Let us have the yeas and nays.

Mr. HAWLEY. We may as well have the yeas and nays upon it at once. I renew the motion to indefinitely postpone the bill.

The yeas and nays were ordered.

Mr. INGALLS. Let the bill be read.

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

The Chief Clerk read the bill, as follows:

Be it enacted, &c., That the act approved January 16, 1883, entitled "An act to regulate and improve the civil service of the United States," and all acts supplementary thereto or amendatory thereof, are hereby repealed.

The PRESIDENT *pro tempore*. The yeas and nays have been ordered on the motion to postpone the bill. The Secretary will call the roll.

The Secretary proceeded to call the roll, and Mr. ALDRICH responded to his name.

Mr. HAWLEY. I should have been glad to withdraw my motion of indefinite postponement and let the vote be taken squarely on the bill.

Mr. BUTLER. If the Senator from Connecticut withdraws the motion I shall take the liberty of renewing it.

Mr. ALLISON. Let us go on.

Mr. INGALLS. If I could have the opportunity I would move to lay the bill on the table.

The PRESIDENT *pro tempore*. A response has been made. ["Object!" "Object!"]

Mr. ALLISON. Let the roll-call proceed.

The PRESIDENT *pro tempore*. A response having been made, the roll-call will proceed.

The Secretary resumed the calling of the roll.

Mr. CAMDEN (when his name was called). I am paired with the Senator from Connecticut [Mr. PLATT].

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS] upon all questions to-day. If he were present, I should vote "nay."

Mr. COCKRELL (when Mr. HARRISON'S name was called). I am paired with the Senator from Indiana [Mr. HARRISON]. I should vote "yea" if he were present.

Mr. KENNA (when his name was called). I am paired with the Senator from Minnesota [Mr. SABIN]. If he were present, I should vote "nay."

Mr. CONGER (when Mr. PALMER'S name was called). My colleague [Mr. PALMER] is paired with the Senator from North Carolina [Mr. VANCE]. If present, my colleague would vote "yea" on this motion; but by the authority given me by my colleague the Senator from North Carolina is authorized to vote upon this bill, his own pet measure.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL]. If he were here, I should vote "nay."

Mr. HARRIS (when Mr. WHITTHORNE'S name was called). I will announce for all to-day that my colleague [Mr. WHITTHORNE] is paired with the Senator from Oregon [Mr. MITCHELL]. I do not know how either would vote on this motion.

The roll-call was concluded.

Mr. JONES, of Arkansas. I am paired with the Senator from Rhode Island [Mr. CHACE], but learning from his colleague that he would vote "yea," if present, I will vote "yea."

Mr. MCMILLAN. My colleague [Mr. SABIN] is detained from the Senate by sickness. If he were here, he would vote "yea." He is paired with the Senator from West Virginia [Mr. KENNA].

Mr. HAWLEY. My colleague [Mr. PLATT] is absent, paired with the Senator from West Virginia [Mr. CAMDEN]. If my colleague were here, he would vote "yea."

Mr. BUTLER (after having voted in the affirmative). I am paired generally with the Senator from Pennsylvania [Mr. CAMERON], but understanding that he would vote "yea," if present, I shall allow my vote to stand.

Mr. MANDERSON. I announce my pair with the Senator from Kentucky [Mr. BLACKBURN]. I do not know how he would vote. I should vote "yea" if he were here.

Mr. FRYE. My colleague [Mr. HALE] is absent from the city, and is paired with the Senator from Kentucky [Mr. BECK]. If present, my colleague would vote "yea."

Mr. BECK. After what the Senator from Maine has said, I ought to state that I would vote "nay" but for the fact that I am paired with his colleague [Mr. HALE].

Mr. HEARST. In the absence of my colleague [Mr. STANFORD], not knowing how he would vote, I withhold my vote.

Mr. HARRIS. As there is not a quorum voting, and my vote can not change the result, to secure a quorum I record my vote "nay."

The result was announced—yeas 33, nays 6; as follows:

YEAS—33.

Aldrich,	Frye,	Logan,	Spooner,
Allison,	George,	McMillan,	Teller,
Blair,	Gibson,	McPherson,	Van Wyck,
Bowen,	Gray,	Miller,	Walthall,
Butler,	Harrison,	Plumb,	Wilson of Iowa,
Cockrell,	Hawley,	Pugh,	Wilson of Md.
Conger,	Hoar,	Sawyer,	
Cullom,	Ingalls,	Sewell,	
Dawes,	Jones of Arkansas,	Sherman,	

NAYS—6.

Berry,	Eustis,	Jones of Nevada,	Vance.
Call,	Harris,		

ABSENT—37.

Beck,	Evarts,	Maxey,	Riddleberger,
Blackburn,	Fair,	Mitchell of Oreg.,	Sabin,
Brown,	Gorman,	Mitchell of Pa.,	Saulsbury,
Camden,	Hale,	Morgan,	Stanford,
Cameron,	Hampton,	Morrill,	Vest,
Chace,	Hearst,	Palmer,	Voorhees,
Coke,	Jones of Florida,	Payne,	Whitthorne.
Colquitt,	Kenna,	Pike,	
Dolph,	Mahone,	Platt,	
Edmunds,	Manderson,	Ransom,	

So the bill was postponed indefinitely.

FRANCIS DENMEAD.

The bill (S. 766) for the relief of Francis Denmead was considered as in Committee of the Whole.

Mr. HARRIS. I move to amend by striking out, after the word "twenty-four," in line 11, all the rest of the bill.

The SECRETARY. It is proposed to strike out, after the word "twenty-four," the words: "And the same hereby are granted and conveyed to Francis Denmead, his heirs and assigns forever;" so that the bill will read:

That the United States of America hereby quitclaims and releases to Francis Denmead, his heirs and assigns, any title or interest which the said United States have, by reason of any escheat or supposed escheat, in and to the following-described real estate situate, being, and lying in the city of Washington and District of Columbia, known and designated on the public plat or plan of said city as lots numbered 1, 2, 18, 19, and 20, in square numbered 924.

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.

DISTRICT ACCOUNTS.

The bill (S. 1854) authorizing the Treasurer of the United States to credit the District of Columbia with certain moneys in lieu of investing the same in bonds 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.

Mr. INGALLS. In connection with the bill just passed I ask to have printed in the RECORD, as matter that may be important for the House to consider in connection with the bill, a letter from the former president of the board of commissioners of the District dated March 10, 1886, a letter from the Treasurer of the United States dated April 6, 1886, and also another from the same official dated June 1, 1886.

The PRESIDENT *pro tempore*. No objection being made, the papers will be published in the RECORD.

The papers are as follows:

OFFICE OF THE COMMISSIONERS, DISTRICT OF COLUMBIA,
Washington, March 10, 1886.

SIR: At present by law the Treasurer of the United States is required to invest so much of the sinking fund of the District of Columbia as is not required for current interest in District bonds (United States Statutes, volume 22, page 470) and is also required by the organic act of the District to invest all money retained from District contractors in United States or District of Columbia bonds. These bonds at the present time have gone so high in price that it is necessary to pay premiums of about 19 per cent. for 3.65 bonds and 32 per cent. for the 7 per cent. bonds of the District of Columbia. As these bonds mature their price will necessarily decline and the loss will be that of the United States and the District. If Congress by joint resolution should authorize the Treasurer of the United States when, in his judgment, it is for the interest of the United States or the District of Colnmbia so to do, to retain the money instead of investing it in bonds allowing 3 per cent. interest on the sums so retained, the commissioners think it would be a wise provision. The commissioners understand that this is also the opinion of the United States Treasurer, who suggests this as the simplest and best mode of securing the Government against loss. The commissioners therefore take the liberty of inclosing a form of a joint resolution by Congress to that effect and beg for it the serious attention of the committee, supposing that a joint resolution will be sufficient for the purpose and that the committee will confer with the Treasurer of the United States, whose opinion upon this point would be duly appreciated by Congress, as it is by the commissioners. Nearly three and one-half millions of the District 6 per cent. debt will mature in 1891, and this resolution if adopted will enable the Treasurer to apply the sums so retained to the payment of that debt.

Very respectfully,

J. B. EDMONDS, *President.*

Hon JOHN J. INGALLS,
Chairman Committee for District of Columbia,
United States Senate.

TREASURY OF THE UNITED STATES, *Washington, April* 6, 1886.

SIR: I notice in Senate bill No. 1854, authorizing the Treasurer of the United States to credit the District of Columbia with certain moneys, in lieu of investing the same in bonds, provision is made only for the retention in the Treasury

of the amounts available for the various sinking funds and the amounts retained from District contractors. I would be glad if the bill was so amended as to include in its provisions the Metropolitan police and firemen's relief funds. Said funds are required by law to be invested in bonds, and such investment, if made in the present condition of the market, is likely to entail a loss.

Very respectfully,

C. N. JORDAN,
Treasurer United States,
Ex officio Commissioner Sinking Fund, District of Columbia.

Hon. J. J. INGALLS,
Chairman District Columbia Committee,
United States Senate.

TREASURY OF THE UNITED STATES, *Washington, June 1, 1886.*

SIR: Referring to Senate bill No. 1854, authorizing the Treasurer of the United States to credit the District of Columbia with certain moneys in lieu of investing the same in bonds, the Treasurer desires to make the following statement and suggestions:

Under the provisions of the act of February 25, 1885 (District appropriation bill), the profit realized from bonds sold for account of District of Columbia contractors now amounts to $22,424.85, which is to be credited to the United States and District of Columbia in equal parts.

The Treasurer still holds, for account of contractors—

District of Columbia 3.65 per cent. bonds	$72,000
District of Columbia 5 per cent. bonds	27,000
United States 4½ per cent. bonds	100
United States 4 per cent. bonds	46,000
	145,100

These bonds were purchased at a cost aggregating $166,000. The Treasurer is of the opinion that the present high rate at which these bonds are held in the market is but temporary, and it would be advisable to sell them now and realize the profit which would amount to over $9,000, paying the contractor 3 per cent. per annum on the retained amount under the provisions of the pending bill. A reinvestment could be made whenever the bonds could be purchased at prices which would seem to justify it.

Very respectfully,

C. N. JORDAN,
Treasurer United States,
Ex officio Commissioner Sinking Fund, District of Columbia.

Hon. J. J. INGALLS,
Chairman District Columbia Committee,
United States Senate.

LOTTERY ADVERTISEMENTS.

The bill (S. 1072) to prevent the publication of lottery advertisements, and for other purposes, was announced as next in order.

Mr. HARRIS. Let that go over.

Mr. WILSON, of Iowa. I move the consideration of the bill notwithstanding the objection.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The Senator from Iowa moves that the Senate proceed to the consideration of the bill, notwithstanding the objection. The question is on that motion.

The motion was agreed to; and the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment.

Mr. GEORGE. I ask to have the first part of the bill read again.

The Chief Clerk read as follows:

That it shall be unlawful within any district, Territory, reservation, or other place over which Congress has exclusive jurisdiction for any person knowingly to publish, &c.

Mr. GEORGE. That will do.

Mr. WILSON, of Iowa. I do not wish to take any time in discussing the bill. I will only state that this bill originated with the commissioners of the District of Columbia. It was suggested by them and a draught of the bill furnished, which was referred to the Committee on the Judiciary and reported. I hope it will pass.

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

DRAWBACK ON IMPORTED TOBACCO.

The bill (S. 477) to allow drawback on imported materials used in the manufacture of tobacco, snuff, and cigars exported from the United States was announced as next in order.

Mr. HARRIS. That is adversely reported. Let it go over.

The PRESIDING OFFICER. The bill will be passed over.

INSPECTORS OF TOBACCO AND CIGARS.

The bill (S. 476) to repeal section 3151 of the Revised Statutes of the United States, concerning inspectors of tobacco and cigars, was announced as next in order.

Mr. HARRIS. That is in the same position, and I make the same objection to it.

The PRESIDING OFFICER. The bill will be passed over.

RAILROADS IN THE HANDS OF RECEIVERS.

The bill (S. 870) to provide that where any railroad property is taken into the possession of any United States court, and such railroad shall not have been completed, the net earnings of said railroad shall be applied to the completion of the same, was announced as next in order.

Mr. HARRIS. Let that go over.

The PRESIDING OFFICER. The bill will be passed over.

HEIRS OF JOHN W. JUDSON.

The joint resolution (S. R. 3) for the relief of the widow and children of John W. Judson, late agent of the United States at Oswego, N. Y., for public works on Lake Ontario was considered as in Committee of the Whole.

The Committee on Claims reported amendments, after the words "sum of," at the end of line 9, to strike out "fifteen thousand five hundred and eighty-eight dollars and seventy-two" and insert "one thousand one hundred and fourteen dollars and sixty-seven;" and after the words "sum of," in line 15, to strike out "fifteen thousand five hundred and eighty-eight dollars and seventy-two" and insert "one thousand one hundred and fourteen dollars and sixty-seven;" so as to make the joint resolution read:

Resolved, &c., That the Secretary of the Treasury be, and hereby is, authorized and directed to pay to Emily E. Judson, of Oswego, N. Y., the widow of John W. Judson, formerly of said Oswego, and to John A. Judson, of Newport, in the State of Rhode Island, Ellen H. Judson, of said Oswego, and William P. Judson, of said Oswego, the children and heirs at law of said John W. Judson, and all being of full age, the sum of $1,114.67, in full settlement for the services rendered by said John W. Judson as agent for public works on Lake Ontario, in said State of New York; and the said sum of $1,114.67 is hereby appropriated out of any money in the Treasury not otherwise appropriated.

The amendments were agreed to.

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

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

AUGUSTUS J. CASSARD.

The joint resolution (S. R. 56) authorizing Augustus J. Cassard to accept a gold medal conferred upon him by the Government of France was considered as in Committee of the Whole. It proposes to authorize Augustus J. Cassard to accept a gold medal of the first class which has been conferred upon him by the French Government for valuable services rendered to that government in the years 1880 and 1881 while consul at Tampico.

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

MATHILDA VICTOR.

The bill (S. 975) for the relief of Mathilda Victor was considered as in Committee of the Whole.

The Committee on Military Affairs reported an amendment, in line 4, after the words "sum of," to strike out "thirty" and insert "ten;" so as to make the bill read:

Be it enacted, &c., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay Mathilda Victor the sum of $10,000, for services rendered to the United States in the years 1862, 1863, and 1864 of the war for the Union, by the surrender of her home and property, an institution devoted exclusively to educational and charitable purposes, in Baton Rouge, La., for the use and occupation of United States soldiers as a hospital, as a depot for quartermaster and commissary stores, as quarters for cavalry troops and horses, and for other purposes; and the amount hereby allowed is in full of all demands of said Mathilda Victor against the United States on account of said services rendered, and is appropriated out of any moneys in the Treasury not otherwise appropriated.

The amendment was agreed to.

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

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

PENSIONS TO MINOR CHILDREN.

The bill (S. 1948) increasing the rate of pension to minor children, and extending the pensionable period therefor, was considered as in Committee of the Whole. It provides that the pensions of all minor children, and of all widows which are increased on account of minor children at the rate of $2 per month by existing laws, shall be increased on account of each child, hereafter, to $4 per month, in lieu of $2; and the period of minority during which such payment shall be made shall be extended to eighteen years, instead of sixteen years, as now provided by law.

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

AMERICAN MERCHANT MARINE.

The bill (S. 184) for the encouragement of the American merchant marine, and to promote postal and commercial relations with foreign countries, was considered as in Committee of the Whole.

The bill was reported from the Committee on Commerce with amendments, in line 4, after the word "amended" to strike out "and re-enacted;" in line 10, after the word "exceeding," to strike out "one dollar" and insert "fifty cents;" in line 15, after the word "bidder," to insert:

And it is hereby made the duty of the Postmaster-General to advertise for bids at the proper time in advance of the lettings, and to enter into contracts for the performance of such service, subject to the provisions of this act.

In line 30, before the word "all," to strike out "and;" and in line 33, after the word "rates," to insert:

And if there shall be a disagreement as to what rates are reasonable, the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, with power in said appraisers to choose a third if they fail to agree.

So as to make the bill read:

Be it enacted, &c., That section 4009 of the Revised Statutes of the United States be, and is hereby, amended so as to read as follows, to wit:

"SEC. 4009. For transporting the mails of the United States between any port of the United States and any foreign port, or between ports of the Atlantic and ports in the Pacific, touching at any foreign port, there may be allowed a sum not exceeding 50 cents per mile, on the trip each way, of actual nautical miles traveled between terminal points, for each trip actually made; but such service shall be performed only under contract entered into by the Postmaster-General, after legal advertisement, with the lowest responsible bidder; and it is hereby made the duty of the Postmaster-General to advertise for bids at the proper time in advance of the lettings, and to enter into contracts for the performance of such service, subject to the provisions of this act; and the aggregate amount to be expended for such service shall not exceed the gross revenues of the Post-Office Department of the United States on mail-matter sent to and received from foreign countries during the fiscal year next preceding the year in which such contracts are made, less the amount paid for transportation on foreign vessels, and the net amount paid foreign administrations for intermediary, territorial, and sea transit of such mails. The ships with which such contracts shall be made shall be ships of American registry only, and contracts shall be for a term of not more than four years; and the general laws regulating the transportation of inland mails shall be applicable to such contracts, except as herein provided. All vessels engaged in such contracts shall in time of war be subject to purchase or charter by the United States at reasonable rates; and if there shall be a disagreement as to what rates are reasonable, the same shall be determined by two impartial appraisers, one to be appointed by each of said parties, with power in said appraisers to choose a third if they fail to agree; and all foreign vessels or sailing vessels carrying the mails of the United States may be allowed a sum not exceeding the sea-postage now allowed by law."

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.

FOURTH BRIGADE, SOUTH CAROLINA TROOPS.

The bill (S. 582) for the relief of the board of field officers of the Fourth Brigade of South Carolina Volunteer State Troops was considered as in Committee of the Whole.

The Committee on Claims reported the bill with amendments: in line 3, after the word "shall," to insert "notwithstanding the bar prescribed by any statute of limitation;" in line 9, after the word "them," to insert "prior to the 21st of July, 1874, and subsequent to July 1, 1868;" so as to make the bill read:

Be it enacted, &c., That the Court of Claims shall, notwithstanding the bar prescribed by any statute of limitation, hear, determine, and adjudge any claim or claims of the board of field officers of the Fourth Brigade of South Carolina Volunteer State Troops, a municipal corporation of the State of South Carolina, against the United States, for the rent due by them or for the use and occupation by them, prior to the 21st of July, 1874, and subsequent to July 1, 1868, of certain buildings on Citadel Green, in the city of Charleston, after the legal termination of the late war; and that any judgment in favor of the claimant rendered hereunder be paid as other judgments of the said court are paid.

Mr. LOGAN. Is there a report with that?

The PRESIDING OFFICER. There is a report.

Mr. LOGAN. Let it be read.

The PRESIDING OFFICER. The report will be read.

The Chief Clerk read the following report, submitted by Mr. GRAY March 29, 1886:

The Committee on Claims, to whom was referred the bill (S. 582) for the relief of the board of field officers of the Fourth Brigade of South Carolina Volunteer State Troops, submit the following report:

This claim was prosecuted and heard before the Court of Claims upon petition filed July 21, 1880, and the court made therein the following findings as to the facts:

"I. The board of field officers of the Fourth Brigade of South Carolina Militia was a perpetual corporation, created by the State of South Carolina in 1809. The said corporation was vested with power to purchase and hold land not exceeding 300 acres for the use of the militia in the parishes of Saint Philip and Saint Michael's.

"On the 25th May, 1835, the said corporation became the owners by purchase of a parcel of land, with the building thereon, on Citadel Green, in the city of Charleston, known as the Picquet guard-house, and on the 1st August, 1856, of another parcel of land, with a building thereon, known as the Boylston House, in the city of Charleston.

"II. When the rebellion broke out the confederate forces took possession of the premises, and continued their occupancy for war purposes until they evacuated Charleston in February, 1865. The United States troops then took possession of the premises and turned them over to the Bureau of Refugees, Freedmen, and Abandoned Lands. In October, 1865, that bureau surrendered them to the city of Charleston, and Charleston in turn delivered them to the claimant.

"Whether the officers of the claimant consented to the occupancy of the premises by the confederate forces does not appear. They were themselves actively engaged in the rebellion.

"III. August 20, 1867, the United States forces again took possession of the Picquet guard-house and of the Boylston House, and occupied the former until November 1, 1874, and the latter until April 1, 1879.

"For this occupancy the United States paid rent to the city of Charleston until July 1, 1868; for the Picquet guard-house at the rate of $50 a month, and for the Boylston House at the rate of $92 a month.

"Since July 1, 1868, no rent has been paid to the claimant and no express lease appears to have been made.

"The rate of rent paid prior to July 1, 1868, would be a reasonable compensation for the use of the buildings subsequent to that date.

"IV. On the 8th June, 1877, the board of field officers of the Fourth Brigade of South Carolina Volunteer State Troops was created a corporation by the State of South Carolina and vested with the rights, franchises, and property of the board of field officers of the Fourth Brigade.

"CONCLUSION OF LAW.

"Upon the foregoing findings of facts the court decides as conclusions of law that the claimant is entitled to recover for the use and occupation of the Picquet guard-house from July 21, 1874, to November 1, 1874, at the rate of $50 a month, $166.12; for the Boylston House from July 21, 1874, to April 1, 1879, at the rate of $92 a month, $5,181.67; making in all, $5,347.79."

The court, in its opinion, says:

"We agree to the position taken by defendant's counsel that so much of the claim as originated prior to July 21, 1874, is cut off by the statute of limitations (R. S. 1069). As no time was fixed for the payment of the rent, it must be deemed to be payable as it accrued. The petition was not filed until July 21, 1880."

It having been made to appear to your committee that this claim had been presented from time to time to accounting officers and special boards charged with the settlement and adjudication of such claims from 1869 to 1879, inclusive, and that the claim had never been disallowed, but had been several times reported upon favorably, it seems to them that justice requires that the claimant should be permitted by law to present its whole claim to the court untrameled by the statute of limitations.

Your committee therefore recommend that the bill be amended by inserting in the third line, between the words "shall" and "hear," the following words: "notwithstanding the bar prescribed by any statute of limitations:" and by inserting in the eighth line, between the words "them" and "of," the following words: "prior to the 21st day of July, 1874, and subsequent to July 1, 1868," and that so amended the bill do pass.

Mr. LOGAN. This report is a little obscure. Do I understand that the bill authorizes the claim from July, 1868, to 1874? Is that the idea of the bill? Or is it the intention of the bill to authorize the claimant to present a claim beginning with 1874, excluding all prior to that time?

Mr. GRAY. That is it.

Mr. LOGAN. Then I have no objection.

Mr. CONGER. The report does not speak of occupancy by the United States of the premises during this time. The claim is for that, but the report does not assert it.

The PRESIDING OFFICER. The question is on the amendments proposed by the Committee on Claims, which have not been acted upon.

The amendments were agreed to.

Mr. CONGER. I ask whether in the bill there is any provision that the amount shall be in full satisfaction of any claim.

Mr. BUTLER. This only authorizes the parties to go to the Court of Claims, removing the bar of the statute of limitations. The Court of Claims will, of course, investigate the claim.

Mr. CONGER. I supposed it was an appropriation of the amount due.

Mr. LOGAN. No; it is only to go to the Court of Claims.

Mr. CONGER. I have no objection.

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.

HEIRS OF MICHAEL O'BRIEN.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 1249) for the relief of the heirs of Michael O'Brien. It provides for the issuance of a land-warrant to William O'Brien, James O'Brien, and Louisa Turnbroke, children of Michael O'Brien, deceased, late a member of the Second United States Infantry, Michael O'Brien having served in the United States Army from the year 1820 to 1838.

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

Mr. COCKRELL subsequently said: I should like to ask what was done with the bill (S. 1249) for the relief of the heirs of Michael O'Brien.

The PRESIDING OFFICER. The bill was passed.

Mr. COCKRELL. I move to reconsider the vote by which the bill was passed.

The PRESIDING OFFICER. The Senator from Missouri moves to reconsider the vote by which the bill was passed. *Is there objection?* The Chair hears none, and the motion to reconsider the bill is agreed to. The bill is again before the Senate.

Mr. COCKRELL. I object to the bill. Let it go over until we can have time to discuss it.

Mr. BLAIR. What is the suggestion?

Mr. COCKRELL. We have not time to discuss the bill now.

Mr. FRYE. It has to be stated that the bill retains its place or it goes on the other Calendar.

Mr. COCKRELL. It makes no difference on which Calendar it stands.

The PRESIDING OFFICER. The Senator from Missouri objects, and the bill goes over.

REAR-ADMIRAL CARTER.

The bill (S. 729) for the relief of Rear-Admiral Carter, was announced as next in order.

Mr. LOGAN. Is there any report with this bill?

The PRESIDING OFFICER. The Senator who reported it [Mr. BLACKBURN] is not present.

Mr. LOGAN. Let it go over.

Mr. HARRIS. I ask that it be informally passed over until the Senator who reported it is present.

The PRESIDING OFFICER. If there be no objection, that course will be pursued.

Mr. LOGAN. I have no objection to considering the bill; but I want to say one word in reference to this remarkable proposition. Men get on the retired-list in the Army and Navy for the purpose of getting a rank they claim and which they did not have before retirement, it being understood that no extra pay was involved. This has been done in several instances. Soon afterward a bill comes into Con-

gress asking that they be allowed back pay for a grade they did not hold. I want it understood that I shall object to this bill when it comes up, or any other like it, if I am present.

I merely make this statement to call the attention of the Senate to bills of this character which are being promoted in the Congress of the United States unjustly and unfairly. I do not know how this is, but that is the character of several of these bills which I have noticed.

CITIZENS' BANK OF LOUISIANA.

The bill (S. 709) for the relief of the Citizens' Bank of Louisiana was announced as next in order.

Mr. LOGAN. I object to that.

Mr. GIBSON. I move that that bill be considered notwithstanding the objection.

Mr. MCMILLAN. There is a minority report on that bill.

The PRESIDING OFFICER. The Senator from Louisiana [Mr. GIBSON] moves to proceed to the consideration of the bill notwithstanding the objection.

Mr. DOLPH. It will take the rest of the day.

Mr. GIBSON. I call for the yeas and nays on my motion.

The yeas and nays were ordered; and the Secretary proceeded to call the roll.

Mr. HARRIS (when his name was called). I am paired with the Senator from Vermont [Mr. EDMUNDS].

Mr. JONES, of Arkansas (when his name was called). I am paired with the Senator from Rhode Island [Mr. CHACE].

Mr. KENNA (when his name was called). I am paired with the Senator from Minnesota [Mr. SABIN] on questions generally, but I do not think the pair covers this case, and I vote "yea."

Mr. CONGER (when Mr. PALMER'S name was called). My colleague [Mr. PALMER] is paired with the Senator from North Carolina [Mr. VANCE]. If he were present, my colleague would vote "nay," I think.

Mr. SAULSBURY (when his name was called). I am paired with the Senator from Vermont [Mr. MORRILL].

Mr. VANCE (when his name was called). I am paired with the Senator from Michigan [Mr. PALMER].

The roll-call was concluded.

Mr. COCKRELL. I am paired with the Senator from Indiana [Mr. HARRISON]. I do not know how he would vote, and therefore I withhold my vote.

Mr. DOLPH. I announce my pair with the senior Senator from Georgia [Mr. BROWN]. If he were here, I should vote "nay."

Mr. JONES, of Arkansas. As I understand there is no quorum I take the liberty of voting, and vote "yea."

Mr. DOLPH. I will do the same. By arrangement with the Senator just voting, I vote "nay."

Mr. GIBSON. I should like to inquire if there is a quorum.

The PRESIDING OFFICER. There is not a quorum voting.

Mr. GIBSON. Then I withdraw my call.

The PRESIDING OFFICER. The Senator from Louisiana asks unanimous consent that the call for the yeas and nays may be withdrawn.

Mr. LOGAN. You can not do that unless the bill is passed by.

Mr. HARRIS. That will be the result of the withdrawal.

Mr. LOGAN. Very well. The case is lost the way it is. I have no objection to the case being passed over.

Mr. GIBSON. Let it be passed over without prejudice.

The PRESIDING OFFICER. The Senator from Louisiana asks unanimous consent to withdraw his call and that the bill be passed over without prejudice. Is there objection? The Chair hears none. That course will be taken.

THEOPHILUS FISK MILLS.

The bill (S. 2023) providing for the payment of $2,500 to Theophilus Fisk Mills for executing a model and design for an equestrian statue of the late General John A. Rawlins was announced as next in order.

Mr. LOGAN. I wish to know whether the bill provides payment for a statue that is being prepared to be put up or a model which was not accepted.

Mr. BUTLER. Let us have the report read.

The PRESIDING OFFICER. There is no report accompanying the bill.

Mr. HARRIS. The Senator who reported the bill [Mr. VOORHEES] is absent. He was here a few moments ago. I ask to have the bill informally passed over.

The PRESIDING OFFICER. The Senator from Tennessee suggests that the bill be informally passed over.

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

The PRESIDING OFFICER. It is so ordered, no objection being made.

DISTRICT COMMISSIONERS.

The resolution submitted by Mr. VAN WYCK, March 31, 1886, "that the commissioners of the District of Columbia inform the Senate whether they are stockholders in certain corporations," &c., was announced as next in order.

Mr. VAN WYCK. I suggest that the resolution go over without prejudice.

The PRESIDING OFFICER. It will be passed over without prejudice.

NORTHWEST TRADING COMPANY.

The bill (S. 1941) to enable the Northwest Trading Company, a private corporation organized under the general laws of Oregon, to purchase certain lands in the Territory of Alaska, was announced as next in order.

Mr. HARRIS. Let that go over. It was reported adversely.

Mr. FRYE. Can it not be acted upon adversely?

Mr. HARRIS. It can; but I thought it better to consume the time in considering favorable reports.

Mr. CONGER. Let it be acted on and indefinitely postponed.

The PRESIDING OFFICER. The Senator from Michigan moves that the bill be indefinitely postponed.

Mr. DOLPH. I object to the consideration of the bill under the rule. Let it go over under the ninth rule.

Mr. CONGER. We shall only have to consider it hereafter.

Mr. DOLPH. The Committee on Territories have that subject before them and may want to consider the bill hereafter.

Mr. CONGER. If there is any object in retaining the bill on the Calendar, I withdraw my motion.

The PRESIDING OFFICER. The bill will be passed over.

B. B. CONNOR.

The bill (S. 1537) for the relief of B. B. Connor, of Louisville, Ky., was announced as next in order.

Mr. DOLPH. There is a minority report in that case.

The PRESIDING OFFICER. Does the Senator from Oregon object?

Mr. DOLPH. Let the bill go over.

The PRESIDING OFFICER. Does the Senator ask to have it retain its place on the Calendar?

Mr. DOLPH. I am willing that it shall go over, retaining its place.

The PRESIDING OFFICER. The bill goes over, retaining its place on the Calendar.

FORT OMAHA MILITARY RESERVATION.

The bill (S. 1861) to provide for the sale of the site of Fort Omaha, Nebraska, the sale or removal of the improvements thereof, and for a new site and the construction of suitable buildings thereon, 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.

LABOR ARBITRATION.

The bill (H. R. 7479) to provide a method for settling controversies and differences between railroad corporations engaged in interstate and Territorial transportation of property or passengers and their employés was announced as next in order.

Mr. ALDRICH. That bill can go over. I object to its present consideration.

The PRESIDING OFFICER. The Senator from Rhode Island objects.

ARKANSAS HOT SPRINGS RESERVATION.

The bill (S. 2079) to provide for the control of the reservation of public lands and the distribution of hot water, Hot Springs, Ark., was announced as next in order on the Calendar.

Mr. MCMILLAN. Let that go over.

The PRESIDING OFFICER. Objection is made.

Mr. BERRY. What Senator objected?

The PRESIDING OFFICER. The Senator from Minnesota [Mr. MCMILLAN].

Mr. MCMILLAN. I understand that discussion of the bill would consume all of to-day and perhaps more, and there are bills on the Calendar which it is desirable to have disposed of. I think it will be an economy of time if the matter is passed over for the present.

Mr. BERRY. I do not desire to move to consider the bill this evening notwithstanding the objection if I can get unanimous consent that it may be considered at an early day. Legislation upon this subject is necessary at this session. It is an absolute necessity, as I regard it, and I ask the unanimous consent of the Senate that the bill be made a special order for next Wednesday at 2 o'clock. I think we can consider it in two or three hours and dispose of it, if we can take it up at that time.

The PRESIDING OFFICER. The Senator from Arkansas asks unanimous consent that the bill be made a special order for Wednesday next at 2 o'clock.

Mr. MCMILLAN. Is that subject to the consideration of appropriation bills?

Mr. BERRY. Of course it will give way to appropriation bills.

Mr. LOGAN. I shall object to its being made a special order.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arkansas?

Mr. LOGAN. I do not desire to do an ungracious thing, and I am always willing to accommodate my friend, for he is very kind; but I must object to the bill being made a special order, and I will state the reason why.

Of course, without any reflection in any way, I think the bill is such

a one as ought not to be enacted into a law, and for that reason, by every means I possibly can that is proper, I shall object to its becoming a law. It is, in my judgment, a bill to confiscate the property of private individuals. That is the effect of it, and I shall certainly object to it in every way I can.

Mr. BERRY. I appeal to the Senator from Illinois that he will allow the bill to come up and be discussed, and if it is not a proper bill then he will have an opportunity to amend it.

The state of affairs at the Hot Springs at this time is such that the passage of no law is worse, in my opinion, than almost any law which could be passed. I am wedded to no particular system, but the present system is unjust. It is a monopoly of that water in the hands of a few individuals. Two-thirds of the water escapes and is not being used and utilized, and hundreds of citizens there, and invalids, want to use it.

If this is not a correct bill let us pass a correct bill, and I appeal to the Senator from Illinois to give it an opportunity to be heard. He can suggest an amendment, if he thinks this is confiscating private property, and the amendment can be considered, and the whole matter will be before the Senate; but I ask him not to defeat action by objecting to the consideration of the bill.

Mr. LOGAN. This course does not defeat action at all. The bill is on the Calendar, and it is bound to come up again, for after this rule is exhausted then it will be open for discussion; but under the present call of the Calendar I shall certainly object to its consideration. Of course it will come up on the Calendar, and then my objection will amount to nothing; the majority of the Senate can do what they please with it, as a matter of course.

When I speak of the bill I speak of the bill in its present shape. It might perhaps be put in a shape acceptable to the body, but I speak of it in its present shape. I certainly would not vote for it in its present shape, for I consider it the confiscation of private property. I have read it carefully, and that is the way I regard it.

Of course the bill may be amended so as to be satisfactory all around. I am not objecting to a proper bill, but under the order on which we are acting now I certainly shall not agree that a bill of that character shall come up.

Mr. BERRY. The request I made was that the bill be made a special order for next Wednesday, when it can be taken up and disposed of in two or three hours, I feel very sure.

Mr. LOGAN. I object to the bill being made a special order. I will say to the Senator that a single objection can not prevent the bill from coming up hereafter, and that it will remain on the Calendar.

Mr. BERRY. We shall never reach the Calendar again this session, I fear, and the bill has been passed over three or four times. All I ask is a fair consideration of the measure, so that the whole matter may be presented to the Senate, and if it is an unjust bill, let the bill be amended so as to make it just.

Mr. LOGAN. To accommodate the Senator I will consent that the bill be passed over without losing its place on the Calendar under this order. I shall agree to that, and that will not affect its status.

Mr. BERRY. The Calendar may not be called again, and in my opinion the bill will not be reached unless it is made a special order. The Senator forces me to move to proceed to the consideration of the bill. If next Wednesday will not suit him, I ask the Senator to name a day when it can be considered, so that it can be heard again.

The PRESIDING OFFICER. This debate is by unanimous consent.

Mr. LOGAN. Because I objected to the bill the Senator regards me perhaps as the individual who is in charge of the opposition to the bill. He is mistaken in that. I merely examined the bill for the reason that at one time I was connected with the establishment of a hospital at that place and I examined very thoroughly into the laws which related thereto. When this bill came up my attention was called to it, and on reading it I regarded it as I have said.

But the Senator is mistaken if he supposes that I have any interest in guarding the Hot Springs, in any way, shape, or form, except the interest I have as a Senator in any law that may be passed where property is affected by the passage of the law.

I do not care when the bill is taken up. As I said, I shall object to its being taken up next Wednesday, because it would interfere with other matters which are on the Calendar. It is a bill which can not pass the Senate without considerable discussion; I am very sure no bill of that character could, having the provisions in it that it has. So I will say to the Senator that my objection will only tend to pass it over informally, if I may use that term, so that it will come up again on the Calendar. It may be taken up to-morrow by a majority vote.

Mr. BERRY. If the Senate will allow me, I wish to say a few words more.

The PRESIDING OFFICER. The Chair ought to remind the Senator that this debate is proceeding by unanimous consent.

Mr. BERRY. I will detain the Senate but a moment I had not intended to use any language that would accuse the Senator from Illinois of being the special champion of the bath-house interests there. I did not mean that at all. I simply intended to say that whether this is a just bill or an unjust bill it is a bill reported by the Committee on Public Lands. It did not meet my views fully, but still I regarded it as better than the present condition of affairs.

As I understand it, the hot water there is monopolized by a few individuals, and two-thirds of it is allowed to escape, when it is needed for the invalids of the country. I appeal to the Senator to give an opportunity to have a hearing upon the bill, and if it is not a just bill give us one that is just, but do not defeat this proposed legislation, which is absolutely necessary for the interest of the Government, for the interest of the invalids of the country, and the interest of the people of the Hot Springs, by an objection which will result in no consideration at all.

The PRESIDING OFFICER. Does the Senator from Arkansas move to proceed to the consideration of the bill?

Mr. BERRY. If the Senator will agree to let it pass over, with the understanding that if it is called again he will not object to it, then I will allow it to pass over for this evening, as there seems to be difficulty in obtaining a quorum.

Mr. LOGAN. I certainly shall not object to the consideration of the bill except under the rule on which we are proceeding.

Mr. BERRY. Then I should like to have the Senator name some time when it will suit him to have the bill made a special order.

Mr. LOGAN. The bill will come up in the natural course of business in the Senate, and I shall make no objection to its coming up legitimately and properly to be discussed, but it can not be discussed under the present rule.

Mr. BUTLER. The Senator from Arkansas can call up the bill at any time. If he can get a majority of votes for it it can be considered at any time. It does not lose its place on the Calendar.

The PRESIDING OFFICER. The Senator from Illinois objects to the bill, but agrees that it may retain its place on the Calendar.

Mr. BERRY. Very well; let it be passed over.

Mr. CONGER. Let the bill be passed over, holding its place on the Calendar.

The PRESIDING OFFICER. That is the proposition which was made by the Senator from Illinois. There being no objection, that is agreed to.

PORTLAND NATIONAL BANK.

The bill (S. 84) for the relief of the First National Bank of Portland, Oreg., was considered as in Committee of the Whole.

The bill was reported from the Committee on Claims with an amendment, in line 5, to strike out the words "eighteen thousand three hundred and ninety-nine dollars and ninety-six" and to insert "eight thousand two hundred and forty-nine dollars and twenty-three;" so as to make the bill read:

Be it enacted, &c., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the First National Bank of Portland, Oreg., the sum of $8,249.23, out of any money in the Treasury not otherwise appropriated, said sum being the amount advanced by said bank to the Oregon Iron Works, the contractor with the United States for the construction of the United States revenue-cutter called Thomas Corwin, built at Albina, Oreg., during the years 1875 and 1876, upon the security of the hypothecation of the payments to be made by the United States to said contractor, and used in the construction of said revenue-cutter, and which sum has not been paid to the said bank.

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.

The preamble was agreed to.

ADJOURNMENT TO MONDAY.

Mr. MANDERSON. I move that when the Senate adjourn to-day it be to meet on Monday next.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The question is on agreeing to the motion of the Senator from Nebraska.

The motion was agreed to.

TRANSMISSION OF WEATHER REPORTS.

The bill (S. 2004) authorizing the transmission of weather reports, storm and flood warnings, and the announcement of the approach of cold waves through the mails free of postage was announced as next in order; and the Senate, as in Committee of the Whole, resumed its consideration.

The PRESIDING OFFICER. The bill has been previously read and considered. The pending question is on an amendment proposed by the Senator from Kansas [Mr. INGALLS], which will be read.

The SECRETARY. In line 10, after the word "reports," it is proposed to strike out the words:

Or containing warning of the approach of storms, floods, frosts, or cold waves,

So as to read:

And that all official mail matter relating to weather reports may be transmitted through the mail free of postage.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. DAWES. The Senator from Kansas in my rear [Mr. PLUMB] took a deep interest in this bill when it was up before, and unless the Senator from Michigan [Mr. CONGER] who has the bill in charge will wait until he comes in, I shall ask that it go over.

Mr. CONGER. I have no objection to the amendment. It leaves the bill to cover the ground desired by the Department.

Mr. DAWES. What does the Senator say?

Mr. CONGER. I say, with the amendment made the bill covers what I desired to be included in the bill and what the Department desires.

Mr. DAWES. I shall object to the consideration of it until the Senator from Kansas comes in.

Mr. CONGER. Which Senator from Kansas?

Mr. DAWES. The Senator from Kansas whose seat is behind mine [Mr. PLUMB].

The PRESIDING OFFICER. The bill is objected to and goes over.

Mr. CONGER. I hope not.

Mr. DAWES. Let it be passed over and let us proceed to something else.

Mr. CONGER. There is no objection to the pending amendment, and the Chair was on the point of declaring that it was agreed to when the Senator from Massachusetts interposod.

Mr. DAWES. I do not know that the Senator from Kansas desires to be heard, but let the Senate proceed to some other bill, and leave this stand just as it is until the Senator comes in.

The PRESIDING OFFICER. If there be no objection the bill will be informally passed over, holding its place on the Calendar.

Mr. CONGER. That was done before, when it was suggested that somebody ought to be here who would like to be present.

Mr. COCKRELL. The Senator from Kansas [Mr. INGALLS] is now here.

Mr. CONGER. The amendment was being adopted. I do not see why there should be any objection to action on the bill.

Mr. DAWES. I gave the reason which led me to object. It is a reason which governs Senators here quite often.

The PRESIDING OFFICER. To which Senator from Kansas did the Senator from Massachusetts refer?

Mr. DAWES. I referred to the Senator from Kansas [Mr. PLUMB].

Mr. CONGER. The Senator from Kansas [Mr. INGALLS] offered an amendment to the bill to which there is no objection, and it was about being adopted by the Senate, and I do not suppose he asks any further time.

Mr. DAWES. I have no objection personally to the bill; I do not desire to object to it; only if I were temporarily absent and a bill in which I was interested should come up I have no doubt that some one would ask that it be delayed for a few minutes.

Mr. CONGER. I will simply say in reply that the amendment which the Senator from Kansas offered has been accepted.

Mr. DAWES. I will send for the Senator from Kansas [Mr. PLUMB]. I do not desire to obstruct the passage of the bill; I only desire the Senator from Kansas to know that it is up.

Mr. CONGER. The Senator from Massachusetts did not hear me. I wish the Senator would give me his attention for a moment. If the Senator who offered the amendment is absent, and the Senate adopts his amendment, I do not think he would have any further objection to the bill.

Mr. DAWES. I do not know that he has, but I have sent for him and that will make it certain. Does the Senator have any objection to the bill being laid aside informally?

Mr. CONGER. I only want to have it considered at some time.

The PRESIDING OFFICER. There being no objection, the bill will be informally laid aside.

Mr. DAWES. The Senator from Kansas [Mr. PLUMB] having entered the Chamber, I withdraw my objection.

The PRESIDING OFFICER. The bill is before the Senate as in Committee of the Whole, and the question is on agreeing to the amendment proposed by the Senator from Kansas [Mr. INGALLS] in line 10, after the word "reports," to strike out the words "or containing warnings of the approach of storms, floods, frosts, or cold waves."

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.

The title was amended so as to read: "A bill authorizing the transmission of weather reports through the mails free of postage."

POSTAGE ON FOURTH-CLASS MAIL MATTER.

The bill (S. 1079) to regulate the rate of postage on fourth-class matter was announced as next in order.

Mr. COCKRELL. That was reported adversely. Let it go over.

The PRESIDING OFFICER. Being objected to, the bill goes over.

Mr. CONGER. I move that the bill be indefinitely postponed.

The PRESIDING OFFICER. Having been objected to, the bill passes from the consideration of the Senate.

Mr. MAXEY. I ask the Senator from Missouri to withdraw his objection to the action on the bill.

Mr. COCKRELL. I withdraw the objection.

Mr. MAXEY. I ask that the bill be indefinitely postponed.

Mr. COCKRELL. I have withdrawn the objection.

The PRESIDING OFFICER. The Chair is informed that the Senator from Rhode Island [Mr. CHACE], who is now absent, has given notice that he desires to address the Senate upon the bill on next Wednesday.

Mr. MAXEY. Then let the bill remain on the Calendar.

Mr. CONGER. The Senator who reported the bill requests that it go over to the Calendar under Rule IX, where it may be discussed. Therefore I object to its consideration.

The PRESIDING OFFICER. Being objected to, the bill goes over.

ESTATE OF RUDOLPH LESCHOT.

The bill (S. 2101) for the relief of Edward G. Thompson, administrator *de bonis non* of the estate of Rudolph Leschot, deceased, was announced as next in order.

Mr. MCMILLAN. The Senator from Connecticut [Mr. PLATT] who reported the bill is absent, and it had better go over.

The PRESIDING OFFICER (Mr. HAWLEY in the chair). The Senator from Minnesota objects to the consideration of the bill. Does the Senator desire to have it go over under Rule IX, or that it shall retain its place on this Calendar?

Mr. MCMILLAN. I have no objection to its retaining its place.

Mr. COCKRELL. I object to it. Let it go over to the other Calendar.

The PRESIDING OFFICER. The bill goes over under Rule IX.

EIGHT-HOUR LAW.

The bill (S. 1884) providing for the adjustment of accounts of laborers, workmen, and mechanics arising under the eight-hour law was announced as next in order on the Calendar.

Mr. BUTLER. Let that go over.

The PRESIDING OFFICER. The bill goes over under objection.

COLLISION SUITS AGAINST THE UNITED STATES.

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 was announced as next in order on the Calendar.

Mr. MCMILLAN. Let that go over.

Mr. FRYE. Why should the bill go over?

Mr. MCMILLAN. One reason is that the Senator who made the report is absent.

Mr. FRYE. It is a very carefully drawn bill and has had the consideration of the Judiciary Committee. It is a very important measure, and I do not see any earthly objection to it.

Mr. MCMILLAN. I object to the bill.

The PRESIDING OFFICER. The Senator from Minnesota objects.

Mr. FRYE. Will the Senator so object as to let it stand on this Calendar?

Mr. MAHONE. It does that anyway.

Mr. FRYE. No; it goes over to the Calendar under Rule IX under an objection.

Mr. MCMILLAN. I do not desire that the bill shall lose its place on the Calendar.

Mr. FRYE. Then let it be passed over informally, with the consent of the Senator.

Mr. MCMILLAN. Very well.

The PRESIDING OFFICER. The bill will be passed over informally, retaining its place on the Calendar.

OPEN SESSIONS.

The resolution submitted by Mr. RIDDLEBERGER April 12, in relation to the consideration of business in open session, was announced as next in order.

Mr. HAWLEY. When my colleague [Mr. PLATT] was necessarily called away he made one special request of me. This subject having been, I will not say under his charge, but it having been one that he especially brought before the Senate, his request was that if it should come up I would ask that it might lie over until he should return. He made, as the Senate know, a speech at very considerable length, of much historical research and argument, upon the subject, and takes a very warm interest in the question. I ask therefore, or I suppose my objection is sufficient, that the resolution go over.

The PRESIDING OFFICER (Mr. COCKRELL in the chair). The objection of the Senator is sufficient.

Mr. HAWLEY. I ask that the resolution be passed over, retaining its place on the Calendar.

The PRESIDING OFFICER. Is there objection to the resolution being passed over, retaining its place on the Calendar?

Mr. RIDDLEBERGER. I have not heard what the Senator said. I ask his pardon, because it was not his fault, neither was it mine.

Mr. HAWLEY. I am very sorry. I thought I spoke distinctly.

Mr. RIDDLEBERGER. I think you did.

Mr. BUTLER. There is so much talking in the rear that nobody can hear.

Mr. RIDDLEBERGER. There are reasons why we did not hear.

The PRESIDING OFFICER. The Senator from Virginia will suspend, and the Chair will have order restored in the Senate before any more business is transacted.

Mr. HARRIS. What is the order of business under consideration?

The PRESIDING OFFICER. To get the Senate in order.

Mr. HARRIS. That I understood, but I wanted to know the order of business.

The PRESIDING OFFICER. Then the order of business will be the resolution of the Senator from Virginia.

Mr. RIDDLEBERGER. Let it be read.

The PRESIDING OFFICER. The resolution will now be read.

The Secretary read the resolution submitted by Mr. RIDDLEBERGER April 12, 1886, as follows:

Resolved, That all matters other than those relating to treaties shall be considered and acted upon by the Senate in open session.

Mr. HAWLEY. I will not take the trouble of repeating all that I said before. The Senator from Virginia is aware of the part my colleague has taken in the discussion of this question. Therefore I feel obliged to object to the consideration of the resolution, but I ask that it be passed over, retaining its place on the present Calendar.

The PRESIDING OFFICER. The Senator from Connecticut asks that the resolution be passed over, retaining its place on the Calendar. Is there objection?

Mr. RIDDLEBERGER. I object to passing it over.

Mr. FRYE. The only way to prevent that is to make a motion to proceed to the consideration of the resolution.

Mr. RIDDLEBERGER. But I do not understand yet what the position of the resolution is. The subject has been here five months; I know that, and it is before the Senate.

The PRESIDING OFFICER. The resolution is upon the Calendar and is now laid before the Senate for its consideration and action.

Mr. RIDDLEBERGER. It is now before the Senate, as I understand, for its consideration and action, as it has been for months preceding; but the Senator from Connecticut asks that it shall be passed by informally. I have no objection to that being done, if the Senator can answer for his colleague that it can be considered within three or four days. I have let the resolution go over before, but there seems to be no end to this thing. I am ready to vote on it and let it go. Let the Senate vote on it and let it go one way or the other. If the Senator really thinks that his colleague wants to be here when the resolution is acted on and is not paired upon this question, let it go. However, I find that on most of these matters when they are brought to the attention of the Senate absent Senators are paired. Now, is the Senator from Connecticut, I mean the colleague of the Senator who is on the floor, paired on this question or is he not?

Mr. HAWLEY. I have said I desired that action upon the resolution should be delayed until my colleague returns. I suppose his general pair would cover this question. I do not know how he stands in reference to the Senator with whom he is paired, or how the other Senator stands in reference to this particular question. I objected to its present consideration and agreed to let the resolution retain its place on the Calendar.

Mr. RIDDLEBERGER. It has been on the Calendar.

Mr. HAWLEY. I object absolutely and without condition.

The PRESIDING OFFICER. The resolution is passed over.

Mr. RIDDLEBERGER. I avow that the resolution is on the Calendar and has been there for months. It has been there for five months. I deferred to the Senator from Connecticut, and it is not taken up by the favor of any Senator on the floor, and can not be objected to and passed out of sight in that way. If it is to be done, it is not to be done by a rap of the gavel. I shall ask that it be taken up by the Senate notwithstanding the objection.

The PRESIDING OFFICER. Does the Senator from Virginia move that the Senate proceed to the consideration of the resolution?

Mr. RIDDLEBERGER. I do, sir; and when I make the motion I wish to be allowed the privilege of stating that this is the third time I have deferred to the objection, or rather have been asked to defer to the objection, of the Senator from Connecticut on account of the absence of his colleague, and I have twice withdrawn the resolution itself in deference to one that was pending, offered by his colleague. I ask again for a vote on this question.

The PRESIDING OFFICER. The Chair will state the question. The Senator from Virginia moves that the resolution be taken up for consideration by the Senate notwithstanding the objection.

Mr. SPOONER. Mr. President——

The PRESIDING OFFICER. The Chair must remind the Senator from Wisconsin that this is not a debatable question.

Mr. SPOONER. I understand that the question is not debatable, but I desire by the leave of the Senate simply to bring to the attention of the Senator from Virginia the fact that the other day when this matter was before the Senate the Senator from Vermont [Mr. MORRILL] indicated a desire to speak upon it, and said that he was prepared to address the Senate upon it at that time. To-day he is detained from the Senate by illness, and I think under the circumstances the Senator from Virginia would hardly like to press the consideration of the resolution. The Senator from Vermont is always here when he is in health.

Mr. RIDDLEBERGER. That is a suggestion which was not made before, and of course, if the Senator from Vermont still wants to speak on this question and is detained by illness, I will withdraw my motion.

The PRESIDING OFFICER. The Senator from Virginia withdraws his motion, and the resolution is passed over.

Mr. SPOONER. It will retain its place on the Calendar?

The PRESIDING OFFICER. It will retain its place on the Calendar, if the Senator from Virginia does not object, in accordance with the request of the Senator from Connecticut.

Mr. HAWLEY. Allow me to remark for the information of the Senator from Virginia that the resolution the Senate has already discussed on this subject is the first one on the Calendar under Rule VIII, the resolution offered by my colleague, so that there is no difficulty about the question coming up.

GREELY'S POLAR EXPEDITION REPORT.

The PRESIDENT *pro tempore* laid before the Senate the following concurrent resolution from the House of Representatives; which was referred to the Committee on Printing:

Resolved by the House of Representatives (the Senate concurring), That 4,500 copies, with the necessary illustrations, be printed of the Report of the International Polar Expedition to Lady Franklin Bay, Grinnell Land, by First Lieut. A. W. Greely, Fifth Cavalry, United States Army, acting signal officer; 1,250 copies of which shall be for the use of the Senate and 3,250 for the use of the House of Representatives.

HOUSE BILLS REFERRED.

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

A bill (H. R. 506) for the relief of Eleanor T. Brookbanks and others;

A bill (H. R. 528) for the relief of Silas Quackenbush;

A bill (H. R. 917) for the relief of Henry S. Cohn;

A bill (H. R. 1802) for the relief of Moses B. Walker;

A bill (H. R. 2013) for the relief of Myron E. Dunlap;

A bill (H. R. 2176) for the relief of Alexander Goble;

A bill (H. R. 3930) for the relief of Wells C. McCool; and

A bill (H. R. 5877) for the relief of William H. Morhiser.

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

A bill (H. R. 932) for the relief of T. J. Pitzer;

A bill (H. R. 1034) for the relief of Bangs, Brownell & Co.;

A bill (H. R. 1501) referring the claim of William Dalton to the Court of Claims;

A bill (H. R. 2918) for the relief of William Huntington;

A bill (H. R. 3750) for the relief of Francis H. Plummer; and

A bill (H. R. 5872) for the relief of R. D. Beckley and Leon Howard.

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

A bill (H. R. 1659) for the relief of the survivors of the exploring steamer Jeannette, and the widows and children of those who perished in the retreat from the wreck of that vessel in the arctic seas; and

A bill (H. R. 2053) for the relief of Rachael J. Floyd.

The following bills and joint resolution were severally read twice by their titles, and referred as indicated below:

The bill (H. R. 1776) for the relief of Faran & McLean—to the Committee on Finance.

The bill (H. R. 3642) for the relief of the heirs of Jacob Cramer—to the Committee on Pensions.

The bill (H. R. 8751) for the relief of Samuel F. Rice—to the Committee on the Judiciary.

Joint resolution (H. Res. 67) for the relief of William B. Isaacs & Co.—to the Committee on Claims.

TERRITORIAL LAWS.

The PRESIDENT *pro tempore* appointed Mr. HARRISON, Mr. MANDERSON, and Mr. BUTLER the conferees on the part of the Senate upon the amendments of the Senate to the bill (H. R. 5179) to prohibit the passage of local or special laws in the Territories of the United States.

GRAFTON MONROE.

The PRESIDENT *pro tempore* appointed Mr. MAXEY, Mr. CONGER, and Mr. CHACE the conferees on the part of the Senate upon the amendments of the Senate to the bill (H. R. 5890) for the relief of Grafton Monroe.

MRS. MARIA WALKER.

The PRESIDENT *pro tempore* appointed Mr. BLAIR, Mr. SAWYER, and Mr. WILSON, of Maryland, the conferees on the part of the Senate upon the amendment of the Senate to the bill (H. R. 6311) granting arrears of pension to Mrs. Maria Walker.

PUBLIC BUILDING AT KEOKUK.

The PRESIDENT *pro tempore* appointed Mr. MAHONE, Mr. WILSON, of Iowa, and Mr. VEST the conferees on the part of the Senate upon the amendments of the Senate to the bill (H. R. 4498) authorizing an additional appropriation of $25,000 for the court-house at Keokuk, Iowa, to make the same fire-proof.

PUBLIC BUILDING AT WILLIAMSPORT.

The PRESIDENT *pro tempore* appointed Mr. MAHONE, Mr. CAMERON, and Mr. CAMDEN the conferees on the part of the Senate upon the amendments of the Senate to the bill (H. R. 2148) to amend an act entitled "An act to provide a building for the use of the United States

circuit and district courts of the United States, the post-office, and other Government offices at Williamsport, Pa.," and making an additional appropriation therefor.

STATEMENTS ON BUTTER AND OLEOMARGARINE.

Mr. MILLER, from the Committee on Agriculture and Forestry, reported the following resolution; which was considered by unanimous consent, and agreed to:

Resolved, That the Committee on Agriculture and Forestry in considering House bill No. 8328 be, and are hereby, authorized to take testimony and print the same for the use of the Senate, and that the expenses of the same be paid out of the contingent fund of the Senate.

PAPERS WITHDRAWN AND REFERRED.

On motion of Mr. MILLER, it was

Ordered, That the papers in the case of Elizabeth Hamilton on the files of the Senate be referred to the Committee on Revolutionary Claims.

AMERICAN SILK FLAG.

Mr. DOLPH submitted the following resolutions; which were referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Be it resolved by the Senate of the United States, That Joseph Neumann be, and he is hereby, allowed the sum of $—— to furnish and cause to be placed in the Smithsonian Institute a suitable glass case for the exhibition and preservation of the American silk flag heretofore presented by said Joseph Neumann to the Senate of the United States, and accepted by a resolution of that body July 12, 1870, together with a complete history pertaining to said flag.

Be it further resolved, That the officers and superintendent of said Institute are hereby requested to furnish such assistance as may be necessary for the above object. Said above-named sum of $—— to be paid to said Joseph Neumann out of the contingent fund of the Senate not otherwise appropriated, and the Sergeant-at-Arms is hereby authorized to draw his warrant on said fund for said sum of money.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. CLARK, its Clerk, announced that the House had passed a joint resolution (H. Res. 185) for the printing of certain eulogies delivered in Congress upon the late Joseph Rankin; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

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

A bill (S. 1797) granting a pension to John S. Kirkpatrick;

A bill (S. 1618) granting a pension to John G. Nicholas;

A bill (S. 489) granting a pension to Mary Mortimer Semmes, widow of Commodore Alexander A. Semmes, United States Navy;

A bill (S. 686) granting a pension to Charles N. Sebastian;

A bill (S. 1077) granting a pension to Newcomb Parker;

A bill (S. 787) granting a pension to Reuben Farnham;

A bill (S. 1304) granting a pension to William Reynolds;

A bill (S. 1486) to authorize the Denison and Washita Railway Company to construct and operate a railway through the Indian Territory, and for other purposes; and

A bill (S. 1841) granting a pension to Joseph Shull.

WILLIAM H. WYMORE.

The bill (S. 586) for the relief of William H. Wymore was announced as next in order.

Mr. COCKRELL. Let that be passed over.

Mr. FRYE. It is an adverse report.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

MRS. HENRIETTA. H. COLE.

The bill (S. 380) for the relief of Mrs Henrietta H. Cole was considered as in Committee of the Whole. It proposes to refer to the Commissioner of Patents the patent granted to Henrietta H. Cole, of New York, for improvement in fluting-machines, who shall determine the same upon testimony; and if in his judgment the petitioner has not been compensated for her time and ingenuity in perfecting her patent, he shall have authority to extend it for seven years from the 12th of June, 1883.

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

HOUSE BILL REFERRED.

The joint resolution (H. Res. 185) for the printing of certain eulogies delivered in Congress upon the late Joseph Rankin was read twice by its title, and referred to the Committee on Printing.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 6391) to authorize the Kansas City, Fort Scott and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes; and

A bill (H. R. 5886) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1887.

AMENDMENT TO A BILL.

Mr. MAHONE submitted an amendment intended to be proposed by him to the bill (H. R. 2522) to authorize the establishment of export-tobacco manufactories, and for drawback upon imported articles used in manufacturing exported tobacco; which was referred to the Committee on Finance, and ordered to be printed.

METROPOLITAN RAILROAD COMPANY.

The bill (S. 851) to amend the charter of the Metropolitan Railroad Company was considered as in Committee of the Whole.

The PRESIDENT *pro tempore*. This bill has been read at a former stage, and some of the amendments reported from the Committee on the District of Columbia were agreed to. The remaining amendments will be stated and acted upon.

The SECRETARY. The committee report to strike out section 2 of the bill, in the following words:

SEC. 2. That should any part of the track extension herein authorized coincide with portions of any other duly incorporated street railway, the relative condition of the chartered rights of each may be adjusted upon terms to be mutually agreed upon between the companies, or, in case of disagreement, by the supreme court of the District of Columbia, on petition filed therein by either party, and on such notice to the other party as the court may order.

And in lieu thereof to insert:

SEC. 2. That whenever the track extension herein authorized coincides with the route of any other duly incorporated street-railroad company, but one set of tracks shall be used by the companies in interest, which are hereby authorized and empowered to use such tracks in common upon such fair and equitable terms as may be agreed upon by said companies; and in the event the said companies fail to agree upon satisfactory terms, either of said companies may apply by petition to the supreme court of the District of Columbia, which shall provide for proper notice to and hearing of all parties interested, and shall have power to determine the terms upon which the company herein specified shall be entitled so to use and enjoy the track of such other street-railroad company, and the amount and manner of compensation to be paid therefor.

Mr. VAN WYCK. I did not hear the reading of the bill at the time to which the President of the Senate refers, but it would seem as if this were an opportune time now to obtain some reforms in the management of the street railways in this city. A long time ago a resolution passed the Senate requiring the Committee on the District of Columbia to institute some reform.

Mr. HARRIS. If the Senator from Nebraska will allow me, I can state to him that there is now pending before the District Committee a bill on the general subject in which is included the question of street railroad methods and a reform in those methods. Exactly what conclusion the committee will come to I am not prepared to say. But this bill simply extends some additional lines in the southeastern and northeastern parts of the city and in the southern part of the city near the river, to which I do not think any Senator would object understanding the exact purport and purpose of the measure.

Mr. VAN WYCK. He would probably not object to it; but it is probable, as we are approaching near the end of the session that we shall not have very much more business of this nature, and it occurred to me that it would be probably a very opportune time to put some suggestions upon this bill, so that the system which is very grievous, as the Senator no doubt well knows, shall not be continued to any greater extent in this city at least in the line extended by the Metropolitan Railroad, and that they shall be required to make their streets passable for vehicles at least on the new road which they are making.

To have a continuation of the line will certainly be desirable, and if the Committee on the District of Columbia can not reach what has been built and is done, it would seem that it would be within their province upon this bill at least to protect the citizens from any further railroads such as we have now.

It was supposed some weeks and probably months ago that some attention would be directed to that point, and the Senator now says the Committee on the District of Columbia have been considering it. Whether they will do anything or what it may be that they will do we can not of course at this time state; but the streets here are almost impassable along the line of the Metropolitan Railway. There are places on New York avenue and Connecticut avenue along the line of this road in such a condition that it would seem that some general provision should be made, some clause delegating some power somewhere. There is no power anywhere to regulate the running of these cars, the rate of speed, the motive power.

There have been a number of patriots dancing attendance upon this Congress, who have been besieging members of the Senate and I suppose of the other House. They are very anxious to establish new lines of street railway. They want to tear up some streets where there is no necessity for doing it, because they say they want a cable railway. The cable road seems to be the very thing of all others whereby the speed shall be increased and the comfort of passengers considered. It was suggested to that class of patriots that they try their hand upon the roads already here, and if the cable railway be a good thing, which I suppose it is, as there is not a question it is in my mind, to apply it, if it is a good thing, as Congress has the power, to the roads already in existence and let it be established there.

But if the committee have the time to devote and can cause an extension of these lines, it would seem as if there ought to be time enough here to make some provision as to what should be done at least upon

that portion of the new line which is to be built under the provisions of this bill.

Therefore if it does not embarrass the Committee on the District of Columbia in this matter, I would very much like to have them accept an amendment to the bill that the rate of speed upon these cars shall be subject to the control and regulation of the District commissioners, that the motive power shall be subject to the regulation and control of the commissioners of the District, and that the repair of the streets shall be subject to the control and regulation of the commissioners of the District. I would offer an amendment, then, that the rate of speed on the Metropolitan Railway line shall be regulated by the commissioners of the District of Columbia, and also that the motive power shall be regulated by them.

The PRESIDENT *pro tempore*. Before the Senator from Nebraska offers the amendment the Chair will state that there is an amendment pending striking out the second section of the bill and inserting. The question is on agreeing to that amendment.

The amendment was agreed to.

The PRESIDENT *pro tempore*. The amendment of the Senator from Nebraska is now in order. The amendment will be stated.

The CHIEF CLERK. It is proposed to add as a new section:

SEC. —. That the rate of speed on the Metropolitan Railway line shall be regulated by the commissioners of the District of Columbia; also that the motive power and the repair of the streets and the substitution of new rails shall be subject to the control and direction of the commissioners of the District of Columbia.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Nebraska [Mr. VAN WYCK].

Mr. HARRIS. I have no objection to authorizing or giving the commissioners authority to regulate the rate of speed. I think perhaps that is well enough; but in respect to the other features of the amendment, Congress has complete power over all the question. Congress can require the road to be constructed in any manner or changed in any manner that it may choose to direct; but if Congress could delegate the power to the commissioners of the District of Columbia to require the street-railroad companies to adopt engines instead of horse-power, to require them to tear up their entire plants and construct new plants upon a different method, it would be a pretty large power to lodge in the commissioners of the District. I am, for one, not ready to concede it just at this time; but if the Senator will modify his amendment, authorizing and giving the commissioners power to regulate the rate of speed, I certainly shall not object to it, though, as a member of the committee, I am not authorized to accept it.

Mr. VAN WYCK. It would seem the other power proposed to be granted is as necessary and as safe certainly for the railway company. I think they will take no exception to the place where the power is proposed to be lodged. I think it has ordinarily happened that the street-railways in this city have been reasonably well, not protected I should say, but honored by having persons who are closely related with them in the board of District commissioners, so that it is not an unfriendly tribunal, and probably never can be an unfriendly tribunal from the situation of affairs.

It is the least that could be offered that the officers and friends and owners of the corporation shall be delegated with this power. I would prefer some other tribunal, but I knew very well if I suggested any other it would not probably be assented to by the committee, and I was anxious that the committee should do something toward some reform in this direction.

Mr. HARRIS. I move to amend the amendment by striking out all after that part which gives the commissioners authority to regulate the rate of speed.

The PRESIDENT *pro tempore* The amendment to the amendment is in order and will be stated.

The CHIEF CLERK. It is proposed to strike out from the amendment the words:

Also that the motive power, and the repair of the streets, and the substitution of new rails shall be subject to the control and direction of the commissioners of the District of Columbia.

Mr. VAN WYCK rose.

The PRESIDENT *pro tempore*. The Chair must remind the Senator from Nebraska that, having addressed the Senate once under the five-minute rule, he is not entitled to the floor again.

Mr. RIDDLEBERGER. Mr. President, this involves more than appears on the surface. It involves the question as to whether in the District of Columbia there shall be what we call in common parlance a surface track, or whether they may keep up the cobble-stone business in the middle of the streets of this city, notwithstanding the progress which is being made in all the large cities of the country, and I may say of the world.

I am not disposed to say that the Washington and Georgetown Railroad Company have exerted too much influence, but it is the apprehension in the minds of some people that there would not be a railroad down Pennsylvania avenue if you required them to put down a surface track and to tear up the cobble-stones, and to take away their horses and substitute a cable. I mean to make only that expression and then to let the Senate consider it.

Mr. INGALLS. The bill does not apply to the Washington and Georgetown road at all. It applies to the Metropolitan, or what is commonly known as the F street line, that asks a few additional privileges in the way of extensions to its existing system.

Senators who are aware of the present condition of that line know that it now extends out on East Capitol street to within two blocks of Lincoln Park. One section of the bill provides that it may extend its line to Lincoln Park, and thence go south down Eleventh street east to the junction of Virginia avenue. Every property-holder in every block by which this proposed extension is to run has filed a petition with the Committee on the District of Columbia, asking that the bill may be acted on favorably.

Mr. RIDDLEBERGER. Will the Senator state when that petition was filed?

Mr. INGALLS. The bill further provides that from the P street circle up Nineteenth street to the boundary the line shall be operated a certain number of trips each hour. It provides further that from Seventeenth street down past the new State, War, and Navy Department building, where there is a portion of track that is not used at all, the line may be abandoned. It has not been used for a long time. A portion of the track is covered by the sheds of contractors engaged in putting up that building. It is necessary for the public convenience that that track should be removed and the road-way restored to its original condition, and the bill provides that that may be done and at the expense of the railroad corporation.

I believe I have expressed thus briefly all that the bill contemplates. It is for the public convenience, and so certified by those who are to be affected by it.

I would suggest to the Senator from Nebraska that while the street-car service in this city is undoubtedly in an unsatisfactory condition, while the speed is not sufficient, while the cars are antiquated and ill-kept, this is not the bill upon which to attempt to regulate that subject.

The Committee on the District of Columbia have taken a large amount of testimony under the resolution offered by the Senator from Nebraska. We have endeavored to formulate some system that would do away with these admitted difficulties and provide the people here with a satisfactory street-railway service; but the difficulties are so great, the evidence as to the value of conflicting systems has been so variant as between the horse and the cable system and the electric system, that while the committee have been diligent they have not yet been able to present a satisfactory solution of this whole subject. I beg to assure the Senator from Nebraska and the Senate that the committee have not been indifferent or indolent upon this subject.

I therefore hope that without attempting to burden this bill with provisions applying to this line which ought to apply to all, as the Senator himself will admit, he will permit this bill, which simply provides for an extension of the facilities of this one line through certain parts of the city that are now confessedly lacking, to pass, and leave us to deal with the other subject in a general bill that the committee have under contemplation and of the importance of which the committee are as fully aware as the Senator from Nebraska.

Mr. DAWES. I objected to the consideration of this bill when it was before the Senate not long since, because I was uncertain where it was proposed to lay the additional road. Since then I have examined the map, and it seems to me to be a very desirable bill, a bill which instead of objecting to I should be very much in favor of.

I think it a good deal of an object to get up that track down Seventeenth street to the State, War, and Navy Department building, and it certainly must be very desirable to require the running of the cars from P street to the Boundary more frequently. The new road that is to be laid is in that part of the city connecting this road with a wharf at one place and with the navy-yard at another place, if I am not mistaken, but certainly they are connections which a glance at the map will show are very desirable.

That the track of this road in certain parts of the city is in very bad condition, every one will admit, and that the existing lines ought to be required to lay a different rail from what they do I think every one would be in favor of; but I hardly think it could be incorporated upon this bill with propriety.

Therefore, having objected to the bill when it was originally considered, I felt it was due to the Senate that I should do what I did, examine the map and make this statement.

Mr. RIDDLEBERGER. The idea that I am opposed to the construction of street railways in Washington is certainly erroneous, but I do know the fact that there are propositions before the District Committee that are entirely different from what I hear stated here by the chairman of that committee, as I understood them when I was a member of it. There is a proposition, for instance, to build a cable railway, a surface track, to go down B street, to go out New Jersey avenue, and then take E street down to where it would connect with just what the Senator said was the E-street road; and then it would go out and strike Eighteenth street, and from Eighteenth street branch off and go out M street (if I am not mistaken, and I think I am not) through Georgetown, leaving then its own elbow at Eighteenth and M, going out to T street, coming back down T street to Sixth, and coming down Sixth street to the Baltimore and Potomac Railroad depot, at the same time

leaving its Eighteenth street elbow and coming down to what is called Water street, and going along all the wharfage of that street. Why is it that there can not be a bill here to grant that franchise, a cable road with a surface track? Instead of it, here comes in this proposition.

I say again, and I mean to repeat time and again, that it is the Washington and Georgetown Railroad corporation, not the Senate of the United States, that is controlling the District of Columbia in this matter. They dare not come in here themselves; they do not have anybody here to represent them; but they have got a cobble-stone track for horses to trot over, to pull slow coaches, stopping at the ringing of the bell by a conductor with a punch agent in the car, with people to tramp over you; and they control this whole matter, and have controlled it, in my judgment, since I have been here.

Can any Senator tell me why there should not be a bill passed to give these franchises that hurt nobody, that touch nobody, that hurt nobody's interest? We can not have it; but if you propose to tear up some of your asphalt pavement and put down some more cobblestones, so as to preserve in a way what seems to be a Washington system, you can get here a report and advocates for it. Go to Philadelphia, and you will find people there thinking the cable system and the street surface system better. Go farther, to Boston, and you will find it; and if you want to find something abroad that can possibly influence you in a matter of this sort, you will find that the English Parliament has said that there shall be no other system of street railways there. Yet here we are, having a cobble-stone system of railways in the city of Washington, forsooth because the Washington and Georgetown Railroad Company have it, and they will not consent to tear it up.

I am not opposing the bill, if they would just come and say that they will construct a surface railway in this city. That is what ought to be done. It does not hurt the streets. You can walk across it, drive across it, do as you please, and you would not know there was an obstruction on the streets; but here is this system that is now held up and maintained by a corporation which seems to have more control in the District of Columbia than Congress, which seems to arrogate to itself the power to legislate for these people and for this District and for their rights.

The PRESIDENT *pro tempore*. The Senator's time has expired.

Mr. RIDDLEBERGER. I just want to say one word more and that is all. I have contended for this and I have done it because I thought it was right. Every time that you put down a cobble-stone in this city you put down a rock that is to be thrown into the very face of the men who are dealing with the profits of this street railroad company.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Tennessee [Mr. HARRIS] to the amendment of the Senator from Nebraska [Mr. VAN WYCK].

Mr. VAN WYCK. I propose a substitute for my amendment.

Mr. HARRIS. The Senator from Nebraska proposes to modify his amendment.

Mr. VAN WYCK. I have been of course disposed to assent to the suggestions made by the Committee on the District of Columbia, and as I do not desire to embarrass them in the examination of the main question which they are now considering, I have assented to offer this as a substitute:

That the commissioners of the District of Columbia shall have power to regulate and control the running of cars on the Metropolitan Railroad and branches, and the rate of speed on said road and branches, and the repair of streets occupied by said road.

Mr. HARRIS. I have no objection to that amendment.

The PRESIDENT *pro tempore*. The Senator from Nebraska modifies his amendment and the Senator from Tennessee withdraws the amendment offered by him to the amendment of the Senator from Nebraska.

Mr. MCMILLAN. Let the amendment be read as modified.

Mr. VAN WYCK. I desire to insert in the amendment which I modified at the request of the Senator from Tennessee to regulate not the cable-power but the horse-power, and give them authority to regulate so that more than one little pony shall be used to draw a heavy load of passengers up these heavy grades. I have inserted it and I wish the Senator from Tennessee would consent that that should be put in.

Mr. HARRIS. I will hear the amendment read as now modified.

The PRESIDENT *pro tempore*. The amendment will be read as modified.

The CHIEF CLERK. It is proposed to add as a new section:

SEC. —. That the commissioners of the District of Columbia shall have power to regulate and control the running of cars on the Metropolitan Railroad and branches, and the rate of speed of said road and branches, and the repair of streets occupied by said road, to be done by said company.

Mr. VAN WYCK. I added that. I think it ought to be done by the company.

Mr. HARRIS. There is no objection to that.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment of the Senator from Nebraska as modified.

The amendment was agreed to.

Mr. ALLISON. Mr. President——

The PRESIDENT *pro tempore*. There is one other amendment reported from the Committee on the District of Columbia which has not yet been acted upon. The remaining committee amendment will be stated.

The CHIEF CLERK. It is proposed to add as a new section the following:

SEC. —. That all acts authorizing the use of that portion of West Seventeenth street by said company for the operation of a street railroad south of H street be, and the same are hereby, repealed; and said company shall, within ninety days after the passage of this act, abandon the use of such portion of said street for said purpose, and restore the same to a proper condition for travel uniform with the remainder of such street; and in the event of refusal or neglect so to do within the time specified, all rights accruing to said company under this act are hereby declared to be forfeited, null, and void.

The amendment was agreed to.

Mr. ALLISON. In section 1, line 27, after the word "act," I move to strike out all down to and including the words "by it," in line 29, in the following words:

And the said company is hereby authorized to maintain and operate all the roads and tracks heretofore laid or controlled by it.

These seem to be general words, which may have more significance than we know of at this moment.

Mr. RIDDLEBERGER. There is no Senator on this floor who can comprehend that amendment unless perhaps it be the Senator from Iowa himself, and I will ask him to explain what its effect will be?

Mr. ALLISON. I simply move to strike out those words.

Mr. RIDDLEBERGER. I know, but simply moving to strike out a few simple words may imply a great deal.

The PRESIDENT *pro tempore*. The question is on agreeing to the amendment moved by the Senator from Iowa [Mr. ALLISON].

The amendment was agreed to.

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

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

E. J. PHILLIPS.

Mr. COCKRELL. Yesterday when the bill (H. R. 5553) for the relief of E. J. Phillips was reached, I asked that it might be passed over, the explanation not being sufficiently given by the report. I have examined the law of March 17, 1882, and I find that the Post-Office Department can only adjust claims under $2,000. I have in my hand a letter from the Assistant Attorney-General for the Post-Office Department dated February 29, 1884, touching this claim and stating that it has been reported by the Post-Office Department to Congress for an appropriation, the amount being over $2,000, and that is the only reason why it has not been paid by the Department. Therefore I ask that the bill be taken up and acted upon now.

The Senate, as in Committee of the Whole, proceeded to consider the bill. It directs the Postmaster-General to settle and adjust the accounts of E. J. Phillips, postmaster at Oberlin, Ohio, and to credit him with $2,114.89, for United States postage-stamps of the value of $1,837.64, and money-order funds amounting to $277.25, lost by a burglary, without any fault or negligence of the postmaster.

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

LEAVES OF ABSENCE IN THE GOVERNMENT PRINTING OFFICE.

Mr. MANDERSON. The Senate yesterday passed the bill (H. R. 544) granting leave of absence to employés in the Government Printing Office with amendments. I wish to move that the House be requested to return the bill to the Senate with a view of obtaining a conference between the two Houses on the bill and amendments.

The PRESIDENT *pro tempore*. The order to request the return of the bill will be entered, if there be no objection.

OBSTRUCTIVE DEPOSITS IN NEW YORK HARBOR.

The bill (S. 2157) to prevent obstructive and injurious deposits within the harbor and adjacent waters of New York city, by dumping or otherwise, and to punish and prevent such offenses, and making other provisions in connection therewith, was announced as next in order on the Calendar.

Mr. MCMILLAN. Let that be passed over without prejudice.

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

INQUESTS UNDER NATIONAL AUTHORITY.

The bill (S. 2171) to provide for inquests under national authority was announced as next in order.

Mr. GEORGE. I object to that bill.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

ROBERT H. MONTGOMERY.

The bill (S. 1717) for the relief of Robert H. Montgomery, a captain in the Fifth Cavalry, United States Army, was considered as in Committee of the Whole. Robert H. Montgomery, a captain in the Fifth Regiment of Cavalry, United States Army, having been a prisoner of war in the hands of the enemy during the period of time from the 19th of November, 1863, to the 16th of February, 1865, the Secretary of War is directed by the bill to correct the military record of Montgomery so that it shall appear that he served continuously in the regular Army from the 6th of August, in the year 1860.

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. AKINS AND JACOB D. FELTHOUSER.

The bill (S. 1803) for the relief of William H. Akins and Jacob D. Felthouser was announced as next in order.

Mr. MCMILLAN. That bill was reported without recommendation by the Committee on Patents, I observe, and the Senator from Rhode Island [Mr. CHACE] who made the report is absent.

The PRESIDENT *pro tempore*. The bill will go over on objection.

LEGAL REPRESENTATIVES OF PETER LYLE.

The bill (S. 701) for the relief of the legal representatives of Peter Lyle, deceased, was announced as next in order on the Calendar.

Mr. COCKRELL. Is there a report accompanying the bill?

The PRESIDENT *pro tempore*. There is a report. Does the Senator from Missouri desire to have the report read?

Mr. COCKRELL. I object to the bill.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

R. D. EVANS AND R. M. GREEN.

The bill (S. 1361) for the relief of Robley D. Evans and Richard M. Green was announced as next in order.

Mr. COCKRELL. I should like to hear enough of the report read to know whether either of these claimants was in the employment of the Government.

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

The Chief Clerk proceeded to read the report, submitted by Mr. PLATT, from the Committee on Patents, April 20, 1886; but before concluding was interrupted by,

Mr. COCKRELL. I see the report states that—

Robley D. Evans was, at the time the machine was put in use, the equipment officer in charge of the equipment division of the Washington navy-yard. Richard M. Green, the other patentee, was foreman of the chain and smith shop.

Let the bill go over.

The PRESIDENT *pro tempore*. The bill will go over.

LEGAL REPRESENTATIVE OF HENRY S. FRENCH.

The bill (S. 609) for the relief of the legal representative of Henry S. French was announced as next in order.

The PRESIDENT *pro tempore*. The Senator from Ohio objects to the consideration of the bill, and it goes over.

PAY OF GRADUATES OF NAVAL ACADEMY.

The bill (S. 882) to equalize the pay of graduates of the Naval Academy was announced as next in order.

Mr. HOAR. The Senator from New Jersey [Mr. MCPHERSON], who has that bill in charge, is absent. Let it go over.

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

AGRICULTURAL EXPERIMENT STATIONS.

The bill (S. 372) to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto, was announced as next in order.

Mr. VANCE. Let that go over.

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

THOMAS G. CORBIN.

The bill (S. 1262) for the relief of Thomas G. Corbin was announced as next in order.

Mr. ALLISON. Let that be passed over.

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

APPOINTMENTS IN MARINE-HOSPITAL SERVICE.

The bill (S. 780) to regulate appointments in the Marine-Hospital Service of the United States was announced as next in order.

Mr. COCKRELL. At the instance of the Senator from Maryland [Mr. GORMAN] I object to that.

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

Mr. MCMILLAN. Let it be passed without prejudice.

Mr. COCKRELL. I have no objection.

Mr. MCMILLAN. I think there is no real objection to the passage of the bill.

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

ABEL J. LEWIS.

The bill (H. R. 6381) granting a pension to Abel J. Lewis was announced as next in order.

The PRESIDENT *pro tempore*. The attention of the Senator from New Hampshire [Mr. BLAIR] is called to this bill. There is a memorandum on it from him for it to lie over. Does he object to its consideration?

Mr. BLAIR. Yes. I think the claim has been allowed at the Pension Office. I was spoken to in regard to it.

Mr. COCKRELL. Let the bill be passed over.

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

JOHN D. FINCHER.

The bill (S. 1768) granting a pension to John D. Fincher was announced as next in order.

Mr. COCKRELL. I ask that that lie over. The report states that "the examining board find nothing the matter with him," and I think, in view of the fact that the examining board find that to be so, we ought not to grant a pension.

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

Mr. WILSON, of Iowa. I wish to call the attention of the Senator from Missouri to the case just passed over. I think if the Senator will read the entire paragraph from which he quoted an expression he will be satisfied to let that bill pass.

Mr. COCKRELL. I will examine it further to see.

Mr. WILSON, of Iowa, subsequently said: I understand the Senator from Missouri [Mr. COCKRELL] to withdraw his objection to the bill (S. 1768) granting a pension to John D. Fincher.

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

The bill was read, and the Senate, as in Committee of the Whole, proceeded to consider it. 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.

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.

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 Lieut. Col. Charles Von Kusserow, 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.

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

GEORGE S. FISHER.

The bill (S. 1834) for the relief of George S. Fisher was announced as next in order.

Several SENATORS. That is an adverse report.

Mr. MANDERSON. I ask that that go over to the Calendar under Rule IX.

The PRESIDENT *pro tempore*. It will be so ordered.

SARAH E. E. PERINE.

The bill (S. 2265) for the relief of Sarah E. E. Perine, widow and administratrix of William Perine, deceased, was announced as next in order.

Mr. ALLISON. Let that go over.

Mr. HOAR. Allow me to say that there are three or four of these cases of ironclads, where there was a contract just after the beginning of the use of ironclads, all of which have passed the Senate unanimously on explanation. By the orders of the Navy Department a commission was appointed, who found that the contractors were entitled to large additional compensation. This authorizes simply the going to the Court of Claims. The Senate, on explanation, has passed two or three of these cases unanimously.

Mr. ALLISON. Is this bill reported favorably?

Mr. HOAR. Yes, sir; and it is included in the report of the naval commission. I am not aware that there is any real objection to it.

Mr. ALLISON. I withdraw the objection.

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

The bill was read, and the Senate, as in Committee of the Whole, resumed its consideration.

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

HEIRS OF ERSKINE S. ALLIN.

The bill (S. 1359) for the relief of the heirs of Erskine S. Allin was announced as next in order.

Mr. ALLISON. I think that had better go over.

The PRESIDENT *pro tempore*. Objection being made, the bill will go over.

JOHN WILLIAMS.

The bill (S. 2266) for the relief of John Williams was announced as next in order.

Mr. DOLPH. Let that go over.

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

ADJUSTMENT OF STATE CLAIMS.

The bill (S. 309) to settle and adjust the claims of any State for ex-

penses incurred by it in defense of the United States was announced as next in order.

Mr. GORMAN. Let that go over.

Mr. FRYE. In the absence of the Senator from Massachusetts [Mr. HOAR], who reported the bill, I ask that it go over without prejudice.

Mr. GORMAN. I have no objection to that.

The PRESIDENT *pro tempore*. If there be no objection, the bill will be passed over without prejudice.

EFFICIENCY OF THE ARMY.

The bill (S. 2199) to increase the efficiency of the Army of the United States 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.

Mr. COCKRELL. I simply desire to say, the bill having been passed, that I do not approve of all the features of the bill by any means. I did not sanction it fully in committee and do not approve it now. I simply desire to record my protest against it.

ATLANTIC AND PACIFIC SHIP-RAILWAY COMPANY.

The bill (S. 2288) to incorporate the Atlantic and Pacific Ship Railway Company, and for other purposes, was announced as next in order.

Mr. MCMILLAN. Let that go over.

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

FEDERAL ELECTIONS.

The bill (S. 2297) concerning Federal elections was announced as next in order.

Mr. COCKRELL. I object to that.

The PRESIDENT *pro tempore*. Objection being made, the bill goes over.

CHANGE OF INAUGURATION DAY.

The joint resolution (S. R. 55) proposing an amendment to the Constitution of the United States was considered as in Committee of the Whole.

The PRESIDENT *pro tempore*. There is an amendment offered by the Senator from Massachusetts [Mr. HOAR] which will be stated.

The CHIEF CLERK. Under the head of "Article XVI," it is proposed to strike out:

The term of office of the President and the second session of the Fiftieth Congress shall continue until the 30th day of April in the year 1889; and the 30th of April shall thereafter be substituted for the 4th of March as the commencement of the official term of the successive Presidents, Vice-Presidents, and Congresses of the United States.

And in lieu thereof to insert:

The term of office of the President and of the Fiftieth Congress shall continue until the last Tuesday of April in the year 1889, at noon. The Senators whose existing term would otherwise expire on the 4th day of March in the year 1889, or thereafter, shall continue in office until noon of the last Tuesday in April succeeding such expiration; and the last Tuesday of April, at noon, shall thereafter be substituted for the 4th of March as the commencement and termination of the official term of the President, Vice-President, Senators, and Representatives in Congress.

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

The amendment was agreed to.

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

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

The PRESIDENT *pro tempore*. The question is on the passage of the joint resolution; which, under the provisions of the Constitution, requires a two-thirds vote.

The joint resolution was passed, two-thirds of the Senators present voting in favor thereof.

Mr. HOAR. I move that the preamble be stricken out.

The motion was agreed to.

SURVEY OF HISTORIC GROUNDS, ETC.

Mr. COCKRELL. Yesterday when Order of Business 1526 on the Calendar, being Senate bill 1976, was reached I did not have the papers pertaining to it before me, and I asked that it be passed over. I now ask that that bill may be taken up. It will occupy but a moment.

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

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 1976) to provide for the survey of certain historic grounds, locations, and military marks. It directs the Secretary of War to cause to be made by an officer of the Engineer Corps, in co-operation with the Maumee Valley Monumental Association, an examination and inspection of each of the following-named historic grounds, locations, and military works, to wit:

The burial place on Put-in-Bay Island of the sailors of the Navy in the war of 1812.

Fort Industry, at the mouth of Swan Creek, on the Maumee River.

Fort Miami, on the north and west side of the Maumee River, 7 miles above Fort Industry.

Fort Meigs, and the burial grounds of the soldiers of the war of 1812, near the same, on the south and east bank of the Maumee River, 10 miles above the mouth of Swan Creek.

A suitable portion of the battlefield of Fallen Timber, on the north and west bank of the Maumee River, 4 miles above Fort Meigs, where Anthony Wayne defeated the allied Indian nations under Turkey Foot, August 20, 1794.

Fort Defiance, at the confluence of the Auglaize and Maumee Rivers, erected by General Wayne in August, 1794.

Fort Wayne, at Fort Wayne, Ind., at the confluence of the Saint Joe and Saint Mary's Rivers, which was erected by General Wayne in October, 1794.

And he shall cause to be made a survey and full report to Congress of the location, situation, and condition of the same, and the amount of grounds necessary for the proper protection and improvement of the works, forts, battlefields, and burial places in and near the same, as well as the probable cost thereof; and the report shall be accompanied with the necessary maps and drawings.

The bill was reported from the Committee on Military Affairs with an amendment, to insert as a new section the following:

SEC. 2. That the sum of $150 is appropriated, out of any money in the Treasury not otherwise appropriated, for the expense of the examination and inspection provided for in 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.

Mr. COCKRELL. I have no objection to the mere survey contemplated in the bill just passed. I was not present in the committee when the bill was acted on. If, however, there should come up hereafter propositions to erect monuments on all these various places, to purchase ground, and to expend hundreds of thousands of dollars upon them, I want it to be distinctly understood that the passage of this bill is no guarantee of the Senate that they will be recognized, and I for one will be opposed to them.

JUDGE FOR SOUTHERN ALABAMA.

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

Mr. PUGH. Will the Senator withdraw that for a moment? A bill was passed over yesterday of local importance that I ask the consideration of for a few minutes.

Mr. ALLISON. I withdraw the motion for the present.

Mr. PUGH. It is Order of Business 1134, a House bill.

The PRESIDENT *pro tempore*. If there be no objection the bill will be stated by title.

The SECRETARY. "A bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama."

Mr. KENNA. I understand an amendment which was proposed yesterday to that bill will not be offered—an amendment involving the salaries of all the district judges. With that understanding, I have no objection.

Mr. HOAR. The Senator from Vermont [Mr. EDMUNDS] being away, I shall take advantage of his absence to observe for the information of some Senators that there is a place in this country where they appoint committees, and in that place a committee have voted to recommend the passage of this amendment, which has already passed the Senate. So I think it is better not to move it on this bill. Let it take its luck.

Mr. KENNA. In the line of the suggestion of the Senator from Massachusetts, I will say that there is a place in this country where all the bills that may be reported by committees are not passed; but I have no objection to this bill coming up under the understanding that the amendment referred to is not to be moved.

Mr. ALLISON. I withdraw the motion, to allow the Senator from Alabama to have his bill passed.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 28) to provide for the appointment and compensation of a district judge for the southern district of Alabama.

The bill was reported from the Committee on the Judiciary with amendments.

The first amendment of the committee was, in section 1, line 6, to strike out "the same" and insert "a;" and after the word "salary," in line 7, to strike out the words "and to be paid in the same manner that the judge of the other district court of said State is allowed and paid" and insert "of $3,500, payable quarterly;" so as to make the section read:

That there shall be appointed by the President of the United States, by and with the advice and consent of the Senate, a district judge for the southern judicial district of the State of Alabama; and that said judge shall be entitled to receive a yearly salary of $3,500, payable quarterly.

The amendment was agreed to.

The next amendment was to strike out section 2, in the following words:

SEC. 2. That terms of the district court for the southern district of Alabama shall, in addition to the regular terms as now provided by law, be held on the fourth Mondays in October, February, and April in each year, for the purpose of deciding causes of admiralty and maritime jurdisdiction.

The amendment was agreed to.

The next amendment was to strike out section 3, as follow:

SEC. 3. That the district judge for the southern district of Alabama shall reside at Mobile.

The amendment was agreed to.

The next amendment was to insert as a new section the following:

SEC. 2. That the jurisdiction of the present district judge for the several districts of Alabama, and his successors, shall hereafter be confined to the northern and middle districts of said State.

The amendment was agreed to.

Mr. LOGAN. I desire to offer an amendment as a new section:

That the salary of all the district judges of the United States shall be $5,000 per annum hereafter.

Mr. KENNA. Now I appeal to the Senater from Illinois whether he will offer that amendment in face of the understanding we have had this day?

Mr. LOGAN. What understanding?

Mr. KENNA. Yesterday this bill came before the Senate subject to objection. That amendment was offered by the Senator from Indiana [Mr. HARRISON]. I objected to its consideration, and on account of the absence of the Senator from Alabama [Mr. PUGH], by common consent it went over, I withdrawing my objection. A moment ago the bill was called up. I stated that I understood the amendment offered yesterday would be withdrawn and not insisted upon, and that being the case I would make no objection, but if that amendment was to be insisted upon I would object. Thereupon the Senator from Massachusetts [Mr. HOAR]—which the Senator from Illinois may not have heard—stated that because of the fact that somewhere in this country where bills were passed and committees made reports, a report had been made which met his views, therefore the amendment should not be considered here. I having withdrawn the objection with that understanding, I trust the Senator from Illinois will not press the amendment.

Mr. LOGAN. You can renew the objection so far as that is concerned.

Mr. KENNA. If an objection lies as well now, I am content to renew it.

The PRESIDENT *pro tempore*. Objection is made.

Mr. LOGAN. I will state to the Senator from West Virginia that I am not on the Committee on the Judiciary, but I have seen this game of shuttlecock played here long enough about the salaries of judges. I have tried for a number of years to have their salaries increased. That ought to be done and it has been agreed to time and again by one House or the other. One House agrees to it and the other House vetoes it, and there is no way to pass it except on a bill of this character, and this being a bill to appoint a judge is the only bill before Congress that I know of on which it can be put. I have no doubt the other branch of Congress will take it with this amendment. I have no right to refer to other parts of this Congress, but I may say that I see a general disposition to reduce all salaries. I do not believe in that policy. It is not economy to reduce the salaries of judges, but it is economy to increase them if they are too low and give them a decent, respectable salary. I move the amendment and shall not be deterred from doing it.

Mr. KENNA. I do not want to interfere with the passage of this original bill, but I think I am perfectly clear in the statement to the Senator from Illinois that the attaching of this amendment to the bill will not facilitate it in any way. A bill involving substantially what the Senator from Illinois now proposes has passed the Senate and gone to the House, and is subject to consideration there at the pleasure of the House. We can not by any action here properly, it seems to me, undertake to enforce an order of business elsewhere. I do not want to obstruct the passage of the original bill; I conceive it to be a bill of merit. I do not, however, want to see this proposition attached to it. I shall be obliged to object to the consideration of the whole measure unless I can object separately to this particular proposition, and if it be necessary to prevent the consideration of this proposition I shall object to the consideration of the bill.

Mr. PUGH. The bill is one of great importance, and its necessity was passed upon by the Judiciary Committee, by which it was unanimously reported on the statement of the circuit and district judges and the bar that there is now practically a denial of justice in maritime cases under the present arrangement for holding courts in Alabama.

I desire to say to my friend from Illinois that I am satisfied the attempt to put his amendment on this bill will lessen the chances for passing the salary bill through the other House. It has no place on this bill. This judge is for a local jurisdiction. By this bill the new judge is to hold the court in the city of Mobile and nowhere else; and the district judge now there holds three courts in various parts of the State twice a year. His salary remains as it is unless there is a general law to increase the salaries.

I do not violate the rules of the Senate by saying that the condition of the salary bill in the House is that it has been reported favorably from the Judiciary Committee of the House. The Judiciary Committee have asked and obtained leave from the House to consider for two days bills from that committee, and I am informed by a member of the committee that this salary bill is one of the bills they intend to call up for action.

Under these circumstances it looks to me as if it would prejudice the standing of the salary bill in the House to attach it as an amendment to this bill. The amendment is out of place on this local bill; and not being unfriendly to the salary bill in the House I suggest to the Senator from Illinois to allow this local bill to go through without the amendment.

Mr. LOGAN. In response to that I will say that I certainly feel kindly to this bill. I do not know that the Senator will remember it, but I have tried for years to get an increase of salary for the judge of the northern district of Illinois, who holds court at Chicago—a man who does more work than any district judge in the United States, at a small salary; and in order to obtain that increase for him I was willing to increase the salary of all the district judges. I think they ought to have more. I am always told that if this bill passes without that amendment it will be done in the House or some other place. It has not been done, and it will not be done this session or any other. I notice the disposition in some places on other bills that I have to deal with about salaries, and I am satisfied that it will not be done. I propose for that reason, unless this amendment can go on this bill, that this bill shall not pass under this order.

Mr. PUGH. I now ask the Senator from West Virginia to allow the vote to be taken upon the amendment to this bill.

Mr. KENNA. I can not do that. Of course a majority of the Senate can do as they please.

Mr. PUGH. The Senator can make his objection afterward.

Mr. KENNA. I can not allow this amendment to go on the bill with my assent to it.

Mr. PUGH. The Senator can object to the bill after the vote on the amendment. The right to object continues up to the passage of the bill. I hope the Senate will vote down the amendment.

Mr. ALLISON. I think this had better go over until morning and then let us arrange respecting it.

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

PUBLIC-LAND LAWS.

The PRESIDENT *pro tempore*. Before putting the question on that motion the Chair will lay before the Senate as the unfinished business, in accordance with the understanding of the Senate, the bill (H. R. 7887) to repeal all laws providing for the pre-emption of the public lands, the laws allowing entries for timber-culture, the laws authorizing the sale of desert lands, and for other purposes.

The question now is on the motion of the Senator from Iowa.

The motion was agreed to.

EXECUTIVE SESSION.

The Senate proceeded to the consideration of executive business. After twenty-nine minutes spent in executive session the doors were reopened; and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until Monday, June 21, 1886, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate the 18th day of June, 1886.

FOR PROMOTION IN THE ARMY.

First Regiment of Cavalry.

Maj. Abraham K. Arnold, of the Sixth Cavalry, to be lieutenant-colonel, June 11, 1886, *vice* Forsyth, promoted to the Seventh Cavalry.

Fifth Regiment of Cavalry.

First Lieut. Adolphus W. Greely, to be captain, June 11, 1886, *vice* Adam, promoted to the Sixth Cavalry.

Second Lieut. James V. S. Paddock, to be first lieuetnant, June 11, 1886, *vice* Greely, promoted.

Sixth Regiment of Cavalry.

Capt. Emil Adam, of the Fifth Cavalry, to be major, June 11, 1886, *vice* Arnold, promoted to the First Cavalry.

Seventh Regiment of Cavalry.

Lieut. Col. James W. Forsyth, of the First Cavalry, to be colonel, June 11, 1886, *vice* Sturgis, retired from active service.

Sixth Regiment of Infantry.

First Lieut. Frederick W. Thibaut, to be captain, June 6, 1886, *vice* Murdock, deceased.

Second Lieut. Zerah W. Torrey, to be first lieutenant, June 6, 1886, *vice* Thibaut, promoted.

FOR PROMOTION IN THE ARMY IN ACCORDANCE WITH SECTION 1207, REVISED STATUTES.

Ordnance Department.

First Lieut. Rogers Birnié, jr., to be captain, June 14, 1886.

First Lieut. Ira MacNutt, to be captain, June 14, 1886.

First Lieut. Charles C. Morrison, to be captain, June 14, 1886.

First Lieut. Frank Baker, to be captain, June 14, 1886.

WITHDRAWAL.

Nomination withdrawn June 18, 1886.

Charles Holliday, nominated to be postmaster at Saint Louis, Gratiot County, Michigan, which nomination was delivered to the Senate the 6th day of January, 1886.

CONFIRMATIONS.

Executive nominations confirmed by the Senate the 18th day of June, 1886.

TO BE JUSTICES OF THE PEACE FOR THE DISTRICT OF COLUMBIA, TO BE ASSIGNED TO THE CITY OF WASHINGTON.

Charles Walter.
Charles S. Bundy.
William C. Harper.
John N. Oliver.

POSTMASTERS.

Robert H. Taylor, to be postmaster at Wilmington, New Castle County, Delaware.

HOUSE OF REPRESENTATIVES.

FRIDAY, *June* 18, 1886.

The House met at 11 o'clock a. m. Prayer by the Chaplain, Rev. W. H. MILBURN, D. D.

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

TRUST FUNDS, WAR DEPARTMENT.

The SPEAKER laid before the House a letter from the Secretary of War, in reply to a resolution of the House of Representatives calling for a schedule of trust funds, &c., in his hands; which was referred to the Committee on Ways and Means, and ordered to be printed.

MARE ISLAND NAVY-YARD.

The SPEAKER also laid before the House a letter from the acting Secretary of War, transmitting an estimate from the Secretary of the Navy of appropriations for officers' cottages and repair of barracks, &c., at the Mare Island navy-yard; which was referred to the Committee on Appropriations, and ordered to be printed.

REFERENCE OF A HOUSE RESOLUTION.

The SPEAKER also laid before the House Senate amendments to the joint resolution (H. Res. 183) providing for the printing of the first annual report of the Commissioner of Labor; which were referred to the Committee on Printing.

LEAVE OF ABSENCE.

By unanimous consent leave of absence was granted as follows:

To Mr. JOHNSON, of New York, for ten days, on account of business.

To Mr. TRIGG, until Tuesday next.

CHANGE OF REFERENCE.

The SPEAKER. The bill (H. R. 8973) to authorize the construction of a railroad, wagon, and foot-passenger bridge across the Mississippi River at or near Dubuque, in the State of Iowa, appears to have been improperly referred to the House Calendar. The Chair will order it to be placed on the Private Calendar.

PRINTING OF EULOGIES ON THE LATE JOSEPH RANKIN.

Mr. HUDD, by unanimous consent, submitted a joint resolution (H. Res. 185) providing for the printing of certain eulogies delivered in Congress upon the late Joseph Rankin; which was read a first and second time, and ordered to be engrossed for a third reading; and being engrossed, was accordingly read the third time, and passed.

The joint resolution is as follows:

Be it resolved, &c., That there be printed of the eulogies delivered in Congress upon the late Joseph Rankin, a Representative in the Forty-ninth Congress from the State of Wisconsin, 12,500 copies; of which 3,000 shall be for the use of the Senate and 9,500 for the use of the House of Representatives; and the Secretary of the Treasury be, and hereby is, directed to have printed a portrait of the said Joseph Rankin, to accompany said eulogies; and for the purpose of engraving and printing said portrait the sum of $500, or so much thereof as may be necessary, is hereby appropriated out of any money in the Treasury not otherwise appropriated.

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

The latter motion was agreed to.

ENROLLED BILLS SIGNED.

Mr. NEECE, from the Committee on Enrolled Bills, reported that they had examined and found duly enrolled bills of the following titles; when the Speaker signed the same, namely:

A bill (S. 489) granting a pension to Mary Mortimer Semmes, widow of Commodore Alexander A. Semmes, United States Navy;

A bill (S. 686) granting a pension to Charles N. Sebastian;

A bill (S. 787) granting a pension to Ruben Farnum;

A bill (S. 1077) granting a pension to Newcomb Parker;

A bill (S. 1304) granting a pension to William Reynolds;

A bill (S. 1486) to authorize the Denison and Washita Valley Railway Company to construct and operate a railroad through the Indian Territory, and for other purposes;

A bill (S. 1618) granting a pension to John G. Nicholas;

A bill (S. 1797) granting a pension to John S. Kirkpatrick; and

A bill (S. 1841) granting a pension to Joseph Shull.

DIPLOMATIC AND CONSULAR APPROPRIATION BILL.

Mr. BELMONT. Mr. Speaker, I am directed by the Committee on Foreign Affairs to report back the bill (H. R. 6392) with Senate amendments and recommend concurrence in certain of the amendments enumerated in the report and non-concurrence in the others.

The report was read, as follows:

The Committee on Foreign Affairs, to whom was referred the bill (H. R. 6392) making appropriations for the diplomatic and consular service for the year ending June 30, 1887, and for other purposes, together with the amendments of the Senate thereto, having considered the same, beg leave to report as follows:

They recommend concurrence in the amendments of the Senate No. 5, in line 10; No. 6, in line 113; No. 11½, in line 526; No. 13, in line 577; No. 14, in line 654; and No. 15, in line 658.

They recommend non-concurrence in the amendments numbered 1, 2, 3, 4, 7, 8, 9, 10, 10½, 11, and 12.

The report of the committee was agreed to.

The SPEAKER. Does the gentleman desire to ask a conference at present?

Mr. BELMONT. Not at present.

STATUE OF LIBERTY ENLIGHTENING THE WORLD.

Mr. BELMONT. I am directed by the Committee on Foreign Affairs to present a report which I send to the desk. I will ask that it be read. On the 12th of May last a message from the President of the United States urging upon Congress action in the matter of an appropriation of such sum of money as in the judgment of Congress shall be deemed adequate to defray the cost of the inauguration of the statue of "Liberty Enlightening the World," presented by citizens of the French Republic to the people of the United States in commemoration of our independence as a nation, was referred to the Committee on Foreign Affairs with leave to report at any time. I ask that the report be read.

The Clerk commenced to read the report.

Mr. OATES (interrupting the reading). Is that a privileged matter?

The SPEAKER. The message was referred to the Committee on Foreign Affairs with leave to report at any time. The Clerk will continue the reading.

Mr. DUNHAM. Does that order give the right to report on private bill day?

The SPEAKER. It gives the right to report at any time. The Chair understands the report is made not for action, but for reference to the Committee on Appropriations. If there be no objection, the further reading will be dispensed with.

Mr. BELMONT. There are only a few lines more.

Mr. DUNHAM. Will a motion to allow the report to be printed in the RECORD dispense with the reading?

The SPEAKER. The gentleman from New York has the right to have the report read before it is referred. The House has to act upon it.

The Clerk continued and concluded the reading of the report.

Mr. BELMONT. I ask the adoption of the report. The Committee on Foreign Affairs is of opinion that the Government is in honor bound to make provision for this inauguration, under the joint resolution of Congress of March 3, 1877, and therefore recommends that a suitable appropriation be made. The committee now asks to be discharged from the further consideration of the matter, and that it be referred to the Committee on Appropriations. It is a subject which properly belongs to the Committee on Appropriations, and that committee can report an appropriation in connection with the sundry civil bill.

By a joint resolution of Congress, approved March 3, 1877, the President was authorized and directed to accept the colossal statue of Liberty Enlightening the World when presented by the citizens of the French Republic, and to designate and set apart for the erection thereof a suitable site upon either Governor's or Bedloe's Island, in the harbor of New York, and upon the completion thereof to cause the statue "to be inaugurated with such ceremonies as will serve to testify the gratitude of our people for this expressive and felicitous memorial of the sympathy of the citizens of our sister republic."

The President was further thereby "authorized to cause suitable regulations to be made for its future maintenance as a beacon, and for the permanent care and preservation thereof as a monument of art and the continued good-will of the great nation which aided us in our struggle for freedom." Thursday, the 3d of September, being the anniversary of the signing of the treaty of peace at Paris by which the independence of the United States was recognized, has been selected as an appropriate day for the ceremonies of inauguration.

The SPEAKER. The Chair understands the committee asks to be discharged from the further consideration of the matter, and that it be referred to the Committee on Appropriations.

Mr. BELMONT. Yes; for the reasons given in the report. I make that motion.

The question being taken, the Committee on Foreign Affairs was discharged from the further consideration of the message, which, together

with the report of the committee, was referred to the Committee on Appropriations.

FINAL ADJOURNMENT.

Mr. ANDERSON, of Kansas. I desire to introduce a resolution for reference.

The SPEAKER. Is it a privileged resolution?

Mr. ANDERSON, of Kansas. Yes, sir.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That the President of the Senate and the Speaker of the House of Representatives declare their respective Houses adjourned *sine die* at 12 o'clock m. Saturday, July 3, 1886.

The resolution was referred to the Committee on Ways and Means.

ORDER OF BUSINESS.

Mr. HERBERT. I move to dispense with private business for to-day.

Mr. OATES. On last Friday there were two special orders postponed for final action until to-day.

The SPEAKER. The Chair thinks the motion of the gentleman from Alabama [Mr. HERBERT] would not interfere with those special orders which assigned two bills for consideration this morning.

Mr. OATES. Then I have no objection to my colleague's motion.

Mr. TAULBEE. Would that dispense with the call of committees for reports?

The SPEAKER. It would not, but the House of course could make another order hereafter.

The question being taken on the motion of Mr. HERBERT, there were—ayes 88, noes 31.

Mr. ZACH. TAYLOR. No quorum.

The SPEAKER. The Chair will appoint as tellers the gentleman from Tennessee, Mr. ZACH. TAYLOR, and the gentleman from Alabama, Mr. HERBERT.

Mr. ZACH. TAYLOR. I withdraw the point as to a quorum.

So (further count not being called for) the motion was agreed to, and private business was dispensed with for this day.

The SPEAKER. As has already been stated, there is an order assigning two bills for consideration immediately after the reading of the Journal this morning.

Mr. RANDALL. Must that order be executed?

The SPEAKER. It must, unless it be postponed. The Clerk will report the titles of the bill and joint resolution as to which the special order was made.

The Clerk read as follows:

A bill (H. R. 5194) directing the Quartermaster-General to settle with the McMinnville and Manchester Railroad Company, and for other purposes.

Joint resolution (H. Res. 72) to provide for the settlement of accounts with the Mobile and Ohio Railroad Company.

Mr. RICHARDSON. So far as I am concerned I am willing to let those two matters go over until next Friday after the reading of the Journal.

Mr. HERBERT. I move that the order for the consideration of those two bills be postponed.

The SPEAKER. The gentleman from Tennessee [Mr. RICHARDSON], in charge of the first bill, asks that it be postponed until next Friday morning. Is there objection?

Mr. JOHNSTON, of Indiana. I object. I understand we have dispensed with the consideration of all private business for to-day.

The SPEAKER. This is a special order.

Mr. JOHNSTON, of Indiana. Was there a special order made in each case?

The SPEAKER. There was.

Mr. JOHNSTON, of Indiana. I withdraw the objection.

No further objection being made, the consideration of the bill, H. R. 5194, was postponed until next Friday after the reading of the Journal.

Mr. HERBERT. I make the same motion as to the joint resolution, H. Res. 72.

The SPEAKER. The question is on the passage of the joint resolution; and the Chair is under the impression that the yeas and nays have been ordered upon it. At any rate it was agreed the yeas and nays should be taken. The gentleman from Alabama moves to postpone the further consideration of the joint resolution until next Friday.

Mr. OATES. It has been postponed for several weeks.

The question being taken on the motion of Mr. HERBERT, there were—ayes 87, noes 13.

Mr. OATES. No quorum.

The SPEAKER. The Chair appoints as tellers the gentleman from Alabama, Mr. OATES, and the gentleman from Alabama, Mr. HERBERT.

The House divided; and there were—ayes 125, noes 43.

So the consideration of the joint resolution was postponed until next Friday.

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

The SPEAKER. That requires a vote of two-thirds.

The question being taken, the Speaker stated that the "ayes" seemed to have it.

Mr. TAULBEE. I call for a division.

The House divided; and there were—ayes 105, noes 26.

So (further count not being called for) the motion was agreed to, two-thirds voting in favor thereof.

Mr. O'NEILL, of Missouri. With the consent of the gentleman from Alabama [Mr. HERBERT] I ask unanimous consent to make two reports from the Committee on Labor.

Mr. HERBERT. I hope that consent will be given, as the gentleman informs me that he is going away to-night.

There was no objection.

LEAVE OF ABSENCE GRANTED TO EMPLOYÉS IN U. S. NAVY-YARDS.

Mr. O'NEILL, of Missouri, from the Committee on Labor, reported back favorably the bill (H. R. 8819) to grant leaves of absence to employés in the United States navy-yards; 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.

IMPORTATION OF LABOR UNDER CONTRACT.

Mr. O'NEILL, of Missouri, from the Committee on Labor, also reported back favorably the bill (H. R. 9232) to amend an act to prohibit the importation and immigration of foreigners and aliens under contract or agreement to perform labor in the United States, its Territories, and the District of Columbia; which was referred to the House Calendar, and, with the accompanying report, ordered to be printed.

NAVAL APPROPRIATION BILL.

Mr. HERBERT. Mr. Speaker, I now move that the House resolve itself into Committee of the Whole for the further consideration of the bill making appropriation for the naval service for the fiscal year ending June 30, 1887, and pending that motion I ask unanimous consent that general debate on the bill be limited to four hours. I know that the House is impatient to end the debate sooner, but we have not been able to effect any other agreement, and as gentlemen on both sides have consented to this limitation I hope the House will consent.

There was no objection, and it was so ordered.

The motion of Mr. HERBERT was then agreed to.

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

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the naval appropriation bill. The gentleman from Maine [Mr. BOUTELLE] is entitled to the floor.

Mr. BOUTELLE. Mr. Chairman, I yield twenty minutes of my time to the gentleman from Iowa [Mr. HEPBURN].

Mr. HEPBURN. Mr. Chairman, I was prepared to accept this bill as one which ought to pass with very little discussion. The gentleman from Alabama [Mr. HERBERT] insisted that the debate should be very brief. He thought that two hours would be sufficient, and then he consumed an hour and a half in discussing the matter affirmatively, suggesting to my mind that possibly it should receive a more careful examination than many of us have yet been able to give it.

I am not, perhaps, prepared just at this moment to discuss it as I would wish to do. I will therefore, if the Committee of the Whole will permit, occupy my time with some observations in reference to the address which was made the other night by the gentleman from Alabama [Mr. WHEELER], the colleague of the chairman of the committee. That gentleman delivered an address occupying an hour and a half. Nearly every moment of his time was consumed in an assault upon the memory of the late Secretary Stanton. Apparently that speech was prepared with very great deliberation. The gentleman had taken ample time for its preparation. More than three weeks had been devoted to that purpose. He had ransacked all the authorities within his reach in order to furnish what would seem to justify the most unjustifiable assault which he made upon Mr. Stanton on the 12th of May last.

Mr. HERBERT. The gentleman will permit me to call his attention to the fact that my colleague who delivered the speech referred to is not at present in the House.

Mr. HEPBURN. That is not my fault. The gentleman's colleague was in the House ten minutes ago, and knew that I proposed to discuss this matter.

Mr. Chairman, on the day that I have named the gentleman from Alabama used the language which I shall cite. It will be remembered that at that time the Committee of the Whole was engaged in the discussion of an appropriation bill and of those paragraphs which referred to the Judge-Advocate-General's Bureau. After the debate was substantially concluded the gentleman said he desired to remind the committee of a little episode in the history of that Department, and continued:

It will be remembered at that time there was a great political quarrel between McClellan on the one side and influential officials connected with the Republican administration on the other side; and means had to be devised to strike down McClellan.

During that summer, while troubles were brewing in the Army in front of Washington, a law was enacted providing for the appointment of a Judge-Advocate-General. The idea was to appoint Joseph Holt to be Judge-Advocate-General of the Army, not, as history tells us, for the purpose of administering justice, but in order to use the intricacies of the law to strike down McClellan; and after the disasters of August, 1862, in the month of September, Joseph Holt was appointed.

The gentleman was reminded that was not history and that a charge of that kind could not be made without an attempt to vilify the memory of Abraham Lincoln. These two great men were intimately connected, and the commission of Joseph Holt was signed by Mr. Lincoln. Mr. Lincoln knew all his acts. Mr. Lincoln was conversant with the necessities of his appointment. Mr. Lincoln approved of his course in that office.

It then occurred to some of the gentlemen on the other side that it would not be wise thus wantonly to assail the memory of Mr. Lincoln through Judge-Advocate-General Holt. And the gentleman from Wisconsin [Mr. BRAGG], knowing that fact, promptly came to the relief of the gentleman from Alabama [Mr. WHEELER], and suggested it was another person who was intended when they assailed the Judge-Advocate's Department.

Then the gentleman from Alabama shifts his ground and says:

I thank the gentleman from Wisconsin for the suggestion that the charges we make were against the arch-conspirator, Mr. Stanton [hisses on the Republican side], who sought and conspired to drag down officers of the Army who did not comport to his views or sustain the line of policy he sought to inaugurate. .

After that the gentleman concluded it was wise to shift his ground again. His charge was not broad enough for the purpose of his proof; and when he published his speech he uses this language:

I thank the gentleman from Wisconsin [Mr. BRAGG] for the suggestion that the statements refer to the conspirator, Edwin M. Stanton [hisses on the Republican side], who sought to conspire to drag down officers of the Army who did not conform to his views or sustain the line of policy that he had inaugurated.

That was not broad enough, and so when he delivered his speech the other night (June 4) he still broadened the ground, and said the charge he had made was that Mr. Stanton had sought to conspire to drag down officers; and then in his astonishing argument he proposes to say Mr. Stanton, not as Secretary of War in Mr. Lincoln's Cabinet, as he originally charged, not as a member of the administration of Mr. Lincoln when he was engaged directly in trying to put down the rebellion, but at a much earlier period, when he was a member of Mr. Buchanan's cabinet, had sought to conspire against certain "officers," and among them he includes Mrs. Surratt.

He says the persons Mr. Stanton sought to drag down were Buchanan and his Cabinet, and he indulges in most laudatory commendations of these gentlemen. They were all of them, he informs us, loyal and honest men, forgetting among that number was the same Joseph Holt whom he originally says was inducted into the office of Judge-Advocate-General in order to conspire to drag down McClellan, to settle the "political quarrel then existing between McClellan and certain prominent Republicans." Think of it! The man he lauds as a loyal man, as an honorable man, as an honest man, being a party to this conspiracy to settle this political quarrel by dragging down one of the great Federal commanders!

Mr. Chairman, the gentleman introduced certain proofs, or what he denominated proofs, to sustain his position. He says Mr. Stanton conspired against Buchanan and the other members of the Cabinet, and in the line of his conspiracy divulged the secrets of the administration. And he has much to say about the dishonor involved in divulging the secrets of that Cabinet. He tells us that Mr. Wilson, in an article in the Atlantic Monthly for 1870, says "he (Stanton) put himself in communication with the Republicans in Congress and kept them well informed as to what was going on in the councils of the administration." And there he closes his quotation. If he had continued and quoted the entire sentence he would have read the words "directly relating to the dangers of the country." Stanton's solicitude was for an imperiled country, and the entire sentence shows that he limited his communications to such as were "directly relating to the dangers of the country."

But those words of limitation, so important to the real meaning of Senator Wilson, the gentleman sees fit to omit. And I here make the assertion, that in every scrap of quoted proof the gentleman has adduced he has garbled it. He has violently wrenched it from its context or omitted material parts, that had they been properly placed or fully quoted would have conveyed a different meaning. In the quotation cited the gentleman conveys the impression that Stanton, from treachery or in the wantonness of gossipping, betrayed the secrets of Mr. Buchanan's council board, while the quotation entire places him in the line of exalted patriotism, advising his copatriots as to dangers impending over their common country.

Every one of these authorities testified to the fact that Mr. Stanton's communications were confined to the immediate dangers of the country. What secrets were there, I would ask the gentleman, in the councils of that administration that might not be divulged to patriots? All that Stanton said was with reference to the imminent perils threatening the country; dangers which were then surrounding the Union.

Was it objectionable that all the world, at least that portion of the world which was loyally, zealously, and faithfully striving to protect the Union, should know of these dangers? I defy the gentleman in all of the voluminous writings to which he referred, with one solitary exception, to show that any one condemned Mr. Stanton for divulging any secrets of that administration that did not directly bear upon the then existing perils of the country. I also defy him to find in any of his authorities any single instance where Mr. Stanton had held communication with any man upon this subject except those who were loyally and faithfully striving to save the Union.

Who were the men that Stanton conspired with? Who were the men that he communicated with? They were Mr. Seward, Mr. Chase, Mr. DAWES, Mr. Howard, Mr. Wilson, and Mr. Welles. That is the list of the names, and they include all that are named. What secret of that administration concerning the perils of the country ought not to have been known at that time to these men?

The gentleman quotes Montgomery Blair as among his authorities, the only one who used a harsh criticism on Mr. Stanton's conduct. He quotes Mr. Buchanan as an authority; and yet Mr. Buchanan says in one letter some time in April, 1862, in which he discusses the subject of divulging Cabinet secrets, that history presents but one case in which there is known to have been dishonor of that character, and that man was destroyed. And yet Stanton at that time was in the very height of his power, honored by all; no destruction had come to him; so that he at least could not have been the man whose conduct had become known to Mr. Buchanan in his historical reading. So it is in the second quotation the gentleman makes from Mr. Buchanan, found in a letter of a few weeks' later date, again clearly showing that Mr. Stanton was not the man who was in the mind's eye of the writer of the letter, and that Mr. Buchanan gave no such construction to Mr. Stanton's conduct as is given by the gentleman from Alabama.

The gentleman says that Mr. Howard is a witness against Stanton. Mr. Howard says, quoting the gentleman substantially, that he is satisfied that Stanton was the author of certain resolutions that were introduced in the House of Representatives on the 9th day of January, 1861. The gentleman has very much to say about these resolutions. He was careful, however, not to quote them. It may be well to give some attention to them in this connection. Mr. Howard says the "committee was raised at the request of loyal members of Mr. Buchanan's Cabinet" and that "the resolutions came from them."

The resolutions instructed the committee to inquire—

1. Whether any executive officer of the United States has been or is now treating or holding communication with any person or persons concerning the surrender of any forts or fortresses or public property of the United States; and whether any demand for such surrender has been made, when, and by whom, and what answer had been given?
2. Whether any officer of this Government has at any time entered into any pledge, agreement, or understanding with any person or persons not to send re-enforcements to the forts of the United States in the harbor of Charleston, and the particulars of such agreement, pledge, or understanding; when, where, and with whom it was made and on what consideration?
3. What demand for re-enforcements of the said forts has been made, and for what reason such re-enforcements have not been furnished?
4. Where the ships of the United States are now stationed, with what commands, and with what orders?
5. Whether the custom-house, post-office, arsenal, and other public buildings of the United States, at Charleston, have been seized and are held in possession by any person or persons, and the particulars of such seizure and possession?
6. Whether any revenue-cutter of the United States has been seized and is now held in possession by any person or persons, and the particulars thereof; and whether any efforts have been made by the head of the Treasury Department to recapture or recover possession of said vessel?

These were the resolutions concocted by these "conspirators" that the gentleman refers to as an evidence that Mr. Stanton was striving to break down his colleague in the Cabinet, Mr. Toucey. Now, gentlemen, remember that under these resolutions raising this committee there were five gentlemen appointed to constitute the committee. It was composed of Mr. DAWES, Mr. Reynolds, Mr. Howard, Mr. Cochran, of New York, a Democrat, and Mr. Branch, of North Carolina, a Democrat, who was afterward killed in the confederate service. These were the men intrusted with the duty of making such inquiries as were to result in breaking a Cabinet officer, and which the gentleman says sustains his charge that Mr. Stanton was a conspirator and was trying to drag down officers of the Army in 1862! Surely all will agree that if the result of these inquiries would be to "drag down" a Cabinet officer, then I ask was it not the duty of all loyal hands to aid in dragging him down?

Mr. Chairman, the gentleman indulged in very much of eulogy in reference to Mr. Toucey. He was a "loyal, patriotic man," so the gentleman says, and that Edwin M. Stanton was trying to drag him down and dishonor him. The report of the committee referred to estalished the fact that although at that time—the latter part of January, 1861—we had thirty-eight war vessels in commission, yet there only two upon the Atlantic coast. We had twenty-eight vessels in the different navy-yards, partially dismantled, and Mr. Toucey had under his control on the 1st of January of that year $648,000 of unexpended appropriations for repairs, yet not one of these vessels was prepared for active service, justifying in the opinion of many the charge that has been made against him, that with design and purpose he scattered parts of the Navy of the United States where it might not be used against the Confederate States and left other parts in an unserviceable condition.

This same Mr. Toucey, day after day, week after week, accepted the resignations of officers who resigned, having first turned over voluntarily in many instances the property of the United States, the custodians of which they were, after all the facts were known to him. Let me call attention to a few of those cases.

RESIGNATIONS.

Lieut. J. R. Hamilton resigned December 1. His resignation reached the Department December 15, and was accepted the same day without examination or inquiry as to conduct. He immediately addressed a letter to his late brother officers advising them to resign and to bring their vessels with them to Southern ports and turn them over to the traitors already in arms. Had the Secretary declined to accept this resignation Hamilton might have been tried for this treason.

V. M. Randolph, captain, of Alabama, who had been excused from active service for two or three years on account of ill health, as stated, on the 10th of January forwarded his resignation. Before 12 o'clock noon of the 12th and before his resignation had reached Washington, and while still a captain, he appeared before the gates at the Pensacola navy-yard at the head of an insurgent force and demanded its surrender. The yard and the forces and the United States stores and all other property of vast amount was surrendered to him. The dispatch from the commandant announcing the ignominous surrender reached the Department on the evening of the 13th. The resignation of Captain Randolph reached the Department on the 14th, when, without inquiry or delay, it was immediately accepted.

Commander Ferroud, also of Alabama, was the executive officer at the Pensacola navy-yard. When the attack was made on the yard he met the assailants at the gate by previous arrangement, conducted them to the commandant, and participated in the surrender, and immediately engaged in service under the new commandant of the yard. This was while still retaining his commission. On the 13th or 15th he forwarded his resignation. It reached the Secretary on the 21st of January, seven days after official notice of his action had been received at the Department. Yet this resignation was immediately accepted without inquiry.

F. B. Renshaw, a lieutenant of the Navy, a citizen of Florida, actively engaged in the surrender. It was by his order that the flag was hauled down and degraded amidst taunts and jeers. He immediately enrolled himself under the leader of the insurgents. He continued to hold his commission until the 16th of January. His resignation reached the Secretary on the 22d, when, like the others, it was without inquiry promptly accepted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BOUTELLE. As a matter of justice to the gentleman from Iowa I yield him more time.

Mr. BEACH. How much time does the gentleman yield?

Mr. BOUTELLE. I will say I yield the gentleman as much time as he may desire, since the gentleman from New York wishes to be specific.

Mr. HEPBURN. The resignations of a large number of officers under the same class of circumstances, tainted with the same offense and crime, were by this officer promptly accepted. Did not that justify the suspicion on the part of loyal men at that time, surrounded as they were with recognized perils on every hand—traitors within and traitors without the Departments—did not that justify their being suspicious of a man charged with the defense in part of this Government when he would conduct himself in that way?

I submit to the gentleman that the charge he ought to have made, if he made any against Mr. Stanton, was disloyalty to party rather than disloyalty to his country. Where does duty lie under such circumstances? When, if there are such times, a man can not be true to both party and country, what does duty require at his hands? If there was treachery, which I deny, it was toward a disloyal party, but there was nothing but loyalty toward the Constitution that he had taken an oath to support and the lawful and patriotic purposes of his chief. There was no oath binding him to support the machinations of the men who were trying to destroy the Government.

There was an oath registered requiring him to be loyal and true to his Government.

And is it not true that the assaults that have fallen upon Mr. Stanton had their origin in a bitter disappointment that he did not lend his powerful aid to the purposes of those who opposed the suppression of the rebellion? He had been "a pro-slavery Democrat," the gentleman informs us, and doubtless all such expected that Stanton by easy stages would find himself in the disloyal camp. And when his sturdy blows fell thick and fast upon them there was no limit to their hate and rage.

The course that Mr. Stanton pursued, in my humble judgment, and it seems to me that ought to be the judgment of all loyal men, was the course that an honorable man ought to pursue. Mr. Stanton, the gentleman says, sought to drag down McClellan. That is the original charge. I assert there is absolutely no proof of that. Mr. Stanton was at all times the friend and the supporter of General McClellan until in his judgment he had shown the country that he was incapacitated for the duty that was required at his hands. While a great organizer, while a soldier of the highest merit in many respects, he demonstrated his incapacity, so it was believed, to handle large forces in the field and to fight them. Mr. Stanton was capable of recognizing this fact, and knowing how much depended on his capacity to so handle the Army, knowing what results would follow incapacity, he was prompt to say a change of commanders was necessary when he was fully satisfied this incapacity was proven. But there was no "dragging down;" there was no "conspiracy." Mr. Stanton of all men was open in all his doings with all other men. Stanton's opinions in that period were known all through the country as perhaps those of no other equally distinguished man in the country were known. He was one of all others who made no concealment with regard to his opinions upon the subject of the conduct of the war. Those who are familiar with the current literature of that day know that I am but stating the facts with regard to this matter. What Mr. Stanton thought upon public questions was publicly stated, and very early after the mooted incapacity of the general it was known what he thought and that he was in favor of a change of commanders.

With reference to his conduct in the Surratt case, the gentleman from Alabama at this late day, without knowing any of the facts—it being impossible for him to have known them at the time—gratuitously states that Mrs. Surratt was an innocent woman and that she was unjustly condemned. I do not care to enter into that discussion. The gentleman charges that Mr. Stanton, as a part of a conspiracy, withheld from the President of the United States the important fact that the court condemning Mrs. Surratt had asked executive clemency for her benefit. He quotes then the President's statement in proof, yet there are two gentlemen who say it is not true, Mr. Stanton and Judge Holt.

Judge Holt, whom the gentleman from Alabama indorses so enthusiastically as an honest and honorable man, gives a direct denial to the statement of suppression. All the facts known to any one concerning the trial and the findings of the court were laid before the President, and if the President did not know (as he later may have said he did not) that the court had asked clemency at his hands, it was his own fault and not the fault of the men whom it is the purpose of the gentleman from Alabama to deride and malign.

The gentleman tells us that while this "conspiracy," dark and deep and damnable, was going on (the one against Buchanan and his Cabinet) on the side of the loyal men of this country, there was no conspiracy upon the other side; that upon the part of Southern men all was open and above-board—honorable and high-minded. Again, the gentleman has failed to read the history of his times. Why, Mr. Chairman, a gentleman then holding a seat in Congress from his own State, Alabama, gave as a reason for coming to Washington in December, 1860, that by so doing he could tie the hands of the Government and allow the rebellion to assail it. The gentleman ought to know something of the history of his own State and of its public men, yet he seems not to know that this Representative of that State himself averred that his sole object in coming here as an officer of this Government, charged with defending the Constitution and the country against its enemies, was to tie the hands of the Government so that it could not prepare to defend itself.

The Senators from the gentleman's own State, and from five or six other States in the South, advised their constituents as follows. I read from a letter dated January 7, 1861, and written from Washington:

MY DEAR SIR: On the other side is a copy of resolutions adopted at a consultation of the Senators from the seceding States, in which Georgia, Alabama, Louisiana, Arkansas, Texas, Mississippi, and Florida were present. The idea of the meeting was that the States should go out at once, and provide for the early organization of the confederate government not later than the 15th of February. This time is allowed to enable Louisiana and Texas to participate.

It seemed to be the opinion that if we left here force, loan, and other volunteer bills might be passed, which would put Mr. Lincoln in immediate condition for war; whereas by remaining in our places until the 4th of March it is thought we can keep the hands of Mr. Buchanan tied and disable the Republicans from effecting any legislation which will strengthen the hands of the incoming administration.

The resolutions will be sent by the delegation to the president of the convention. I have not been able to find Mr. Mallory [his Senatorial colleague] this morning. I have thought it best, therefore, to send you this copy of the resolutions.

In haste, yours,

D. L. YULEE.

JOSEPH FINEGAN, Esq.,
Tallahassee, Fla.

There is patriotism for you! There is honor for you! There is high-mindedness and purity and singleness of purpose! These gentlemen, coming here to the United States Senate with their oaths to support the Constitution fresh upon their lips, with the duty imposed upon them of doing all in their power to sustain the life of the nation, avowing that they retained their seats in the United States Senate and kept up the seeming of citizens and Senators of the United States in order that they might "tie the hands" of their Government and thwart its efforts to sustain itself.

In order that they might permit the Treasury still to be bankrupted, the Army still to be unrecruited, the Navy still to be scattered to the four winds of heaven, they boldly avowed to their co-conspirators that duty to the confederacy required of them dishonor and treason of this character to the Government they had sworn to support. And these are the men that the gentleman from Alabama eulogizes, while Stanton is the object of all his vituperative calumny!

The resolutions referred to in this letter are as follows:

Resolved, That in our opinion each of the Southern States should, as soon as may be, secede from the Union.

These gentlemen were at this time engaged, as Senators of the United States, in advising certain States to secede—pushing them out of the Union.

Resolved, That provision should be made for a convention to organize a confederacy of the seceding States; the convention to meet not later than the 15th of February next at the city of Montgomery, in the State of Alabama.

Resolved, That in view of the hostile legislation that is threatened against the seceding States, and which may be consummated before the 4th of March, we ask instructions whether the delegates are to remain in Congress until that date for the purpose of defeating such legislation.

Resolved, That a committee be, and are hereby appointed, consisting of Messrs. Davis, Slidell, and Mallory, to carry out the purpose of this meeting.

Those gentlemen were Senators from States not then seceded. No State action at that time had even assumed to change their relations to the United States. Whatever secession and rebellion might have pretended to accomplish at a later time in the way of absolving them from oaths and from the obligations of loyalty and duty, at this time, the 5th of January, 1861, there was no pretense that their States were out of the Federal Union.

Remember, that was a secret meeting, held in the night—the gentleman will be sorry to hear that—in the night of the 5th of January.

Mr. Chairman, the gentleman from Alabama has very much to say in criticism of other people, of those of whom he must have known but little. The value of criticism depends much upon the opportunities of he who criticises to form a correct judgment, and upon the character and temper of the critic. Who is the gentleman that so harshly criticises Mr. Stanton? He was a cadet at the Military Academy. He was for five years fed and clothed by the bounty of the Government? He was there under an agreement signed by himself, with the consent of his parents, that he would remain in the military service for eight years.

Mr. WHEELER. Unless sooner discharged.

Mr. HEPBURN. He was there under an oath that he would support the Constitution of the United States, that he would bear true allegiance to the Government of the United States, that he would defend this Government against all its enemies, all—foreign enemies and domestic enemies were all included in the ample obligation of this solemn oath. How did the critic of Mr. Stanton demean himself?

On a day in June, 1859, he was given his commission and renewed the oath which five years earlier, as a youth, he had taken to support the Constitution, to bear true allegiance to the United States, and to defend it against all its enemies. Yet early in 1861, before he had rendered a day of service, save in the peaceful occupation of a secure camp, he tenders his resignation and urges its acceptance. One copy of that resignation he sends by mail; and, for fear it may not go with sufficient directness and certainty, he sends another by Adams Express Company, urging that he be at once discharged.

I will do the gentleman the credit to say that so far as I know no hostile overt act which would bring him within the limits prohibited by the Army Regulations was committed by him until after the acceptance of that resignation. But there is something said in the Army Regulations about the dishonor of resigning a commission in the face of the enemy. I commend the study of that article to the gentleman. It will be better employment than digging among musty records in efforts to find something that may smirch the fame of a patriot.

Mr. Chairman, I take it that this labored assault on Mr. Stanton would not have been made if there had not been a seeming necessity plainly apparent to the gentleman. A convention is approaching in which he is interested. The gentleman has political aspirations in his State. He is entitled to them. His scholarship, his merits, his exalted position on this floor and in the country wherever he is known place each of the positions of honor within the limits of the proper ambition of that gentleman.

Entering the military service of the confederacy in April, 1861, he had reached in less than three years the exalted position of a lieutenant-general in its armies. As he tells us himself in the Directory, he had frequently been intrusted with the command of all the cavalry, all the infantry, all the artillery, in many important engagements. He occupies an important position in his State and he speaks for many people. But a little while ago none too partial friends were presenting him as the person to represent his State in the other end of the Capitol.

The gentleman knew that at the time he spoke his State was doing especial honor to Mr. Jefferson Davis, who was making extended journeys in Alabama, and that everywhere Mr. Davis was repeating the story of his devotion to the cause of the rebellion and was being received with the acclaims of the people; that as the people of Philadelphia long ago, when Washington was going to his home after a successful warfare of eight years in which he achieved the liberties of his country, turned out to do him honor and the little maidens strewed the pathway of his horses and his carriage with flowers, so did the people in the gentleman's district and State welcome Mr. Jefferson Davis. All of his old sentiments were being uttered there—ay, and cheered to the echo by the crowd.

The gentleman felt it to be necessary for him to do something to show that he was in accord with that popular and everywhere prevalent sentiment of his State. Hence, to popularize himself at home, he makes this assault upon the nation's head. It may help him there. It will not help him with those who have heard or know of the venomous and untruthful character of that assault, and who venerate the grand character of the assailed.

Mr. Chairman, the gentleman addressed some portions of his remarks to me, for which I thank him. He attempts to make me say that I desired the hanging of gentlemen who were upon the opposite side of this struggle from myself. I had made no such statement. I expressed no such sentiment; I have no such feeling. I addressed the gentleman from Alabama. I said in substance that it was Mr. Stanton's kindly hand, with others, that lifted from the gentleman's neck a halter which his own conduct had won.

I was speaking to him and of him; and he so understood it. He asked me where I had imbided this idea of hanging gentlemen. Did I discover that idea? Oh, no; I did not; I am not the discoverer of it. This idea of hanging traitors has the authority of one of much higher distinction than myself. The gentleman is a "Jacksonian Democrat;" he trains under the banner of "Old Hickory." He prides himself upon the fact that he at least is a "Jacksonian Democrat." Yet, certainly, he has not studied all the writings of that grand old man. Let me commend to him a letter bearing the date of May 1, 1833, in which Andrew Jackson writes:

MY DEAR SIR: I have had a laborious task here; but nullification is dead; and its actors and courtiers will only be remembered by the people to be execrated for their wicked designs to sever and destroy the only good Government on the globe and that prosperity and happiness we enjoy over other nations of the world. Haman's gallows—

I commend the sentence to the gentleman from Alabama—

Haman's gallows ought to be the fate of all such ambitious men who would involve their country in civil war and all the evils in its train that they might reign and ride on its whirlwinds and direct "the storm."

[Applause.]

Will the gentleman study a little more of this kind of Jacksonian Democracy in order that he may be a better Jacksonian Democrat? Those were the ideas of a Jackson Democrat; and the idea did not originate with me.

I think if he will pursue the study of the subject he will find something in the Constitution of the United States that he has several times sworn to support. Four times at least he has taken that. There he will find the definition of treason to be, "levying war against the United States; adhering to its enemies; giving them aid and comfort," and the punishment is death. If the gentleman has levied war against the United States; if he has adhered to its enemies; if he has given them aid and comfort, he ought to be able himself to settle the question as to how he should be punished under the supreme law of the land.

Mr. Chairman, I have observed that there are some gentlemen on the other side of the House who are unwilling to allow any man upon this side to refer to any of the incidents of the war without assuming to take offense. I know of no reason for this. I notice that in the campaigns that those gentlemen wage at the South they do not hesitate to discuss matters of this kind. If one of us ventures to speak of any subject connected with the war, it is at once alleged that we are "waving the bloody shirt" and trying to arouse the passions growing out of the war, that ought to be allowed to slumber. But I notice that in the Southern States no such condition of feeling obtains.

I notice that in the State of Georgia at this time there is going on a notable canvass between two distinguished citizens of that State, each one of whom, in order to secure the votes of the people, is insisting that he was the better soldier and that he contributed most to the cause of the confederacy. This is only one of many illustrations of the fact that on that side of the line there is no objection to the "waving of the bloody shirt."

Mr. Chairman, the gentleman from Alabama made charges against Mr. Stanton of cruelty, of arbitrary arrests, of arbitrary dismissals from the service, and other kindred offenses.

It seems to me that if the purpose of the gentleman was what he announced it to be, to correct history, or to write history, he might have found some subjects for discussion nearer home—subjects of which he knew something. He might have discussed and reprobated, if he wished, the cruelties of the conscription laws of the Confederate States, a conscription law which swept all the white males from fifteen years of age to fifty into the army, without reference to what their sentiments may have been.

Under that law the most patriotic man in the land, thoroughly loyal to the United States, might have been, and in thousands of instances was, forced into a service that he abhorred. Yet the gentleman has no criticism for such cruelty as that. He has no criticism to make with regard to the outrages and cruelties of Salisbury and Andersonville—none at all. I remember that twenty-six men from my own county were captured by the forces under the command of the gentleman from Alabama, and were by them sent to endure the horrors of Andersonville; and all of those man, though then young, stalwart, hale and hearty, are to-day either dead or prematurely old, broken down by the outrages perpetrated on them there. But the gentleman from Alabama has no word of disapprobation for matters of that kind.

No one ought to expect that Mr. Stanton would escape criticism, but it seems to me that one ought to consider his surroundings, the situation he was placed in, and the difficulties incident to his career. He was surrounded by enemies, who were ready to assail him because of personal reasons. There were the contractors, who were trying to gorge themselves upon the public Treasury; then there were persons whose

ambitions were not sympathized in by him and who naturally antagonized him.

During his term of office twenty-five thousand commissions were issued by the Secretary of War; more than two million of men were placed in the armies, with all the arms, accouterments, and equipments such a vast host required; more than two billions of money was expended by his Department during the time he was Secretary of War, and yet no dollar, no cent of that was ever charged to have been improperly expended for his benefit.

Mr. KELLEY. If the gentleman from Iowa will permit me to read a brief letter of the date of November 18, 1862, I think it will throw some light upon the point he is now discussing.

Mr. HEPBURN. I gladly yield for that purpose.

Mr. KELLEY. It is a letter from Edwin M. Stanton to Rev. Heman Dyer, the gentleman who received the letter which I was permitted to read a few days ago. Instead of sending this letter to the Clerk's desk, I propose to read it myself.

WASHINGTON, *November* 18, 1862.

DEAR SIR: Your note of the 11th instant has remained unanswered because of the pressure of business, which left me neither time nor strength to respond.

When General McClellan failed to obey the order of the President to move against the enemy, given on the 1st of October, I thought he ought to be removed upon the spot. Nearly a month—time enough to have had a victorious campaign—was lost by his disobedience of orders. When his creatures and those who are enemies of the country undertook to apologize for his delay by the false pretense that he needed supplies that were held from him by the War Department, my duty to the country required the exposure of the falsehood, and I demanded a report on the subject from the general-in-chief.

It is not my fault that he was not removed before the New York election after his disobedience of orders. The loss of three weeks' time rests not on my shoulders. In respect to any combination by Mr. Chase, Mr. Seward, and myself against General McClellan, it is utterly false. For reasons needless to mention, fire and water would as soon combine. Each does his duty as he deems right. In respect to the imputation of selfish or ambitious motives denial is needless. Those who make the imputation do it ignorant of my principles of action, or with prejudiced feelings, and, like all other public men, I must expect and patiently bear misconception and false report.

In respect to the present position of affairs, all I can say is that the whole power of the Government is being put forth with more vigor and I think more earnestness on the part of military commanders than at any former period. Treason is encouraged in the Northern States by the just discontent of the people. But believing our national destiny is as immediately in the hands of the Most High as ever were the children of Israel, I am not only undismayed, but full of hope.

For myself, turning neither to the right hand nor to the left, serving no man and at enmity with none, I shall strive to perform my whole duty in the great work before us. Mistakes and faults I no doubt may commit, but the purpose of my actions shall be single to the public good.

With sincere regard, I am yours, truly,

EDWIN M. STANTON.

Rev. H. DYER.

Mr. Chairman, I thank the gentleman from Iowa for his courtesy in yielding to me.

Mr. HEPBURN. And, Mr. Chairman, I thank the gentleman from Pennsylvania for presenting at this opportune moment this letter. Its statements make thoroughly complete a letter that I desire to read. I have this morning received a letter from Hon. Charles A. Dana, who was the Assistant Secretary of War during the period of Mr. Stanton's service. No man can speak of Mr. Stanton with more of authority than this distinguished gentleman. He was in position to know. His high character gives certainty to his statements. The letter reads:

NEW YORK, *June* 17, 1886.

DEAR SIR: I am sorry to say that my period of intimacy with Mr. Stanton and of service under him in the War Department did not really begin until after General McClellan had been removed. For this reason I am not able to speak upon that point from personal knowledge of my own. But upon the general question of Mr. Stanton's purposes, I can say most emphatically that in all my acquaintance with him he never had but one purpose in his mind, and this was to carry the war efficiently forward to a victorious conclusion. He had no friends but those who were of that mind, and he knew no enemies but those whom he regarded as the enemies of his country. Whoever was not for prosecuting the war most vigorously, whoever hesitated, whoever interposed obstacles, whoever in his opinion failed to come up to the high mark of zeal and thoroughness, might be certain to have Mr. Stanton for a critic and an antagonist. Of himself, of his own personal interests and advancement, no man could be less careful than he was. All mercenary considerations he despised, and the end of the great struggle left him a much poorer man than he was at the beginning. All mere friendships he was ready to disregard and fling away as soon as he came to believe that their object did not share his own high and patriotic enthusiasm for the Union. He was such a man in his day and work as Oliver Cromwell was in his; and they who now propose to judge him by any narrow standard of their own are sure to judge wrongly.

Of course, a great heroic figure like Stanton is not infallible, because he is a man. It was always possible for him to judge wrongly and to be deceived by erroneous evidence. But one thing was never possible for him, and that was to be unfaithful to the Union or to show any mercy in feeling or in act toward its enemies.

It is very easy for men in this year of 1886 to find blemishes in the conduct or the character of this great man; but we who knew him thoroughly and whose fortune it was to labor at his side and under his orders, can not be mistaken in our opinion that without him the Union could not have been saved.

Believe me, dear sir, very faithfully, yours,

CHARLES A. DANA.

Hon. W. P. HEPBURN.

Mr. Chairman, the gentleman from Alabama in the course of his remarks frequently adverted to the fact that this controversy had been forced upon him. I want to call the attention of the House to the fact that that is not a correct statement; that the gentleman himself has brought about all the controversy which has been indulged in on this subject. In the first place, his assault made upon the Judge-Advocate General's Bureau on the 11th of May was an entirely gratuitous one. Then on the 4th of June he took extraordinary pains to reiterate all the charges that he made in his first assault. Although he seven times says that others have forced this controversy upon him, I appeal to the committee as to the truth of the statement.

The gentleman says that I have forced it upon him, and as proof of that he says that during some portion of the sittings of the House I have assumed a very "martial mien." The gentleman is mistaken about that. I have no desire to have a "martial mien." The gentleman is a military character. For five years he was at West Point; for a long time he was serving in the confederate armies. I take it that he acquired a "martial mien." I understand that the first thing they get at West Point is a "martial mien," and having seen the gentleman's "martial mien," I can swear by all the Democratic gods that I at least do not want one. [Laughter.]

Mr. Chairman, the gentleman tells us that he wants peace, he wants the era of good feeling, he wants the abandonment of all consideration of the old issues. How does his conduct comport with this declaration? No member of this House has so persistently assailed the great characters of our history as the gentleman from Alabama. When the Fitz-John Porter case was under consideration, on two occasions at least he went out of his way to arraign all of those who had anything to do with the issues involved in that case. Every man who differed with him and who had aught to do with the trial of that case has come in for a full share at least of the gentleman's maledictions and vituperations.

I say to the gentleman that if he wants peace, if he really desires an era of good feeling, let him keep his sacrilegious hands off our noble dead. That will be an earnest of what he wants—an earnest of his sincerity in this behalf. I do not wish, any more than the gentleman, to arouse the ill-feeling that may be excited by a discussion of this kind; but I want him to understand that I will not submit to have those men, whose memories are embalmed in our hearts, whose memories we revere, the recollection of whose heroism, whose matchless services, whose sacrifices we remember—I will not tamely submit to have them derided, assailed, misrepresented by him.

I insist that the gentleman has been a beneficiary of the kindness of heart of Mr. Stanton. If Mr. Stanton had set his iron will against the terms of surrender which were so beneficial to the gentleman, who believes that those stipulations would have been the terms of the surrender? At that time we were in a condition to dictate what the conditions should be; our armies were the masters of the situation, and the terms agreed upon were prompted by kindness and magnanimity on the part of the Government, and no one was more prominent in those manifestations than Mr. Stanton. He says that all of these constitutional questions bearing upon his status as a citizen were settled by his surrender. I remember he was paroled, and I am reminded he is paroled to-day.

By the terms of his parol he was to go quietly to his home, and so long as he demeaned himself peaceably toward the Government so long he was to be undisturbed. The spirit of that parol required something more from the gentleman than merely the sheathing of his sword. I understand the spirit of the parol required there should be no more of vilification and slander, that it meant ceasing to wag vituperative tongues against that Government that granted the parol. I think, therefore, the spirit of that parol required the gentleman should not be prominent among those who are denouncing Mr. Stanton.

The gentleman certainly does not seem to appreciate how Stanton was esteemed by the loyal people of this country. As the writer of the letter I have referred to says, in his judgment "the war could not have terminated successfully without the aid of Mr. Stanton," so it is believed that no man could have taken his place. That is a common sentiment. Wherever patriotic sentiments are cherished the name of Mr. Stanton is remembered with love and veneration; and the gentleman could have done nothing to arouse the indignation and wrath of the people I represent more quickly than by his wanton and unjustifiable and unworthy attack upon that distinguished character. [Applause.]

Mr. BOUTELLE. I reserve the balance of my time.

The CHAIRMAN. The gentleman has twenty minutes of his time remaining. [Cries of "Vote!" "Regular order!"] If there be no gentleman desiring to proceed with the discussion of the bill, it will be read by sections for amendment.

Mr. WISE addressed the committee. [See Appendix.]

Mr. BOUTELLE. Mr. Chairman, it has not been my purpose to indulge in any extended remarks on this bill, and the few observations that I have to make will be of a desultory character. I shall endeavor to confine myself to the propositions submitted in the bill, with some slight reference to suggestions and observations made yesterday by the chairman of the committee in the introduction thereof. I desire to say, at the outset, that the Republican members of the Committee on Naval Affairs from the beginning of this session have acted upon the uniform, consistent purpose of aiding in every possible way in all judicious legislation that would tend to the improvement and rehabilitation of the United States Navy. It has been our purpose scrupulously to avoid allowing our action to be in the slightest degree influenced by the fact that the control of the national administration and the man-

agement of the Navy Department have, since the last session of Congress, passed from the hands of our political friends into the hands of our political opponents.

We have endeavored to avoid, and I think my Democratic colleagues on the committee will concede that we have largely succeeded in avoiding, any imitation of the partisan captiousness which may have animated the political opposition in former committees and former Congresses. It has not been our purpose or our desire to follow the administration of the Navy Department with the microscope of criticism in order to find some slight departure from the line of procedure that would accredit itself to us upon which to hang criticisms and fault-findings. The members of this House will bear witness that during this session we have not loaded the files of the House with resolutions calling upon the Secretary of the Navy to inform Congress and the public in detail as to whether at any time during the year he had committed the indiscretion of going on board of a naval vessel. There have been no Tallapoosa resolutions introduced by us, nor have we felt it incumbent upon us to inquire whether the Despatch may have been used in the harbor of New York possibly for purposes of a social character. From the beginning it has been the purpose of the Republican members of the committee to give to the administration of the Navy Department the most cordial, earnest, and sincere co-operation in every effort toward the rehabilitation of that great and important arm of the public service. Of course, Mr. Chairman, we all understand what political exigency means.

We are all of us aware that the control of a political committee may carry with it some sort of sense of obligation to make out a case for one's party, and to make criticisms upon the opposition, and I can understand how my colleague, the distinguished chairman of the Committee on Naval Affairs, may have felt it, as undoubtedly he did feel it, incumbent upon him to scrutinize with the utmost care the administration of the Navy Department during all those years of Republican rule in order to justify, as far as possible, the claims that were made before the election, that the interests of the American people required that the administration of the navy should be transferred from Republican to Democratic hands. I bear very cordial testimony to the zeal and the industry and the energy with which the chairman of the committee has addressed himself to becoming familiar with the workings of the naval institution, and I think that his colleagues and associates on the Democratic side will need no assurance from me that he has not neglected any legitimate opportunity for criticism of Republican administration that may have fallen in his way. In view of these things, Mr. Chairman, I think I may also fittingly congratulate the Republican side of the House and the Republicans of the country that, after the administration of the Navy Department for a quarter of a century has been submitted to the keen and searching criticism of so able and zealous a gentleman as the chairman of the Committee on Naval Affairs, he has found so very few things to criticise and so very little with which any fault can be found.

With reference to the Republican administration of that great Department of the United States Government, beginning at the outbreak of a great national struggle, going through four years of such gigantic strife as the world has seldom seen, coming down through the years that have elapsed since the war, through these changing seasons in naval administration, naval construction, and naval methods, covering the great experimental period in the naval history of the world, I think we may well congratulate ourselves irrespective of party. I think the representatives and the people of the United States, rising above sectional and factional differences, may well congratulate themselves that the administration of this great Department of the Government, when overhauled and examined and scrutinized by a political opposition at the end of a quarter of a century, proves to be such that the most serious and important criticisms that can be leveled against it are comprised in the fact that we have on hand more monkey-jackets than the sailors require at this particular juncture, and that there are a few hundred pounds more of iron "spectacle-clews" for mainsails and foresails and topsails of the Navy than we are likely to want during the next few years. And, in view of these criticisms as to alleged unnecessary expenditure, or excessive provision for the wants of the future in regard to clothing and clew-irons, it must be borne in mind that the pea-jackets are all there, and that up to date the iron for the spectacle-clews is safe in the storehouse, "present and accounted for." It has not been made away with; there is no deficit; there has been no embezzlement, no abstraction.

Mr. Chairman, there is another feature in regard to this matter of what has been criticised as an extraordinary expenditure for clothing that had better perhaps be referred to at this time. While I am in no wise constrained to make any special apology for any special feature of the details of administration of the Navy Department during the past twenty-five years, and while I am quite ready to admit that there may have been some slight mistakes made even under the beneficence of Republican rule, seldom as those mistakes seem to have occurred in any of the Departments, if we may judge from the failure of our Democratic brethren to discover them, yet it ought to be borne in mind that these large purchases of clothing do not represent a loss to the Government of the United States, for if an examination of the appropriations is made it will be found that since 1874, when these large purchases were made, there has been a corresponding decrease in the appropriations, and that the money expended for this clothing has been flowing back into the Treasury in the clothing fund by the sale of these materials to the sailors of the Navy.

It is proper, Mr. Chairman, in this connection to add that this alleged excessive purchase of material in the Bureau of Equipment in regard to canvas does not constitute an indictment or a legitimate cause of complaint against the organization or the political administration of the Navy Department. This matter of the purchase of canvas, upon which such stress has been laid, was one entirely within the purview of the regular officers of the Navy in control of that bureau. Whatever criticism there may be, whatever fault may legitimately be found, goes directly to the administration of the affairs of bureaus by the regular officers having supervision thereof, and is in no wise chargeable to the political or the civil administration of the Department.

I have in my hand the report of the evidence given before our committee by the chief bureau officers. In the evidence of Commodore Schley, the chief of the Bureau of Equipment and Recruiting, in the course of whose examination these matters were fully discussed, he stated that at present his bureau was "working like a clock," that none of the criticisms were at present applicable to the operations of his department; and in reply to a question by the gentleman from Texas [Mr. SAYERS], whether this reorganization had been effected under the present administration, he replied that it had. But, in reply to a subsequent question by myself as to when he was assigned to the post which he now occupies, he replied that he was assigned just after he came from the arctic region, in October, 1884. The question was then asked:

Did you commence reorganization at once?

His reply was:

I began by simplifying these methods, introducing more system in the ways commonly employed by business men outside.

Q. Did you receive the co-operation of the former Secretary of the Navy?
A. Yes, sir.

There we have the testimony of Commodore Schley, a gentleman who has been very properly referred to in the remarks of the chairman of the committee as a model of efficiency and ability in the control of his department, that the reforms that were necessary, that the correction of these faults to which reference has been so conspicuously made, did not depend upon the advent of a Democratic administration, but were begun immediately upon his appointment by a Republican Secretary of the Navy.

As I said at the outset, it is not my purpose upon this bill to indulge in any extended or elaborate remarks; and, in conclusion, I will say that as an entire measure appropriating money for carrying on the Naval Department the Republican members of the committee will be found giving a cordial support to the general features of the bill. There are some points upon which amendments will be offered and some criticisms which may be made during the five minutes' debate, when that shall arise. I understand that the chairman of the committee yesterday in his opening remarks explained the effect of the discrepancy between the estimates and the appropriation for pay for the Navy, which is some $800,000 less in the bill than appeared in the estimates. I understand that an amendment will be offered at the proper time to reappropriate the surplus five hundred and odd thousand dollars of the former appropriation, which, under a recent ruling of the Comptroller, would not be available this year without such reappropriation.

I find also in the bill some provisions that seem to be obnoxious to the point of order that was made upon the legislative bill, provisions that would have the effect of enacting laws in regard to the salaries of officials, and I give notice now that at the proper time the point of order will be made upon some of those provisions.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LORE. Mr. Chairman, I share the feeling of, I presume, a large number of members of this House, I will not say of disgust, but I will say the feeling of revolt against the attempt in the American Congress to wash our dirty linen before the people of the world. It does not add to the dignity of this House nor to the force of any argument which has been made here to indulge in sulphurous denunciation of the one section of our beloved country by the other, or to fight over again *ad nauseam* the fratricidal battles of 1861 to 1865. I congratulate the House most heartily upon a return again to the bill that is before us and to the questions which should legitimately occupy the attention of this House in the remarks of the gentleman last on the floor, and sincerely hope that hereafter gentlemen in discussing this measure will stick to the bill and not to a constituency a thousand miles away, and recognize the fact that we legitimately have before the House the naval appropriation bill, not the resurrected hates of a deadly civil war.

Permit me to say, as a member of the Committee on Naval Affairs—and it is with great pleasure that I do so—that our Republican brethren on the other side of this House who are members of this committee have heartily co-operated in the preparation of this bill. They have met us with a frankness and a fairness and a patriotism that is worthy of all commendation in the effort honestly to provide for the support of the Naval Department of this Government.

I submit, sir, that a careful examination of the bill which has been submitted to the House for the maintenance of the Navy Department ex-

hibits the care and scrutiny exercised by members of both sides of the House, who have met together not in hostile array, but in the most friendly accord, to provide for the exigencies of the hour and to present an honest bill—not, as has been sometimes charged, to cut down appropriations because the amount asked was large, or to add simply in a spirit of favoritism, but honestly to determine what each branch of the Navy Department requires for its financial needs, and then in a spirit of fairness to appropriate just that amount. I believe that this spirit prevades the entire bill.

There is one measure which has been commented upon to some extent to which I desire to call the attention of the House for a few moments. The gentleman from Connecticut [Mr. BUCK], in that pleasing and genial manner in which he always presents his case, and in language that wins our regard if not assent, has seen fit to take exception to the dropping of the war college at Newport, R. I. Now, I agree with the gentleman from Connecticut that there is need, if we propose to keep abreast of the great maritime nations of the world, that we shall have an advanced or post-graduate course for those who are to be officers of our Navy. I believe the battles of the future on the water are to be fought not as formerly by vessels which overcome the opposing vessels with a sweeping broadside or by boarding. That time is passed.

It will be the gun of long range, it will be the swift battering ram, it will be the cruiser, it will be the torpedo, it will be an encounter of intellectual naval giants that will decide the great naval battles of the future. And when that time comes we shall need the highest American talent; we shall want to take from our midst the brightest and noblest boys that go to Annapolis or elsewhere and clothe them with all the power, with all the preparation that we can give them by the most advanced methods of instruction. Therefore, I say that perhaps one of the crying needs of the Navy Department is that we shall take those young men and place them upon the very highest level of scientific attainments. But Newport is not the place.

I must say, in passing, that the war college there was established not by authority of law, but by an order of the then Secretary of the Navy. Recognizing, I concede, the need of the hour, he saw fit to establish this college; and it was, as the gentleman from Connecticut has said, recognized in some subsequent appropriation bills. It therefore has a legal standing in this Congress.

Mr. BUCK. Will the gentleman allow me to make a suggestion?

Mr. LORE. I am very glad to have the gentleman do so.

Mr. BUCK. I find upon examination since yesterday that there was a statute which authorized the appropriation for this college.

Mr. LORE. Was it prior to its establishment?

Mr. BUCK. I find in the sundry civil appropriation act of August 7, 1882, the following:

> For repairing and extending wharf and the erection of boat-houses on Coasters' Harbor Island, $5,000. And the cession by the State of Rhode Island to the United States of said island for use as a naval training station is hereby accepted.

Under that statute the appropriation was made.

Mr. LORE. But that does not cover the precise ground of which I am speaking. It was not an enabling law. It was a recognition, not of the war college proper——

Mr. BUCK. It was a recognition of the station.

Mr. LORE. It was a recognition of the propriety of that sort of school.

Mr. BUCK. It was an acceptance by the United States of the cession made by Rhode Island for the establishment of a naval training school, and the property thus ceded has been used ever since for that purpose, and that purpose only.

Mr. LORE. I think my friend will agree with me that there was no original legislation creating a war college proper, but that the institution originated, very properly, in the mind of the Secretary of the Navy; and the legislation to which the gentleman refers was rather approving legislation than originating legislation.

Mr. SPOONER. The gentleman from Delaware will permit me to inquire whether the legislation referred to by the gentleman from Connecticut is not quite as efficient as if there had been an act establishing the institution in the first place.

Mr. LORE. I fully agree with my friend from Rhode Island that the propriety and necessity of the institution and its subsequent recognition by acts of Congress, make it a legal institution to that extent.

Mr. BUCK. The act to which I have referred was passed in 1882, before any sort of order on the subject had been issued by Secretary Chandler.

Mr. LORE. But I do not think it had in view, as my friend if he examines the law will see, the establishment of what is now designated as the naval war college. The act had in contemplation rather some general training in this regard.

But, Mr. Chairman, that is not at all material in this case. There was a Congressional recognition, as I believe, of the institution which had been previously established under the authority of the Navy Department. But Newport was not the place for such an institution. A recent visit to the school at Annapolis has thoroughly convinced me that we have there a place ready at hand for a college of that character, whenever we desire it. I do not think it would be wise to make an appropriation for it in this bill, because there has been as yet no well-digested plan presented to the Naval Committee upon which we could act with any degree of intelligence. If we are to establish a war college, as I believe we should, it ought to be at Annapolis. A recent visit to the academy there as one of the Board of Visitors, has given me a very high opinion of that institution.

We have there not only a large and able corps of skilled professors, selected from the whole naval establishment for fitness in their several duties, but we have the plant necessary for this post-graduate course, to which very little addition need be made. We have chemical laboratories, machine-shops, arms and equipments of all grades, ample grounds, and all mechanical and scientific appliances. We have also buildings, as the distinguished chairman of the Committee on Naval Affairs said. The Government, in 1869, having over 100 acres of ground which is outside of the academy grounds proper, erected a very large brick hospital, which is most admirably adapted to the needs and wants of a war college of the character I speak of when it shall be necessary to establish it. This building is now boarded up, untenanted, save in one or two rooms by a temporary care-taker, and is a standing invitation for use as a first-class war college.

Now, Mr. Chairman, instead of creating an entirely new pair of steps by which you must ascend the educational structure from the bottom, as in Rhode Island, where we must originate the entire plan, where we must get a complete corps of professors, where we must get the machinery and everything of that character, instead of creating a new stair-way, all we have to do at Annapolis is to add one or two more steps to those already erected, so that these young men may mount to the highest plane of scientific attainment, and climb to the top room of "wisdom's wondrous building."

I wish to say the Naval Academy, with its buildings and grounds constituting one of the most beautiful spots my eyes have ever rested upon, under the management of the present superintendent, Capt F. M. Ramsey, has as an educational institution attained a degree of exactness, a degree of discipline, a degree of perfection in the mental and physical training of our young men of which I think we as a people may be justly proud. The institution is a model one. If we desire, therefore, to establish this war college, let us do it as wise people of other countries have done. Let us simply add to the Naval Academy, and make it a great naval university by additional machinery, the additional plant that may be necessary, and not create an entirely new and original plant, which is but the beginning of a new college and vast expenditure. Let us keep the advanced scholars under the charge of the able corps of professors in that school. If you please, add one or more, in order that, as we propose, we may stand in the advanced rank of naval education in the world.

While I agree with the necessity for this college, while I am prepared, at the proper time, whenever the proper scheme is presented, to vote—and I shall cheerfully vote—for such an appropriation and for such an establishment, this bill is not the place for nor is this the time to make a start in that direction until a carefully prepared scheme shall be devised and presented.

Mr. Chairman, it was therefore wise the appropriation was omitted from this bill. I do not wish to see our naval education divided, part located in Rhode Island and another part in Maryland. I do not wish to see our energies divided, but rather that they should be concentrated in one place, so as to secure the results which come from a large, strong, well-constructed, and thoroughly equipped institution.

One more suggestion. In my judgment, Mr. Chairman, it is a matter of total indifference to the American people whether the bill we have prepared is $200,000 less or $500,000 more than the naval appropriation bills heretofore presented to the House. All that is asked of this House the extended debate in this respect dwarfs to insignificance. All that the country demands of the Naval Committee is that the bill presented shall be an honest bill, having in it adequate appropriations for every branch of the naval establishment without room for extravagant expenditures, with every estimate fairly made and every need of the American Navy honestly measured and provided for. If they are not so made in this bill it is because the committee were unable to get an intelligent understanding of the condition of that particular branch where a deficiency exists.

There are some respects in which each member of the committee perhaps would like amendments to be made. It is almost impossible in a body of men like that for all to get precisely what each would like. But I desire to say this, that in the outcome, that in the aggregate, the bill meets with the approval of the committee, and I trust and I believe the House will with some unanimity second the report of the committee and give their labor the form and force of law.

After this naval appropriation bill has been disposed of we can then go to the other question of the enlargement of our Navy, as it is presented in the other bill reported from the Committee on Naval Affairs, and in which we are all so deeply interested. [Applause.]

I reserve whatever time I have remaining.

The CHAIRMAN. The gentleman has twelve minutes of his time.

Mr. GOFF. Mr. Chairman, I yield two minutes of my time to the gentleman from Alabama [Mr. MARTIN].

Mr. MARTIN. Mr. Chairman, I desire simply to avail myself of the latitude of debate allowed in Committee of the Whole to discuss one great question relating to the industrial interests of the country; but as I have no wish, sir, to consume the time of the committee in the discussion of the question, limited as I am, I will ask leave to extend my remarks in the RECORD.

Mr. MORRISON. Do I understand the gentleman is going to make some remarks on this subject, the naval appropriation bill?

Mr. MARTIN. I think they are as pertinent to the subject as those we have heard here this morning.

Mr. MORRISON. I wanted to interpose an objection, after the gentleman had voted against the consideration of another subject—the tariff—to a proposition to make a speech in the House on it.

The CHAIRMAN. The Chair hears no objection to the request of the gentleman from Alabama.

Mr. MARTIN. Mr. Chairman, frree lumber, free salt, free wool, and free fish to-day mean free "iron-ore," "free mineral substances in a crude state and metals unwrought," free "coal," and free "coke" to-morrow. The former might not predjudice the interests of Alabama, while the latter would deal a death-blow to the growing mining and manufacturing interests of our State; it would put an end to the development of her resources, and stop, indefinitely, the further progress of our people in mining and manufacturing. Free lumber, free salt, free wool, and free fish are reported on the free-list by your Committee on Ways and Means; and free iron-ore, free coal, free coke, and free mineral substances, &c., are what the gentleman from Illinois [Mr. MORRISON] had intended should go on the free-list, and were included in the free-list of the original bill, which he introduced into this House on the 15th of February last.

The gentleman from Illinois [Mr. MORRISON] was very bold, and he meant to pass a bill, if he could, which the whole country would feel from the heart of its commercial life to its upper and nethermost extremities. But your committee lacked the dash and boldness of their intrepid leader, and sought to win by more conservative means. "Divide and conquer," said your committee. Let us strike down, in the first instance, unorganized labor; let us strike down wool, so recently fully protected by the tariff bills of 1866 and 1867; and then we shall have the assistance of the persons representing such interest in this House to put upon the free-list other articles—raw materials, they are called—which are now protected by the existing tariff. I can see, Mr. Chairman, the destruction of Alabama's mining and manufacturing interests if this be done, and no earthly consideration shall cause me to falter in the duty which I owe to the State and people of Alabama, and of my district, of voting against this bill.

There was more in that famous declaration of General Hancock that "the tariff is a local question" than any one then imagined; but when we learn who it is that would have a high protective tariff, and who would impose duties ad valorem without regard to the protection of domestic industries, we find that here, as elsewhere, every man is in favor of what he believes will advance his pecuniary interests and those of his constituents.

I was asked some days ago to state how I stood upon the tariff; whether I favored a "high protective tariff;" "a tariff for revenue, with incidental protection;" or "free trade?" These expressions have a technical meaning in the vocabulary of every man using them; and they mean the same thing with no two men; hence the folly of declaring in favor of either one or the other. Let not one man say I am of Paul, and another I am of Apollos, but, remembering the solemn pledge of the Democratic party to revise the war tariff in the manner specifically set forth in the platform of the National Democratic party, adopted at Chicago in June, 1884, let us take this "Morrison bill," as it is styled, in our hands and apply the test of that platform to it.

The pledge of the Democratic party to revise the tariff must be faithfully kept and performed. Mr. Cleveland now occupies the White House upon the faith reposed in us by the American people. If that platform admits of a double construction, the one which will secure the protection of our own people and the other which would lead to injury or destruction of all American enterprises for the sake of cheaper markets in which to buy, then for Heaven's sake let us put the same construction upon the language employed which we gave to it in the presence of every laboring man while the Presidential campaign was in progress. Any other course would be, in my judgment, unworthy of the party, and would secure disaster to our cause during the coming November elections.

The measure under consideration is of more importance to the American people than perhaps any other of our present session. We may vote away the public money recklessly, violate every duty which we owe to the people as their stewards, and the mischief done thereby will be insignificant comparatively to passing a measure which, if it should become a law, would destroy certain American enterprises and leave many of our laboring men engaged in them without employment. Already great strikes have shaken the leading industries of the Union, and some enterprises are tottering because of the unsettled condition of the country; and yet we are gravely discussing how we may further cripple labor, for it is nothing less, and retard the wonderful progress of our industrial classes. If we would consent to admit the true cause of the strikes, namely, the demand of the American laborer for greater opportunity for self-enlightenment, and for the means of better feeding, better clothing his family, and of educating his children, we would see at once the utter futility of the effort to relegate the laborer back into his former condition of almost servile dependence.

But, Mr. Speaker, I have seemingly digressed, and will return to the inquiry: Does this bill revise the war tariff of 1861, in the manner laid down in the platform of the National Democratic party? If so, if it were a true revision, I should feel constrained to support it; for I am sure that neither in word, thought, nor action have I ever gone astray from the principles of Democracy as laid down in that platform.

Let us now examine the positions upon the tariff taken so distinctly by both great political parties in 1884.

Before doing so we should recall the fact that an evil genius obtained dominion over the Democratic party in 1880, when the false doctrine of "tariff for revenue only" was incorporated into its platform; and an eminent soldier, who had never studied the subject, was placed upon it, to find it as treacherous as the trap-door of the gibbet. It brought defeat to our party, but the affliction was sanctified to us; we saw the light, even in the gloom of defeat; and the declaration was distinctly made at Chicago that—

> The necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country.

True it is that the further declaration is distinctly made that Federal taxation shall be exclusively for public purposes, and shall not exceed the needs of the Government economically administered; and the sentiment is re-echoed by every genuine Democrat in the land; and yet we declare that our party won its triumph mainly upon the distinct denunciation of the Republican party for having "deprived labor of employment and of just reward." The Democratic party is the declared friend of the laboring man, and every article of the platform breathes a desire to protect and foster his interests and in every way known to the political economist to exalt him among men and to better his condition. Such principles are worthy of this enlightened age; they thrilled the American people throughout this vast country and secured for us a splendid victory in the face of incredible difficulties.

Mr. Chairman, the platform of our party was not a snare and a lie, but the faithful expression of pure Democratic principles, proclaimed by the party's most enlightened following. It declared that "the Republican party during its legal, its stolen, and its bought tenures of power has steadily decayed in moral character and political capacity;" and we are on trial before the country, and must show that our promises to protect the labor element of the country were not toils and delusions to ensnare the trusting and unsophisticated laborer. To this circumstance I invite the careful attention of the House: That no protection, in the sense of putting money into his pocket by taxing other people to do it, is anywhere promised in our platform to the capitalist because of his plant. On the contrary, the taxes are to be laid "on fewer imported articles, bearing heaviest on articles of luxury and bearing lightest on articles of necessity."

Our platform, Mr. Chairman, is the shield and buckler of the poor laboring man; and if we purpose to continue in power as a party let us never forget the friends who filled our ranks in the day of battle and uttered the battle-cry as we rushed upon our political foes and achieved the victory of 1884.

The protection to the capitalist is wholly incidental, and intended to be so; for the duties are to be collected under our platform for revenue purposes, and are to be so laid as to "cover any increased cost of production which may exist in consequence of higher rate of wages prevailing in this country." "But, in making reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth," is the language of the platform—a strange way of taxing for their benefit by reducing the rate of duty. And if further evidence were needed that our platform upon the tariff was framed in the interest of the workingman, we repeat one of its charges against the Republican party: "It has subjected American workingmen to the competition of convict and imported contract labor."

In my examination of the subject I pass now to the consideration of the platform of the Republican party. It is a matter of profound surprise that any intelligent man should declare there was little or no difference on the subject of the tariff between the two great political parties. How reads the tariff plank of the Republican party?

> We therefore demand that the imposition of duties on foreign imports shall be made not "for revenue only," but that in raising the requisite revenues for the Government such duties shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer, to the end that active and intelligent labor as well as capital may have its just reward and the laboring man his full share in the national prosperity.

And again, that platform declares:

> The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus, not by the vicious and indiscriminate process of horizontal reduction, but by such methods as will relieve the tax-payer without injuring the laborer or the great productive interests of the country.

What, then, is the difference between the two parties, and what marked result characterized the last canvass for the Presidency? It is this: That the Republican party pledged itself to protection for the sake of protection; it pledged itself "to afford security to our diversified industries" that labor "as well as capital" might "have its just reward;" and the marked feature of the campaign was the fact that the capital of the country was on the side of Mr. Blaine. It was because the Republican party was too heavily loaded with (what the country believed to be) the spoils of a "protective tariff for the sake of protection," because it was drunk with success and its barns were bursting with fatness, that the people who had borne such political wrongs were enabled to overthrow the hosts of the enemy.

All other differences were merged in this one: That while the Republican party would secure protection to labor as well as capital, the Democratic party promised to protect labor with only incidental protection to capital. We have now, Mr. Chairman, the criterion by which our bill must be tried. There is no longer a question as to the character of the tariff, for a tariff of some sort we are bound to have; but the issue is, whether or not the present bill violates the pledges of the Democratic party to the laboring men of the country, or is in any true or proper sense a revision of the present tariff in a spirit of fairness to all interests.

Proceeding to the examination of this bill, the first thing which attracts our attention is the free-list. We find remitted by it on wood and lumber $1,072,063.18; on salt, $751,390.24; on textile fibers, $1,947,459.39; on fish, $83,124.18; and on wools, &c., $3,243,200.01; aggregating a total of $7,097,237.00; a good showing truly, if from it we are to understand that that sum of money is to be kept in the pockets of the people, instead of being drawn out in the shape of taxes. But this is not all. It must be accomplished without wronging the laboring man, whom we have promised to protect. Your committee, in recommending this free-list, have assigned the reasons which influenced them as to each item, and if their reasoning is novel and peculiar they must not complain if they find earnest men in this House who are not impressed by such reasoning. The report on the items named in the free-list is as follows:

The duties intended to be removed by the bill are chiefly those which tax articles used by our own manufacturers, which now subject them to a hopeless competition at home and abroad with the manufacturing nations, none of which taxes such materials, that our own manufacturers may successfully compete, both at home and abroad, with manufacturing nations which do not tax such materials, thus securing markets for the products of hands now idle for want of work to do. Some of the materials upon which great industries are built, such as wood, salt, hemp and wool, are placed on the free-list.

The report then continues:

In the past twenty years we have obtained from tax on imported wood an amount estimated at less than $20,000,000, to encourage felling our trees and destroying our forests. In a much shorter period we have given more than 35,000,000 acres of land in bounty to encourage the planting of trees.

Now, one would imagine from these extracts that the lumber business of the country had been a losing business to the Government, and that it would have kept money in the pocket to have left every tree standing untouched by the woodman's ax. This language on the part of a statesman is certainly remarkable. What became of the trees which were felled and the lumber put upon the market thereby? How many men have grown rich in the lumber business; how many mouths have been fed; how many bodies clothed, and how many children have been educated out of the incomes derived from the business? But the report says that less than $20,000,000 have been obtained by encouraging the felling of trees and destroying our forests.

Is it wrong to fell a tree or destroy a forest for commercial purposes; to build houses, to convert a portion into furniture, and use the balance for the comfort of mankind? But the committee declare that in a much shorter time the Government has given 35,000,000 acres of land in bounty to encourage the planting of other trees. So it appears that the lumber business of this country has been enormous, although the Government has received only the beggarly sum of $20,000,000 for encouraging that industry. The same reasoning would apply to our lands worn out by the pursuit of agriculture.

But I pass to another proposition equally as surprising, when coming from such a source. We read from the report that—

The tax on imported salt is remitted to those who catch and trade in fish, and to those who pack meats for the foreign market. It is believed this tax should be remitted to all.

Now the tax on imported salt is remitted to those who catch and trade in fish and to those who pack meats for foreign markets, simply as an encouragement to the laboring people who are engaged in those pursuits. This circumstance is seized upon to strike down a great industry of the country, because a certain class get their imported salt for nothing. Would it not have been better to have made the traders in fish and the packers of meat pay the same duty as all other persons? The salt industry of the country is enormous, when the Government realizes about $750,000 per annum upon the importations of it. How many laborers are engaged in making it who will either lose their employment or its present remunerative wages, we are not told by the committee. In the views of the minority we read:

This article is manufactured in fifteen States and Territories, and exists in others. As raw material it is as cheap as sand, gravel, or clay for building purposes, and equally with them prepared for use, represents labor, and is only the more costly to the extent it is prepared for higher uses. It was protected in 1849 at the rate of 2 cents on each bushel; the price to the consumer was then $1.35 per bushel. Under the protection policy of 1861 by the development of the industry at home, the price has fallen to 8 cents a bushel, and neither as a measure of relief to the consumer nor to reduce revenues, can the proposed action be justified. Seven thousand wage-workers employed in this industry are assaulted without justification or reason.

The next statement to which we invite attention is the paragraph about hemp. It is as follows:

After a century of failure to make hemp either a profitable crop or a successful industry through protective taxation, further effort should be abandoned. For nearly a century, with only one interval, hemp has been protected, and yet its production has decreased because its culture under protection was unprofitable, while the consumption of articles manufactured from this and kindred fibers has enormously increased; until now the annual tax on imported hemp, manila, and similar fibers is several times greater than the annual value of all the hemp raised in the United States. This increasing tax is a burden alike upon the manufacturer and the consumer of such articles, and ought to be removed.

Here we are gravely told that hemp is not a profitable crop with the present rate of duty upon it, and therefore all duty should be removed and that industry discontinued; I say discontinued, because if the present tariff can not make it other than a losing crop, the removal of the duty will only make it the less profitable. And for what reason? Because its culture under protection is unprofitable, while the revenue derived from the importation of it is quite as great or greater than the value of all the hemp raised in the United States. I submit and inquire if this does not present a case under the pledge of our platform for an increase in the rate of duty upon it instead of putting it on the free-list? A moment's reflection will show you that the same thing would occur in the production or manufacture of anything else if the rate of duty did not so far protect that the American producer could compete with the imported article. The true condition of the hemp industry is shown by the following, which I clip from the views of the minority:

The report of Hon. J. R. Dodge, statistician of the Agricultural Department (Report No. 27), issued in March of this year, gives the following interesting statement of this production, which would seem to controvert the views of the majority concerning this industry:

"Mr. C. E. Bowman, commissioner of agriculture of Kentucky, and agent of the United States Department of Agriculture for that State, estimates the hemp crop grown there in 1884 at 5,000,000 pounds, that grown in 1885 at 8,000,000 pounds, and that to be grown the present season—assuming the yield to be an average one—at 10,000,000 to 12,000,000 pounds. The figures for 1884 are larger than those returned by the assessors and published in the report of the State auditor; but the auditor himself (Mr. Russell McCreary) agrees with Mr. Bowman that a true return would confirm the estimate just given. The price of hemp is now quoted at from $5.60 to $5.75 per 100 pounds, and engagements for the crop to be grown this year are being made at the rate of $5.25 to $5.50. At these figures Mr. Bowman considers this crop the best paying one now grown in the State, and anticipates that the area devoted to it will this year be from 30 to 50 per cent. greater than in 1885."

Next in order, we come to wool. Your committee in their report say, from "the beginning until now some qualities of wool have paid some rate of duty;" that "for many years last past the rate on imported wool has been more than double that imposed on other products of pasture, field, and farm." Upon what other "products of the pasture, field, and farm" have duties been imposed, save on sugar, together with other articles, including those articles now enumerated in the free-list of this bill?

But we come to a most remarkable declaration, that "these other lower tax-protected products have outrun or kept far in advance of the wondrous growth of our population;" and that "wool, protected double as much, has fallen further behind."

Compare these statements with those about hemp, and we again inquire whether hemp-growing should be stricken down, if it has in fact outrun or kept far in advance of the wondrous growth of our population. Instead of being a fit subject for the free-list it is pre-eminently deserving, as a branch of American industry, the fostering protection of the Government incidentally bestowed in raising its revenue.

The minority in their views declare that "it [hemp] should have and receive fair and adequate protection and not be crippled at this time when the outlook for its profitable development promises so much." I must respectfully protest on behalf of the hemp farmer against such legislation. The proposed action in relation to hemp could alone be justified by demonstrating that our whole tariff system of incidental protection by the levying of adequate duties was false and ruinous to the country.

The following extract from the committee's report is simply astounding:

Wool finds its market at home, and its price is increased by a tax, part of the burden of which must be borne by the grower of other farm products, whose surplus in foreign markets fixes his price at home, and to the increase of which his wool-growing neighbor contributes nothing.

Remember that this is the reason assigned by your committee why the duty should be taken off wool! Where do iron, steel, in fact any of the articles produced in this country and protected by our tariff duties, find a market? Who bears "a part of the burden" but those self-same growers of "farm products, whose surplus in foreign markets fixes his price at home, and to the increase of which" his iron or steel manufacturing "neighbor contributes nothing?" If, therefore, the reason assigned for removing the duty on wool has any weight, does it not apply with equal force to every other industry of the country at present kept alive by tariff protection?

Suppose we admit the tax on woolen goods to be too high and a burden upon the tax-payers, why not revise this item of the tax-list and

bring it within just, fair, and reasonable limitations? Do not strike down the great industry of wool-growing in order to enable the manufacturer, who is protected, to manufacture wool at a cheaper rate. Such action is nothing less than the declaration upon our part that what I shall denominate the productive industry of the agricultural class of our people must go upon the free-list in order that a duty may remain on woolen goods for the manufacturer's benefit. The gentleman from Illinois [Mr. MORRISON] saw the force of this argument, and he met it at once by putting iron-ore and other raw materials upon the free-list of his original bill.

But I will not pursue this branch of the subject any further. It is evident to my mind that if the policy of this bill be followed out to its logical sequence it must result in one of two things—either absolute free trade, or the abandonment of intentional incidental protection and in a tariff for revenue only. Either one is a clear abandonment of Democratic doctrine as set forth in our platform, and would be a betrayal of the confidence reposed in us by the laboring men of America.

In conclusion, let us ascertain if this measure be truly a revision, or in the line of a revision, of the present "tariff in a spirit of fairness to all interests."

The report of the committee opens in these words:

> The rate of duty or tax on imported goods subject to duty is as low as 5 on some, and higher than 200 per cent. on others.

This statement of itself demonstrates the necessity of a revision of our present tariff. No wonder that both the great political parties made haste to "denounce the abuses of the existing tariff," as the Democratic party expressed it; and to pledge "itself to correct the inequalities of the tariff," as the Republican platform has it. But each party further promised to make a reduction "without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country." Such is the language of the Democratic platform.

Will any man have the hardihood to say that this measure is not violative of that solemn declaration of protection to the American laborer? Revision, in the sense in which both political parties used the word, meant reduction; a lopping off here and there, where the duty did more than protect the laborer; where it put money, taxed from another, into the full pockets of the capitalist. Experience had taught us that this reduction could not be done by what is known as "horizontal reduction," and we are now to learn by the fate of this bill that it can not be done by striking down certain branches of industry, while others are to be continued in the genial warmth of extravagant protection. If the tax on some imported goods is but 5 per cent., while on others it is higher than 200 per cent., why did not the committee revise the whole tax-list, and give us the reduction demanded by every tax-payer in the Union? They certainly had all the means of information at hand, and the two eminent statesmen [Mr. MORRISON and Mr. HEWITT] whose bills are blended in the reported bill of your committee are certainly competent, if any men in this country are equal to it, to revise the present tariff, to reduce it in such manner as not to injure or destroy or endanger any branch of American industry. This bill does not pretend to be a revision, but merely in the line of revision. The committee say:

> All that Congress can do, in the absence of a general revision of the tariff with new and simple classifications, is to provide for each cause of complaint as it arises. In the bill proposed the most pressing and prominent of the grievances are dealt with.

Are the items named the only causes of complaint which have arisen? If not, why were other causes of complaint ignored? This bill did not cover the entire surplus of revenue; probably not half of it.

I turn from considerations which might well influence any other member of this House to one of a purely local character.

Among the stricken industries upon the proposed free-list of the tariff bill of the coming Fiftieth Congress, I think I see iron, and coal, and sugar taking their places. Let us remember this, that a false principle, once deliberately established by a political party, will govern future action until condemned by the judgment of the people, expressed at the polls. We had an experience of that kind when General Hancock met defeat upon a platform which announced the false doctrine of a tariff for revenue only. We expunged it from our platform of principles, and in its place inserted the good, old, sound, and wholesome principle which placed Mr. Cleveland in the Presidential office. Let us now hold fast to the winning card, and not discard it on the eve of another call to show our hands.

I have seen Alabama in the recent development of her coal and iron interests, springing, as it were, into newness of life. A great city, for the South, has sprung up so suddenly and is growing so rapidly that we know of no parallel instance of it in the history of the South. Capital has come to us; forms of industries unknown to our people have taken the place of unproductive agriculture, and Alabama is about to share in the benefits arising from protecting the American laborer.

I have been urged by friends not to withhold my support from the bill, but I feel constrained to do so. It is in effect a proposition to the Alabama mining and manufacturing industries to discontinue working their plants, to discharge their employés, and to what end? Solely for the beggarly consideration of being able to buy more with a penny in a cheaper market.

Our people have learned wisdom in the school of experience, and they realize that only by means of diversified industries can they enrich their State and make themselves prosperous and respected by the world. If any principle inculcated by a political party was ever calculated to do this for a State, it is that pledge of the Democratic party to protect the laboring man in realizing good, living wages. I am, therefore, in favor of a tariff which comes up to the provisions of the Democratic platform, neither more nor less.

My first duty as a member of this House is to the General Government, but my devotion to the interests of the people of Alabama is so great that nothing appears good for the Union which would strike down the great interests of Alabama.

Mr. GOFF. Mr. Chairman, I regret that the honorable chairman of the Committee on Naval Affairs in submitting his bill to the House did not deem it proper to confine himself to the matters I may say legitimately presented by the bill. Had he not deemed it proper, in my humble opinion, to travel outside of the record, and in order to enable him to claim that the committee he represents, that the party he speaks for, is entitled to some advantage by virtue of the provisions of this bill, and also to attack the organization of the Navy Department and its management by preceding administrations of the Government, I would not now be tempted to submit the argument I deem it proper under the circumstances to make.

If he had not thought it incumbent upon him in order to claim that which we hear so frequently upon this floor, economy—economy by the present administration of the Government at the expense of the preceding ones—I should not allude to the figures I shall now present to the consideration of this committee. I say the gentleman will not be able to maintain his plea of economy in this particular instance. I say that he will not be able to show to this House or to the country that appropriations have been reduced under the provisions of this bill. It appears, Mr. Chairman, that the estimates for the coming fiscal year for the naval service amount to $7,129,087.50, and that the amount offered or directly appropriated by this bill is $6,312,503.26, showing a difference of $816,584.24.

But the gentleman, as was shown by my colleague from Connecticut [Mr. BUCK], was compelled to state that he was relying upon the sum of $576,380.24 coming over as a surplus from the previous appropriation bill to be used in the present fiscal year under this bill. Now, I desire to call the attention of the chairman of the committee to page 729 of the Revised Statutes, and to sections 3690 and 3691, from which it appears that this surplus to which he alludes and upon which he relies, in order to sustain the claim of economy, is covered back into the Treasury of the United States; and unless he here asks that it be reappropriated, or asks to amend his own bill and add to it said sum, that virtually according to his own statement and report there will during the coming fiscal year be a deficit of that amount. Now, in addition, items that are usually appropriated on the regular appropriation bill, as my colleague on the committee clearly demonstrated, have been carried to the other bill called the "Naval Increase bill," and they necessarily would find a place in this bill but for the fact that said additional bill has been presented, and which the gentleman from Alabama says he expects the House will take up and consider at this session.

Mr. WISE. That is true.

Mr. GOFF. That is true as my colleague and friend from Virginia says. Then that should have been plainly stated in the bill, and the honorable chairman of the committee should have given that statement in his opening remarks.

Mr. HERBERT. With the consent of the gentleman I will say that I did. A great portion of my speech was devoted to showing that it would be necessary under the rule adopted to make an amendment to this bill in the form suggested.

Mr. GOFF. But it has not been carried out when you go to sum up the total of the bill, and was not presented in the light I have alluded to.

Mr. HERBERT. But I stated according to the precedents followed from Secretary Sherman to this time that it was not necessary because the surplus might have been used without making a special appropriation.

Mr. GOFF. But the statute of the United States to which I called attention has intervened since that time.

Mr. HERBERT. Not at all, I beg the gentleman's pardon. Judge Lawrence has decided the question.

Mr. GOFF. What appropriation has been so used since the Revised Statutes went into effect?

Mr. HERBERT. Mr. Lawrence expressly decided when the matter of the pay of the Navy was before him in January, 1884, that there was authority for the use of this fund, and he considered this very statute in making his opinion in connection with the statute of 1874 making an appropriation for the pay of the Navy, and held that it was a continuing appropriation and did not require reappropriation.

Mr. GOFF. The items to which he alluded were the expenses involved during the fiscal year for which appropriated, and coming in after its termination, and before the expiration of the first subsequent

fiscal year. It is eminently proper, and that is the theory of the law, to retain control of this surplus fund in order that the expenditures that might have been incurred but may not have been audited shall be paid out of that sum. That is the object of retaining the surplus in that condition.

But now, Mr. Chairman, I wish to call attention to another matter, and that is the bureau system. The gentleman has found it necessary in order to claim extravagance in previous administrations to make the declaration that the system of organization now existing in the Navy Department is vicious.

The Secretary of the Navy in his report of last December styled the organization of the Department of the Navy a "vicious organization." The President of the United States in his annual message to Congress alludes to that report of the Secretary and invites favorable action upon his recommendation. I claim that the honorable Secretary of the Navy made an unpardonable blunder in this particular; and I say that he has also had the manliness to admit to the Naval Committee that he did make that blunder. Therefore I am more surprised that the honorable chairman of the committee still makes this claim before the House.

The organization of the Navy Department as it exists to-day has so existed since 1843, virtually. There have been a few changes, the establishment of a bureau or so, but the theory of organization is identical. It has grown up with the needs and necessities of the Government, and the system was adopted as the result of long experience and the best thought upon the question.

The Secretary of the Navy, in his report dated November 30, 1885, said: "There is something radically wrong with the Department," and "a reform in our organization is indispensable." He asserted that the eight existing bureaus, (1) Yards and Docks, (2) Equipment and Recruiting, (3) Navigation, (4) Ordnance, (5) Construction and Repair, (6) Steam Engineering, (7) Provisions and Clothing, (8) Medicine and Surgery, should all be abolished and the entire business of the Department be confided to three new bureaus called by him (1) the Bureau of Personnel, (2) the Bureau of Material and Construction, and (3) the Bureau of Finance and Accounts. The Secretary suggested eight subbureaus in connection with said three bureaus, making, in fact, eleven in place of the eight bureaus now existing. After more carefully considering the matter, he concluded that the position he had taken was not tenable, and he abandoned it and proposed in place of the present organization five new bureaus, to be called (1) Navigation, (2) Ordnance, (3) Medicine and Surgery, (4) Material, Construction, and Repair, (5) Supplies and Accounts, with four subbureaus, making, in all, nine in place of eight, as at present provided for. How long the Secretary will hold to this view, if he has not already abandoned it, I am unable to say. As I have said, the present system is the result of many years of experience. Under it the Department successfully managed the Navy during our civil war, accomplishing under it, as all will concede, wonderful and happy results.

If you will analyze the theory of the organization of the Department, will examine into the special duties of each bureau, will observe a proper distinction between and pay proper regard to the staff and the line of the Navy, as has heretofore been done, you will see that Secretary Whitney's proposed plan of reorganization will not promote the efficiency nor aid the discipline of the Navy. You will then see, Mr. Chairman, that it will be improper, most unwise, to have line officers direct the staff in the discharge of their especial and technical duties, or the staff to attempt to control or order the line in the matter of their most important, necessary, and dangerous requirements. You do not require of your line officers, of your commodores and commanders, that they purchase the food, clothing, and other supplies for the Navy; but you do expect them to direct the movements of your ships and fleets in time of war, and to maintain the efficiency and discipline of the men under them. Nor do you expect your surgeons and paymasters to interfere with your commanding officers; but you do look to them to see to the health of and care for the disabled of our Navy, and pay the liabilities and see to the financial affairs of the Department.

Secretary Whitney's plan would strangely commingle the duties of the officers of the Navy, and would not in my opinion promote their efficiency. We do not require them to be experts in all matters relating to all branches of the service, but we do expect them to be proficient in their particular line. He who is jack of all trades, we are told, is boss of none. The Secretary stated in his testimony before the Naval Committee that his proposed plan of three bureaus was similar to the organization of the navies of the nations of foreign countries. He has not given us an instance. He can not do it. The honorable chairman of the Naval Committee can not do so; let him do so now if he can; let any of my friends of that committee who will follow me do so, if they can.

Mr. Chairman, this effort that has been made, this abuse of the system of organization, is an endeavor to sustain the charge that Republican Secretaries of the Navy under this system have been corrupt and extravagant, have used it to aid them in their partisan purposes, and, also, to account for the present deplorable condition of the Navy of this nation. It will not work, it can not be sustained. The system condemned by Secretary Whitney in his report is in effect commended by him in the last bill he has caused to be submitted, to which I have already alluded. After this, Mr. Chairman, I can well drop this branch of the question. It is very easy to tear down, to destroy an existing plan, but it is very hard sometimes to construct a new one to take its place.

I concede that some slight modifications of the present plan—not change of the system—may be made and should be made, but they are not of the character submitted by the Committee on Naval Affairs. It is a change brought about by the advance of science, brought about by the enlightenment of the age in which we live, brought about by the change from the construction of wooden ships of war to the building of the iron and steel ships now found on the sea. When we build our new navy, as I trust we will proceed at once to do, the Secretary, who has direct charge of all the bureaus, and can change and apportion the duties relating to them as he may deem best, can by his own order, by the stroke of his pen, make the necessary change, one of detail merely, and not one that destroys the present admirable system of organization.

Mr. Chairman, we have not to-day a single first-class war ship. We have no war-ships we can regard with pride or satisfaction. Our position is most humiliating to the nation, to the people, to our naval officers. We have in our Navy a *personnel* of which we are justly proud, but our ships are now, have been for years, worthless makeshifts, the derision of the world. Time has rendered our wooden ships useless, and science long since stripped them of the virtue they once had. Improvement in naval architecture during the past twenty years has been wonderful, marvelous. We have not kept pace with the progress of the times. When it was shown that it was folly longer to continue the construction of wooden ships of war our Democratic friends refused to assent to appropriations for iron ships; and, as they were in the majority in this House, they controlled the matter. They did not wish a Republican administration to control expenditures and build a navy. So the country suffered, and year after year millions have been expended in the repair of the old wooden ships.

We do not demand a large navy, but we should have a respectable one. We will never increase our commerce until we build a navy. Both must go hand in hand together. As your navy went down, so did your commerce. As the navy shall be rebuilt, so will your commerce be restored. It is a mistake to say that we have no use for a navy, that a nation at peace with all the world needs no navy. When at peace we should send our Navy to all commercial ports where American enterprise has penetrated and is endeavoring to extend our commerce. The flag of the Union, waving from an American man-of-war in foreign ports, is a grand protection to our commerce. A good navy means good commerce, and both mean national prosperity and strength.

The gentleman from Virginia [Mr. WISE] says that during the past twenty years over $75,000,000 has been expended in the construction of a navy. Why does my friend talk so? Why do our friends on the other side continue to make such statements? Why did not the gentleman give this House and the country the benefit of the items of that large aggregate of money? I ask him now to do so. When was the money appropriated? Give us dates. The gentleman can not do it. No such appropriations were ever made.

Let my colleagues of the Naval Committee who follow me in this discussion explain what they mean by these statements. The fact is, we have made no appropriations, made none from 1865 down to 1883, except for eight small vessels of about 500 tons each and for the unfinished monitors. That we have no navy is not the fault of the Navy Department, under its administration by Republican Secretaries. They could not build without the means to build with, and Congress refused the means. We have appropriated and used many millions in the repairing of our old ships under, I am justified in saying, the idiotic legislation of Congress. The Republican party when it recovered control of this House in 1881 changed this method of our Democratic friends and made the first appropriations for the construction of our new Navy. Congress is to blame for the condition of the Navy, not the Navy Department.

Secretary Welles, when he retired from office, which he had filled with honor to himself and to the success and glory of the nation, in a report to this House called its attention to the requirements of the Navy, to the change in naval construction, and admonished the country that unless early steps were taken the Navy would soon be without vessels, the nation without men-of-war from which its flag could fly. Gentlemen, you should read that report. It is well, graphically written—the words of a patriot, the voice of a prophet.

Congress ignored his recommendations. There was some excuse for it then. It was the time when the change from the old to the new was in progress, from the construction of wooden to iron ships. Naval architecture was fast changing and rechanging; matters were unsettled. We had no ironclads previous to the war. It was during our civil conflict that the wonderful impetus was developed for the construction of iron ships both at home and abroad.

The first iron ship that crossed the ocean from our shores, bearing our flag to foreign lands, was visited as a curiosity, gazed upon as a wonder, taken as a model by all the world. But it had its defects; improvements were soon suggested, plans were revised, architects were uncertain. Congress awaited further developments, and repaired the

old ships as the best thing then to do. Then our Democratic friends came into power in this House, and, as they and their party have been doing for years, they adopted the policy resorted to by the Republicans as the best at the time, and continued it when conditions had changed, and when other nations were utilizing time and building navies. You are always happy when you can do things that we have done, adopt policies or platforms the Republicans have used, but the good that was intended has generally been realized before you have advocated the policy. If you can tent on our old camp ground you are contented, and you do not seem to know, while you so rest, that the army of progress and enlightenment has moved on far in front of you. You are content, for you know that in the course of time you too will move on. [Applause.]

Mr. WISE. My friend from West Virginia will do me the justice to say that I stated that I did not wish to make any party capital out of this, or to appeal to any party prejudice. I stated that in my judgment the money had not been properly appropriated; holding nobody responsible.

Mr. GOFF. I did not understand my friend to say that the money had not been properly appropriated, and the inference to be drawn from his remarks was that it had not been properly expended by the Republican administration.

Mr. WISE. No, sir.

Mr. GOFF. If the gentleman means to say that it was improperly appropriated, then it was the fault of the Congress of the United States and of the Democratic majority in this House, and not the fault of the Republican Secretary of the Navy. The Republican Secretary of the Navy long years ago advised with this House upon the condition of affairs, and recommended the construction of additional ships.

Who has controlled the House of Representatives during most of the time mentioned by the gentleman from Virginia? Who reported and had charge of the appropriations for the Navy? Who was it that over and over again came in here with appropriations limiting the expenditure of money for the Navy to the *repairing* of old ships? Was that done by the Republicans? The honorable chairman of the present Committee on Appropriations [Mr. RANDALL] was Speaker of the House during most of that period. A Democratic member of this House was chairman of the Committee on Appropriations. I have taken the pains to run through quite a number of these appropriation bills (not all of them), and to note the statements that were made on this subject upon the floor of the House when those bills were under consideration. I find, for instance, that Mr. Clymer, a distinguished Democratic member of Congress from the State of Pennsylvania, had charge of the bill in 1878, and said: "I call the attention of the House to the fact that this appropriation is sufficient for the actual *repair* of all the vessels of our Navy."

This is but a sample—one of many. So it went on year after year, limiting the appropriations to repairs, not permitting the construction of a ship. Why, sir, many millions of dollars have been expended in repairs where none should have been made. Still, until it had been determined to build new ships it was incumbent upon us to repair the old, for otherwise we would soon have had no ships upon the sea at all—not even wooden ones. Hence my Democratic friends thought it "economy," thought it "reform," to appropriate many millions to be expended in the repair of old war ships. Grand old ships they were. They bore us and our flag through many a dark hour and o'er many a tempestuous wave, landing us finally in the harbor of safety and peace, giving us national strength and renown. [Applause.] These grand old ships, I say, were worthy of some consideration, and they are the only veterans of the war that my Democratic friends want to vote arrears of pensions to every year. [Laughter and applause.]

The honorable chairman of the committee, in answer to an inquiry made by myself, stated that the committee had omitted from this bill all reference to and all appropriations for the monitors—the double-turreted monitors—the Puritan, the Amphitrite, the Monadnock, and the Terror. Now, my friends on the other side have always approached the discussion of matters relating to these monitors with a great deal of dread and anxiety. They have always looked upon any proposition for appropriations in this regard as an effort by the Republican side of the House to secure money to be improperly expended by a Republican administration—always intimating, as my friends here will remember, that the ships were absolutely worthless and that the money was desired for partisan purposes. My friends on the other side know that this has all along been the intimation, if not the charge.

Now, these much-abused vessels, these double-turreted monitors, the construction of which was commenced in 1874 and has been dragging along from that time to this with occasionally a small appropriation, and often none—these ships are to-day conceded by Secretary Whitney and the officers of the Navy Department to be the best ships of their class in the world. The Secretary of the Navy in his testimony before the Naval Committee concedes that these vessels, which have been thus shamefully treated for years, and referred to as worthless, as not fit to finish, are the finest of their class, and advises that they be completed. He recommends for the completion of these monitors an appropriation of $3,178,046. But there is not a dollar of appropriation for that purpose in this bill.

The Republican policy has always been for a navy. Republican administrations have asked of Congress from time to time, year after year, appropriations to build up a navy. The subject has been agitated on this floor. It has been contended about by conference committees at the dead hour of the night; and finally, when the clock was pointing almost to the hour of final adjournment, the friends of an efficient navy have been obliged to yield, and the reply "no navy" has been made again and again by Congress to the demand upon it.

Secretary Hunt on June 29, 1881, appointed the first advisory board to prepare a "practical and plain statement of the pressing need of appropriate vessels" for the Navy, to be presented for the consideration of Congress. This important action was taken at the suggestion of President Garfield, and much good has come from it. Rear-Admiral John Rogers was the president of this board, which also contained 1 commodore, 1 captain, 3 commanders, 3 lieutenants, 2 chief and 1 past assistant engineer, and 3 naval constructors, all capable and experienced men. They reported November 7, 1881, discussing the subject fully, and recommending 2 steel cruisers of about 5,873 tons displacement, 6 steel cruisers of about 4,560 tons displacement, 10 steel cruisers of about 3,043 tons displacement, 20 wooden cruisers of about 793 tons displacement, 5 steel rams of about 2,000 tons displacement, 5 torpedo gunboats of about 450 tons displacement, 10 cruising torpedo boats, 10 harbor torpedo boats; in all, 68 vessels of all sizes, at a total cost of $29,607,000.

This report, it should be observed, related to unarmored vessels only and did not consider ironclads. From this report sprung the first effort to build steel cruisers.

After the report of the first advisory board Congress at its next session took up the subject. The House Committee on Naval Affairs, Hon. B. W. Harris, chairman, on March 8, 1882, made a full report, and recommended the building of a part of the ships advised by the board. Congress, acting on this report, in the act of August 5, 1882, directed as follows:

> The building of one steel cruiser of between 5,000 and 6,000 tons displacement and one steel cruiser of between 4,300 and 4,700 tons displacement; the steel to have a tensile strength of not less than 60,000 pounds to the square inch and a ductility of 25 per cent. in 8 inches.

It was also provided in said act that a naval advisory board of five officers and two civilians should be appointed to aid in designing and constructing the vessels and to supervise the work.

The Secretary of the Navy was also directed to invite, by advertisement for sixty days, all competent persons to submit plans of the vessels or any part thereof.

The advertisement was issued on August 5, 1882, calling for designs within sixty days after August 20, 1882. The advisory board was organized November 13, 1882, with Rear-Admiral R. W. Shufeldt president and Chief Engineer Alexander Henderson, Commander John A. Howell, Lieut. Edward W. Very, Naval Constructor F. L. Fernald, Mr. Henry Steers, and Mr. Miers Coryell members of it.

The board was composed of as able men for the work to be done as the country could furnish—men of experience, of profound education, of the highest character. Notice as I proceed how it has been treated by Secretary Whitney.

No complete designs of cruisers had been obtained as the result of the advertisement, and a further notice was issued by the Secretary, dated November 17, 1882.

When Congress met in December, to it was submitted a report of the advisory board recommending that, in addition to the two cruisers already authorized, there be provided for one steel cruiser of about 4,000 tons displacement, three steel cruisers of about 2,500 tons displacement, and one dispatch vessel or clipper (two of these vessels are desirable) to have a sea speed of 15 knots, to be built of iron and be armed with one 6-inch breech-loading rifle and four revolving guns, and one cruising torpedo-boat.

In the naval appropriation of March 3, 1883, Congress appropriated $1,300,000, as follows:

For the construction of the steel cruiser of not less than 4,300 tons displacement now specially authorized by law.

For two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each.

For one dispatch boat, as recommended by the naval advisory board in its report of December 20, 1882.

The Secretary of the Navy was directed to invite proposals and to award contracts "to the lowest and best responsible bidder or bidders," subject to such provisions for the security of completion as he might prescribe and in accordance with the act of August 5, 1882.

It was found by the Department that the cruiser of between 5,000 and 6,000 tons could not be built within the limit of cost fixed by Congress. The general features of a steel cruiser of 4,300 tons, two cruisers of 3,000 tons, and a dispatch boat of 1,500 tons were prepared by the advisory board and on March 23, 1883, submitted by letter to the shipbuilders who it was thought likely would make proposals for construction, and they were requested to make advice and suggestions which would enable the Department to reach "such final plans and specifications as will give the most effective ship of the class which can be built."

Advertisements, dated April 28, were issued May 2, 1883, asking proposals for the four ships, to be received July 2.

Proposals were received for all the ships except the smaller, the Dol-

phin, from (1) The Harlan & Hollingsworth Company, of Wilmington, Del.; (2) Cramp & Sons, Philadelphia; (3) John Roach, of New York; for the largest, the Chicago, also from the Delamater Works, New York; for the Atlanta, from the Quintard Iron Works, New York; for the Boston, from Harrison Loring, of Boston; and for the Dolphin, from Cramp & Sons, Mr. Roach, Allen & Blaisdell, of Saint Louis, and H. A. Ramsay & Co., of Baltimore.

Mr. Roach was the lowest bidder on all the ships, and the contracts were awarded to him; the estimates, the contract prices, and the next lowest bids were as follows:

Vessels.	Cost estimated by the advisory board.	Contract prices.	Next lowest bids.
Chicago	$1,248,000	$889,000	$1,080,000
Boston	783,500	619,000	650,000
Atlanta	783,500	617,000	650,000
Dolphin	399,000	315,000	375,000

The contract prices were $315,000 less than the next lowest bids and $774,000 less than the estimated cost.

John Roach had already spent his money in building his plant, had already been to the expense that these men who bid next highest, bid hundreds of thousands of dollars over him, would have been compelled to go to if the contract had been let to them. John Roach was prepared to make his own steel, to furnish his own material—the others must purchase it, import much of it, and hence they estimated for it in their bids. Hence it was that Roach could so far underbid his rivals in this branch of American industry and labor, of which he was the pioneer, and for being which, and on account of his devotion to that principle without which his great establishments could not survive a day, he has been branded as a "rascally contractor," and persecuted by those who, weak of themselves, pygmies by his side, are strong only on account of the accident of official position. [Applause.]

The contracts with Mr. Roach were dated July 23, 1883, except that for the Chicago, which was July 26, 1883. The essential stipulations of all the contracts, taken from that of the Dolphin, were as follows:

DOLPHIN'S CONTRACT.

The preamble recites the authority to build given by Congress, the advertisement, proposal, and acceptance, and that "the drawings and specifications required by the act of August 5, 1882, have been duly provided, adopted, and approved, in accordance with the provisions of said act relating thereto." The contractor thereupon agrees—

1. That he will build the dispatch boat "in conformity with the aforesaid plans and specifications hereto annexed and in accordance with the provisions of the acts of Congress approved August 5, 1882, and March 3, 1883, respectively, before mentioned and relating thereto."

2. "The construction of the hull and machinery and the fittings of the vessel shall conform in all respects to and with the plans and specifications hereto annexed, which plans and specifications shall be deemed and taken as forming a part of this contract and with the like operation and effect as if the same were incorporated therein."

Changes are not to be made or paid for except in accordance with the acts of Congress.

3. Materials and workmanship shall be "first class and of the best quality," subject to the inspection of the advisory board.

4. The steel used shall conform to the tests prescribed by the board and approved by the Secretary, June 18, 1883.

5. All necessary additional working plans will be made by the contractor and approved by the board.

6. The contractor will pay all inventors or patentees for designs or devices used.

7. The vessel shall be completed and ready for inspection and delivery before the end of twelve months. The lien of the United States shall attach for each payment as it is made.

8. The contractor shall keep the ship insured for the benefit of the United States.

9. The vessel shall be sufficiently strong. When ready for delivery she shall be subjected to a trial trip and accepted only on these conditions:

First. The working of the machinery shall be to the satisfaction of the advisory board.

Second. The indicated horse-power shall be 2,300, maintained for six hours, "provided that in case of the failure of the development of this power the vessel shall be accepted if it can be shown to the satisfaction of the naval advisory board and the Secretary of the Navy that this failure was due neither to defective workmanship nor materials."

Third. Any defect in the engines discovered within four months after acceptance shall be repaired by the contractor.*

Fourth. The weight of machinery and boilers shall not exceed 430 tons, under a penalty of $2,000 for over 5 per cent. excess, and also $200 for each ton over the 5 per cent. excess.

10. If the result of the trial trip is satisfactory the vessel shall be accepted and final payments made, except $8,000 to be held until after a final trial trip, to be made three months after the preliminary acceptance. If on the final trip or within such three months any defect from bad workmanship or material appears, the same must be repaired by the contractor. After final acceptance the $8,000 will be paid.

11. In case the work does not make satisfactory progress toward completion the Secretary may declare the contract forfeited, and thereupon the contractor shall become the debtor of the United States for all payments made him and the Secretary shall proceed to have a valuation made of the work already done.

12. After the valuation the Secretary may, in his discretion, proceed to complete the ship, with authority to use the contractor's yard, plant, and material.

13. The work shall be completed by the Secretary at the contractor's risk and expense. A final settlement is provided for.

14. The vessel is not to be accepted unless completed in strict conformity to the contract, under the supervision of the board, and in accordance with the provisions of the acts of August 5, 1882, and March 3, 1883.

15. No member of Congress or Government official is to be interested in the contract.

16. The United States agree to pay for the vessel $315,000 in ten equal installments with a reservation of 10 per cent. on each installment; the last payment not to be made until acceptance of the vessel as in the tenth clause recited. Upon performance of the contract the reservations are to be paid. Disputes concerning the meaning of drawings or specifications or discrepancies between the same and the contract are to be determined by the Secretary of the Navy.

A bond of the contractor with two sureties accompanied the contract. It will be seen that the terms of the contracts were just and appropriate and that there was no lack of effective stipulations to protect the Government.

The law requiring the ships to be built of steel of great tensile strength and ductility caused the contractor much difficulty, and there were some changes which also produced delays; but, on the whole, the work went on satisfactorily.

All changes and additions made and extras allowed are stated in detail in a letter from the Secretary to the House of Representatives of February 11, 1885, and in an answer of the present Secretary to a Senate resolution of March 5, 1886. They have been less than could reasonably have been expected.

January 17, 1884, the Senate Committee on Naval Affairs commenced an inquiry with reference to the ships then building. The testimony before them was printed under the head "Additional Steel Vessels," and February 12 they made a report approving the course which had been pursued by the advisory board and the Secretary, expressing confidence in the vessels, and recommending additional vessels, the task of designing and constructing them to be intrusted to the board.

November 20, 1884, the Dolphin's trial trip commenced, but the thrust length of her shaft broke. This led to a careful consideration of the question whether the manufacturers had not failed to reach in the steel shafting the success which had resulted in the steel for the hulls of the ships.

The conclusion of January 15, 1885, was that no risk should be run nor delay occasioned as to any of the ships, and that the new manufacture of shafts hammered from single steel ingots should not be put into the ships, but that shafts built up from scrap-iron should be first used, and the steel shafts so far as prepared should be subjected to severe practical tests, the contractor to allow the Government the difference in cost between steel and iron, and the steel shafts also to be taken as duplicate pieces if they should stand the tests. "This was a fair, wise, and prudent arrangement."

The delay occasioned by the change of shafting for all the ships led the contractor to ask for the release to him of some of the 10 per cent. reservations. These reservations represented work actually done, and on which the United States had a lien for all payments made. The Secretary asked the Attorney-General's opinion as to his right in his discretion to anticipate the time of paying the reservations which were provided for by the contract but not prescribed by the law; and the opinion was that they could be paid.

The naval advisory board approved the payment on January 31, 1885, of five of the ten reservations on each ship, and they were, by direction of the Secretary, paid on that date.

Conferences continued between the contractor and the Department as to the alterations and consequent delays and injury to him which had taken place, and on the 13th of February, on a statement by the contractor that he considered that all equities in his behalf by reason of alterations had been adjusted, the payment of four additional reservations on the Dolphin, Atlanta, and Boston was approved by the board and directed by the Secretary, but no more were paid on the Chicago.

WHAT THE PRESENT ADMINISTRATION HAS DONE ABOUT THE DOLPHIN AND OTHER NEW NAVAL VESSELS.

The Dolphin's trial trip took place on March 10, 1885. It appears from the report of the advisory board of March 17, that the hull and fittings were "strong and well built and in strict conformity with the contract, drawings, and specifications" (except in a few insignificant minor items); that the weight of the machinery did not exceed the contract limit of 430 tons, that it worked smoothly, continuously, and satisfactorily throughout the trial; that the horse-power was 182 less than the 2,300 specified in the contract, but that the board was of the opinion that the deficiency was not due to defective workmanship or materials, but that with better coal and a well-trained engineer force these results would be exceeded; that the mean speed had been 15.16 knots per hour; and the board recommended that the vessel be accepted.

Bear in mind, if you please, Mr. Chairman, that the act of Congress authorizing the construction of this vessel directed that this advisory board should be appointed and required it to see to the building of the ship and to report to the Secretary on its completion.

March 20, 1885, Secretary Whitney in a letter to the contractor notes the deficiency of horse-power, and suggests that another trial be had.

April 7, Secretary Whitney informs the advisory board that as his action in making final payment is one for which he has responsibility, concerning which it is evident it was not intended that he should rely solely upon the advisory board, he has designated three persons to assist him.

On the same day he appoints for that purpose a board consisting of Capt. George E. Belknap, Commander Robley D. Evans, and Mr.

Herman Winter. Was this a fair board? Was it an impartial one? Where is the authority for its appointment? It is not provided for in the law.

Mr. DINGLEY. Is it in the contract?

Mr. GOFF. Nor is it in the contract. Still Secretary Whitney assumes to appoint them for the purpose of assisting him in the examination of the Dolphin. They were constituted the eyes through which the Secretary was to look. They were the glasses through which he gazed, and you will find, I think, that they have magnified most prodigiously.

Captain Belknap is a line officer, a brave and efficient one, but with no special knowledge or experience of naval designing or construction. His promotion to be a commodore, if made, would take place June 2, 1885. His next desire was the high post of Superintendent of the Naval Observatory. While he was engaged as a member of the Dolphin examining board (between April 7 and June 15) he was examined for promotion and passed the medical board. On May 21 he was ordered to the Observatory, and on June 2 he was promoted. On June 15 he reported against the Dolphin.

Commander Robley D. Evans is a naval line officer. He was a brave and efficient one during the war. He had a grievance against the last administration, against the previous Secretary, the one who contracted for the Dolphin. Commander Evans, after over two years of service as inspector of the light-house district of Baltimore, Norfolk, and Washington, had been, on July 14, 1884, relieved from duty and placed on waiting orders by Secretary Chandler. He had through his friends and the newspapers remonstrated against this order, but it had been adhered to. Seven days after Secretary Whitney went into office he, on the appeal of Evans's friends, on March 14, 1885, restored him to the light-house command, ousting Commander Silas Casey.

Mr. Herman Winter is, I am informed, a naval architect; is, I learn, the superintendent of the Metropolitan Steamship Company of which Mr. Dimock, Mr. Whitney's brother-in-law, is manager. The ships of this line have been built by Cramp & Sons; it is a rival line to the Mallory line, whose ships have been built by Mr. Roach. Mr. Winter is to be treated as identified with ship-builders who are rivals of Mr. Roach and hostile to him.

Mr. Winter is also an inventor, and I see he on May 1, 1883, took out a patent for a "power windlass;" February 12, 1884, a patent on a "hawse pipe stopper;" and May 19, 1885, a patent on "steering machinery." The report made by him on the Dolphin found fault with the grip of the steam windlass, declared that the "hawse pipe stoppers" were wrongly made and of insufficient strength, and indirectly praised his own invention, and also condemned the "steering gear."

This is either an unfair board—constituted to be so—or a most unfortunate combination of unfortunate circumstances surround it. God save you, Mr. Chairman, from the temptation and misfortune of like circumstances. Secretary Whitney must have known these facts; did know that Belknap depended on his favor for promotion and assignment to duty; that Evans despised Chandler—hated him with a hate that can never die; that Winter was interested with the rivals of Roach, whose work he was to judge, and personally interested in the success of patents not used by Roach in the construction of the Dolphin. Has this board ever been equaled? Can it be duplicated? It is altogether lovely. Without exception, it is beautiful. After the appointment of this examining board Secretary Whitney began the work of forcing Mr. Roach to agree to further trial trips. Mr. Roach considered that he was entitled, after the contract trial which had taken place, to a decision by the Secretary whether or not the deficiency of 182-horse power was due to defective workmanship or material, and he was willing to receive such decision. He believed that there was no right to ask a second trial, and feared that it was demanded by the Secretary with the preconceived wish and determination of condemning the ship. It seems his fears were well grounded.

On April 7, when Secretary Whitney appointed his examining board, he again asked of Mr. Roach another trial trip. By this time Mr. Roach began to be financially embarrassed, caused by the known hostility to him of the Department in which he had the unfinished contracts for the four ships.

Congress had on March 3, 1885, appropriated $69,201 to Mr. Roach by name for the use of his ship-yard for the ironclad Puritan and for the care and storage of the vessel. This amount Secretary Whitney refused to pay. And, also, he refused to pay him approved bills for extras on the ships amounting to large sums of money. Thus pressed Mr. Roach consented to another trial trip; but the Secretary then, on May 22, informed him that one more trip would not satisfy him; that, in addition to a trial to be had on May 28, "she must be put to a similar run at sea upon such day as you may name. I do not insist upon her full horse-power, or 15 knots-speed, upon this latter trial, if deemed by you too trying upon her new machinery. A speed of 12 knots will answer the conditions under which I wish to place her."

Two unsuccessful attempts were made before a continuous six hours' run was secured. On the first, on May 12, a forward crank-pin became heated about the middle of the trial; on the second, on May 18, an after-bearing became heated before the speed-trial began.

The third took place on May 28, and a six-hour run was made. This trial was a success. The Dolphin stood the test—filled all requirements—and a telegram was sent Secretary Whitney, as follows:

ASTOR HOUSE, NEW YORK CITY, *May* 28, 1885.

SECRETARY OF THE NAVY, *Washington:*

Dolphin ran six consecutive hours to-day without mishap of any sort, averaging from seventy-two to seventy-six turns per minute. All conditions very favorable. Steam-pressure from 84 to 89 pounds. Average speed 15½ knots. Speed for two hours, 15.9 knots per hour; approximate mean collective horse-power, 2,240. As ship was aground on reef on Wednesday she ought to be docked before sea trial.

G. E. BELKNAP, *President of Board.*

This telegram was carefully kept secret, I understand, by express direction of Secretary Whitney, and never saw the light until May 25, 1886, when he answered the Senate resolution of March 6, 1886. It slept one year, all to three days. It would have been well for some men had it never come to light. Better for their reputation had it slept for all time. On June 11 the sea trial was had outside Sandy Hook, and its success was announced to Secretary Whitney as follows:

NEW YORK, *June* 11, 1885.

SECRETARY OF THE NAVY, *Washington:*

The Dolphin ran six consecutive hours at sea to-day, loaded to service trim, without drawback, making from sixty-four to seventy-two revolutions of screw per minute; natural draught; no blowers used. Average approximate speed, 12¼ knots as shown by patent log. Approximate speed shown by bearings influenced by fair tide, 13.4 knots. All conditions favorable for trial, smooth sea not admitting of real test as to sea-going qualities of ship. Ship probably can not be docked before early next week.

GEO. E. BELKNAP, *President of Board.*

This telegram was also kept secret from June 11, 1885, to May 25, 1886. There is no intimation yet of structural weakness, of lack of speed, of defects in stearing apparatus, of matters covered by the patents of Winter. I would take the statement of John Roach on these subjects, risk his judgment, interested as he is, in preference to this examining board all the time, for his life has been a true and pure one, bringing joy and contentment to the lowly and the poor, and fame and prosperity to his adopted country. His life has been a great success, and his integrity is not to be questioned. [Great applause.] This grandest artisan of our country, who has harmed no one and done good to so many, is yet to be convicted by this jury that has heard no evidence and found no fact against him. [Applause.]

In reply to this telegram of the examining board, through its president, Captain Belknap, dated June 11, 1885, Secretary Whitney sent the following telegram:

NAVY DEPARTMENT, *Washington, June* 12, 1885.

To Capt. GEORGE E. BELKNAP,
President of the Board, New York, N. Y.:

Yesterday's trial was, as you know, wholly valueless.

Why, he knows to the contrary. He has already reported otherwise. But to continue with the telegram:

It occurred without my orders or knowledge. I find that the orders were given here in my absence under a mistake.

Mr. Chairman, he had already given an order that the trial should be made on a day to be agreed upon, and stating that he asked only 12 knots an hour.

To test her strength when subjected to the strain of a heavy sea was the object of her trial. I do not doubt her ability to run 13 knots an hour in smooth water.

She had already made over 15 knots in rough water, in water where sea speed is tested.

I want to know whether she is structurally weak or not.

He does not ask to be advised as to her structural condition, but, suggestively, he uses the word "weak."

Putting her into a heavy sea at a speed not trying to her machinery was the condition you asked for.

Now note what follows:

Has yesterday's trial aided you in determining this matter? If not, require such tests to be had within the next week as you may deem necessary for the purpose. Have the board stay in New York until this is settled. Do this unless you prefer to make your report based on your present information.

W. C. WHITNEY, *Secretary.*

Mr. Chairman, why do not these dispatches appear in the Secretary's report? The other papers, reports, and instructions do, but not these. It took the power of this Congress to bring the favorable telegrams of the examining board to the gaze of the public. Mr. Chairman, down to the date of this dispatch from Secretary Whitney to Captain Belknap there had not been an intimation in any report or dispatch of the weakness of the Dolphin. The board saw from that dispatch, just as we see from it, the character of the report expected from it.

Mr. STEELE. Are we to understand that the telegrams you read and the statements you make relative to the contracts are official?

Mr. GOFF. Yes, sir, official from the Department, in reply to an inquiry of the Senate.

Mr. Chairman, no further "tests" were had. The report was made at once. The board, although it had reported that the Dolphin made *over* 15 knots at a time when 15 knots were required, and that she made over 13 knots when 12 knots were required, although there had never been an intimation as to want of strength and speed, the board on June 15, 1885, made their report condemning the Dolphin because she had not the requisite strength and stiffness, because she could not make the required speed, and because there were "numerous other defects," most of which, the board stated, could be overcome. They base their

opinion that the vessel lacked strength and stiffness on the vibration of the engine-room floors and the heating of the after crank-pin, due, as they said, to some changes which had been made after the first trip in the situation of about 45 tons of ballast. Wonderful discovery this wonderful board has made. Vibration! Experts write, skilled constructors teach, that it is a sign of strength when these great iron ships vibrate; that it is evidence of proper construction. When you put on steam and go at full speed you break the machinery, you injure the vessel, unless you have the relief that vibration brings. Experts say that some of the strongest ships vibrate more than those known to be structurally weak. But I must ask you to read their verdict of condemnation and the flimsy pretense on which it is based, and hasten on.

June 17 Secretary Whitney wrote a letter, which he made public, transmitting the Belknap report to Attorney-General Garland. In this letter he declares as a matter of fact, first, that the Dolphin had not reached a sea speed of 15 knots, which, as a matter of fact, was not true; to have reached which she should have shown 17½ knots speed in smooth water, he says; second, that she had great structural weakness, which was not true, and third, that there were other defects which the contractor was willing to remedy and could therefore be dealt with without legal advice. He thereupon states that as the Government was not receiving what it expected and had a right to expect, he desired the Attorney-General's opinion "whether the Department has in the matter a bad bargain simply, which as between contracting parties it must stand to, or has it a broken contract entitling it to insist upon something better. How far is the contractor responsible for the speed, strength, and general workmanship of the vessel, and what are the remedies of the Department under the circumstances." He adds:

I the more willingly avail of the privilege of referring this matter to your judicial judgment and advice lest that in a spirit of resentment at this result I should be unjust.

June 30, 1885, Attorney-General Garland rendered his opinion, which was received by Secretary Whitney on the next day.

First, he declares that the Dolphin should be rejected because she had not the requisite strength and stiffness; the contractor having stipulated that she should be sufficiently strong.

Secondly, he advises that the Dolphin should be rejected because she had less than 15 knots sea speed. He says the act of Congress authorized "one dispatch boat as recommended by the naval advisory board in its report of December 20, 1882." That report recommended "one dispatch vessel or clipper to have a sea speed of 15 knots." The contract had reference to the act, and the contractor was as much bound "to make a ship of the sea speed of 15 knots as though he had agreed to do so in express words."

Thirdly, that there was no "valid contract at all between Mr. Roach and the United States."

And that by the ninth clause, in case of a failure of horse-power the vessel shall be accepted nevertheless, if it appear that the shortcoming was not owing either to defective workmanship or material, it was the "obvious intention" to "relieve the contractor of all duty and responsibility as to the power of the ship and make it feasible to force upon the United States a ship wanting in the prime quality of speed and fundamentally different from what Congress authorized and was so desirous to secure." "What was thus attempted was wholly out of the question."

The contract being an entirety he decides that the illegality of any element "must necessarily vitiate the whole and abrogate the contract."

He concluded, therefore, "that no contract exists between Mr. Roach and the United States;" that the amounts paid him passed into his hands without authority of law, are the moneys of the United States, and may be recovered from him, and that the ship may be held for the moneys.

The principal errors of Secretary Whitney's letter asking the opinion were as follows:

First, his declaration that the Dolphin had not the requisite strength and stiffness. It is true the Belknap board had so reported, but theirs was not a correct finding. The report itself and all subsequent facts show this. And besides the advisory board, authorized by Congress, reported in her favor.

Secondly, his declaration that the Dolphin had not reached a sea speed of 15 knots. She had reached substantially that speed on two trials, one in the sound, one at sea. The claim that she should have reached 17½ knots while a new ship on trial in order to be a 15-knot ship was unwarranted, unheard of before, in the sense used by him.

Thirdly, his assumption that the Department had either a "bad bargain" or a "broken contract" on its hands was an unfair method of stating for decision a judicial question.

I think that Attorney-General Garland was mistaken in the following particulars:

First, the mention in the act of Congress of the advisory board's report, and the remark in that report that the dispatch boat was to have a sea speed of fifteen knots, did not make it a fundamental condition of any contract which might be made that the contractor should guarantee such speed and that the ship should remain on his hands unless she reached it.

Secondly, the decision that there was no valid contract at all as to the Dolphin was, in my opinion, gross error. I venture the assertion that there is not a member of our Judiciary Committee who will so hold, not a lawyer on this floor who will so claim. The ship was built according to designs which by the law had to be prepared in detail by the Navy Department before the ship was contracted for or commenced. The contractor could not have been reasonably required to guarantee a certain horse-power on those designs with which he had nothing to do, but he could only be asked to guarantee good materials and workmanship.

To hold that the omission to require a guarantee of horse-power was a fundamental and fatal defect in the contract, which made it (being an entirety) absolutely void and left a completed war ship on the hands of the contractor worthless to him, while the Government had no claim upon the sureties but must follow the vessel by a suit in equity to charge it with the payments made, was I think certainly erroneous.

The opinion of Attorney-General Garland was given by Secretary Whitney to the newspapers on or about July 12, 1886, and he thus virtually announced that it would govern his action. There had been no mention either in the act of Congress or the advisory board's recommendations of any specific speed except for the dispatch boat. The other vessels were to have "the highest attainable speed." But the clause that the contractor should be responsible for deficiency in horse-power unless caused by defective workmanship or materials was contained in the contracts for the Chicago, Boston, and Atlanta, and on all the four ships there had been paid the contractor $2,125,226.51.

MR. ROACH'S FAILURE.

The public promulgation by Secretary Whitney of the declaration that Mr. Roach was virtually the debtor of the Government for over $2,000,000, to secure which sum the four ships were to be seized and held, in effect, so far as Mr. Roach's financial standing was concerned, added two millions to his debts and practically nothing to his assets. His assets were $4,631,478.23 and his debts $2,262,877.81, as shown by his assignees. The proclaimed addition of $2,125,226.51 to his debts destroyed his credit and compelled him on July 18 to make an assignment and close his ship-yards and machine-shops at Chester, and at the Morgan Iron Works, New York city.

There were thrown from employment by Mr. Whitney's blow at Mr. Roach, necessitated by his assignment, at the Morgan Iron Works, ten hundred and fifty-two men with a weekly pay-roll of $12,358.28; at the Chester Works, eleven hundred and thirty-seven men, with a weekly pay-roll of $11,802.02—$24,160.30. The usual force employed for years before had been, at the Morgan Works, eleven hundred and thirty-one men, with a weekly pay-roll of $14,034.46; at the Chester Works, thirteen hundred and thirty-one men, with a weekly pay-roll of $14,341.20—$28,375.66. During the five years from 1872 to 1876, Mr. Roach had consumed materials and paid out wages amounting to $14,890,147, of which the wages at the works were $7.269,734, and 90 per cent. of the whole amount represents the labor of American workmen.

Between 1876 and 1885 Mr. Roach had built sixty-six steamers at contract prices of $19,345,000; other work amounting to $3,147,000; or a total in nine years of $22,492,000, 95 per cent. of which went for American labor. This information I gather from statements made by Mr. Roach and by his assignees.

ADVISORY BOARD'S CONCLUSIVE REPLY TO ALL CRITICISMS ON THE DOLPHIN.

Meanwhile the advisory board had been trying to get a hearing on the charges against the Dolphin. The Belknap report of June 15 had been given the public and made the basis for destroying Mr. Roach without Mr. Whitney inviting a word in reply from the advisory board. At last, however, in a letter of July 13, the board state that they had seen in the public prints and had unofficially what purported to be a copy of the report and appendix of a board appointed to examine the Dolphin; that they had prepared and placed upon their records a statement in reply, a copy of which they submit and request may be given the same publicity.

Secretary Whitney received the statement, kept it secret, gave it to the Belknap board, they kept it until July 31, when they returned it with a feeble rejoinder, and on the same day Mr. Whitney gave both papers to the public, informing the advisory board that he can but express his surprise that the board should have certified the vessel to him "with so many admitted defects as shown by your report to have existed." This statement is remarkable. There are no defects admitted in the report. Mr. Whitney also in publishing the advisory board's report in his report to Congress omits the letter of transmission and request for publication signed by all the members of the board and publishes the report without date or authentication. The advisory board's report thus treated by Mr. Whitney is an elaborate review of all the criticisms on the Dolphin and a complete and overwhelming reply to them all. The board conclusively demonstrate that the vessel is structurally strong and that she has a sea speed of 15 knots.

All this reached the public after Mr. Roach had been forced to make an assignment—after his great shops had been closed and his grand army of expert toilers separated from him forever.

After the failure of Mr. Roach and the consequent indignation aroused

throughout the country, Mr. Whitney abandoned every pretense of acting on Attorney-General Garland's opinion.

The opinion had declared that there were no contracts at all with Mr. Roach. This would have released the sureties and destroyed the liens provided for in the contracts, and would have left the Government no remedy except to sue Mr. Roach for the payments made, seeking to hold the ships by equity proceedings.

Mr. Whitney therefore abandoned Mr. Garland's opinion, which had had its day and served its purpose, and took possession of the Chicago, Boston, and Atlanta, under the contracts, and is now finishing them in Mr. Roach's yard. Official reports made to him show that up to the time of stoppage the contracts had been complied with in every respect and that the ships were all they should have been.

He also took possession of the Dolphin under an agreement that Mr. Roach's assignees should sue the United States for any balance due in the Court of Claims, saying in his report:

If the ship is the Government's design the contractor should be held to correct construction, but not for the performance of the ship.

Thus he reversed the opinion of the Attorney-General.

Mr. Whitney also says in his report:

I have, in addition, taken measures to ascertain and settle the question as to her strength. If she proves well built in that regard the other matters of dispute can be, I think, settled by agreement or arbitration out of court.

The key to Mr. Whitney's whole action since he caused Mr. Roach's failure has been this: to justify and vindicate his conduct and to escape from the public condemnation which has visited him. In this he has shown his conceded ingenuity and resorted to measures so unfair and oppressive as to justify us in calling them cruel and brutal.

In preparing the Dolphin for a sea trial he arbitrarily removed from her Chief Engineer Morley, who was in every way familiar with the machinery, and put on a new engineer who knew nothing of it.

He put on board three so-called experts, who were neither well known nor competent, and who became the laughing-stock of the Navy and of the country.

He sent the ship out in search of a great storm. She encountered such off Cape Hatteras. The seas washed over her deck so severely that the bridge was started, the experts were also made sea-sick, but the vessel remained strong and stanch, and she made good speed.

He suppressed, so far as he could, all announcement of this great success of the ship. He did not allow his so-called experts to make him a formal report, but only to give him a memorandum, which he kept secret. He gave to the public no report from Captain Meade, who was in command of her at the time. His suppression of the facts relative to the speed made by the Dolphin, in his letter to the Attorney-General, is most remarkable, and his claim that the ship had not made 15 knots, as required by——

Mr. HERBERT. Was not Secretary Whitney speaking of sea speed?

Mr. GOFF. I will discuss that in a moment.

Mr. HERBERT. Did that dispatch of the examining board say that the Dolphin had made 15 knots an hour sea speed, to use the language of the contract?

Mr. BOUTELLE. What is sea speed?

Mr. HERBERT. I am asking a question for the gentleman from West Virginia to answer.

Mr. GOFF. The dispatches say "average speed" and "average approximate speed." "Sea speed" is not mentioned, only as it is included in "average" and "average approximate speed." The fact is "sea speed," as it is now used, had not been thought of then.

Mr. HERBERT. Do you mean to say that there is nothing in the contract about "sea speed?"

Mr. GOFF. I do not. I say the construction now placed on those words was not understood at that time in the light it is now used. It is an afterthought.

Mr. HERBERT. I ask you if the contract did not designate sea speed?

Mr. GOFF. Yes; if you make the act of Congress authorizing the building of the vessel part of the contract.

Mr. HERBERT. Does the dispatch say that the vessel had made 15 knots, sea speed?

Mr. GOFF. I have said that it does not use the words sea speed, except——

Mr. HERBERT. That is the difference.

Mr. BOUTELLE. Was not the vessel at sea when she made that speed? [Laughter.]

The CHAIRMAN. The time of the gentleman has expired. There are twenty minutes remaining of the two hours.

Mr. BOUTELLE. I desire to be recognized in that time, and I will yield to my colleague from West Virginia [Mr. GOFF] on condition that he will inform me whether it is the understanding on the part of the Naval Committee that the Dolphin, when she made this 15½ knots an hour, was traveling on the land instead of on the sea. [Laughter.]

Mr. GOFF. I accept the time with thanks. The gentleman's question answers itself, I see.

Now, Mr. Chairman, what is meant by "sea speed," by this claim that in order to make 15 knots an hour at sea 17 or 17½ knots must be made on the sound or over smooth water? It is utterly preposterous to claim that such was ever intended or expected of the Dolphin. The advisory board explain what is meant by sea speed as referred to in the law relating to the Dolphin:

As that speed the Dolphin would be able to make in fair weather for a continuous run of more than one day's steaming; in fact, we expected the Dolphin to make the trip from New York to Key West, say, at that rate in good weather. To say that the Dolphin should make 17 to 17½ knots per hour in smooth water in order to make 15 knots at sea is a broad generality, which does not accord with any design or calculation that was ever made on the new vessels or other similar vessels with which we are acquainted. The present recognized standard of speed, and which we see credited to vessels of all navies, is that which they obtain by taking the second mean of four runs back and forth over a measured mile, the turns being made at full speed.

This is the board of which Rear-Admiral Simpson is now the president, not the one over which Captain Belknap presided. The Simpson board reported that the Dolphin could do this, and that her design was such that to enable her to make 17 to 17½ knots would require from 3,300 to 3,600 horse-power, whereas her maximum was only 2,300.

Is it not preposterous to set up this claim now? It is the desperate effort of desperate men caught in their disreputable work; it is "the drowning man catching at the straw." Mr. Chairman, we can not approve of this conduct; gentlemen, we will never build a navy if we uphold it. We must treat the men with whom we contract fairly; we can not afford to be unjust. We should encourage the industries of our country, not discourage them; should build them up, not tear them down.

The Dolphin is a good strong vessel, as grand a ship as dances on ocean's wave. She is the vessel for which designs were made, relative to which the contract was entered into, and we owe it to ourselves, to the Government we represent, to our name and good fame, to correct the misrepresentations that have been made about her, to resent the indignities that have been heaped upon the head of the grand old man who has gone down in order that she may float. As long as the Dolphin is, and long after, will John Roach live. And long before the Dolphin ceases to bear our flag and defend our honor will those who have slandered the ship and endeavored to destroy the man who built her have finished their course, run their race, and been forgotten, let us hope forgiven, also, by those they have traduced, and the country they have injured. [Applause.]

I would rather be in the place, humble as it may be, of old John Roach to-day, without hope, without fortune, but, thank God, not without friends, with the aspirations of his long life blighted, his hopes all wrecked, his home and happiness gone, his household gods all scattered, the light of his industries, the crowning glory of his old age, gone out, than to stand with the "young reformer," the brilliant Secretary, in his imposing marble palace at the other end of the Avenue. [Great applause.]

Mr. O'NEILL, of Missouri. Mr. Chairman, I ask unanimous consent to submit some remarks upon the pending question for publication in the RECORD.

There was no objection.

Mr. O'NEILL, of Missouri. Mr. Chairman, in submitting to the House the following views on the United States Navy, its condition and its needs, I desire to state that I am indebted for the same to Lieut. Aaron Ward, of the Navy, at present with the Hartford.

THE UNITED STATES NAVY—ITS CONDITION AND ITS NEEDS.

When we consider the importance of our vast commercial interests, the wealth of our seaboard cities, and the extent of our coast line, it seems at first sight remarkable that the decay of the American Navy and the inadequacy of our coast defenses have but lately excited general public attention.

It may be well to notice at the outset the causes contributing to this indifference. We find people who ask in all sincerity what we need a navy for anyhow; others, from interior States, argue from a selfish point of view that a navy is of no interest to them, as it contributes nothing to their protection. Others again, who recognize the necessity of an adequate naval force, will object to present improvement, because, although our civil war found us with a small navy, we improvised a large fleet, and may in like manner succeed in forming a suitable one to meet future dangers.

Because improvements are made so rapidly in appliances for naval warfare that our policy should be to await a solution of the great problems of ordnance, armor, and torpedoes before making a start ourselves.

Or, finally, any decided advance in our naval methods may be deemed inadvisable, because naval officers themselves are not a unit as to the course to be pursued.

To answer these objections *seriatim* we may say concerning the first that no matter how peacefully we may be disposed we can not hope so to shape our destinies as to be perpetually insured against the evils of a foreign war. When such a war occurs the Navy bears the same relation to the other defenses of a maritime nation as does an army to the fortresses which line an inland frontier and cover important strategic points.

Short of mounting a continuous line of guns from Maine to the Rio Grande and along the whole Pacific seaboard, it is difficult to see how

we would do without any navy and maintain in time of war a purely defensive rôle, even of the most approved Chinese description. Shore batteries would not prevent an enemy from holding the broad estuaries of Narragansett and Chesapeake Bays, Long Island Sound and other important arteries of our coasting trade; nor could guns alone prevent the bombardment of any of our seaboard towns if the enemy were present in sufficient force. Both military and naval authorities are unanimous in assigning to the Navy the duty of holding the first line of the country's defenses; and in view of its mobility it is difficult to understand how any successful defense of a long seaboard can be undertaken without a naval armament. Nor is it wise to assume that our part in the event of possible hostilities should be of a purely defensive kind, and we certainly can not attempt offensive movements at sea without a naval armament.

Some of the duties of our Navy in time of peace were enumerated by the Rodgers board in 1881, as follows:

The protection and advancement of American commercial or political interests abroad.

The enforcement of neutrality laws.

The prosecution of hydrographic work.

The maintenance of a training organization of officers and men, and, where practicable, the suppression of internal riot.

Take, for example, the current year. A strong force of vessels and a landing party of twelve hundred men were required to protect American interests at Panama. Frequent complications on the Central American coast have kept war vessels on constant duty in patrolling the waters of the Caribbean and on the Pacific side. We add the Santos case in Ecuador and the recent Guatemala troubles as additional cases in the last few months where force was required to be present at short notice in distant places. Such emergencies no one can foresee, and least of all can they be provided for off-hand. But we are no advocates of a "peace navy," for the principal object of maintaining military establishments at all is to have efficient material on hand for the time of war. The real "peace navy" is the one strong enough to insure our not being caught aback when active operations are required, and sufficiently formidable to make people think twice before provoking unprofitable hostilities.

The fathers of the country have transmitted to us as a tenet of our political faith that we should remain aloof from all possible foreign complications. So far this legacy has been cherished with a reasonable amount of success. But if any one chooses to look back even through the last twenty years of our history he will not fail to notice at least three occasions when our friendly relations with as many different foreign powers have been endangered. Are such difficulties likely to become more or less frequent when our commercial activity, and consequent rivalry with other nations, increases with every succeeding year?

From our fathers also we have inherited the principles of the Monroe doctrine. If the doctrine is a wise one, it is well that we stand committed to all which it implies. But in that case when we are called upon to maintain its validity we shall need something more substantial afloat than spirits from the vasty deep or the paper broadsides of peace societies to maintain our position.

That inland cities or interests would not be affected by a hostile occupation of our seaboard, or by injury to our coast towns, is an argument almost too short-sighted to require refutation. Stop the wheels of industry and commerce in New York, Boston, or Philadelphia, interrupt our seaboard communication, and will the effect on Saint Louis or Chicago be so beneficial as to suggest a renewal of the experiment?

Within the last eight years serious labor riots have occurred in our Eastern cities, the immediate effect of which in paralyzing trade could be counted by hours, perhaps. Was the result favorable or otherwise, even to such distant interests as the farms of Minnesota or the Mississippi cotton plantations? Close but for a week the gates through which our agricultural and commercial products go forth to seek the markets of the world, and our material progress will be impeded, whether we hail from Maine or Texas.

Great as our country is in size, it is greater still in the fact that its widely varying interests are interdependent and that we are by necessity, as well as by choice, a united people. Unconscious as one may be of the fact until it is rudely brought home to him by the sound of a hostile shot, there is no citizen among us whose stake in the country is limited by the four walls of his shop, or office, or by the fence around his front yard.

Those who believe that an improvised navy will always answer our purpose, and who point to the results of the civil war as a proof of their view, may be reminded that the struggle was maintained against a belligerent who possessed substantially no navy at all. What little he did succeed in creating was enough to insure the total destruction of our flourishing merchant marine.

In action against Southern vessels our vast expenditure for an improvised naval armament resulted in the capture or destruction of the few gunboats and ironclads which the South, far less favored with means and material, improvised in its turn. But such capture or destruction was not effected without sacrifice, out of all proportion to the direct result obtained, and finally the improvisers may vote that if we become involved in a foreign war the improvising will all have to be done on our side. But modern naval armaments demand months for the building of a single rifled cannon, years for the production of a modern battle-ship. Suppose we could hire, buy, or borrow the vessels and armament, there yet remains the preliminary practice which is essential to the successful use of modern weapons of precision. To prepare for war in time of peace meant much when it was first given as a parting word of advice to our people; but it means far more to-day when success in naval warfare depends upon practical skill and efficient ships and not upon the mere numbers of the men or the tons borne in a navy-list.

Of patriotism our country has doubtless its full share; but better far is the intelligence that foresees a possible evil and prepares to meet it than the noisy exuberance of unprepared zeal with its tardy millions for an ineffectual defense. If we wait until faultless ships, perfect guns, and unerring torpedoes are produced to create our new Navy, we should no doubt obtain a perfect material; but what will be done in the mean time? No man will pretend that we have yet solved the last problem in any branch of science, that the locomotive has reached perfection, or that the electric-light as now used can not be improved upon; but we do not consider these sufficient reasons for failing to profit by the speed of the one or the rays of the other.

The complaint of the Navy is not that we are a few steps behind other nations in the march of improvement, waiting to come to the front with a rush at the proper moment, but that we are all but hopelessly out of sight astern. In naval matters we have followed a plan which if adhered to would find us without men who could even understand the naval equivalent for the locomotive, much less be able to run it. Our condition would be distinctly better if our service were to-day on a par with that of Brazil or Chili. We should have fewer ships, but they would be of modern types, and the experience gained in such service afloat would bear some relation to the requirements of naval warfare for the next decade at least. The word obsolete as applied in general to foreign vessels of war is distinctly a relative term. Chief Engineer King instances the Dreadnought, a British "obsolete" ironclad built several years ago, which was lately the flag-ship of the British Channel squadron, and an efficient vessel at that, more formidable than the whole American fleet now in commission. With us the word obsolete means that the cruiser of 1885 is a reproduction of the one launched in 1875. The one of that date is but little different and has no better guns than the ship built ten years earlier; and all bear a striking family likeness to the old steam-sloop of 1855.

In other navies the material, form, and armaments of the cruising ship show a more complete change in the last fifteen years than was made in ship-building and guns from the time of the Spanish Armada to the days of Nelson and Trafalgar.

Lack of unanimity among naval officers as to the best means of recreating our Navy is no reason for not improving the service at all. We look in vain through the records of other professions to find advances which in their origin were not the subject of dispute and often of bitter controversy.

Even in matters of national policy, how much harmony prevailed in the Congress that framed our present Constitution? Have we since agreed with absolute unanimity as to the provisions of that instrument? Do we not, on the other hand, find in every walk of life marked differences of opinion, from the varying causes of physicians as to the value of a given operation to the bickering of neighboring farmers as to the best time and means of sowing their seed and harvesting their grain?

And in this matter there is one important point that escapes the attention of critics altogether: The sphere of modern naval operations is so vast, the variety of appliances so numerous, that there is a constant tendency among officers of all navies to devote their spare time to specialties, since one mind can scarcely obtain full insight into all that a navy is called upon to possess and perform. This tendency is a good one so long as it does not interfere with the performance of general-service duties. But the immediate effect is embarrassing, for the specialist, in his enthusiasm for his own particular subject, is liable to underrate the importance of others. A member of Congress hears from one officer that the Navy needs torpedoes to make it perfect; another officer argues with like exclusion for new ships or better guns.

The result is confusing, but the cause, making some allowance for human nature, is a very simple one. We may compare it to the conduct of a party of shipwrecked men stranded on a desolate coast; one of them, who has been injured in the wreck, wants surgical assistance; a second has been cast ashore naked, he cares nothing for a doctor, but would give a year's wages for a suit of clothes; a third, half starved, clamors for bread. The multiplicity of naval requests rightly interpreted means that we really need a fresh start in every respect, as we shall endeavor to show.

The question as to what we most need depends upon a greater question still, one which has been before the Houses of Congress since they were first instituted, and which has remained unanswered up to the present time, namely: What is to be our general naval policy in time of war?

EXISTING SHIPS AND ARMAMENT.

The Navy Register for 1885 gives a list of naval vessels available for

commission, omitting tugs and a small iron gunboat, launched in 1843 and cruising in the lakes, we may divide the list into two categories—cruisers and harbor-defense ironclads.

There are thirty-one names of cruisers, but from those should be subtracted at least three, the Tennessee, Lackawanna, and Wachusett, whose days of active service are probably numbered.

In considering the remaining twenty-eight vessels which constitute our entire cruising fleet, it will be interesting to group them by their dates of design; in reality they are all of one class, namely, unarmored broadside sloops of war, with sail and steam power, and all but three are built of wood.

Class I is the veteran Powhatan of 4,000 tons displacement, a paddle-wheel steamer, launched thirty-four years ago, with a coal capacity of 650 tons, daily consumption of 50 tons, at a maximum speed of 10½ knots, which she can maintain for thirteen days. Her battery consists of fourteen 9-inch cast-iron smooth-bore guns.

Class II. Five ships, dating from 1857 to 1859, Lancaster, Brooklyn, Hartford, Pensacola, and Richmond, of from 2,800 to 3,200 tons displacement, ship-rigged, single screw, coal capacity 250 to 350 tons, and able with that supply to maintain their maximum speed of 10 to 10½ knots for nine days in calm weather and smooth sea. The battery power differs, one of the ships being provided with comparatively respectable armament of eight 8-inch converted rifles, the others carry from twelve to eighteen smooth-bore 9-inch guns, and one (or two) 8-inch rifle pivots.

Class III. Three vessels of some 2,000 tons displacement, launched just before the war, or in the early part of the struggle—the Ossipee (1861), Juniata (1863), and Shenandoah (1863). They have single screws and with their full coal supply may maintain a maximum sea speed of 9½ knots for from seven to nine days. The battery power averages six 9-inch smooth-bores, one 8-inch converted rifle, and one rifled 60-pounder to each ship.

Class IV. Two vessels of 1,600 tons displacement, the Iroquois (1859) and Kearsarge (1862), ship-rigged, single screw, coal capacity 200 tons, with which supply they could maintain a maximum speed of 11 knots for about six days under favoring conditions of wind and weather. Battery power, four 9-inch smooth-bores in broadside, two 8-inch converted rifles, and one 60-pounder as pivot guns.

The above list of eleven ships, over one-third of the whole fleet, includes all that may be called *ante bellum* vessels. Many represent types that were in their day equal to anything produced abroad, but they are now much further behind the requirements of the present than they ever were ahead of the ships of the past.

We next come to vessels built since the war and find relief in contemplating at the outset in Class V the Trenton, the finest vessel in the service, and the only one of its class. She was launched in 1876, is ship-rigged, and with her coal capacity of 330 tons can maintain a speed of 13 knots under favorable conditions for six days. Her battery of ten 8-inch converted rifles and two bow guns (since changed to one 8-inch rifle) is the heaviest carried by any ship in our service.

Class VI. A single ship—the Omaha—launched in 1869. Her displacement is 2,400 tons. This is bark-rigged, single screw, and as refitted has a probable speed of 12 knots; her battery the usual 9-inch smooth-bore with converted rifle pivot.

Class VII includes six ships—Vandalia, Marion, Quinnebaug, Swatara, Galena, and Mohican—of from 1,900 to 2,100 tons displacement; bark or ship-rigged; launched at various times from 1873 to 1883; coal capacity and speed vary; the first three of the class could perhaps maintain 12 knots speed for seven days.

The armament is their weakest point, being in general six 9-inch smooth-bores, one 8-inch, and one 60-pound rifle.

Class VIII comprises eight small sloops of from 1,000 to 1,350 tons displacement—the Adams, Alliance, Enterprise, Essex, Nipsic, Yantic (1864), Alert, and Ranger—the last two are of iron; all, Yantic excepted, were launched between 1874 and 1878. They are mostly bark-rigged, single screw, coal capacity averaging some 150 tons; speed varies. Half of them will do perhaps 12 knots for ten days; the balance may maintain 10 knots for about the same length of time.

Finally, in Class IX we have the iron Monocacy of something less than 1,400 tons, launched in 1865, and of the old double-ender class typified in the late Tallapoosa. This vessel has been practically rebuilt in Asiatic waters, and has performed efficient service there, especially in river work. Her speed is given at 12.4 knots. Her armament, however, consists of old-fashioned 8-inch smooth-bores and two 60-pound pivots.

In looking over this melancholy exhibit the advocate of improvised navies should observe that although the list goes back to the very Noah's ark of steam-marine architecture and comes down to the Mohican of to-day, it contains but two names of ships completed during the late war, the Shenandoah, launched in 1863, and the Monocacy. Of the seven hundred vessels equipped and put in service from 1861 to 1865 these two remain. The millions lavished on the improvising scheme have gone where "pound-foolish" money usually goes, and have left in our cruising fleet little or nothing to show for the outlay.

When we consider the eleven *ante bellum* vessels with reference to their possibilities under steam, it is important to remember that with most of them the retarding influence of even a moderate head wind and sea is very great. Overburdened with heavy top-hamper they are very far removed in their lines and horse-power from the conditions common to merchant steamers and cruising men-of-war of the present.

Within the current year one of the largest of these older vessels, when approaching a foreign port, experienced a series of fresh squalls which raised a moderate sea between the ship and a mountainous weather shore 3 miles distant. The vessel's speed, under three-quarter power, with thirty-five revolutions per minute, dropped from 8½ knots an hour to 1 knot! The signal man on shore, who had the vessel in plain sight, repeatedly signaled to the town that there was an American war-ship in distress outside. When the wind moderated and the ship reached her anchorage the American consul was preparing to send out a local freight boat to tow in Uncle Sam's lame duck. We may question the propriety of punishing the signal man for giving a false alarm, since he had never seen a steamer before, in such weather, going ahead (?) under steam and making no progress. But we may also ponder over another question: How much good is accomplished by sending the American flag into foreign ports to be the object of ridicule instead of a symbol of power?

The unprofessional reader may realize by a comparison the condition of a fleet such as the one above described. What would his opinion be of a fleet of merchant steamers, one-third of which dated back over thirty years in model and mode of construction? Imagine the Inman or Cunard line as retaining not only the models of the past but as still running the old Scotia and City of Manchester, that were plying on the transatlantic route away back in the sixties, and remember that vast as the change has been in mercantile ship-building, the principles of naval construction have been still more completely changed in the above period. As an instance of our status in construction we note that for at least ten years the importance of all-around fire has been recognized by all naval powers, and many other points have been sacrificed to obtain it, but if we except the Trenton, with its (original) armament of two 8-inch guns firing right ahead and one of the same caliber for stern fire, there is not a single cruiser in the Navy to-day which can pretend to possess such advantage.

True, many of them have 60-pounder converted breech-loader Parrotts as bow-chasers on the forecastle, but as this gun belongs to a class of which two have burst within two years at ordinary target practice it would be unwise to rely implicitly upon the efficiency of this weapon. Nor has our system involved any special economy. Twelve years ago there were on the Pacific station two small wooden sloops, the Mohican and the Scout, respectively American and British. Each was then making its last cruise and returned home to be broken up.

In 1885 a new Scout and a new Mohican appear to replace the old ones on their respective navy-lists. At this point similarity ends and differences begin to appear.

We find the new Mohican a wooden sloop of 1,900 tons; coal capacity less than 170 tons. She has made two passages, one of 1,140 miles with 145 tons of coal, and the other of 1,000 miles on 121 tons. Her maximum endurance would be about 2,000 miles at a speed of from 8 to 9 knots. Her best speed so far has been 10¼. It is doubtful if she will ever make 12 knots. But as a sample of what can be done by a system of reconstruction under the head of "repairs" with obsolete materials and insufficient means for prompt and economical work, she is an undisputed success. Her cost for hull and machinery was over $900,000.

The Scout is a 1,500-ton torpedo cruiser, built of steel, with a light protective deck; coal capacity, 450 tons; speed on her trial trip, 16½ knots; endurance at the highest speed, seven days. Her armament consists of four 5-inch rifles and eleven Whitehead torpedo tubes; her cost, $324,000. If it be objected that the Scout's actual battery is inferior to what could be mounted on the Mohican, we note that the Scout is to be followed by seven others of only 100 tons additional displacement, which will carry fewer torpedoes but a battery of six 5-inch rifles.

The chief point is that this vessel cost but little over one-third of the money charged to the Mohican, and, to make a comparison nearer home, the cost of the 12-knot wooden Mohican was actually greater than the contract price agreed upon for the steel 14-knot 4,500-ton Chicago.

The efficient portion of our cruising fleet, and the only part which it is worth while to keep in commission, consists of perhaps fourteen vessels. Of these the Trenton is easily the first and best, then five of the vessels of class 7, the sixth, the Mohican, being so far behind the others in efficient speed. The Omaha and Monocacy may be accounted fairly good, but not likely ever to be duplicated even by ourselves. Of the eight smallest sloops six are fairly good of their kind—probably as efficient as British gunboats of the same tonnage. Compared with vessels of foreign navies the Trenton and class 7 make the most favorable showing, the comparison being of course made with vessels of substantially the same type and not with very recent ships; with that reservation the Trenton would stand well when compared with any unarmed second-class cruiser launched prior to 1878.

The Quinnebaug and class would compare reasonably well in model and steam endurance with the British Garnet and class, which are the fourth-rate unarmored cruisers of that service. All of the above ves-

sels, except the Ranger, Alert, and Monocacy, are of wood; their corresponding types in other navies are of iron, steel, or composite, the frames of iron, the planking and decks of wood; the strength, even of a composite ship, being one-half greater than that of a wooden ship, while in endurance the vessel built wholly or partially of iron has still greater advantages over wooden constructions.

Steel is, however, the material for modern unarmored vessels—not steel-clads, as many persist in calling them—and except for special purposes we shall find that the use of iron and wood in hulls has been abandoned in foreign-built cruisers of to-day.

If we consider the question of armament, the fatal weakness of the dozen or so of vessels which constitute our real Navy will be only too apparent. With the exception of the Trenton and Lancaster, the broadside batteries of all the other ships consist of a certain number of 9-inch smooth-bores and one 8-inch converted rifle, with the dubious 60-pounder as a bow-chaser. The smooth-bores are of the Dahlgren pattern, and were, in their day, the best guns afloat. The 8-inch rifle is a make-shift obtained by converting the 11-inch smooth-bore Dahlgren.

A comparison of this ordnance with modern requirements for similar weights of gun is made in the following table:

	Weight of gun, pounds.	Caliber, inches.	Charge, pounds.	Weight of projectile, pounds.	Initial velocity, feet per second.	Muzzle energy, foot-tons.	Muzzle energy, per pound of gun.	Penetration of wrought-iron at 1,000 yards (inches).
Existing American guns afloat:								
9-inch smooth-bore....	9,000	9	10	70	1,320	847	0.094	....
15-inch smooth-bore..	42,000	15	100	450	1,600	7,997	0.19	9
8-inch converted rifle.	17,000	8	35	180	1,450	2,627	0.155	7
Various foreign guns:								
Krupp, 9.45-inch.....	40,320	9.45	165	352	1,910	8,755	0.217	(*)
Armstrong, 8-inch.....	25,760	8	90	180	2,020	5,001	0.190	13
Krupp, 6-inch.....	8,736	6	33	112	1,835	2,170	0.248	18
Vavasseur, 8-inch	21,280	8	100	200	1,975	5,408	0.254	13.7

*At 169 yards penetrated a "sandwich" target of 12 inches of iron, 2 inches of oak, and 8 inches of iron—total 20 inches of iron—and shot continued 2,400 yards beyond.

The table does not give the penetration of our standard broadside gun, the 14-inch smooth-bore. Probably the best expression for that will be found in the reply of one of our Mobile heroes, who was asked what effect the Hartford's 14-inch shot had produced on the 2-inch plates of the confederate ram Tennessee, laid on three deep for the protection of her sides. "Well," said he, "we gave her a broadside at 20 yards, and we might as well have spit at her." Under these conditions a naval officer who commands at great gun drills feels about as usefully employed as though he were teaching the men how to handle flint-lock muskets. Nor is it surprising that one of our best artillerists publicly characterized our temporizing with makeshifts as a "deliberate waste of public money."

To resume. The American cruising navy has some fourteen efficient vessels. All but two are of less than 2,200 tons displacement. Only one of them can steam over 13 knots for a week.

The armament, chiefly smooth-bores, as obsolete for modern great-gun practice as would be old brown Bess for infantry fire; the few rifle-guns immensely inferior, weight for weight, to modern rifles in range, weight of projectile, penetration, and accuracy of fire; the arrangement of the armament of the style in vogue thirty years ago, when rams and torpedoes were almost unheard of, and when vessels went into action broadside to broadside with a couple of pop-guns for bow and stern chasers.

And if we glance for a moment at our ironclad coast defenders we find matters at least as bad. This line of the national defense consists of six single-turreted monitors of 2,100 tons displacement, of a maximum speed of six knots, each armed with two 15-inch smooth-bores. Then come eight monitors, inferior to the first in speed and armament, with either or both of the guns of 11-inch caliber. The turrets of these vessels are from 8 to 12 inches in thickness, without backing of any kind, and composed of 1-inch plates. This defense any modern rifled gun of 6-inch caliber and upward would penetrate at 1,000 yards with ease. Five more monitors of double-turreted type have been for years awaiting completion under a rebuilding scheme.

Of the Miantonomoh, as she is intended to be, we have official particulars. Her turret armor is to be equivalent to 13 inches of steel, side armor 5 to 7 inches iron, deck armor 1¾ inches iron; the four guns to be capable of piercing 14 inches of steel at 1,000 yards. She will be sufficiently valuable as a means of defense to justify completion. Her light draught of 14 feet will make her useful in the comparatively shoal water of many of our seaports. The official report compares her favorably with a British second-class coast defender, the Cyclops, built in 1871, and a Brazilian monitor which dates back to 1875. The Cyclops cost $750,000 for hull and machinery; the Miantonomoh is estimated to cost when completed $1,425,000, exclusive of armament.

NEW SHIPS AND ARMAMENT.

We may discuss further on such causes of our present condition as is may seem possible to remedy, and will now proceed to consider what has been done since 1880 to strengthen our naval force. The Navy at above described is the Navy as it exists to-day, with offensive power distinctly inferior to that possessed by Brazil or Chili, and as a defense materially worse than what we had in 1861.

In 1881 the then Secretary of the Navy, the late Mr. Hunt, convened a board of naval officers, with Rear-Admiral John Rodgers as president, to report upon the needs of the service in the matter of cruising ships, as to numbers, types, speed, armament, and rig. The report begins by showing that for the ordinary squadron duties in time of peace forty-three vessels are required constantly in commission, and that the reserve should consist of not less than 50 per cent., making sixty-five ships in all. Of these thirty-eight were required at once.

The types as selected were, two of 15 knots and 5,873 tons; six of 14 knots and 4,560 tons; ten of 13 knots and 3,043 tons, and twenty of 10 knots and 793 tons.

Five rams and twenty-five torpedo-boats were recommended for immediate construction. No mention was made of armored vessels, as they were considered excluded by the instructions to the board, which called for such recommendations as "Congress would be likely to approve." But a minority report gave importance to the question of armor by insisting that "a modern navy must consist essentially of powerful ironclads."

In the following year after mature consideration Congress alloted for the building of the thirty-eight ships, needed immediately, any unexpended balance under the Bureau of Construction and Repair for building two steam cruising vessels of war. An advisory board of naval officers was to assist the Secretary in deciding how to dispose of this liberal endowment. The board submitted a report which was accepted, with certain modifications, and in 1883 Congress recognized the scheme as proposed by appropriating $1,300,000 for the construction of three cruisers, the Chicago, Boston, Atlanta, and a dispatch-boat, the Dolphin.

With criticisms on the advisory board and on the contractor who undertook to build the above-named vessels this paper has nothing to do. That the board deserve, on the whole, hearty commendation for the attention given to their labors is a feeling too firmly established, in the naval service at all events, to be shaken by any semi-political clamor over real or possible shortcomings. Under difficult circumstances the board has done its best. Not the least of the obstacles thrown in its way was the fact that its labors began in a field absolutely new to any American constructors, either in the service or out of it. Nor was it anything but a positive disadvantage to have the board constituted of officers who none of them held positions in the bureaus of the Navy Department. For the board was forced to be dependent for much of its information upon the Department itself, which necessarily complicated the solution of important questions.

All plans for hulls and engines were elaborated much more minutely than is customary abroad for contract work, especially for engines. There, where long experience has produced eminent firms of engineers, the latter are allowed more freedom of design, being limited chiefly in weight, space, and horse-power required, and receive a bonus for any excess obtained. Here the board may have justly reasoned that in work which was largely experimental minute specifications were necessary; at all events that principle obtained.

Mr. Roach, as is well known, secured the contract for building all the vessels, whose principal dimensions are as follows:

	Chicago.	Atlanta.	Boston.	Dolphin.
Length.....feet...	315	270	270	240
Beam .....feet...	48.02	42	42	32
Displacement .....tons...	4,500	3,000	3,000	1,485
Mean freeboard.....feet..	20.6	18.6	18.6	14.25
Freeboard at ends.....feet...	.....	9	9	.....
Coal.....tons...	940	580	580	310
Sea-speed.....knots...	14	13	13	15
Cost.....	$889,000	$618,000	$618,000	$315,000

Armament:
Chicago, four 8-inch, eight 6-inch, and two 5-inch rifles.
Atlanta and Boston, each, two 8-inch and six 6-inch rifles.
Dolphin, one 6-inch rifle.

Of these the Dolphin is the only one completed and submitted to preliminary test. Whether the trial showed partial or total failure is a matter of comparatively little direct importance to the strength of our fleet. The vessel is simply a dispatch-boat, by no means a vessel of war. If it be true as alleged that the advisory board was in doubt as to the propriety of building her at all at the present time, the result may be accepted as a severe but not wholly undeserved punishment. Imperfections have shown the people at large that we can not expect to enter the arena of modern ship-building with a rush and turn out perfect vessels of war as easily as we can model our specialties of river steamboats and fast yachts. She will be a cheap investment for that purpose.

The Chicago and the sister ships Atlanta and Boston are still "nearing completion," as they have been for many months. All of these vessels are unarmored steel cruisers, and their armament is to consist of modern breech-loading cannon.

From the Chicago a sea speed of 14 knots is expected and an endurance, with 940 tons of coal, of 4,000 miles, at from 10 to 11 knots per hour. The vessel may make 16 knots on the measured mile. The sea speed of the Boston and Atlanta is given as 13 knots or a possible 14½ on the mile; endurance, with normal coal supply, 3,900 miles, at 10 knots.

Several features of the design of these ships have from time to time been criticised with a greater or less degree of intelligence but with unvarying animosity. The type of boiler and engines used in the Chicago, the low freeboard of the Atlanta and Boston, and the maximum speed expected of all three have been the special subjects of attack. If it were possible to make use to-day of the knowledge gained in the last three years' experience we might, for example, lighten the moving parts of the machinery in our new cruisers, substituting steel for iron. This would add to the speed of the moving parts and increase the efficiency of the engines as well as decrease the weight.

A very short time ought to suffice to complete these cruisers; and it is only the part of common sense as well as of common fairness to let them prove their merits or demerits by actual trial.

A single point for the improvisers may be noted here. When the Roach failure occurred this summer, and the question came up of the Government's taking the uncompleted cruisers to its own yards to finish the work no navy-yard possessed the necessary tools for the purpose. Nor was there probably any outside firm in the country at that time which could have done the work required. In March of the current year Congress authorized the construction of four additional unarmored cruisers. A board convened by the Secretary of the Navy to recommend plans for the proposed vessels has submitted the general details of four ships, as follows.

	Cruiser A.	Cruiser B.	Cruiser C.	Gunboat D.
Cost not to exceed.....dollars...	1,100,000	1,100,000	520,000	275,000
Displacement.....tons...	4,600	4,600	1,700	870
Length.....feet...	300	300	230	165
Beam .....feet...	49	49	36	31
Draught .....feet...	19	19	14	11.9
Freeboard.....feet...	13	13	{ 6 / 14	5 / 13
Speed.....knots...	18	18	16	12
Horse-power.....	8,500	8,500	3,300	1,300
Coal.....tons...	830	830	400	160

Armament of Cruiser A: Two 8-inch rifles, eight 6-inch rifles, six Whitehead tubes.
Armament of Cruiser B: Twelve 6-inch rifles, six Whitehead tubes.
Armament of Cruiser C: Six 6-inch rifles, six Whitehead tubes.
Armament of Gunboat D: Four 6-inch rifles.

	A and B.	C.	D.
	Tons.	*Tons.*	*Tons.*
The weight allowed for machinery and boilers complete....	903	356	140
The weight allowed for ordnance complete.....	260	130	70

Cruisers A, B, and C are twin-screw steel ships, the gunboat D single-screw and composite. In all the vessels allowance is made for suitable secondary batteries of machine-guns, for protective steel decks, and for water-tight subdivisions of the hull. The cost given includes in all cases hull and machinery only.

When these vessels will be commenced, whether they will be built by contract or otherwise, and, in fact, whether the designs will be accepted at all, are points awaiting a solution which we hope will not be long delayed.

The examples of other powers, the opinions of our best officers, and our previous experience, so far as it applies, demand certain essential qualifications in our future cruising fleet.

Speed.—Our vessels should be at least as fast as men-of-war of equal displacement and character produced by foreign powers. It is not too much to ask to-day that a cruiser of 3,000 tons and upward should develop sufficient horse-power to insure a sea-speed of 18 knots per hour. The term "sea-speed" is applied to speed obtained under favorable conditions of wind and weather, with fairly good coal, and with the regular fire-room force of a vessel in commission.

We believe it a mistake to seek for extreme economy of coal at the highest speed at the expense of economy at lower rates.

The speed of a man-of-war for ordinary cruising purposes need not exceed from 7 to 10 knots. It is at this rate that coal economy becomes an important consideration. The highest speed of the ship would rarely be required for over twenty-four consecutive hours, and on such occasions even an extravagant consumption may be justified to insure the required results.

The Chilian cruiser Esmeralda furnishes a case in point. At her highest speed of 18 knots she burns 200 tons a day; at 8 knots, 18 tons, her coal capacity being 600 tons. She could therefore maintain a speed of 192 miles per day for over a month.

Vessels of from 2,400 to 3,000 tons should make not less than 16 knots as a maximum sea speed, and cruisers of from 1,400 to 2,000 ought to do 14 knots or better.

Handiness is scarcely less important than speed to the modern vessel in battle. A reaction, which bids fair to be permanent, has set in from the system of extreme length and narrow beam, and the shorter, broader, vessels of the present have an immense advantage in turning power over the knife-edge types which prevailed at the outset of fast ship-building.

In all vessels handiness is increased by the use of steam steering-gear which admits of much greater rudder surface than could possibly be operated by hand. We also owe increased turning power to the use of the twin screw which is adopted by all cruisers of sufficient size and draft. Incidentally the twin screw gives greater length of stroke, an immense advantage in a man-of-war, where the machinery must be kept below the water-line and where every inch gained in the restricted dimensions of beam and depth is of value to the designer of the machinery.

Other advantages of the twin screw for man-of-war propulsion are pointed out by Assistant Naval Constructor F. T. Bowles, United States Navy,* as follows:

> If one engine is disabled the remaining one can still propel the vessel at three-quarter speed. The water-tight subdivision of the ship is made easier, and the motive power can not be disabled by injury to a single compartment.

But the point which concerns us specially is that the steering-gear can all be placed below the water-line, and that the twin screws add greatly to the vessel's maneuvering power, enabling her to turn nearly on her center when one screw is backing and the other going ahead.

Draught.—Under this head we may also quote from Mr. Bowles's pamphlet:

> The advantages of large draught are many and important. It is the most valuable and economical direction in which to increase the dimensions of ships, and particularly of war vessels, because the increased depth beneath the water-line renders possible a more efficient disposition of and greater protection to the machinery and greater immersion of the screws. It has been shown that it enables us to obtain forms of less resistance, thus favoring economical propulsion.
>
> Again, deep draught tends to produce what is of great importance to gunners, a steady ship in a seaway. In view of these manifest advantages, it seems advisable to draw attention to the fact that the Chicago, drawing 20 feet 6 inches extreme draught, can with safety enter thirty-two ports on the Atlantic coast; the Boston and Atlanta, drawing 18 feet 6 inches, can enter only six ports from which the Chicago is debarred, namely, New Bedford, Fall River, New Haven, Washington, Annapolis, and Tampa. If the Chicago's draught had been 2 feet greater she would be debarred from only two ports among the thirty-two, namely, Marblehead and Vineyard Haven, showing that an extreme draught of 22 feet might be adopted as safe, convenient, and advantageous for cruising vessels.

We quote this as applying chiefly to cruisers; for coast-defense vessels other considerations obtain.

Mr. Bowles makes a good point concerning the draught in increasing the steadiness of the ship as a gun platform. We have repeatedly heard foreign officers of different nationalities complain with reference to vessels of light draught and relatively high speed that what with the vibrations of the ship and unsteadiness in a seaway accurate firing was almost out of the question.

Protection.—As to the protective feature of modern vessels, we believe that the unarmed cruiser will prove a more satisfactory ship than either the "cruising ironclad" or heavily-belted cruising ship. The weight of armor is advantageously replaced by increase in armament, coal capacity, and consequent endurance, the latter feature being of vital importance to us who have substantially no outlying coaling stations.

We think that in the near future armor for cruisers will be replaced by the system of water-tight subdivision to an extent hitherto unrealized, that sea-going cruisers will be practically of double hull construction with honey-comb subdivion, and that the interior of the ship will be as complete a system of water-tight compartments as can be devised without affecting the propulsion and fighting qualities. The resulting increase in weight will be provided for by a moderate addition to the displacement, but will in turn admit of lightening the hull, owing to the effect of the bulkheads in stiffening the ship, and the increased rigidity of structure will tend also to check vibrations of the ship at high speed, and thus improve the accuracy of gun practice. To this system of protection as far as it has gone we already add protective steel decks over the vitals of the ship (boilers, engines, and steering gear) and steel shields for the protection of the working guns' crews. Such decks and shields must be sufficiently strong to deflect projectiles from rapid-firing guns.

Other immunity from danger is best obtained by perfecting the vessel's armament. We have profited but little by the lessons of the war if we do not recall the effect of Farragut's "wall of fire" in protecting his wooden fleet from the guns of New Orleans and of Mobile Bay.

Armament.—The question of armament for our wooden cruisers we believe to be already solved on a principle to which this country owes many honorable naval actions in by-gone days. Heavy batteries have

* "Our new Cruisers," by Assistant Naval Constructor F. T. Bowles, Proceedings Naval Institute, No. 26.

always been the rule for our war ships in the past, and that rule is not likely to be changed in the future. In actual numbers our modern armament must needs suffer some reduction, owing to the increased weight of each single gun of recognized efficiency. For this decrease our designers provide by giving to each piece a vastly increased train and consequent greater field of fire. Our ordinary sponson gun is to be the steel 6-inch breech-loading rifle, with a penetration of 11 inches in wrought iron at 1,000 yards.

In addition to these weapons, the pivot-gun adopted for cruisers is a steel-rifled 8-inch, which has a penetration of 16 inches at the same distance. We think that the system of arming a cruiser with several such 6-inch guns and one or more of the larger pivots is infinitely preferable to the opposite plan of concentrating all the weight and most of the chances of success in two or three monster rifles borne by the same amount of displacement for cruising purposes. Such as they are, the rifles adopted can be used with effect against all but the heaviest ironclads, and these are not antagonists which a cruising ship can be fairly expected to engage. A comparison of the requirements for hull and machinery, with the recommendation of the Walker board for the latest new cruisers, shows an encouraging state of affairs in so far as intentions are concerned.

The pending trial of the Chicago, Boston, and Atlanta, if satisfactory, will encourage us to proceed with confidence in rebuilding the Navy upon our own resources and with an exclusive reliance on home talent. But if the reverse obtains, and these vessels prove radically defective in hull or machinery, such a failure may call for a different course in constructing the next group of cruisers. We may then have to consider whether it will not be worth while to pocket some national pride and intrust the construction of one or two model ships to foreigners who know how to build them. In that case the younger men to whom we look for a future corps of constructors will be profitably occupied in watching the work done abroad and acquiring practical knowledge to be applied for our benefit at home later on.

We should not ignore the fact that the Walker board seeks to achieve in a new field results equal to the best attained by foreign builders with their years of experience.

We may instance in point the weight of machinery. The weight per horse-power, in the British Iris, was 326 pounds; in the Chicago it rose to 419 pounds, which, as we have said before, seemed an undue amount, but in the new cruiser, A, the allowance is but 238 pounds per horse-power, or 88 pounds less than the Iris.

Cruiser C, of the Walker board, may be compared to the German twin-screw dispatch-boat Blitz, which it resembles in displacement, horse-power, and speed, as the following will show:

	Cruiser C.	Blitz.
Displacement.....tons...	1,700	1,600
Length.....feet...	230	245
Beam.....feet...	36	32.6
Draught.....feet...	14	13.3
Speed.....knots...	16	16.2
Horse-power.....	3,000	2,808

The allowance in the Blitz of weight of machinery per horse-power is 299 pounds, and for cruiser C, 218 pounds. For the British Scout, a specially light service vessel of 1,500 tons, the allowance is 240 pounds. But there can be no question as to the excellence of the general features embodied in the recommendations of the Walker board. If their proposals can be carried out within the limits of displacement and cost allowed we may hope to see the Navy provided with cruisers that will go, that can fight, and that will not readily sink.

NUMBER OF NEW CRUISERS REQUIRED.

We may safely adopt the standard of the Rodgers board as a minimum. The estimate of this board called for a force in commission of forty-three vessels, and fixed upon seventy as the total number of cruisers needed.

Of the seventy we may now be said to have fourteen, leaving fifty-six to be provided for, and in something like the following proportions:

A. Eight 18-knot cruisers, of from 3,500 to 4,500 tons.
B. Sixteen 17-knot cruisers, of from 2,500 to 3,500 tons.
C. Eighteen 15-knot cruisers, of from 1,500 to 2,500 tons.
D. Fourteen 13–14-knot cruisers, of from 1,000 to 1,500 tons.

To this force of fifty-six vessels we add from existing resources, such as they are, in Class A, one vessel, the Trenton; in Class C, five vessels; in Class D, eight vessels—all capable of performing efficient service for an average of ten years if armed with modern guns. Taking as a guide the price already quoted for hull and machinery of our new vessels, noting also the known cost of the Esmeralda and other modern cruisers, the expense for our entire new fleet complete with all armaments and equipments should not exceed the following figures:

Eight vessels of 4,500 tons, at $1,600,000 each, equal	$12,800,000
Sixteen vessels of 3,000 tons, at $1,000,000 each, equal	16,000,000
Eighteen vessels of 2,000 tons, at $800,000 each, equal	14,400,000
Fourteen vessels of 1,500 tons, at $700,000 each, equal	9,800,000
Total	53,000,000

The squadrons being made up substantially as follows:

Stations.	Class of vessel.				Total to stations.	Total now on station for all purposes.
	A.	B.	C.	D.		
Asiatic	1	2	3	3	9	7
North Atlantic	1	2	3	2	8	6
Pacific	1	2	2	3	8	6
South Atlantic	1	1	2	2	6	3
European	1	1	2	2	6	4
Training squadron, Naval Academy, surveying, &c.	.....	.....	2	4	6	6
Total	5	8	14	16	43	32

This arrangement does not provide for a complete reserve of 50 per cent., as recommended by the Rodgers board, the idea being that the number of vessels in ordinary should be kept at the lowest limit consistent with possible demands in the event of war. A vessel never deteriorates more rapidly than when she is not in use, and the smaller the number available consistent with actual needs of the service the better, as the ships can be kept more constantly employed. Nor do the proposed limits of size agree with those recommended by the Rodgers board. A greater displacement than 4,500 tons is not advantageous; the relatively slight gain in battery power and speed does not appear to offset the greatly increased first cost and expense of maintenance of vessels of larger tonnage than the above limit.

On the other hand, the building of cruisers of much less than 1,000 tons displacement we consider a decided disadvantage. The battery power of such vessels must needs be confined to one or two efficient guns. A vessel of some 750 tons requires a complement of officers and rated men as great as would suffice for a ship of double the displacement, though the smaller vessel carries a crew entirely too small to furnish even an efficient landing party. The gain in the economy of fuel on the part of the smaller ship is an advantage more apparent than real. Both a medium and a small-sized cruiser should differ but slightly in consumption at economical cruising speed. At full power, when the difference in coal consumed becomes significant, the object to be attained justifies the increase in favor of the better fighting ship.

We speak here of cruising vessels. Smaller gunboats armed with a single heavy gun and of very light draught for river and harbor service have advantages which are real, though often overrated; but in no sense can such vessels be regarded as a part of a cruising fleet.

COAST-DEFENSE VESSELS.

As Congress has never determined upon a general plan of action for future emergencies, we must needs assume some line of conduct as likely to be adopted in the event of hostilities. We may suppose that our efforts in the line of battle would be chiefly defensive, or at all events that Congress would be very unlikely to appropriate the enormous sums necessary to construct and maintain an armored seagoing line of battle. There are many officers who would consider such a course as altogether undesirable.

On the other hand, at a relatively low cost, we could at once commence to prepare a line of iron-clad defense ships. As coast defenders they must be of light draught as compared with European monster ironclads. Our lamentable lack of docking facilities will also limit the beam of our vessels. To these necessities we may afford to sacrifice some coal capacity and speed; but nothing should interfere with our adoption of the heaviest armor and of the most efficient heavy guns.

If the monitor type, pure and simple, is not adhered to in designing these ships it is believed that the inclined casemate would commend itself to our designers, with turrets placed diagonally at opposite ends of the casemate. Such a vessel in the disposal of her armament would resemble the Boston and the Atlanta, the superstructure being an inclined casemate of deflecting armor and the turret high enough to fire over the casemate battery with their guns in barbette.

It is probable that for one-half of the money expended on the British sea-going Inflexible (nearly $4,000,000) our Navy could possess a vessel for coast service which would carry a heavier battery than the British ship and be at least as efficiently protected.

Side by side with our floating batteries we should develop the type of vessel originated in the Alarm and brought to a greater perfection in the Polyphemus, the torpedo ram, with or without bow-fire. In these vessels high speed, great maneuvering power, and structural strength to withstand the shock of ramming should be combined with as much protection from end-on fire as can be afforded. Here again the inclination of the armor used will add much to its efficiency.

But no intelligent forecast can be made of the exact nature of our iron-clad line of defense until Congress indicates the provision which it is willing to make for that object.

We should be able to pay as much for defending our coasts as will have to be spent to put our cruising fleet in proper condition. Such a sum would purchase complete at least ten Inflexibles and ten torpedo rams of the Polyphemus class, while vessels more useful for our purpose can be produced for the same sum and in much larger numbers.

Whatever may be the course determined on one fact is evident, and

to those who rely upon improvising defenses it is not a reassuring fact, if coast defenders are to carry any armor at all it must be reasonably effectual against modern great guns to be of any use. But there is not a single firm in the country to-day capable of turning out a single 6-inch steel plate. It would take our best manufacturers months even to prepare for such a task, and plates of upright armor will have to be at least 18 inches thick to resist rifled guns carried afloat by so-called "second-rate" ironclads. The 38-ton Woolwich, 81-ton Krupp, and, of course, the heavier guns, have a penetration of 18 inches at 1,000 yards. England alone has over twenty seagoing ships with guns of the above caliber and upward.

OUR MODERN ORDNANCE.

Heavy batteries have been usually characteristic of American ships. During our civil war the most powerful batteries afloat were probably carried by our vessels, consisting chiefly of the Dahlgren smooth-bores, to which we have previously referred. These guns among their other merits possessed the great one of being readily cast by any foundry of reasonable proportions, and the castings could easily and rapidly be prepared for service.

With the development of armor the requirements of naval ordnance underwent a radical change. Foreign powers applied themselves with vigor to the construction of guns that might disable the new ironclad squadrons. Our own experience during the war had prepared naval officers for the inevitable change from smooth-bore to rifled cannon. They had seen improvised and scantily protected Southern ironclads defying all but the heaviest calibers of smooth-bores at point-blank range. On the other hand, the Union ironclads when injured by gun fire invariably owed serious mishaps to the effects of rifled cannon.

But the great rifled gun of twenty-five years ago and those produced to-day are as different in accuracy, range, penetration, and weight of metal as two weapons of the same character can very well be.

Fully alive to the necessities of the situation, the late Commodore Jeffers, as Chief of Bureau of Naval Ordnance, repeated annually in his reports to the Secretary, and through him to Congress, the most urgent requests for improvement in naval armament; but with substantially no result. True, appropriations were made for the conversion of some of our largest smooth-bores into rifles by the Palliser system of lining the bore with a steel tube. The resulting guns were, like all makeshifts, an improvement on the original, but of insufficient penetration and range.

About ten years ago the same chief of ordnance made his memorable effort to obtain in the United States suitable material for our first steel breech-loader. Turning to the source of supply from which our improvising friends would derive American weapons in case of emergency, the chief made every effort to secure from our steel manufacturers an ingot of sufficient size for his purpose. The piece could not be completed, "for lack of suitable material," until some two years after it was first designed; and yet the gun was not phenomenal in size or difficult of manufacture; it was only a poor little 3-inch boat howitzer, weighing some 400 pounds. Gun, carriage, ammunition, and powder-monkey, all combined, would not weigh half as much as a single shot from a 100-ton Armstrong, the 71-ton Krupp, or the 81-ton Woolwich rifle! And it took more than a year to find the steel even for this modest *début* in the manufacture of the rifled breech-loading cannon.

The history of our naval ordnance work during the past six or eight years if ever writen will be a monument to the persistence and energy of a handful of officers who have carried their experimental work to the point of complete success in spite of every obstacle that apathy or ignorance could throw in their way. With scanty appliances and scantier resources the men interested in ordnance work have found nothing so difficult to overcome as the inertia of indifference on the part of their own countrymen.

Manufacturers of steel and iron have done what the limited appropriations would justify them in undertaking to further the advance of our gun construction. But it is manifestly absurd to suppose that these gentlemen will risk a purchase of the costly plant necessary to produce modern gun metal when there is no hope of their ever covering expenses.

In his work on The Establishment of Steel-gun Factories in the United States, Lieut. W. H. Jacques, United States Navy, gives a detailed account of a mission sent to Europe in 1883 (proceedings Naval Institute No. 31), its members constituting the gun-foundry board, composed of Navy and Army officers. Any one who wishes to place the blame for our existing condition in ordnance precisely where it belongs will profit by a perusal of this valuable work.

The gun-foundry board, from the information acquired at home and abroad, recommended steel for the manufacture of heavy ordnance adapted to naval warfare. It recommended further that the steel should be produced by private companies and fabricated by the Government for the Army at Watervliet arsenal, and for the Navy at Washington navy-yard. The figures submitted by the board were:

A.—*Approximate cost of plant for producing the tempered parts of guns up to 100 tons ready for delivery at gun factory.*

Casting	$250,000
Forging (hydraulic press)	150,000
Rough boring and turning	210,000
Tempering	50,000
Total	660,000
Additional cost, if liquid compression is adopted	175,000

B.—*Approximate cost of plant for gun factories.*

Guns up to 6-inch caliber	$50,000
Guns from 6 to 12 inch caliber	150,000
Guns from 12 to 16 inch caliber	350,000
Buildings and shrinking-pit	350,000
Total	900,000

Three years will be required to complete the tools, construct the shops, and establish the plant. Such a factory will be able to turn out per year fifty 6-inch, seventeen 12-inch, and twelve 16-inch guns, or a proportionally large number of small calibers at a yearly expense of about $2,000,000.

The fact that the United States is destitute of the means of fabricating the modern guns so urgently needed for national defense, and that at least three years will be required to complete the tools, * * * would seem to demand an immediate appropriation of the amount estimated for the establishment of the proposed gun factories.

The report presented to Congress early in 1884 was not acted upon by the House but was considered by the Senate. An amendment to the naval appropriation bill passed at that session directed that the foundry board should reconvene to perfect detailed plans for the proposed gun factories for guns from 6 to 16 inch caliber and to suggest in what annual installments appropriations could be most economically made.

The board in carrying out these instructions finds, as anticipated, that there are responsible steel manufacturers in this country who, although not provided at present with the necessary plant, are willing to construct the same, and to make bids for contracts with the Government for the supply of the requisite material for the heaviest guns adapted to naval warfare if a guaranteed order of sufficient magnitude, accompanied by a positive appropriation extending over a series of years, should be made by Congress. (Report of the honorable Secretary of Navy, 1884.)

At its last session, ending March 4, 1885, Congress failed to act at all on the report of the ordnance board. An appropriation of $500,000 to provide for commencing work on the armaments of the latest cruisers (Walker board), though passed by both Houses, failed to become a law through an alleged "error on the part of the engrossing clerk."

In the mean while work on steel guns for the Navy, chiefly under an appropriation for arming the Chicago, Boston, and Atlanta, has progressed as well as circumstances permit. We have at present finished, or in process of construction, two 5-inch, twenty-one 6-inch, eight 8-inch, and two 10-inch guns. The larger guns are in a backward state, as the forgings must necessarily be procured from foreign makers and have been delayed in their delivery.

The following table * shows the weight of gun, charge, and projectiles for each class proposed:

	Gun.	Charge.	Projectile.
	Pounds.	*Pounds.*	*Pounds.*
5-inch breech-loading rifle	6,200	30	60
6-inch breech-loading rifle	11,000	50	100
8-inch breech-loading rifle	27,650	125	250
10-inch breech-loading rifle	55,000	250	500
10½-inch breech-loading rifle	64,500	275	550
12-inch breech-loading rifle	100,000	425	850
16-inch breech-loading rifle	245,000	1,000	2,000

*General Information Series No. 4, Office Naval Intelligence.

The 6-inch has given a range of over 7,000 yards, at 10° elevation.

The designs for all the proposed rifled guns have long since been completed. The report of the gun foundry board states specifically the minimum time required to prepare a satisfactory plant, and to be dependent on home production alone for our ordnance.

It remains to be seen how much longer people will wait patiently for active operations to begin.

SECONDARY BATTERIES.

Secondary batteries of small, rapid-firing guns have assumed great importance in recent years, not only as weapons of a really formidable caliber and range against unarmored ships of war but because they are the most valuable arm yet produced for the purpose of repelling torpedo attacks. Starting from the Gatling and other bullet-firing machine-guns we have reached the 47-millimeter (1.85-inch) Hotchkiss "rapid-firing" gun, which, with a crew of two men, fires eighteen rounds a minute, the projectile weighing 3.3 pounds and perforating 3.93 inches of steel at point-blank range. The 57-millimeter Hotchkiss fires a 6-pound projectile, seventeen rounds a minute, with a crew of three men, and a penetration of over 5 inches of steel.

Our present supply of these weapons is an American invention, but the Hotchkiss factory is at St. Denis, France. Whether we can rely upon extempore arrangements for suddenly procuring as many of these weapons as we should need in the event of war, is rather doubtful. Owing to a lack of suitable appropriations the new cruisers will be the only vessels entirely supplied with these weapons. A few experimental rapid-firing guns are now afloat, carried mostly by the different flagships in commission. This seems a scanty outfit for instructing the Navy at large in the use and capabilities of the weapon.

NAVAL ADMINISTRATION.

Before any comprehensive scheme is adopted for building up a new Navy the question will have to be settled as to whether all or any of the new ships are to be constructed at the Government navy-yards, or whether the work is to be done exclusively by contract. The quality of Government work has nearly always been superior to corresponding work done by contract, though the cost has been greater and often unnecessarily extravagant. The object of giving out contract work where

intelligent supervision will insure proper results is to encourage the enterprise of naval ship-building by private firms. This form of assistance every maritime power is compelled to resort to in time of war, and there is a certain healthy element of competition in building some vessels of a given class by contract work while one or more of the same type are being produced in Government yards. In any case it would be unwise not to reserve some construction work to be done at the navy-yards. We rely upon these arsenals in time of peace for ordinary repairs, which can not be effected without suitable plant and skilled labor. The men and their appliances can not be put to better use when the work of repairs is slack than by having them co-operate in the work of construction.

We assume that the yards will be relied upon, at least in part, for the production of our new cruisers, and we may inquire to what extent existing forms of naval administration are likely to insure satisfactory results.

The present administration of the Department is apportioned among eight different bureaus, namely: Equipment, Construction, Steam Engineering, Yards and Docks, Navigation, Ordnance, Provisions and Clothing, and Medicine and Surgery. In the management of any vast undertaking subdivision of labor is a first principle and, in fact, a necessity. But we do not consider the idea as successfully applied when it produces in a given number of departments as many quasi-independent authorities. That sort of division may be carried so far that each part requires its own special appliances and men for work that could often be done more cheaply and effectually if concentrated in one hand or under one roof. It tends, in short, to a multiplication of parts which renders the business cumbrous and extravagant, just as the principle of independent action when carried too far inevitably tends to conflicts of authority, which may sometimes be amusing, but which are always in the end regrettable.

We hear of a vessel at a navy-yard which requires work under three different bureaus to provide an extra wire and bell-pull for an engine-room gong, of another on board of which one bureau selects a certain locality for side-light screens, a second bureau hitting on the same spot for storing the sheet-anchor, and a third seizing upon the same site to erect platforms for the Hotchkiss guns. A yard-tug is laid up for repairs, her services being actually needed for daily routine purposes; the restoration of the tug to duty is delayed for months because the boiler supplied by one bureau can not be placed exactly in the position prepared for it by another; the upshot being that when the misunderstanding (personal or otherwise) is removed a few hours of labor and a nominal expense suffice to place the offending boiler just where it should have been landed months before. Such small frictions, even if of daily occurence, may amount to nothing in themselves, but they indicate a form of organization which has either outlived its usefulness or outgrown its original proportions.

On this whole subject, and incidentally on our multipicity of navy-yards, we can not do better than quote from the report of the honorable Secretary of the Navy for 1884:

> The bureaus having the supervision of work at the navy-yard are unrestricted in the expenditure for repairs of ships and engines, except by the gross amount of the annual appropriation. The only pretext upon which the existence of our overgrown establishment could be justified was this demand for annual reconstruction under the head of repairs, and hence it is that instead of maintaining such yards, and such only, as were necessary for the advantage and benefit of our ships, the ships have been made to drag out a protracted existence for the benefit of the yard.
>
> Assuming that the workshops are to be kept open only at the New York, Norfolk, and Mare Island yards, certain improvements in administration are indispensable or any modern ship which may be built at them will be a failure, and any ship built elsewhere which may be sent to them for repairs will be ruined, while both in building and repairing excessive and extravagant expenditure will be made.
>
> First among the necessary improvements is that reccommended in the report of last year:
>
> "These establishments must be thoroughly reorganized in such a way as to exclude all political considerations from their management, otherwise bad and expensive work will be the result. We can not afford to destroy the speed of our naval engines in order to make votes for any political party. Whatever other governmental agency may be conducted with partisanship a great naval workshop, dealing with the hull of a modern steel steamship, * * * can not be successfully so managed. * * *
>
> Until the navy-yard workshops are managed on business principles and without regard to politics the construction and repair of the new American Navy should be committed to those builders who employ or discharge their foremen and all their artisans according to their skill as mechanics and without caring for their political opinions or votes.
>
> Secondly. A plan must be adopted to fix with certainty the direct responsibility of some one person for the performance of the work. The present system has two defects. The navy-yard is a great naval station, with an admiral or commodore in command * * * the mechanical workshops and the officers in charge of them are under his control and he is supposed to be responsible for what is done. However complete may be the military supervision the technical oversight of the commander-in-chief is usually merely nominal.
>
> The next defect is of the same character as that which exists in the Department itself, namely, the subdivision of the direction of work upon vessels among the naval constructor, the chief engineer, and the equipment officer, and none of them under any control on the spot except that of the line officer who commands the naval station. Under these circumstances unity of action and effective direction and superintendence in the building or repairing of a ship are impossible. The remedy for these defects must be found in placing one technical head—a competent ship-builder—over all the persons engaged in building or repairing the ship, over the work on the hulls, machinery, and equipment. The difficulty of finding within or without the naval corps persons fit for the service required * * * is recognized. But they must be found, if the Government workshops are to be worthy of the name.

The report further recommends that the supervising naval constructor at each of the three working yards, shall be under the direct supervision of a chief of Bureau of Naval Construction at the Department, leaving all military control at the yards in the hands of the commandants as heretofore, and further says that if such reform as recommended are not practicable, "it would be better to discontinue our yards for all working purposes, and not only build but repair our vessels and engines by contract."

Going a step further, and in the direction pointed out by Commander B. H. McCalla in his report on the Panama expedition of 1885, we should hope to see at the Navy Department a central office—

> The chief of which having received a military education, and being thoroughly cognizant of the intentions and desires of the Secretary, should be held responsible for the technical details necessary to fit out an expedition or ship in the most efficient manner. Under the present system the chiefs of half a dozen bureaus may overwhelm the commanding officer of an expedition or the commandant of a station with confusing telegrams, thereby causing delay or possible failure.

These reflections were applied chiefly to expeditions or ships, but the whole principle may be advantageously extended to group the construction and military features of our establishment as much as possible under separate and responsible heads. Such an organization would place in the Department, as adjunct and professional advisers of the Secretary, a constructor-general on the one hand, and a chief of the military branch on the other. The latter, under the direction of the Secretary, would have charge of the movements of squadrons, the *personnel* of the Navy, and, in general, of all operations, and be with reference to the Navy what the Adjutant-General is to the Army. The former would assume direction of everything appertaining to hulls and machinery, yards and docks, and equipment.

The specialties of ordnance, navigation, provisions and clothing, and medicine and surgery could form appropriate subdivisions under a well-defined limitation of their respective powers, and with a reference of their doings to the Secretary and to either or both of his technical assistants in so far as their actions could be affected. A single accountant-general, to whom all returns of receipts and expenditures are made, would advantageously replace the eight financial clerks required under the existing system. The new plan would substitute for eight different heads of departments two technical advisers, whose respective duties and responsibilities can be very sharply defined, with four heads of divisions upon whom the Secretary could call when necessary for information in their specialties.

Under some such system as the above we may expect to see the work of navy-yards and the general business of the Department conducted on principles that will insure harmony of action and effective results. The idea of depending on an admiralty board for administration work is distinctly less promising than the above plan, whether the said board be independent of Department offices or formed by confederating the chiefs of the existing bureau system. On this point the opinion of one of the most valuable officers that the Navy ever had can not fail to be of weight. Real-Admiral Jenkins, during a recent discussion of the Naval Institute, spoke as follows:

> I am, and have long been, of the opinion that boards should not be called upon to administer anything. They are extremely useful for the purposes for which they are chiefly convened, but for carrying out their own recommendations after they have been properly accepted and approved, a professional expert of large experience and undoubted ability is, to my mind, an indispensable factor to success. Divided individual responsibility, as is the case where boards are required to carry out their own plans, much oftener results in partial, if not complete, failure than when the whole care and responsibility are placed in the hands of one person. Failure with the one responsible officer, if failure there should be, is his failure alone. Not so with a mixed board, for then the responsibility is divided and no father will ever be found to assume its paternity.—*Proceedings Naval Institute No. 32.*

TORPEDOES.

Torpedoes are either offensive or defensive. The former class includes all forms of submarine mines which are intended to close a seaport against an attacking squadron or to obstruct a hostile fleet in its movements through channels and fairways which may be of sufficient importance to require protection.

This branch of the national defense, the placing of submarine mines, is intrusted in the United States to the Engineer Corps of the Army. It is noticed here incidentally and only to dispel the illusion cherished by many that the defensive torpedoes if used in sufficient quantities will keep a hostile fleet from our shores. The experience of our own civil war should have taught us that the presence of mines alone, and especially of improvised mines, was never an insurmountable obstacle to the movements of the Union vessels.

The defensive mine must be fitted either to explode on contact with a vessel or else with electrical connection by cable to a shore station, from which the torpedo is exploded at the will of the operator. The former mine has the disadvantage of being dangerous alike to friend and to foe. Its presence seals a harbor more completely than any blockading squadron could do it, and if it breaks adrift from its moorings it is a further menace to friendly vessels. If fitted so as to become harmless as soon as it breaks adrift, a favorite American type, it is then, if no longer a danger to friends, at least a useless form of defense.

Contact mines can be operated against by a hostile fleet with com-

parative impunity if not under cover of guns, and a passage-way can be cleared through such a defense by grappling, countermining, or exploding the mines with torpedo catches and the like. The electric mine must obviously also be under the protection of batteries or the enemy can shell and destroy the station of the operator and grapple unmolested for the connecting cables, which, when found and cut, render the mine useless.

An additional form of purely defensive torpedo to which particular attention has been given in this country is the controlled torpedo. This is usually a spindle-shaped boat, carrying in its bows a suitable charge of explosive and fitted with engines and propeller and steering gear. The engines are run by compressed air, carbonic acid gas, &c., stored in reservoirs in the boat, or by electricity supplied to a motor in the boat from a shore station through the medium of a cable. The movements of the torpedo are controlled, in all the types, from the shore by a wire carrying a current which is directed at the will of the operator so as to start or stop the engines, alter the position of the helm, or fire the torpedo. The operator must at all times know the position of the torpedo, and this is effected by fitting the weapon with two range poles projecting above water which indicate its whereabouts. Lights, screened from the enemy, are mounted on the range staffs for night work.

This form of weapon may be formidable in the defense of harbors, although its range is limited by the ability of the operator to follow its movements, and it is not likely to be practically effective at distances exceeding one mile. In any case, the station of the operator will require the same battery protection as is necessary for all torpedoes operated from a shore base.

So far no torpedo of this description has been found available for naval use, as the type can not be handled from a boat or vessel under way.

The marine torpedo outfit of all naval powers, except the United States, consists at the present time of two forms of weapon, the outrigger and the automobile torpedoes.

The outrigger torpedo is the simplest and for many purposes the best of offensive torpedoes carried afloat. It consists of a spar rigged out from a boat or vessel and bearing at its outer end a charge, fitted to explode on contact or by electricity, at the will of the operator.

The explosive generally used in all forms of naval torpedoes is gun-cotton, a reasonably safe, cheap, and effective substance. The case in which it is confined may be reduced to the lightest weight consistent with holding the charge together, and the introduction of this explosive has consequently done away with the cumbrous and unwieldly iron shells which constituted the envelope of the old gunpowder torpedo. The modern gun-cotton torpedo weighing less than 70 pounds is more effective than the old ship-torpedo, whose weight complete was over 350.

We here reach a point at which Uncle Sam can be at least found "on deck," to use the current phrase. We have spars, and probably as good a form of spar-torpedo as any afloat. We have a recently established Government gun-cotton factory which turns out as good an article as any yet produced, and by this time there probably exist enough gun-cotton outfits to equip completely as many as a dozen of our vessels of war.

But how we propose to carry the new weapon around is not quite clear, unless we are to rely upon harbor tugs, or those abominably noisy craft, the poky steam-launches of our men-of-war. These boats are indeed fitted with the usual spar attachments, but nothing in the nature of bullet-proof shields, or shelter even from the descending column of water after explosion, is yet supplied for any of them. In a modern torpedo attack their noisiness would betray them from afar, and their lack of speed would seriously jeopardize any chances of success after their first discovery, in these days of machine-guns and rapid-firing small-arms.

The United States also adheres to the spar torpedo as a supposed defensive weapon for its cruisers; weapon of offense it could scarcely be, for no American vessel carrying it to-day, the Trenton alone excepted, could get within hailing distance of a foreign antagonist of equal tonnage, unless the latter were disabled or should seek close action for her own purposes.

The torpedo owes its origin to an American, Bushnell, its first noted public success to another, Fulton, and its general use in warfare dates from our civil war. Since that time we have been content to travel in the path of progress at the seven-knot speed of our steam-launches and accept the length of a torpedo spar as a sufficient distance for looking beyond the ends of our noses. Other nations, however, have not been satisfied with any such rate of progression or circumscribed horizon. All European naval powers and other nations with navies, while retaining the spar topedo, have spared no pains to increase the range of the torpedo as an offensive weapon and to insure its rapid transportation. The necessary disadvantage of the ordinary spar torpedo is that the boat carrying it must be brought almost in contact with the hostile ship to insure a successful explosion. To obtain equally good results from a reasonable distance other nations have turned their attention to a form which should be quite as portable as an outrigger torpedo and practically lengthen the spar by a distance corresponding to the effective range of the improved weapon.

Mr. Whitehead's torpedo is the most satisfactory solution of this problem up to the present time. It is a fusiform submarine boat with engines, screws, and rudder, and carrying a supply of power in the shape of compressed air. This boat carries in its bow a magazine of gun-cotton which explodes on contact. The torpedo is ejected from a ship or boat through a torpedo tube by compressed-air pressure. On leaving the tube it takes up a motion due to its own engines and power, and travels through the water at a constant depth, determined beforehand by the operator. Two special fittings, a hydrostatic piston and a pendulum, serve to maintain this constant immersion—when the torpedo tends to alter its depth the piston acts against this tendency by its effect on suitable diving rudders, the pendulum serving as a regulator for the piston to prevent extreme variations.

This torpedo has been adopted as a service weapon by all European naval powers, by several of our South American neighbors, and by China and Japan.

We are the only nation whose immense seaboard remains up to the present time entirely unprotected by any device of this kind, although our countless creeks and rivers and net-work of inland navigation afford the most desirable basis of operation for directing such torpedoes offensively against an enemy hovering on our coasts.

The cause of this apathy must be found elsewhere than in the naval service. Year after year the report of the naval Chief of Ordnance has urged the acquisition of this weapon as the only existing practical solution of an important naval problem; and he has urged in vain. Assuming that a portion of this indifference is due to doubt as to the value of the torpedo, it may be well to consider its alleged merits and defects.

To argue that the Whitehead is unacceptable because it is not an American weapon is to dispute the efficacy of the modern breech-loading rifle and of the compound engine on analogous grounds. The Whitehead, made in Austria by an Englishman, and the idea of which originated with an Austrian artillery officer, is no longer the invention nor the special weapon of any nation, but an international arm of offense, common to all but ourselves. Moreover it happens, curiously enough, that the especial form of Whitehead which is most favorably reported upon is not the one turned out at present by Whitehead himself, but by a rival manufacturer in Berlin, the latter using phosphor-bronze for the material of his torpedoes instead of steel, thereby obtaining freedom from rust and deterioration, while the other qualities are said to equal those possessed by the best Whiteheads proper. Certainly, if any one in America can produce an offensive topedo as portable as the Whitehead and as effectual, let us have it by all means in preference to the work of a foreigner, but the acquisition of worthless experiments will be more costly to us in time lost even than in wasted money.

It is urged against the Whitehead that it has never made its record in battle. The first one ever used in action was discharged by H. M. S. Shah against the Huascar, when the latter was in the hands of Peruvian insurgents in 1877. The torpedo failed, and is said to have been unable to overtake the hostile ship. It is fair to remember that this was one of the earliest types of Whiteheads. Its highest speed for what would now be considered short ranges was not to exceed 10 knots and its accuracy was far inferior to the practice made by the modern torpedo of the same dimensions. If we reject the principle of an automobile torpedo on the score of this failure, we might on equal grounds refrain from using modern sewing-machines because the earliest invention was cumbersome and liable to get out of order.

We next find the Whitehead as a weapon in the hands of the Russians during the Russo-Turkish war. During the whole war only five or six were expended, two were lost in practice, and three (or four) used in service, as follows: Two were discharged on the night of December 27, 1877, in the harbor of Batoom by Russian torpedo boats at a Turkish vessel of war. The ship escaped injury, and both torpedoes were picked up on the beach next day, one with the magazine gone. Hobart Pasha, in the North American Review for November and December, 1877, states that the safety-pins were not withdrawn from the firing apparatus before discharge. Moreover, we notice in other accounts of the attack that one torpedo was towed into the harbor suspended below a raft, and the other discharged from a frame at the side of a boat, a mode of discharge modified in existing torpedo-boats; also that the Turkish ships presented a poor mark, being bows on to the attack.

The next and only other attempt to use the Whitehead in battle occurred in the same harbor of Batoom on the night of January 25, 1878, a Whitehead (some say two) being discharged at a Turkish vessel at 100 yards range, sinking her immediately. Whether these results are considered favorable or not to the Whitehead, they offer special food for reflection to American critics. For we learn that the Russians received their supply of Whiteheads at the outbreak of hostilities precisely as our Navy would be likely to receive them if we kept on waiting Micawbar-like for "something to turn up." But that is a bad time to commence scraping an acquaintance with a Whitehead. No farmer would run the risk of transferring his hired hand, at a day's notice, from the handling of a flail to the superintending of his latest thrashing-machine, and one is no more likely to find afloat than ashore men capable of understanding all the intricacies of a mechanical production at a day's notice. The Whitehead is a machine, and while its adjust-

ments have been much improved and simplified of late years, it can only be handled successfully, like any other mechanical contrivance, by those who know its peculiarities through constant and careful practice.

Those who should be best informed on the capabilities of the Whitehead consider its positive value as dating from 1880, and it was in the same year that the first successful form of ejecting tube for boats was devised and tested.

We may notice some of the published results obtained by different nations First, as to the possibility of losing the weapon in practice. M. Charmes states * that the French torpedo vessel, the Japan, discharges some two hundred torpedoes per month without ever losing a torpedo, and concludes that if any are lost elsewhere it is from lack of practice on the part of the officers and men. He also takes the liability (which in service is not limited to torpedoes) of charging all errors and mistakes on the part of the operators to imperfection in the torpedo. In the case of the Japan her practice is conducted underway or at anchor in good or bad weather, and either at a movable or fixed target, and always with a certain degree of success. In her latest practice while under way, firing at a movable target, the deviations of the torpedo have been so slight that 95 per cent. of the torpedoes discharged would have struck a vessel 210 feet long, at a range from 250 to 400 yards.

The ordinary torpedo practice of British cruising ships includes firing from the (modern) side frames of their steam-launches at a space between two buoys placed fifty yards apart from a range of 400 yards, and the writer has been recently assured that in the case of a vessel under discussion the mark had been missed but three times (one missfire) during a three years' cruise, the practice being held once a quarter, at which time four runs are usually made.

Out of sixty runs made at Kiel, Germany, a short time since, the mean error in direction in a range of 400 yards was only 24 yards, and the depth was within a small decimal of what the torpedo was intended to maintain.

But as the precision of the Whitehead under reasonably favorable circumstances can be no longer disputed, it is held by some that it is too delicate, too liable to get out of order, to stand the rough handling of the service. Apart from the fact that it has now been carried and used in practice for years by the ships of different navies we may instance in reply the the case of a German torpedo which at the end of a run was taken from the water and put in store without previous cleaning, was left there through the winter months and was successfully run in the spring without overhauling. We may further note that during certain Russian maneuvers the Russian vice-admiral had gotten under way to seek out the enemy's squadron and passed within 200 yards of some fishing boats, when the flagship was struck with a Whitehead and declared out of action.

The torpedo had been discharged from one of the fishing boats by a party of three officers of the opposing squadron disguised as fishermen. So this delicate machine could be stowed away in an ordinary fishing boat and be successfully discharged with a jury rig of some kind, though it may be too fragile to trust in a suitable torpedo room and to be handled successfully from approved appliances. A pertinent question would be, how many modern small arms would have stood successfully the test applied to the first of these torpedoes and how could even the smallest rifled cannon have been concealed and used with effect as was the case with the second torpedo. Mr. Charmer pointedly remarks that the chief objections to the automobile torpedo have emanated from France and England, the greatest of maritime nations, which seem to feel instinctively the dangers to which this revolution in naval warfare exposes them.

Austria, Russia, Italy, and especially Germany, the more recent naval powers, less fettered by tradition and conservatism, are ardent supporters of the modern torpedo system, and use every effort to perfect that branch of their naval service. Germany allotted in one year nearly one-fourth of her naval budget to her torpedo system. France and England, which can not afford to be left behind, offer in their great military harbors a daily scene of activity in the matter of torpedo practice, which is a constant source of surprise to many of our naval officers, and an object of envy to all of them who witness it.

The following table will give some of the essential particulars of the so-called 14-inch British, the Whitehead proper, and the Berlin (Schwartzkopff) type of existing locomobile torpedoes:

Patterns.	Length.	Diameter.	Weight complete.	Speed in knots for—		Weight of explosive.
				200 yds.	600 yds.	
	Ft. in.	*Inches.*	*Pounds.*			*Pounds.*
British No. 1	14 6	14	525	25.5	20	44
British No. 2	14 7	14	575	.....	22	46½
Whitehead No. 1	14 6	14	529	25	20	37½
Whitehead No. 2	14 6	14	594	25	21.5	41
Schwarzkopff	14 9	14	616	24	.....	44

* Revue de Deux Mondes, December, 1886.

A knot is 1.153 statute miles, and a speed of 25 knots represents, therefore, a speed of 28.82 statute miles. The latest German 14-inch torpedoes have enough motive power to run a total distance of 4 knots.

	Whitehead.	Schwarzkopff.
Maximum horizontal deflection at 400-yard range	±24 ft.	± 23 ft.
Maximum vertical deflection at 600-yard range	± 9 in.	± 8 in.

A few years ago Whitehead offered to sell to the United States five torpedoes of different patterns, with working drawings and the right to all future improvements, for $95,000. The cost of subsequent single torpedoes would be about $1,500 each.

Whitehead himself supplies wholly or partially nearly all nations except Germany and Spain, but many countries have in addition manufactories of their own. The service range of the weapon is from 50 to 600 yards, although it can run up to 1,000 yards at a speed of 18 knots.

It has been estimated that at the close of 1883 upward of three thousand Whiteheads were in the hands of the different naval powers, and great additions have since been made to the supply, Germany having included four hundred in a single order.

TORPEDO BOATS.

Of importance scarcely secondary to that of the Whitehead itself is the subject of the modern torpedo boat, built to carry the automobile or spar torpedo. If the Whitehead now enjoys a complete monopoly as the naval offensive torpedo for use on shipboard and bids fair to drive out the spar torpedo altogether in smaller craft, the boats themselves have revolutionized the art of miniature ship-building in many important particulars. As none of these boats have appeared in United States waters a brief description of them may not be out of place. Their length is from 60 to 80 feet for the smaller types and from 90 to 125 for the larger "cruising" boats, built of steel, very low in the water, of high speed, and fitted with noiseless engines, and of great maneuvering power. Strong in construction, they are abundantly secured by water-tight compartments from all ordinary casualties. Two years ago two of these boats collided nearly end on at full speed in the harbor of Naples. The bow of one boat was nearly torn off, but her collision bulkhead held and both boats reached the naval arsenal in safety. Who that has ever seen these quiet imps of destruction gliding about in foreign waters can fail to realize what a tremendous change their development has effected in the conditions of naval warfare?

To quote again from M. Charmes:

> As long as the Whitehead was carried on board of ironclads whose range of artillery fire prevented approach at sufficiently close quarters to bring the torpedo into play, it could be claimed that this weapon would be a secondary character. Carried by modern torpedo boats along the coast or at the entrance to harbors the torpedo became a terrible weapon. Out of sight of land there was still for a time some doubt as to its successful employment. This illusion may have existed until April, 1884, when, for the first time, cruising torpedo boats appeared in our (French) squadrons, capable of holding the sea in any weather and of making long voyages. Already English-built boats, destined for Greece and for some of the South American states, had gone from England to their distant home ports without convoy and without accident, although not without experiencing heavy weather. The two squadron torpedo boats Nos. 63 and 64, built by M. Normand, had also successfully performed the journey from Brest to Toulon. But these were not public experiments and little attention was paid to them. A different result was obtained when these above-named torpedo boats got under way in the Mediterranean squadron in April, 1884.

Mr. Charmes then relates at length the experience of the squadron, which has since become well known through the public press. With a rapidly freshening breeze the sea became so heavy that two ironclad coast-defense vessels were compelled to seek shelter, while the torpedo boats successfully weathered the gale in company with the rest of the squadron. What is less publicly known is that these boats continued with the fleet during its entire cruise through the western part of the Mediterranean, taking only such precautions in heavy weather as would be common to all but the largest type of cruising ships. The test was complete, and it may be asserted from the experience of these vessels and of others of the same class, one of which has recently gone unattended from England to Australia, that the largest torpedo boats will keep the sea in any weather, and are in fact, as well as in name, "cruising" boats. The smaller craft, or harbor boats, have weatherly qualities which are not to be despised, but are not provisioned or otherwise supplied for extended service at sea, nor are they intended for such service. The very smallest class are required to perform their duties in such weather as would be practicable for ordinary steam-launches, and they more than fulfill this condition.

As to the probable value of these boats for offensive purposes there can be no reasonable doubt. Current service literature teems with authenticated instances of successful approaches made by them upon a supposed hostile squadron, and without discovery; and the conditions have invariably been far too favorable to the defense. The boats have left their squadrons at a certain hour; it has been known that their return must occur between certain limits of time and of direction. No experiment has yet shown conditions approximating to those of actual warfare. Two or three boats have made a sham attack on as many ironclads, when in reality the attack should not even be attempted by

less than three or four of these pigmies to each vessel. The crews of the defense vessels, instead of being worn out by previous vigils and false alarms, have been collected *en masse* to spy out the movements of their enemies for a few hours at the utmost; and the electric light has been utilized under the most favoring conditions. And yet the success of the torpedo boat in approaching unobserved has been simply marvelous.

Many have held that when the torpedo boat is once sighted, its destruction by modern machine-gun and small-arm fire would be all but certain. The practice made by Her Majesty's gunboat Medway has been instanced in support of this view. In reviewing her experiment we find that as the Medway approached "end on" at a speed of 8 knots a target representing a second-class torpedo boat, she opened fire at 560 yards, ceasing fire at 80 yards, and in the two minutes thirty-five seconds of the run firing one hundred and thirty-five shots and making one hundred and fifteen hits. There is no question but that such a fire would annihilate a torpedo boat in actual practice; but it may be asked how many of these fifty-four shots a minute were fired inside the ordinary White head range? Why should the Medway have two and a half minutes' time allowance for covering the distance of 480 yards, when a second-class boat would have approached the Medway a like distance in a little over one minute?

Finally, what practice would the Medway have made at night with or without the doubtful assistance of the electric light, and where would the consorts of the dummy boat have been in actual warfare while all these shots were being poured into their companion and most of the attention given to her. The machine-gun is certainly the best defense yet produced for modern vessels against their new assailants, but the gun has not yet the best of it by any means. "Bantry Bay" is the latest experience quoted by anti-torpedo men against the torpedo in general and the torpedo boat in particular.

But the point is not a strong one. The results of the recent maneuvers at Bantry Bay show that when a powerful fleet has absolute control of a comparatively small sheet of water, and has abundance of time and of materials for perfecting its defense, it can impede the direct attack of torpedo boats (until the boom has been broken through), and by bringing upon the attack the combined fire of ships, batteries, machine-guns and flanking batteries on shore, aided by vidette boats outside of the main defense the assailant may be successfully repelled. It scarcely required such an outlay to prove that proposition. A dozen torpedo boats with a handful of men are not yet supposed to move in actual warfare upon an enemy's fleet when every single condition favors the defense, and the very fact that such a fleet should require, for successful protection against these modern sea hornets, more elaborate preparation than any British fleet ever made in battle to repel hostile attack, should prove, even if the tiny adversaries were worsted, that they were not to be despised.

A single point brought out in the Bantry Bay maneuvers against the Whitehead deserves passing notice. The Polyphemus, moving at a high rate of speed, was reported to have escaped contact with a number of Whiteheads, all of which should have hit her, though some of the ranges were rather long. The writer has suggested as a possible cause of this immunity the high speed of the vessel with a consequent wave motion which may have deflected the torpedoes. Assuming this to be true it would be the most serious objection yet urged against the Whitehead, and would diminish its sphere of usefulness to that extent, but to that extent only. For against hulks towed at a moderate speed its success has been all that could be desired, and against stationary vessels without cumbrous exterior defenses all but certain.

The following gives some particulars concerning recent torpedo boats of different manufactures:

1880—Russian boat, the Batoom, built by Yarrow; length, 100 feet; beam, 12 feet 6 inches; draught, 4 feet; speed, 22.16 knots; horse-power, 500; revolutions, 392; steam, 119 pounds; coal supply, 5 tons; endurance, at 10-knot speed, 450 miles.

In 1881 Yarrow followed up this boat by another, also 100 feet long, built for Italy, and which attained a maximum speed on trial of 22.46 knots, or nearly 26 statute miles.

1883—Russian boat, the Lucknow, built by Thornycroft; length, 113 feet; beam, 12 feet 6 inches; depth of hold, 6 feet 6 inches; draught, aft, 6 feet; displacement, 60 tons; armament, 6 Whitehead torpedoes (with two ejecting tubes), and two Hotchkiss guns. Mean of six runs, at load draught over measured mile, 19.49 knots; mean speed for 3-knots continuous run, 18.96. She would steam with her full coal supply 1,000 knots at 10.8-knot speed.

Thornycroft built almost a sister boat for the Australian Government. Her supply of coal of 10 tons would carry her 1,270 knots at a speed of 11½ knots.

1884—The latest German boat reported as attaining a maximum speed of 20½ knots during a five-hour continuous run at load draught, this being the highest speed for prolonged running yet attained.

1885—Yarrow is building for Austria two boats to be 135 feet long, 13.75 feet beam, to develop 1,100 horse-power, and have a speed when light of 25 knots, and of 22 knots when loaded ready for service.

1885—One of six Turkish torpedo boats, built by the Forges et Chantrers Company in France, made a trial trip in April, and at her load displacement carrying twenty-four persons, made 20.3 knots over the measured mile. Dimensions of the boat length, 101.7 feet; beam, 11.7; draught, 5.7; displacement, 42 tons; fittings are two Whitehead bow tubes, and in addition a spar for outrigger torpedo.

In a valuable report on torpedo boats made to the Secretary of the Navy by Lieutenant Very in August, 1884, there occurs a quotation from a report to the German Reichstag, made by a board of naval officers in the spring of 1884, as follows:

> * * * The small size and very high speed of these boats make them difficult targets to hit. * * * The success of an operation would not be made dependent upon a single shot or single boat, but attacks would be made by from two to six boats approaching in opposite directions. Even in a bright moonlight and with the greatest possible care and alertness it becomes impossible for a ship to anchor for a single night on a coast defended by these torpedo boats.
>
> Numerous and well-provided boats make a blockade an undertaking of the most difficult character. It makes it necessary for the blockading squadron to haul off the coast every night. Its coal supply is thereby wasted, the harbor is left open at night, the actuality of the blockade is threatened Even though under way, the squadron is not safe, for the boats can follow it out and find the ships.
>
> It is readily conceivable that in an energetic defense of this kind many boats will be disabled, through accident and the enemy's fire, and the number of boats must not be limited to that barely necessary for active work.

The German report then recommends that the German torpedo fleet be brought up to 150 boats, and gives the number possessed or building by other nations, as follows (1884): England, 129; France, 76; Russia, 125; Italy, 53; Holland, 24; Norway and Sweden, 15; Austria, 14; Denmark, 9; New Zealand, Austria, Brazil, Spain, Chili, Greece, and the Argentine Republic also possess one or more each of these modern craft. The report gives the average cost of a torpedo boat with its torpedoes and revolving cannon as $57,170.

Lieutenant Very concludes his paper by recommending as our minimum war footing a fleet of ninety boats and a minimum peace establishment of thirty-four, and says:

> But our builders having no experience in this work could not meet the demand. * * * A sufficient number should, however, be obtained from European manufacturers to serve as a model and to produce a sufficiently large flotilla to secure the training of officers and men.

A recent British writer remarked that even in England there were but few firms which made a success of building torpedo boats.

The German rule of one boat to every 10 miles of seacoast would require three hundred torpedo boats for the Atlantic coast alone. (Our Seacoast Defenses, by Lieutenant Griffin, United States Engineers.)

At present the United States possess nothing of the kind. We have one builder who could certainly fulfill the conditions of speed; but his boilers of a special type, valuable in many respects, have the disadvantage of requiring most skillful handling by carefully trained men, or they are likely to fail in steam-power at a critical moment, especially when the approach of the boat must be made by stealth and with more or less frequent stoppages. So that improvising tactics will not avail us in this direction. Wherever the torpedo boats come from we must secure them in time to learn how they should be properly handled, and such experience is gained, as is usual with experience of any value, only by careful and constant practice. Of all this our Navy knows nothing, except what it may chance to pick up by studying the current prints or by watching the daily routine of torpedo drill as carried on in in every foreign naval port.

In this résumé of existing foreign torpedo outfit and of our deficiencies a detailed notice of submarine gun discharge has been purposely omitted. The idea of projecting an explosive shell under water by gun power dates back to Fulton; nor has it been greatly improved upon since its earliest inception. A few years ago the scheme was revived by a distinguished American inventor, but the only official trial which ever took place was far from satisfactory. The first shot aimed at a target 285 feet distant failed to hit the mark; the second stuck in the mud, and the experiments have not since been resumed. The boat built to carry the submarine gun was altogether too frail and crank for service use in even moderate weather, and its acquisition by the Government, which has been suggested, would be a costly purchase at any price beyond current rates for old iron and firewood.

Among the objections to submarine gun fire we note the immense power required to obtain any sort of range for the inert shell through the high resistance of the water, the torpedo being a mere projectile without propelling power of its own. The power required for expelling this projectile requires in turn a strong and correspondingly heavy gun to withstand the bursting effect of its charge, and the weight of the gun leads us to injudicious increase in the size of the torpedo-boat and of the mark afforded to an enemy's fire. Moreover, the noise made by one discharge of the gun will effectually prevent a second shot under like conditions if the boat has stolen within range unobserved.

But even if we assume that with future successes the submarine gun will throw a kindly veil of oblivion over the fiasco of the past, the question is whether we must await such a problematical development or provide ourselves with existing and perfected weapons. Putting the claim upon a ground that can not be gainsaid, the Navy may fairly demand to be supplied with the Whitehead and the torpedo-boat, if only to learn the capabilities of weapons which are certain to be used against us by any hostile naval force. If we are not to be armed ourselves, we are at least entitled to know precisely what the weapons of our antagonists can do, that we may attempt to devise efficient defense.

In accepting the example of other nations as our guide for the imme-

diate future we do not wish to exclude from consideration any meritorious new inventions or improvements which may be presented from time to time by Americans or foreigners. But let these novelties, while in the nursery stage, be classed where they belong, and appropriated for accordingly, not as weapons for the Navy but as experiments. Too much attention can not be given them as such, but we can not afford to saddle upon the ordnance estimates any such charges in the future as have been paid in the past, for erratic water-rockets and tubular cable monstrosities, while the general public is led to imagine that these crudities are adopted as actual implements of war. Service estimates should be for service weapons. The Navy has had more than enough of worthless crudities foisted upon it already.

The remedy for an existing lack of torpedo outfit is not far to seek. Place at the control of some naval officer of acknowledged ability, preferably the energetic chief of Bureau of Ordnance, the sum of, say, $2,000,000. Let the control of this official be absolute when his plan has been approved by the Secretary of the Navy and his proposed adjuncts. Give to the officer selected the widest scope as to his personal choice of subordinate officers to superintend the construction and acquisition of our modern weapons and let the whole responsibility be his.

In a word, and for once, put a naval matter in the hands of naval officers, interested in its success. The experiment will not be too costly. The sum named is but a little over double what has been paid for the latest wooden addition to our melancholy fleet, a vessel whose manifest inadequacy has already been fully discussed. The result of this trial may be confidently predicted. In three years, if need be, the United States will possess a fleet of at least thirty boats, armed with the best type of Whitehead, and possessing as high a speed as any such vessels afloat. We should find ourselves at last even with other nations, instead of trailing hopelessly behind. Starting from this point it will be unusual indeed if the Navy and our inventors can not keep abreast of improvement in the principles which render the offensive torpedo of to-day a weapon too formidable to be despised and too important to be neglected.

CONCLUSIONS.

The Navy now afloat consists of thirty-one cruisers, of which fourteen at the outside may be regarded as vessels worth possessing.

We have as coast defenders fourteen single-turret and five double-turret monitors, the former ridiculously inefficient in guns, armor, and speed; the latter in various stages of reconstruction, but which will be useful if completed according to existing designs.

We have three cruisers and one dispatch-boat building and four more cruisers on paper, these seven cruisers all to be modern vessels of good speed, coal endurance, and armament.

In ordnance we have enough modern guns building to arm the first three cruisers and dispatch-boat, some twenty-one guns all told. But we have no suitable gun-factory plant, nor is any American manufacturer prepared to furnish material except for the smaller guns. Our torpedo outfit is restricted to the spar topedo. Of high-explosive spar torpedoes we have not enough afloat to fit out even the small squadrons now in commission, nor do we possess a single torpedo boat or movable torpedo.

To establish a suitable gun factory and enable our manufacturers to supply gun material, to build and equip a fleet of at least fifty-six modern cruisers, to provide a squadron of thirty torpedo boats, to provide for the purchase of movable torpedoes, and to prepare and arm a modern line of battle of armored coast defenders and rams will cost, all told, between eighty and one hundred millions of dollars, or, say, ten millions a year for eight or ten years.

The sum of one hundred millions is about 2½ per cent. of the value of destructible property exposed to any enemy in eight of our Atlantic harbors enumerated by Lieutentant Griffin, United States Army, in Our Seacoast Defenses. The sum is also less than the average amount on hand daily at the mint and subtreasury alone in the city of San Francisco on the Pacific seaboard. These facts have their significance when we remember that the modern system is to make war sudden, sharp, and decisive, and to make the beaten party pay expenses. Germany exacted a billion of dollars from France in 1871, and under similar circumstances we should probably have to pay even more.

Let us suppose that Congress settles upon a definite plan for the reconstruction of the Navy, and that it has considered the proposals of modifying existing forms of naval administration; there will yet remain an issue upon which all hope of adequate vessels may be wrecked—the rock of political distrust, which prevents one party from countenancing the appropriation of large annual sums to be expended under the direction of a naval Secretary of opposite political views. But even this obstacle can be avoided by means which have been successfully used heretofore. Congress could perfectly well appoint as its commissioners of the naval-constructor fund a limited number of citizens with a national reputation for integrity and business sagacity, and whose political affiliations are not so strong as to render them objects of suspicion by either party.

Such a commission, if intrusted by Congress with the sole duty of seeing that certain funds are legitimately applied, may be safely trusted to perform its work to the satisfaction of the great body of voters. The knowledge of the commission as to naval affairs might be of the most limited kind, but (unless we greatly overrate the intelligence of our American commercial men) we believe that its representatives could see that American ships of war are built to mean business, and that the nation's funds are expended in a business-like way.

When the whole question of naval reconstruction is removed from politics and placed upon its proper footing, as a matter of national concern and of national honor, there are few partisans who could not sink their differences to effect results that they must desire as American citizens.

The flag of our country is displayed in the seas to-day far to leeward of other naval ensigns. It floats there to show that the policy of inaction and lack of definite purpose never pays, and that in naval matters, at all events, we can not drift to windward.

The task to be undertaken is a great one; its fulfillment will consume the greater part of a decade. But if Americans decide to make up for lost time, the old "long pull, strong pull, and the pull altogether" will safely place us where we belong.

Mr. SAYERS. Mr. Chairman, the gentleman from Maine [Mr. BOUTELLE] congratulates the country upon the very successful and satisfactory manner in which our naval affairs have been administered during the time the Republican party had control of the executive branch of the Government. He dwells with much apparent pride and satisfaction upon the bureau system of the Department, and challenges criticism as to the wisdom of the organization and as to the results it has accomplished.

Upon these propositions, Mr. Chairman, I do not hesitate to join issue with the distinguished gentleman, and I do deny that the Navy Department was wisely and efficiently conducted during the period stated, and that its subdivisions are such as to merit the approbation of those whose experience and abilities entitle them to speak with authority upon the subject.

The soundness of a theory or the wisdom of a policy is demonstrated only by its practical application.

Many a magnificent scheme has been exploded when subjected to the crucial test of actual trial, and the folly of the plan becomes so apparent as to be easily appreciated by the dullest intellect.

If the proposition submitted by the gentleman from Maine and, to a certain extent, reiterated by the gentleman from West Virginia [Mr. GOFF] be true, then our fleet should be in an admirable condition, worthy our greatness as a people and responsive to the immense sums of money that have, with lavish prodigality, been expended upon it for so many years past; and our navy-yards should be fully equal in their ability for rapid, economical, efficient, and skilled work to those of any European nation whatsoever.

But how is it with our war ships and naval workshops? Are the pictures so pleasingly drawn by these gentlemen—one speaking as to the bureau system and the other as to the general departmental management—true to reality?

The testimony which I have to offer is reliable. It comes not from the mouths of Democratic partisans. It is authoritative. Its entire correctness can not be successfully controverted. It will be accepted without hesitation by the committee and by the country as worthy every confidence. Secretary Hunt, in his report of November 28, 1881, alluding to the condition of the Navy, speaks of it in this wise:

> The condition of the Navy imperatively demands the prompt and earnest attention of Congress. Unless some action be had in its behalf it must soon dwindle into insignificance. From such a state it would be difficult to revive it into efficiency without dangerous delay and enormous expense. Emergencies may at any moment arise which would render its aid indispensable to the protection of the lives and property of our citizens abroad and at home, and even to our existence as a nation.
>
> We have been unable to make such an appropriate display of our naval power abroad as will cause us to be respected. The exhibition of our weakness in this important arm of defense is calculated to detract from our occupying in the eyes of foreign nations that rank to which we know ourselves to be justly entitled. It is a source of mortification to our officers and fellow-countrymen generally, that our vessels of war should stand in such mean contrast alongside of those of other and inferior powers.

Mr. Secretary Chandler, after enumerating the available cruising war vessels of the Navy, says in his annual report of 1882 that—

> These vessels are creditable in their appearance, commodius in their quarters for officers and seamen, well adapted for ordinary naval exercises, and useful for displaying the national flag upon the seas and in the harbors of the commercial world. But they are of low speed; their engines are not modern, only fourteen being compound; and their steaming, maneuvering, and destructive powers are inferior to those of the present war ships of other navies. It is not the policy of the United States Government to maintain a large navy, but its reputation, honor, and prosperity require that such naval vessels as it possesses should be the best which human ingenuity can devise and modern artificers can construct. Our present vessels are not such, and can not be made such.

Our present Secretary, Mr. Whitney, in his admirable and instructive report of November 30, 1885, submits to the President a graphic but painful and humiliating description of our fleet. He deals with the subject plainly and unflinchingly. On pages 32 and 33 of his report will be found the following:

> At the present moment it must be conceded that we have nothing which deserves to be called a navy. The highest official authority in our service said in 1876:
>
> "There is no navy in the world that is not in advance of us with regard to ships and guns, and I, in common with the older officers of the service, feel an anxiety on the subject which can only be appreciated by those who have to command fleets and take them into battle."

And so recently as 1883 the same distinguished authority stated that it was universally admitted that "we have no navy, either for offense or defense."

The country has expended since July 1, 1868—more than three years subsequent to the close of the late civil war—over seventy-five millions of money on the construction, repair, equipment, and ordnance of vessels, which sum, with a very slight exception, has been substantially thrown away, the exception being a few ships now in process of construction. I do not overlook the sloops constructed in 1874 and costing three or four millions of dollars, and to avoid discussion they may be excepted also. The fact still remains that for about seventy of the seventy-five millions of dollars which have been expended by the Department for the creation of a navy we have practically nothing to show.

It is questionable whether we have a single naval vessel finished and afloat at the present time that could be trusted to encounter the ships of any important power—a single vessel that has either the necessary armor for protection, speed for escape, or weapons for defense. This is no secret; the fact has been repeatedly commented upon in Congress by the leading members of both parties, confessed by our highest naval authorities, and deprecated by all.

And Admiral Porter, whose thorough and accurate acquaintance with everything connected with or pertaining to the duties of his high office and whose character, personal and professional, is beyond all question, thus feelingly writes of the fleet in his report of November 30, 1885. Says he:

At the present time we have literally nothing in commission but so-called "vessels of war" that can scarcely perform the duties of a peace establishment, and in case of a conflict with any naval power the aforesaid war vessels would have to go into retirement until peace was declared, the largest of them having neither speed nor battery that would enable her to contend successfully against a two-gun modern French or English gunboat.

But, Mr. Chairman, it may be supposed that the proof, though altogether reliable and coming from sources that make it convincing, is too general. To meet such objection I now present to the committee for its consideration the following tabular statement furnished me by the Navy Department.

Name of vessel.	Of what built.	When built.	Complement of officers and crew.	Original cost in Construction department.	Cost of repairs Construction department.	Original cost of machinery.	Cost of present machinery.	Cost of repairs to machinery.	Cost of equipment outfit.	Cost of repairs to equipment outfit.	Total cost including repairs.	Probable future length of effective service.
												Years.
Yantic	Wood	1864	143	$137,762 00	$375,593 60	$68,500 00		$153,137 70	$26,495 15	$66,492 44	$827,980 89	3
Wyandotte *a*	Iron	1862	104	633,327 84	217,086 80			38,855 97		10,481 82	899 752 43	
Passaic *a*	do	1862	104	423,172 00	229,171 40			62,106 92		27,831 59	742,291 91	
Nantucket *a*	do	1863	104	408,091 00	212,224 85			48,941 29		17,717 96	686,975 10	
Nahant *a*	do	1863	104	413,515 00	207,558 96			34,936 21		5,178 26	661,188 43	
Montauk *a*	do	1862	104	423,027 00	213,356 96			53,109 91		22,709 23	712,203 10	
Manhattan *a*	do	1862	104	628,879 00	243,461 04			39,363 39		38,617 34	950,320 77	
Mahopac *a*	do	1862	104	635,375 00	254,307 45			45,957 64		31,231 83	966,871 92	
Lehigh *a*	do	1863	104	422,726 00	201,373 86			48,733 34		16,833 08	689,666 28	
Jason *a*	Iron	1862	104	436,450 00	207,953 36			57,379 91			701,783 27	
Catskill *a*	do	1863	104	427,767 00	210,488 91			50,853 18		21,236 09	710,345 18	
Camanche *a*	do	1862	104	613,165 00	302,057 00			17,630 54		6,837 47	840,690 01	
Canonicus *a*	do	1862	104	621,215 00	248,280 10			49,407,36	22,392 32	43,729 62	985,024 40	
Ajax *a*	do	1862	104	583,172 24	154,325 46			38,489 95	25,440 10	24,272 62	825,700 37	
Saugus *a*	do	1862	104	588,466 00	193,730 00			43,496 73	2,593 66	24,531 53	852,817 92	
Fortune	do	1862	52	149,600 00	88,681 81			92,259 65	3,767 53	26,934 38	861,243 37	10
Leyden	do	1865	52	128,000 00	52,402 85			67,656 23	1,467 61	6,211 89	255,738 58	10
Mayflower	do	1864	52	106,240 00	79,722 16			75,240 14	6,207 98	13,588 95	280,999 23	10
Nina	do	1864	52	128,000 00	30,696 45			48,428 06		5,808 38	212,932 89	10
Rescue *b*	do	1861		17,300 00	21,196 23			29,185 14		3,039 06	70,720 43	
Speedwell	do	1865	52	149,600 00	62,160 69			99,748 03		17,633 90	329,142 62	10
Standish	do	1864	52	106,240 00	58,255 25			55,236 53		4,028 51	222,760 29	10
Triana	do	1864	52	128,000 00	41,276 14			81,733 44		11,389 00	262,398 58	10
Catalpa *c*	Wood			55,000 00	26,950 09			38,436 82		3,546 98	123,933 89	1
Cohasset *c*	do			14,500 00	51,879 36			62,958 35		2,860 25	132,197 96	2
Adams	do	1874	159	264,021 00	104,938 57	186,886 73		128,755 14	49,972 25	95,883 01	830,456 70	6
Alarm	Iron	1874	50	282,552 00	25,226 82			36,272 21	15,852 90	16,975 14	376,879 07	20
Alert	do	1873	150	326,016 00	81,255 70			82,879 08	61,098 76	45,256 55	596,506 09	15
Alliance	Wood	1873	158	388,771 32	48,097 24	183,680 25		102,031 42	41,081 20	44,019 11	807,680 54	6
Brooklyn	do	1858	276	417,921 00	1,206,864 13			343,013 73		385,024 12	2,352,822 98	3
Despatch *d*	do		75	98,500 00	79,009 50			64,830 57	7,722 84	68,346 85	318,409 76	2
Enterprise	do	1873	169	304,148 00	73,684 48	185,003 49		75,520 87	64,115 37	57,754 66	760,226 87	6
Essex	do	1874	149	300,746 00	51,617 81	172,455 90		78,349 43	61,974 26	51,632 76	716,776 16	6
Franklin *c*	do	1854 to 1865	76	891,236 35	200,976 64	444,583 25		222,180 82	113,141 40	176,244 19	2,048,362 65	
Galena	do	1871 to 1880	193	598,857 00	14,172 03		273,403 47	56,040 84	57,873 12	51,499 60	1,051,846 06	5
Hartford	do	1858	310	502,650 00	856,875 14			312,423 39		405,331 39	2,077,279 92	5
Intrepid	Iron	1874	50	425,998 00	29,315 91			10,053 90	36,123 44	3,546 04	505,039 29	20
Iroquois	Wood	1858	198	307,155 00	556,017 84			420,713 92		131,779 80	1,415,666 56	2
Juniata	do	1862	187	364,820 00	575,349 92			368,668 72		220,101 49	1,528,940 13	3
Kearsarge	do	1861	185	286,918 00	699,051 63			217,117 63		227,589 90	1,430,677 16	3
Lancaster	do	1876 to 1881	412	535,921 92	25,735 54		196,660 45	7,696 71		276,850 75	1,042,865 37	10
Lackawanna *f*	do	1862	215	451,069 00	721,006 29	52,827 72		249,754 46	19,495 47	250,530 97	1,744,683 91	
Marion	do	1871	183	482,831 00	94,564 93	167,563 19		112,370 22	74,488 41	74,008 00	1,005,825 75	5
Michigan	Iron	1844	81	154,100 00	93,669 72			4,005 44		39,803 80	291,578 96	20
Minnesota *g*	Wood	1855	79	691,408 00	972,291 80			310,334 96		364,558 85	2,338,593 61	
Mohican	do	1872	187	591,276 43			227,109 69	78,170 70	20,155 58	67,730 90	984,443 30	10
Monocacy	Iron	1863	115	190,112 00	132,677 77		103,999 99	166,233 85	21,359 90	568 87	614,952 38	3
Monongahela *g h*	Wood	1862	48	373,796 00	648,870 23				16,007 94	235,238 34	1,273,912 51	
New York *i*	do	1865		200,141 00			109,677 72				309,818 72	
Nipsic	do	1873	164	264,466 00	20,485 17	98,403 62	259,063 18	56,789 91	48,812 10	41,962 36	789,982 34	5
Omaha	do	1867	252	601,505 00	338,089 92		155,274 54	187,402 83	50,673 84	139,334 51	1,472,280 64	10
Ossipee	do	1861	172	363,787 00	763,062 97	43,277 20		461,951 95		229,442 45	1,861,521 57	6
Palos	Iron	1865	51	128,000 00	93,508 98			61,740 97	23,541 25	435 29	307,226 49	3
Pensacola *a*	Wood	1858	348	304,790 00	1,209,773 98	468,783 02	367,499 98			435,301 09	2,786,148 07	3
Pinta	Iron	1865	52	128,000 00	139,272 00			91,697 00	7,915 91	21,501 20	388,386 11	3
Powhatan	Wood	1847	243	771,771 00	774,718 24			136,591 22		339,593 98	2,022,674 44	1
Quinnebaug	do	1871	187	471,773 00	22,220 12		207,991 86	95,333 73	63,340 69	17,211 20	877,870 60	5
Ranger	Iron	1873	129	207,322 00	74,755 48		140,522 58	38,990 15	39,184 10	37,828 79	538,603 10	15
Richmond	Wood	1858	264	566,259 00	682,540 38			225,964 02		394,644 87	1,869,408 27	6
Shenandoah	do	1862	219	379,917 00	566,374 63	69,006 24		210,453 00	15,143 51	185,359 64	1,426,254 02	2
Swatara	do	1872	185	348,214 00	141,880 00		190,743 37	157,729 28	72,434 65	129,774 62	1,040,775 92	5
Tallapoosa	do	1874	131	200,692 00	180,278 54	82,939 73		230,543 71	23,067 42	32,422 53	749,943 92	6
Tennessee *j*	do	1865	394	908,564 00	850,681 91	1,118,990 41		275,135 05	182,996 21	352,232 33	3,688,599 91	
Trenton	do	1873	423	659,256 57	240,204 82	660,458 15		101,123 84	131,878 22	40,958 72	1,833,880 32	10
Thetis	do	1884	12	140,000 00	31,696 57			895 02			172,591 59	10
Vandalia	do	1872	172	623,430 12	125,711 22	101,930 37		126,768 52	75,857 44	95,486 54	1,149,234 21	10
Wachusett *k*	do	1861	190	314,362 85	383,576 20			204,131 75			902,070 80	
Wabash *g*	do	1854	82	864,100 00	938,289 81			252,594 01		278,213 62	2,333,197 44	
Monterey *c*	do			23,437 00	86,737 19		58,992 85	50,672 70	1,075 92	4,794 02	225,709 68	2
Rocket *c*	do			22,500 00	20,038 41			38,825 76		686 61	81,750 78	3

a This vessel was built of iron with single bottom and has 5 inches of laminated armor, turret from 10 to 11 inches in thickness, armed with muzzle-loading guns of antiquated type. It can not be said to be possessed of any value viewed from a military standpoint at the present time, and would require extensive repairs to make it fit for service.

b Yard tug; purchased; condemned.
c Purchased; yard tug.
d Purchased.
e Not worth repairs.
f Condemned.
g Not worth repairing.
h Has no machinery.
i On stocks.
j Should be condemned.
k Condemned.

Name of vessel.	Of what built.	When built.	Complement of officers and crew.	Original cost in Construction department.	Cost of repairs Construction department.	Original cost of machinery.	Cost of present machinery.	Cost of repairs to machinery.	Cost of equipment outfit.	Cost of repairs to equipment outfit.	Total cost including repairs.	Probable future length of effective service.
												Years.
Portsmouth *l*	Wood	1843	118	$147,057 00	$630,062 48					$101,226 34	$878,345 82	2
Jamestown *l*	do	1845	118	176,544 00	747,858 54					109,605 42	1,004,067 96	2
Saratoga *m*	do	1842	118	139,185 00	565,593 70			$42 63		106,729 11	811,550 44	2
New Hampshire *n*	do	1863	166	372,948 00	131,882 56					130,525 19	635,355 75	
Vermont *n*	do	1848	100	212,999 00	127,627 09					62,420 24	403,046 33	
Constitution *n*	do	1797	15	302,719 00	807,692 37					158,266 92	1,268,678 29	
Independence *n*	do	1837	71	287,600 00	543,798 05					55,753 13	887,151 18	
St. Louis *n*	do	1828	49	125,468 00	526,516 20					51,506 39	703,490 59	
St. Mary's *n*	do	1844	15	162,997 00	452,404 64					25,500 00	740,901 64	
Dale *n*	do	1839	50	97,361 00	287,116 87					53,936 79	420,414 66	
Constellation *o*	do	1854	195	277,106 00	319,437 59			8 00		70,811 71	667,362 30	
Total			10,333	28,411,306 82	24,077,342 04	$4,105,289 27	$2,291,839 68	8,776,337 41	$1,484,748 37	7,446,496 88	75,273,312 06	
Amphitrite *p*	Iron	1874	*q*162		*r*414,192 36	317,621 53	208,712 32				940,526 21	
Miantonomoh	do	1874	*q*162		*r*941,882 64		663,108 16	126,577 96	20,101 82		1,751,670 58	
Monadnock	do	1874	*q*162		*r*585,600 61	321,460 28		31,078 34			938,139 63	
Puritan	do	1874	*q*162		*r*511,928 50	230,196 74	410,299 99	3,166 60			1,155,591 83	
Terror	do	1874	*q*162		*r*436,811 73	216,833 05	208,712 32	34,183 82			896,540 92	

l Wooden sailing vessel and no machinery; used as training apprentice ship; old, and expensive to keep in repairs, and will not last longer than two years.
m Wooden sailing vessel; used as training apprentice ship; old, and expensive to keep in repairs, and will not last longer than two years.
n Wooden sailing vessel and no machinery; of no use to the service except for receiving or school ship.
o Wooden sailing vessel and no machinery; will last a long time as a practice ship at the Naval Academy.
p New, with double-bottom hull; the Miantonomoh is nearly complete; the Puritan has her engines in; the work of putting the machinery in the Amphitrite and Terror is now under way; the Miantonomoh lies at Mare Island navy-yard.
q Complement allowed during late war.
r Cost Construction department to date.

In it not only appears the name, age, and character of every vessel, but there is also shown the original cost of each ship and all subsequent expenditures upon it in the way of repairs. The probable length of future effective service which may be expected of each vessel is also given.

This statement, carefully prepared—every figure taken from the original entry—furnishes the most conclusive testimony, not only as to the present condition of the fleet, but it also exhibits, with perfect accuracy and in the strongest light, the wasteful expenditure of the public treasure that has characterized our naval administration during the past twenty years.

It presents a sad commentary upon the wisdom, the economy, and the efficiency of those who have been charged with high and important functions, and is indeed a sorrowful answer to the vast sums that have been so liberally appropriated for the proper maintenance of this popular branch of the military service. Its entire accuracy can not and will not be questioned. The responsibility for this shameful condition of our Navy rests upon those who have been charged with the disbursement of the money intrusted them, and they will not be permitted to equivocate or to deny. The original entries are in the books of their own making and keeping. These books have been opened and examined, and upon their every page are found the indisputable evidences of their own official misconduct and everlasting disgrace.

So much as to our fleet. When viewed in the light of the facts which I have been able to lay before the committee "the some slight mistakes made even under the beneficence of Republican rule" admitted to have occurred by the distinguished gentlemen from Maine [Mr. BOUTELLE] develop into crimes of the greatest magnitude and call for the severest condemnation by all just-minded men of whatever political faith.

But how does it stand with reference to our navy-yards? Is their present condition such as to justify the expenditure that has been so lavishingly made upon them for the past twenty years?

The gentleman from West Virginia [Mr. GOFF] commends most highly the present bureau system, and, in glowing and emphatic terms, pronounces it the perfection of wisdom and the careful embodiment of long official experience.

I have great confidence in the judgment of my friend from West Virginia, and, apart from political partisanship, would accept any opinion coming from him without question.

But to-day he seems to have lost that equipoise of judgment by which he is characterized, and, altogether ignoring what has heretofore been written upon the subject by an eminent and highly-trusted member of his own party, showers down upon the bureau system as at present constituted, in language strong, forcible, and copious, his choicest and richest benedictions.

I, however, appeal from the judgment of the honorable gentleman from West Virginia to the deliberately formed and carefully expressed opinion of Hon. William E. Chandler, ex-Secretary of the Navy, delivered under the sanction of a grave constitutional duty.

In his annual report of 1883, Mr. Chandler, referring to the defects in the navy-yard management, says:

> Much difficulty has been experienced in effecting navy-yard reforms, owing to the opposition of persons interested in the existing system, not only to closing the repair-shops in yards to be hereafter kept only as naval stations and arsenals, but also to concentration and economy at yards which are to be kept open for work. The assistance and specific directions of Congress should therefore be sought and effectively accorded. The arguments and facts which show that reforms should be instituted are overwhelming. The change of naval construction from wooden to steel ships would of itself involve a revolution in methods of work. With but little more than thirty vessels in commission, only five or six have required repairs at any one time, and by distributing these among as many navy-yards the cumbrous organization and heavy expenditures at each yard have been hung upon and charged to the one ship then in hand, with the results which published records have shown.

And again, in his report of 1884, he tells us, as the result of his official experience and of his thorough acquaintance with the present method of departmental work, that—

> There is something radically wrong in a system which unites in a single organism a military post with its routine, its forms and ceremonies, its modes of official correspondence, its quarters for officers, and its drill-grounds and barracks on the one hand, and a mechanical workshop devoted to operations that have not the remotest connection with the discipline of a military service. The organization, the methods of control required, the objects to be accomplished are totally dissimilar and incompatible. It would be wrong to undervalue the importance of military forms and usages and the elaborate but perhaps necessary machinery which is a characteristic feature of military administration; but it is clear that this is not the kind of machinery that belongs to a workshop.
>
> At the present time navy-yard administration is overloaded with traditions and customs, the work is obstructed by a cumbrous organization, technical responsibility is lost in the elaborately graded multitude of semi-technical and semi-military officials; instead of smoothness is to be found friction, instead of promptness delay and procrastination, instead of thrift extravagance, instead of unity of action a mass of discordant interests. And as if one such establishment were not enough of a blunder, the national policy, under the clamor of localities seeking patronage, has multiplied these military shops and dotted them all over the country, in order that the benefits of wasteful governmental expenditure may be shared by many States.

Here, Mr. Chairman, we find the Secretary of the Navy sustained by the President, and with a majority of the Senators in close political sympathy with him, proclaiming the grossly defective character of the departmental organization—complaining of the improper combination of powerful and interested influences to thwart every attempt toward the correction of existing evils—and calling upon Congress, with the greatest emphasis, to interpose and to assist him, by statutory enactment, in the laudable endeavor to correct the fearful abuses that were preventing an economical and efficient administration of our naval affairs.

That the committee, Mr. Chairman, may be advised as to the expenditures at the several navy-yards during the last seventeen fiscal years, under the mischievous operation of the prevailing bureau system, I submit the following tabular statement. [For statement see opposite page.]

This statement speaks for itself, and should immediately awaken every one, who may give it the proper consideration, to the necessity of the speedy inauguration of measures that will prevent such gross mismanagement in the future.

Mr. Chairman, while upon this subject I beg to call attention to several portions of the very able and exhaustive report of the present Secretary. Speaking of the organization of the Department, he says:

> It must be evident that there is something radically wrong with the Department. The universal dissatisfaction is the conclusive proof of this. It is expressed to me by influential members of both political parties, and quite universally by the naval officers, coupled with the hope and expectation that some remedy may be found and speedily applied. Placed temporarily in charge of the interests of the service, it forces itself daily upon me for consideration.

Tabulated statement showing cost of maintaining the various navy-yards, with value of their products, from the year 1868–'69 *to the year* 1884–'85.

Heads of expenditure.	Mare Island, Cal.	Portsmouth, N. H.	Boston, Mass.	New York, N. Y.	League Island, Pa.	Washington, D. C.	Norfolk, Va.	Pensacola, Fla.	Total.
Cost of repairs made to buildings, docks, wharves, &c.	$1,198,656 24	$739,355 98	$1,171,599 84	$1,046,412 59	$360,844 70	$790,053 08	$879,424 53	$438,721 58	$6,625,068 54
Cost of repairs made to machinery	445,873 66	571,509 17	365,098 53	817,955 21	60,160 55	299,058 61	393,760 24	74,322 10	3,027,738 07
Civil and contingent expenses: Clerk, messengers, watchmen, teams, fire-engines, fuel, furniture, vehicles	2,743,596 07	2,119,170 84	3,858,269 59	4,301,290 82	1,093,162 30	2,475,267 18	2,439,045 60	929,850 40	19,959,652 80
Cost of dredging	41,972 96	.....	17,569 14	186,743 16	20,826 26	46,189 60	70,468 28	.....	383,769 49
Total cost of maintaining yard	4,321,896 61	3,410,566 06	5,387,833 91	6,230,094 14	1,512,614 82	3,534,019 35	3,756,939 40	1,414,076 29	29,568,040 58
Amount expended for material and labor used in producing manufactured articles, or performing work for the Navy	7,215,050 85	8,536,767 48	13,721,762 05	16,846,472 52	2,202,620 91	11,976,305 27	7,219,340 38	363,337 89	68,081,657 35
Estimated value of manufactured articles produced and work performed for the Navy	8,266,237 15	10,520,599 11	16,779,450 51	19,700,543 27	2,604,753 62	15,173,985 88	8,353,561 06	387,434 70	81,786,565 30
Cost of maintaining yard and performing work for Navy, less estimated earnings	3,270,710 31	1,426,734 43	2,330,145 45	3,376,023 39	1,110,482 11	336,338 74	2,622,718 72	1,389,979 48	15,863,132 63

And again:

For the security of the public it is provided by law that the purchases of the Navy Department shall be by contract, after advertisement, and shall go to the lowest bidder; that only "regular dealers" shall be dealt with by the Department, which has been interpreted to mean persons whose occupation it is to deal in such articles with the general public. The contract system can be dispensed with only when there is an emergency certified to by the bureau officer for the immediate purchase, doubtless largely intended for a time of war. Without an efficient head to establish a system and attend to its proper enforcement in the matter of purchases, one would expect to find that order of things which has heretofore brought grave scandals upon the Department, namely, large private purchases where contracts were intended by law, and the business falling into the hands of naval contract brokers to the exclusion of regular dealers in the articles. These abuses (quite inevitable in the absence of a proper system) were investigated and exposed by Congressional committee years ago; but by recent investigations I find the same order of things largely existing down to a recent date, and the same men named in the Congressional report holding substantially the same relation to the Department as before, and with the same scandalous results.

The open purchases of the Navy Department for the year ending June 30, 1885, amounted to $841,285.84 while the purchases by contract amounted to only a little over a million. A large proportion of the open purchases consisted of articles of either comparatively small value, or more or less difficult of classification; but $138,000 of the amount was spent by the seven bureaus, each acting independently of the other for coal bought, not in one lot, but at 166 several open purchases (this does not include coal bought by ships on foreign stations); 299 different open purchases of stationery were made by eight different bureaus; $121,315 66 was spent for lumber and hardware by six bureaus in 499 separate open purchases. Seven bureaus spent $46,000 for oils and paints in 269 separate purchases; 117 different open purchases of iron and steel were made at an expense of $41,524.48; $68,881.59 was spent for hemp and cordage in 45 different open purchases. Eight bureaus supply stationery to ships; three bureaus supply ships with lamps and lanterns. To the same ship one bureau supplies electric lights and the light for general illuminating purposes; another supplies electric search lights, and a third oil and light for the engine and fire rooms.

These facts are taken from the records of the year ending June 30, 1885, and its showing is more favorable than that for the previous year.

And, also:

In the summer of 1883 an order was given for $61,000 worth of canvas to a person who was not a dealer in the article and at a time when there was the usual supply of canvas on hand.

Under an order made by Secretary Thompson in 1877 it was understood that the limit of any single purchase under a "certificate of necessity" was $500. For purchases involving a larger amount resort must be had to the ordinary contract system. Several months were consumed in the delivery of this $61,000 worth of canvas and the bills were made out in sums of less than $500 each. The "certificate of necessity" accompanied each one, and in that form the bills passed the Treasury Department.

Two or three of these bills, with the bureau officer's certificate of necessity upon them, would sometimes be dated and presented on the same day.

During the same year coal was purchased by different paymasters from the same person on or about the same days, deliverable at the very same place, of like quality and character, but at prices differing from 50 to 65 cents a ton.

It is idle to suppose that abuses of the character I have glanced at can be prevented merely by a change in the *personnel* of the Department. It is the system that is vicious.

And further:

Take the Omaha for an example. She has been rebuilt within the last four years, at an expense of $572,000. It was an act of the greatest folly. She in a repaired wooden vessel, with boilers, machinery, and guns, all of which would at the time have been sold for what they would have brought by any other nation on earth. In the event of a war she can neither fight nor run away from any cruiser built contemporaneously by any other nation. Her rebuilding cost the full price of a modern steel ship of her size and all modern characteristics.

* * * * * * *

At present the four heads of these bureaus, instead of co-operating, work independently of each other and not always in harmony in producing their respective parts of a completed ship. After the Omaha had been commissioned and was ready for sea, it appeared that the several bureaus working independently upon her had between them so completely appropriated her space that they had left her coal-room for not more than four days' steaming at her full capacity. Each bureau, too, finds it necessary to maintain its separate shops in the several navy-yards, each with a separate organization of foremen, quartermen, leading men, &c., so that shops doing precisely the same class of work—carpenter-shops and machine-shops, for instance, are commonly duplicated and sometimes triplicated in the same navy-yard with a corresponding multiplicity of foremen and organization expenses—a state of things which, under the present organization of the Department, it is almost impossible to correct.

Certainly, Mr. Chairman, it will not be deemed necessary for me to further answer that portion of the speech of the gentleman from West Virginia which has reference to the bureau system as now maintained in the Navy Department. If these subdivisions of labor and authority were ever of any advantage to the country, those who favor their continuance should be required to demonstrate, with proof the most convincing, their entire adaptation to the purposes for which they were instituted.

But I will not dwell longer upon this subject. There is upon the Calendar of the House a bill reported by the Committee on Naval Affairs, which, if enacted into law, will, it is confidently believed, bring about a considerable reformation of the abuses that have impaired the efficiency of the Naval Department for so many years, subjecting it to the imputation of the most shameful and wasteful extravagance, and of the corrupest practices that ever disgraced the government of a free people.

In reference to this bill, I desire to correct a statement just made by the gentleman from West Virginia. In his remarks I understood him to say that another bill upon the same subject was prepared by Mr. Whitney and submitted to the committee, and that he afterward acknowledged before the committee the impropriety of the bill, and desired that it should not be reported upon; and that the present bill, now upon the Calendar, was prepared by or at the instance of Mr. Whitney and submitted to the committee. If I have understood the gentleman correctly, I am bound to say that the gentleman from West Virginia is quite mistaken.

It was my habit to attend the meetings of that committee regularly, and I was present when the Secretary appeared before it. I heard no such acknowledgment from him. On the contrary, he strongly and earnestly favored its approval by the committee. That bill was discussed day after day by the committee, and it was only when the Republican members refused to join in the measure of reform that the chairman of the committee [Mr. HERBERT] himself prepared the bill now upon the Calendar and submitted it to the Secretary.

I repeat it, the bill, as presented to the committee, was not the work of the Secretary, but of the chairman of the committee, the gentleman from Alabama. The Secretary of the Navy had nothing whatever to do with its preparation, and the gentleman from Alabama, on his own motion, submitted it to the Secretary of the Navy and then brought it before the committee.

Mr. BOUTELLE. I would like to ask the gentleman if it was not introduced with the approval of the Secretary of the Navy.

Mr. SAYERS. It was introduced with the approval of the Secretary, for the reason that any reform inaugurated by this House would be better than none. It was approved by the Secretary because, under the present system, it would be impossible for him or any other Secretary to correct those vicious abuses which have been portrayed in such vivid colors by his predecessor, Mr. Chandler.

Mr. BOUTELLE. Would it be convenient for my colleague to inform me how he knows what the motives of the Secretary were in giving that approval?

Mr. SAYERS. If the gentleman from Maine had attended the meetings of the committee, as it was his duty to do, he might be as well informed upon that point as myself.

Mr. BOUTELLE. Do I understand my colleague to say that the Secretary of the Navy has, in any way, advised the Naval Committee of the reasons which induced him to approve the substitution of the second bill for the first one?

Mr. SAYERS. It was not necessary for him to advise the committee.

Mr. BOUTELLE. Very well. How, then, could I have been informed upon the subject by attendance at the meetings of the committee?

Mr. SAYERS. Because it was talked over repeatedly, openly and aboveboard, by the committee.

Mr. BOUTELLE. But how could the committee have been informed of the Secretary's motives?

Mr. SAYERS. Because the Secretary told the chairman of the committee, and by the chairman the committee was so informed. Now you have it; are you satisfied?

Mr. BOUTELLE. Ah! Some private understanding between the Secretary of the Navy and the chairman of the committee!

Mr. SAYERS. No, sir; no such thing.

Mr. BOUTELLE. Mr. Chairman, I am talking about official communications from the Secretary of the Navy to the Committee on Naval Affairs, not about private understandings.

Mr. SAYERS. I object to the gentleman further interrupting me. There were no private understandings. It is not the policy of our party.

Mr. BOUTELLE. Then I would like the gentleman to state the official communication conveying this information.

Mr. SAYERS. I have not the time to further bandy remarks with the gentleman from Maine. It was my intention when this debate began to adopt a different line of argument before the committee, but the gentleman from West Virginia [Mr. GOFF] has seen proper to bring up the question of the Dolphin and the cruisers, which were undertaken to be constructed by Mr. John Roach, whom the gentleman has repeatedly, and with much apparent affection, termed "Honest John Roach."

Let me to say to the gentleman from West Virginia, and to all who think like him, Mr. Chairman, that we do not shrink from a most thorough and critical examination into everything connected with the dispatch boat—the Dolphin. We are more than willing that the light of intensest inquiry and criticism be turned upon that piece of business, and if anything can be discovered that will be agreeable to Honest John Roach, or to the advisory board, or, to the then Fourth Auditor of the Treasury, or to the then Secretary of the Navy, or to their friends, we will most heartily wish them every enjoyment of what small crumbs of comfort they may be able to seize upon.

By way of answer to what has been said by the gentleman from West Virginia upon this subject, I shall submit to the committee three propositions, and will endeavor to support each of them by such argument and evidence as will convince every unprejudiced mind of their entire correctness.

These propositions are:

First. That Mr. Roach undertook the construction of the Dolphin, the Boston, the Atlanta, and the Chicago for a price much less than their proper construction would be reasonably worth, and that in order to partly save himself in the transaction he was compelled to build and did build the Dolphin so defectively, as compared with the terms of his contract, that it could not successfully answer the purpose for which it was intended.

Second. That the naval advisory board, whose duty it was, as defined by the statute, "to advise and assist the Secretary of the Navy in his office or elsewhere, in all matters referred to it by him relative to the designs, models, plans, specifications, and contracts for said vessels in all their parts, and relative to the materials to be used therein and to the construction thereof, * * * and to examine all materials to be used in said vessels and inspect the work on the same as it progressd and have the general supervision thereof under the direction of the Secretary," was either grossly neglectful of its duties or was incapable of their proper performance, or was in close sympathy with Mr. Roach and to the detriment of the Government.

Third. That Mr. Secretary Whitney, in all that he has done in reference to the Dolphin and the other vessels, has acted as an honest, faithful, and efficient officer, looking to the interests of the Government only in every step he took.

These propositions are plain, can be easily understood, and they comprehend the whole matter. Let us examine them carefully, with that spirit of fairness and sense of justice which is alike due to all concerned. Congress, in pursuance of the recommendation made by the naval advisory board in its report of December 20, 1882, authorized the construction of three cruisers and one dispatch boat as recommended by said board in said report, and especially provided that no such vessel should be accepted unless completed in strict conformity with the contract.

As this report, Mr. Chairman, must necessarily be the beginning point in this examination, I invite the attention of the committee to the following passage:

Also one dispatch vessel or "clipper," to have a sea speed of 15 knots, to be built of iron, and be armed with one 6-inch breech-loading rifle and four revolving guns.

ESTIMATES.

Load displacement	tons...	1,500
Cost:		
To hull		$230,000
To machinery		175,000
To ordnance		30,000
To equipment		25,000
Total		460,000

On the 28th day of April, 1883, Mr. Secretary Chandler invited proposals for the building of these vessels until July 2, 1883. Mark the shortness of the time. Congress had provided that at least sixty days should be allowed for this purpose, and the Secretary avails himself of the shortest limit. In this publication for proposals we find the following clause:

The three cruisers must be completed within eighteen months and the dispatch boat within twelve months from the execution of the respective contracts. Payments to each contractor will be made in ten equal installments as the work progresses, upon bills duly certified, from which 10 per cent. will be reserved, to be paid on the full and final completion of the contract.

There were four proposals submitted by as many different parties for each vessel, and as the amount of the several bids will to a certain extent indicate the estimated value of the work and material involved, I submit them to the committee.

Tabular statement of proposals for the construction of the steam steel cruisers Chicago, Atlanta, and Boston and the dispatch boat Dolphin.

CHICAGO.	
No. 1	$1,120,000
No. 2	1,080,000
No. 3	1,163,000
No. 4. John Roach, Morgan Iron Works, New York city, N. Y	889,000
ATLANTA.	
No. 5	775,000
No. 6	650,000
No. 7. John Roach, Morgan Iron Works, New York city, N. Y	617,000
No. 8	763,400
BOSTON.	
No. 9	777,000
No. 10	650,000
No. 11. John Roach, Morgan Iron Works, New York city, N. Y	619,000
No. 12	748,000
DOLPHIN.	
No. 13	375,000
No. 14. John Roach, Morgan Iron Works, New York city, N. Y	315,000
No. 15	380,000
No. 16	420,000

The gentleman from West Virginia [Mr. GOFF] was unfortunate in calling the attention of the committee to these bids. Viewed in the light of subsequent events they can not fail to suggest the thought that "Honest John," when so greatly underbidding his rivals upon every ship, knew what he was about; that his loss would be only apparent, and from the investment he would surely reap a rich reward. "Honest John" was dealing with his friends. It would not do to lose the bids, whatever the seeming sacrifice.

And so "Honest John" secures the bids and executes his bonds, that for the Dolphin bearing date July 23, 1883.

To demonstrate, Mr. Chairman, how thoroughly inefficient a bond, however well drawn and carefully prepared, may become for the purpose apparent on its face whenever the contracting parties are strictly in accord with one another, I shall read to the committee some of the clauses that are to be found in the Dolphin bond. They are worth listening to, however inoperative they may have afterward become through the dexterous management of these mutual friends, the Secretary of the Navy, the Fourth Auditor of the Treasury, the advisory board, and "Honest John Roach." One might well imagine that trained and skillful gamblers were at work. The contract intended for the public was duly signed, sealed, delivered, and admitted to record with all the solemnity of official routine. The contract to be executed was yet to see the light of day—perhaps never. The clauses, Mr. Chairman, that I desire to submit to the committee are as follows:

Whereas the act making appropriations for the naval service for the year ending June 30, 1884, approved March 3, 1883, made an appropriation for the construction of a steel cruiser of not less than 4,300 tons displacement, then specially authorized by law; two steel cruisers of not more than 3,000 nor less than 2,500 tons displacement each, and one dispatch boat; and authorized the Secretary of the Navy to construct said vessels;

And whereas, after due advertisement, the proposal of the said principal party of the first part for the construction of the hull and machinery of one of said vessels, to wit, a dispatch boat of about 1,500 tons displacement, has been duly accepted by the Secretary of the Navy;

And whereas the drawings and specifications required by the act of August 5, 1882, have been duly provided, adopted, and approved in accordance with the provisions of said act relating thereto:

Now, therefore, this contract witnesseth that, in consideration of the premises and for and in consideration of the payments hereinafter provided for, the parties of the first part, for themselves, their heirs and assigns, personal and legal representatives, do hereby covenant and agree to and with the United States as follows, that is to say:

First. The said parties of the first part will, at their own risk and expense, construct, in conformity with the afore said plans and specifications hereto annexed, and in accordance with the provisions of the acts of Congress approved August 5, 1882, and March 3, 1883, respectively, before mentioned and relating thereto, one dispatch boat of about 1,500 tons displacement, with fittings as specified, of the following principal dimensions:

Length between perpendiculars, 240 feet; extreme breadth, 32 feet; depth in

hold, 18 feet 2 inches; and provided and fitted with machinery, engines, and boilers complete in all their parts, appurtenances, and spare parts, and in all respects as described in the specifications, and deliver the same at the port of New York, N. Y., or Norfolk, Va., to such persons as the Secretary of the Navy may direct to receive the same, at either of said ports.

Second. The construction of the hull and machinery, and the fittings of the vessel, shall conform in all respects to and with the plans and specifications hereto annexed, which plans and specifications shall be deemed and taken as forming part of this contract with the like operation and effect as if the same were incorporated therein. No omission in the plans or specifications, of any detail, object, or provision necessary to carry this contract into full and complete effect, in accordance with the object and intent of the acts of Congress above mentioned, shall operate to the disadvantage of the United States, but the same shall be satisfactorily supplied, performed, and observed by the parties of the first part, and all claims for extra compensation by reason of, or for or on account of such extra performance are hereby and in consideration of the premises expressly waived.

* * * * * * *

Fourteenth. It is mutually understood, covenanted, and agreed, by and between the respective parties, that it shall not, under any circumstances, be obligatory upon the party of the second part to accept the vessel or any part thereof to be constructed under this contract unless the same shall have been completed in strict conformity with this contract, under the supervision of the naval advisory board, and in accordance with the provisions of the act of August 5, 1882, as modified by the act of March 3, 1883, hereinbefore referred to, and this qualification shall be deemed and taken as applicable and applying to each and every clause, covenant, and condition, express or implied, in this contract contained.

Fifteenth. It is hereby mutually and expressly covenanted and agreed, and this contract is upon the express condition, that no Member of or Delegate to Congress, nor any officer of the United States, naval, military, or civil, is, or shall be, admitted to any share or part of this contract, or to any benefit to arise therefrom.

Sixteenth. The United States, in consideration of the premises, do hereby contract, promise, and engage to and with the parties of the first part, as follows:

1. The contract price to be paid for the vessel, machinery, and fittings, to be constructed and furnished in accordance with this contract, shall be $315,000 (three hundred and fifteen thousand dollars).

2. Payment shall be made by the United States in ten equal installments, as the work progresses, with a reservation of 10 per cent. from each installment.

3. No payment shall be made except upon bills, in triplicate, certified by the inspectors and naval advisory board in such manner as shall be directed by the Secretary of the Navy, whose final approval of all bills thus certified shall be necessary before payment thereof.

4. All warrants for payments under this contract shall be made payable to the contractors or their order.

5. The last payment shall not be made until this contract shall have been fully performed by or on the part of the parties of the first part, and the vessel, machinery, and fittings shall have been accepted by the party of the second part, as in the tenth clause of this contract hereinbefore recited.

6. When all the conditions, covenants, and provisions of this contract shall have been performed and fulfilled by and on the part of the contractors they shall be entitled, within ten days after the filing and acceptance of their claim, to receive the aggregate amount of the reservations from the respective payments made to them during the progress of the work, on the execution of a final release to the United States, in such form as shall be approved by the Secretary of the Navy, of all claims of any kind or description under or by virtue of this contract.

The act in pursuance of which these vessels were to be built provides that neither of them shall be contracted for or commenced until full and complete detail drawings and specifications thereof, in all its parts, including the hull, engines, and boilers shall have been provided or adopted by the Navy Department, and shall have been approved, in writing, by said board or by a majority of the members thereof, and by the Secretary of the Navy. It is to be presumed that this provision of the law had been complied with before these contracts were made.

But, nevertheless, we find that while the Dolphin was undergoing construction no less than forty different changes in the plans of the hull, no less than fifteen different changes in the specifications for building the ship, and no less than thirty-eight different changes in the machinery, aggregating ninety-three changes in all, were actually made. At whose expense, Mr. Chairman, were these alterations effected? Is it to be supposed that "Honest John" suffered in consequence of such action? What was the advisory board doing before the execution of the contract? Its members were selected for their supposed eminent fitness for such duties. Were they wanting in capacity, or did they lack the requisite amount of attention and industry necessary to the perfection of the plans and designs of the vessel prior to the making of the contract? We will soon see how much these changes cost the Government. It is a well-known fact, obtaining in all branches of business, that it is in the alterations of agreements that contractors generally make their largest profits, especially when there has been competition in building.

I now, Mr. Chairman, desire to call the attention of the committee to the sixteenth clause of the contract. By reference to it the committee will see that a reservation of 10 per cent. upon each installment was to be retained until every condition, covenant, and provision of the contract had been performed and fulfilled by the contractor, and we also see that no payment should have been made to the contractor, except on bills in triplicate, certified by the inspectors and the naval advisory board and approved by the Secretary of the Navy.

This clause appears in each of the contracts for the construction of these vessels; yet, nevertheless, we find from this statement furnished me from the Fourth Auditor's office that it was disregarded. The statement reads thus:

DOLPHIN.

Dec. 11, '83, to May 29, '84.	Payments on hull (nine)	$144,666 00	
February 5, 1885.	Payments of reservations on hull (five)	8,930 00	
18, 1885.	Payments of reservations on hull (four)	7,144 00	
Dec. 6, '83, to May 29, '84.	Payments on machinery (nine)	110,484 00	
February 5, 1885.	Payments of reservations on machinery (five)	$6,820 00	
18, 1885.	Payments of reservations on machinery (four)	5,456 00	
	Total payments	283,500 00	
	Price, per contract, fully equipped for sea	315,000 00	
	Extra payments (not included in contract) authorized by Secretary of the Navy	17,494 14	
			$332,494 14
	Amount paid on contract as per schedule of payments above	283,500 00	
			283,500 00
	Unexpended balance		48,994 14
	Total payments to John Roach, contractor for Dolphin	300,994 14	

CHICAGO.

Mar. 28, '84, to Jan. 29, '85.	Payments on hull (eight)	439,200 00	
February 5, 1885.	Payments of reservations on hull (five)	38,910 00	
Mar. 28, '84, to Jan. 29, '85.	Payments on machinery (eight)	200,880 00	
February 5, 1885.	Payments of reservations on machinery (five)	5,540 00	
		684,530 00	
	Price, per contract, fully equipped for sea	889,000 00	
	Extra payments (not included in contract) authorized by Secretary of the Navy	5,686 46	
			894,686 46
	Amount paid on contract as per schedule of payments above	684,530 00	
			684,530 00
	Unexpended balance		210,156 46
	Total payments to John Roach, contractor, for the Chicago	690,216 46	

Payments made since the Navy Department took charge.

Nov., '85, to Apr., '86, inc.	By Pay Inspector E. Stewart, U. S. N	$20,305 13	
Nov., '85, to May, '86, inc.	By Pay Inspector L. G. Billings, U. S. N	123,715 34	
	Total payments	144,020 47	

ATLANTA.

Dec. 21, '83, to Nov. 17, '84.	Payments on hull (nine)	308,691 00	
February 5, 1885.	Payments of reservations on hull (five)	19,055 00	
18, 1885.	Payments of reservations on hull (four)	15,244 00	
Dec. 21, '83, to Nov. 17, '84.	Payments on machinery (nine)	191,079 00	
February 5, 1885.	Payments of reservations on machinery (five)	11,795 00	
18, 1885.	Payments of reservations on machinery (four)	9,436 00	
	Total payments	555,300 00	
	Price, per contract, fully equipped for sea	617,000 00	
	Extra payments (not included in contract) authorized by Secretary of the Navy	11,827 63	
			628,827 63
	Amount paid on contract as per schedule of payments above	$555,300 00	
			$555,300 00
	Unexpended balance		73,527 63
	Total payments to John Roach, contractor, for the Atlanta	567,127 63	

Payments made since the Navy Department took charge.

Nov. '85, to Apl. '86, inc.	By Pay Inspector E. Stewart, U. S. N	$62,728 46	
Nov. '85, to May '86, inc.	By Pay Inspector L. G. Billings, U. S. N	826 32	
	Total payments	63,554 78	

BOSTON.

Dec. 21, '83, to Dec. 20, '84.	Payments on hull (nine)	309,663 00	
February 5, 1885.	Payments of reservations on hull (five)	19,115 00	
18, 1885.	Payments of reservations on hull (four)	15,292 00	
Dec. 21, '83 to Dec. 20, '84.	Payments on machinery (nine)	191,727 00	
February 5, 1885.	Payments on reservations on machinery (five)	11,835 00	
18, 1885.	Payments on reservations on machinery (four)	9,468 00	
	Total payments	557,100 00	

Price, per contract, fully equipped for sea	$619,000 00	
Extra payments (not included in contract) authorized by Secretary of the Navy	11,825 15	
		$630,825 15
Amount paid on contract as per schedule of payments above	557,100 00	
		557,100 00
Unexpended balance		73,725 15
Total payments to John Roach, contractor for the Boston	568,925 15	

Payments made since the Navy Department took charge.

Nov., 1885, to April, 1886. By Pay Inspector E. Stewart, U. S. N	$5,305 13	
Nov., 1885, to May, 1886. By Pay Inspector L. G. Billings, U. S. N	53,551 19	
Total payments	58,856 32	

Now, Mr. Chairman, am I doing an injustice to any one in saying that "honest" John Roach was in the hands of his friends, and that he had nothing to fear however low his bid?

The advertisement for proposals to construct these vessels notified the public that a reservation of such portion of the contract price would be retained until the satisfactory completion of the vessels; it was nominated in the bonds; and yet we find "honest" John Roach with the written consent of the Secretary of the Navy and of the advisory board, and with the permission of the Fourth Auditor of the Treasury, openly and boldly taking from the vaults of the Treasury the security, which by the terms of his contract the Government was to retain until the vessels had been constructed and delivered as he had agreed to do.

The true contract is coming to the light and appears to be quite different from that given to the public. The honorable gentleman from West Virginia has indulged his imagination in no small degree when speaking of this advisory board. Could the contractor, under the terms of his bonds, have drawn the reservations except upon triplicate bills certified by the board? If not, why did they certify the bills? Is it possible that the board did not have intelligence enough to understand the nature of the contract and its own responsibilities under it?

It was clearly its duty to represent the Government, not to assist the contractor in getting hold of the money before it was due him. The board in this and in other matters, that I will presently bring to the attention of the committee, did, in my opinion, great violence to its relations to the Government, and if it had been properly dealt with would be resting to-day under an indictment for conniving at a fraud upon the Treasury.

On the 19th day of January, 1885, in a communication to the Attorney-General, Mr. Chandler, speaking of these vessels, says:

One of the ships has been wholly finished, two more are nine-tenths finished, and the fourth is almost eight-tenths finished, all in full conformity with the contract.

Note their condition and then refer to the report of the advisory board of March 17, 1885, upon the second preliminary trial of the Dolphin, in connection with the Fourth Auditor's account, and it will be perceived that Mr. Roach was permitted to draw—contrary to the express terms of the contract—$28,350 of the reservations on the Dolphin and $155,690 on the other ships, making in all $184,040 taken from the Treasury during the month of February, 1885, with the written consent of the contractor's friends, among whom might also be properly included the then Attorney-General, Mr. Brewster. And if, in addition to this large sum thus illegally withdrawn, we consider the allowances to Mr. Roach because of alterations, $46,833.38, which were also paid him, we will not be astonished at the immense advantages which one, who basks in the sunshine of official favor, has over ordinary mortals in the race of life.

Mr. MILLS. Do I understand my colleague to say that none of the vessels had been accepted when these reservations were drawn?

Mr. SAYERS. Not one of them had been then accepted by the Government. The statement of Mr. Chandler, which I have just read, shows their then condition as he thought it.

Mr. WISE. They never were completed by Mr. Roach.

Mr. SAYERS. The condition of the Fourth Auditor's Office in respect to these vessels became known to Mr. Whitney immediately after his accession to office, and evidently aroused in his mind the suspicion that something was wrong.

Mr. Chairman, what safeguards have the people for protection against public plunderers, if men high in official position, and enjoying the confidence of a great party, then in control of the executive branch of the Government, will not only permit contracts to be thus violated in the interest of their favorites but also actively assist in finding reasons and opportunities for breaking them, to the very great disadvantage of the Government?

We now come to the period in the history of these transactions, when the Dolphin is to be put upon her trial trips preliminary to her acceptance by the Government, and again we find "honest" John Roach and the advisory board in the closest and most friendly companionship. They travel along like brothers. One would not imagine that they occupied independent and antagonistic relations. When we last saw them they were at the Treasury; now they are on board of the Dolphin. It is her first trial trip. How does she behave herself? Is she such a vessel as this advisory board recommended to Congress in 1882? What are the tests that are put to her? The advisory board is still dealing gently with "honest" John. She is put upon the smooth and calm waters of Long Island Sound. An accident happens—a trifling one, however.

I will read, Mr. Chairman, to the committee a portion of the report of the advisory board:

NAVAL ADVISORY BOARD, NAVY DEPARTMENT,
Washington City, 24th November, 1884.

SIR: The board would respectfully report that it was notified by the contractor, Mr. John Roach, that the Dolphin would be ready on the 20th instant for the preliminary trial to test the machinery, engine, boilers, and appurtenances, as required by the ninth clause of the contract. This trial was to be made, as recommended by the board in its letter to the Department of 11th September, in Long Island Sound, and the data to be recorded as required by the United States steam log, and as approved by the Department in a letter to the board of 25th October.

The contract conditions were as follows:

(2) That the collective indicated horse-power developed by said engines under the prescribed conditions shall be two thousand three hundred (2,300), and maintained successfully for six consecutive hours; provided that in case of the failure of the development of this power, the vessel shall be accepted if it can be shown to the satisfaction of the naval advisory board and the Secretary of the Navy that this failure was due neither to defective workmanship nor materials.

The board assembled on board the Dolphin at 8 a. m., on the 20th instant, at the dock in East River at the foot of Eighth street.

The ship left the dock at 9.15 a. m., and proceeded at two-thirds power into the Sound. At 10.46 a. m. she passed Execution Rock light at full speed; the agreement being to run as nearly as possible a straight course at full speed to the Middle Ground light, 30½ miles distant, and as far beyond as neccessary to occupy a time of three hours, in order that six hours might expire on the return to Execution Rock light.

At 12 h. 40m. 10s. the engines slowed down for twenty minutes to examine a bearing; with this exception the engines worked continuously, the boilers furnished ample steam, the fire-room blowers furnishing excellent draught until 2.36 p. m., when, the vessel having fallen off four points while turning at full speed to return, the thrust-length of the main shaft broke just at the neck of the coupling abaft the main bearing.

No damage, further than a slight injury to the bearings of the broken length of shaft, was done to the machinery, and the vessel then came to anchor, lying 4 miles southeast of Falkner's Island light, and assistance was sent for.

The board is gratified to state that, except for this accident, the vessel would have been recommended for acceptance, as the average collective indicated horse-power of the engines was 1,954, and the maximum, 2,151; the average over the ground for the whole distance of 55.7 nautical miles run was, approximately, 15.3 knots per hour.

The board estimates that the speed through the water for one hour, for which more accurate observations were obtained, was at the rate of 16 to 16¼ knots.

The trial was sufficient to convince the board that the vessel will fully meet the estimates of her design when a continuous trial is obtained after the shaft is replaced.

The contractor, it will be readily perceived, is not in the hands of an enemy. The report is short and to the point, but a careful analysis develops the fact that she is not the vessel which Congress desired to be constructed. She has not yet been tried upon a rough sea and before a heavy gale. Let us see how this vessel shows herself upon her second trip. I commend the report of the advisory board to the careful consideration of the committee. "Honest" John and his friend—the advisory board—are again upon deck. They again proceed to the smooth waters of Long Island Sound. The day is not unpleasant, nor is the cruise disagreeable. Everything is auspicious. Let me read portions of the board's description of their day's enjoyment:

NAVAL ADVISORY BOARD, NAVY DEPARTMENT,
Washington City, March 17, 1885.

SIR: The board has the honor to report that the preliminary trial of the Dolphin has been made in accordance with the ninth clause of the contract for the construction of that vessel, concluded July 23, 1883.

As stated in our report of November 24, 1884, the Dolphin was presented for preliminary trial on November 20 last, and while on trial on that date the thrust-length of the steel shafting broke. A new thrust-shaft was made of forged steel, as recommended by the board and approved by the Department in letters dated November 28. This shaft, after being manufactured under the inspection of the board and tested in accordance with instructions approved by the Department on December 5, 1884, was rejected for the reasons stated in the board's letter to the Department of January 9, 1885. Then, in order to avoid delay, the board recommended that this shaft be made of wrought-iron, it being then the intention to retain the other steel shafts, the tests for their examination having so far developed no flaws.

Subsequently, however, in the examination of the broken shaft such extensive additional flaws were discovered in the center of its length, and as flaws were also found in drilling the end of the intermediate shaft, the board decided that the intermediate and steel propeller shafts should be removed and replaced by iron ones under the conditions approved by the Department for the steel shafting of the cruisers, in its letter to the board of January 15, 1885. This decision was approved by the Department and the Dolphin's shafting as tried on the 10th instant consisted of the original built-up crank-shaft, forged from steel blooms with cranks of wrought-iron and steel crank-pins and three lengths of forged scrap-iron shafts of 13¼ inches diameter. Certain changes in detail of the vessel have been made and completed as approved by the Department since the first trial, all of which have tended to the increase of the efficiency of the vessel and contributed to the success of the trial, of which the results were, in detail, as follows:

The Dolphin, in charge of the contractor, Mr. John Roach, left the dock at the foot of Eighth street, on the East River, New York city, at 8.50 a. m., Tuesday, March 10, to make the preliminary trial in Long Island Sound.

The weather was clear; the thermometer showed 31° Fahrenheit; a stiff breeze blew all day from the northwest, at the rate of about 30 miles an hour, according to the Signal Office records; the tide was high at Ward's Island at 5.22 a. m.

The Dolphin's draught of water is 11 feet 7 inches forward, 14 feet 7 inches aft, 13 feet 1 inch mean; the displacement was 1,300 tons, or 200 tons less than the load displacement.

The degree of completeness, apart from the requirements of the contract, will

be shown sufficiently by the following statement: No armament, ammunition, provisions, or stores on board; whale-boat and large cutter at the davits; masts, spars, and rigging complete, no sails on board, water-tanks full, and about 120 tons of coal in the bunkers; anchors and chains on board.

The period of six consecutive hours, during which the engines were to be worked at full power, was begun when the buoy at Throg's Neck bore abeam at 9 hours 58 minutes 4 seconds a. m.

* * * * * * *

The machinery in all its parts worked smoothly, continuously, and satisfactorily throughout the trial, and the board is of the opinion that the deficiency of 182 horse-power from the mean of 2,300 required by the contract for six consecutive hours was not due to defective workmanship nor materials, but that with better coal and a well-trained engineers' force these results will be exceeded.

According to the records of the board, the total weight of the machinery, engines, boilers and appurtenances, and spare parts, completed as required, including water in surface condensers and boilers, does not exceed the limit of 430 tons set by the contract. The board finds that the hull and fittings are strong and well built, and in strict conformity with the contract, drawings, and specifications, and that the vessel will be completed in all respects, as required by the contract, on the 18th instant, except the following minor items, namely: adjusting the Hotchkiss-gun centers, and fitting the sideboards for dishes, which can only be completed after the vessel is at the navy-yard.

The board therefore recommends that the Dolphin be accepted, subject to the provisions of the ninth and tenth clauses of the contract, and orders issued to the contractor for her delivery to the commandant of the New York navy-yard, as already agreed upon, on the 18th instant.

The board will forward approved bills for the final payments, in accordance with the memorandum submitted to the Department, being in amount the tenth payment on the contract and the amounts due for changes and additions, as approved by the Department, less the reservation of $8,000, to be withheld under the tenth clause of the contract, and the amounts due the Government on approved changes in the original plans.

It will be noted, Mr. Chairman, in this report, that the steel shaft made to take the place of the one broken upon the first trial trip had been rejected, and that flaws had been detected in the intermediate and steel propeller-shafts, notwithstanding the very great satisfaction expressed by the board in its report of November 24. In consequence of the detection of these flaws and of the rejection of the new steel thrust-shaft and of the intermediate and steel propeller shafts, iron shafts were substituted in their stead. Why this change from steel to iron? What is the reason given by the board for its allowance? The contract required steel. The board says that the change from steel to iron was permitted in order to avoid delay.

There can be but one opinion touching the matter. There was no necessity for haste. Hostilities were not pending, nor did the slightest indication of a war exist. The board was ostensibly the representative of the Government, and it should not have shown itself so ready to accommodate the contractor. The anxiety so clearly manifested by the board to force this vessel upon the Government was, to use no harsher phrase, altogether unseemly. Its conduct can not but arouse the suspicion that there was an intense desire to have the matter settled before the new administration could sufficiently inform itself, so as to act with the proper regard for the public interest. Why, Mr. Chairman, if a gentleman should desire to purchase a horse for driving or for riding, unless he were very familiar with the animal, he would test his qualities oftener and at longer stretches before taking him than did this board the Dolphin, when they recommended her acceptance.

The reason given—to avoid delay—will satisfy no unbiased mind. It tends only to excite ridicule and disgust, or to provoke a just and righteous feeling of indignation against this open exhibition of a flagrant disregard for the public welfare.

A vessel—to which is to be intrusted the lives and honors of gallant men, and upon whose strength and speed may depend the fate of battles and the preservation of cities from assault and capture—should be subjected to severer tests than those applied by the advisory board to the Dolphin.

What was the plain and unmistakable duty of Mr. Secretary Whitney in the premises? He had become cognizant of the gross irregularities in the office of the Fourth Auditor, to which I have already alluded. The great number of changes that had been made in the designs and plans of the vessel had been brought to his attention. The results of the first and second trial trips on Long Island Sound were known to him.

He acted just as any honest man and faithful official would do, if like situated. The advisory board had clearly demonstrated its entire unfitness for the purposes for which it had been constituted. To rely upon it longer would be practically to rely upon the contractor; for the issue had been clearly made and the advisory board had committed itself so strongly to the fortunes of the vessel, that the reputations of both board and vessel were alike involved.

The present Secretary had but one course to adopt. He acted promptly and unhesitatingly, and in so doing showed himself worthy the position he occupies with reference to the President and to the country. He applied to the Attorney-General for an opinion as to the law of the case, and at the same time called to his assistance another board, composed of two naval officers and one civilian, all skilled in the science of naval architecture. Of this no one should be heard to complain.

The Attorney-General in his response said as to the defect in the article of speed:

The act of Congress under which the vessel was built (22 Stat., 477) makes an appropriation for the construction of "one dispatch boat, as recommended by the naval advisory board in its report of December 20, 1882." Upon reference to that report it will be found, as I am informed by you, that the board recommended the construction of "one dispatch vessel or clipper, to have a sea speed of 15 knots," and I take it as very clear that the recommendation became, by force of this reference to it, as much a part of the statute as though it had been recited therein word for word.

The contract contains no express covenant as to the speed of the vessel—unless one is necessarily involved in the stipulation for a "collective indicated horse-power" of two thousand three hundred—but its very first covenant is to construct a dispatch boat "in conformity with the aforesaid plans and specifications hereto annexed, and in accordance with the provisions of the acts of Congress approved August 5 and March 3, 1883, respectively, before mentioned and relating thereto," and I am of opinion that the covenant bound the contractor as effectively to make a ship "of the sea speed of 15 knots" as though he had agreed to do so in express words.

It may be said, possibly, that the covenant as to power and speed is not absolute, but qualified by the provision that, if upon the trial trip the engines should not develop the full power called for by the contract, and the failure should not be due to "defective workmanship or materials," the ship should be accepted by the Government nevertheless.

This attempt to bind the Government to take from the contractor's hands a ship of less power and speed than what the act of Congress peremptorily requires is, in my opinion, utterly null and without effect. It was to the quality of speed more than any other that Congress was looking, as the terms "dispatch vessel or clipper" used in the report of the advisory board referred to in the law plainly show. Congress deemed that the service required a swift vessel of a sea speed of 15 knots, and it directed such a vessel to be contracted for and built.

The contractor can not be heard to allege ignorance of the very law under which the contract was made. He was bound to know the source and extent of the authority of the official with whom he contracted. "Individuals as well as courts," say the Supreme Court, "must take notice of the extent of authority conferred by law upon a person acting in an official capacity, and the rule applies in such a case that ignorance of the law furnishes no excuse for any mistake or wrongful act." (Whiteside *et al. vs.* The United States, 93 U. S., 257; Hawkins *vs.* United States, 96 U. S., 691; The Floyd Acceptances, 7 Wall., 666.)

With a full knowledge of the statute authorizing the construction of a dispatch boat of a designated speed and no other, and with the plans and specifications under which the work was to be done laid before him that he might bid with intelligence and safety, the contractor, if he had misgivings whether a vessel planned like the Dolphin would make the required speed, should have abstained from sending in proposals, knowing as he did, or ought to have done, that a ship defective in point of speed could not be accepted under the statute, whatever her merits might be in other respects.

Under any other view the most imperative requirements of Congress would be liable, at all times, to be evaded upon one pretext or another. I can not conceive how it could be seriously urged that the United States is bound under the law in question to accept from the contractor any other sort of vessel than the one ordered by Congress to be built—namely, a dispatch boat or clipper of a sea speed of 15 knots; and the Dolphin having been found not to be a vessel of that description, as I must assume, it would seem to follow that nothing short of an act of Congress could authorize her acceptance.

And as to the lack of the necessary strength the same authority says:

If this defect exists, as I must assume, it is fatal, whether due to the plans upon which the vessel was built or not, because, by the ninth clause of the contract, the contractor and his sureties stipulate "that the vessel constructed under this contract shall be sufficiently strong to carry the armament, equipment, coal, stores, and machinery prescribed by the naval advisory board and indicated in the annexed drawings and specifications."

* * * * * * *

Now, it is too plain for serious discussion that the contractor has by this covenant undertaken to make a ship for a specific purpose in accordance with given drawings and specifications, and has, to all intents and purposes, warranted that the ship so agreed to be built shall be "sufficiently strong" for that purpose. In a word, the contractor, by this covenant, makes the plans of the advisory board his own, and agrees to construct a vessel of sufficient strength according to those plans.

Manifestly, then, the Dolphin, which I am bound to assume, in view of the report accompanying your communication, is anything but "sufficiently strong," can not, for this reason alone, be accepted by you under the contract, the defect mentioned being fundamental in character.

The third objection, as to the general character of the workmanship of the vessel, I need not stop to consider, in view of your representation that, if the vessel is otherwise in accordance with the contract, this objection can be readily dealt with by you, the contractor being ready and willing to make the vessel satisfactory in this respect also.

As to whether the Government has been in any wise estopped or compromitted by acts of acquiescence, approval, or acceptance by the advisory board or others, I am of opinion that the Government stands unaffected by any such acts. This must be the case necessarily, if the law authorizing the building of a dispatch boat is to have effect. Its language is that "no such vessel shall be accepted unless completed in strict conformity with the contract, with the advice and assistance of the naval advisory board," * * * and consequently no acceptance of a vessel not built "in strict conformity with the contract" could bind the Government. Neither the Secretary of the Navy nor any officer under him had any dispensing power over this statute, the words of which, appearing as they do in a context displaying great solicitude for the protection of the public interests, can not be taken in any other sense than as mandatory without a plain disregard of the legislative intention.

The power to accept a ship built under this law can not be exercised unless the fact be that the ship was constructed in strict conformity with the contract, and the mere enunciation from any official quarter that the ship was so constructed, when in truth it was not, lends no validity whatever to a pretended act of acceptance. It was not the intention of Congress that the United States should be foreclosed or concluded in any such way, or that any departure from the contract, except as expressly provided for, should be condoned by the act or judgment of any official, and that it should be open at all times to show that a vessel alleged to have been built and accepted under the law was not so built and accepted. It was competent for Congress to create an extraordinary barrier of this kind against fraud and inefficiency, and it is the duty of those called upon to apply their language to do so in such a way as to make it effective.

The case of the Floyd acceptances, already referred to, shows how difficult it is to bind the Government, by the acts of its officers, in the matter of contracting for and disbursing its moneys; and before that case was decided an opinion by one of my predecessors was given sustaining the view that was afterward adopted in that case. (10 Opin., 288.)

After all, this is but an application of the general doctrine that the Government of the United States, in transactions of this character, is not ordinarily bound by an estoppel. (Fennemore *vs.* United States, 3 Dallas, 363; Johnson *vs.* United States, 5 Mason, C. C., 425; United States *vs.* Collier, 3 Blatch., C. C., 325; Cook *vs.* United States, 12 *ib.*, 43, 61; Herman Estoppel, § 219; 10 Opin., 231; 12 *ib.*, 43.)

These references show the application of this doctrine in almost every conceivable shape; and also, that in dealings with the Government, upon contracts, there is always a safeguard, until the final acceptance by the proper officer, and a disbursement of the money.

The opinion of the Attorney-General, Mr. Chairman, upon the points submitted him can not be otherwise than entirely satisfactory to every one whose prejudices are not so great as to utterly destroy his ability to reach a just conclusion upon the merits of this transaction. It comes from one who stands in the very front rank of his profession, and as such—independent of his high official position—his opinion carries with it a force that is absolutely irresistible.

The board selected by Mr. Secretary Whitney to examine the Dolphin at once entered upon the discharge of the duties incident to its appointment, and on the 15th of June, 1885, submitted a report, from which I read to the committee the following extracts:

The board, after some delay in collecting the data necessary for its information, convened at New York on the 16th April, 1885, and was occupied more or less in the duties before it from that date until the 11th instant; and after careful examination of the vessel and trials under steam, together with all the facts obtainable with regard to the progress of her construction and the changes made from time to time in the original contract and specifications by authority of the naval advisory board, find that, in its opinion, the vessel has not in all respects been constructed in accordance with the terms of the contract and specifications, in that, in various parts and particulars, "the materials and workmanship used and applied in the construction of the hull of said vessel, in details and finish," were not found to be "first-class and of the very best quality," as required and stipulated in said contract and its specifications.

* * * * * * *

The Dolphin is intended for a dispatch boat. She has, and was intended to have, very little offensive power. Reliable speed is therefore her first and greatest requisite for usefulness. She must be able to possess this quality in all weather and under all conditions at sea.

The law authorizing the construction of the Dolphin provided for a "sea speed" of 15 knots per hour. A dispatch boat not having the ability to make that speed continuously in such weather as she may reasonably be called upon to encounter, would at this day not answer the purposes of the service.

That a boat of her size should possess this requisite speed it is absolutely indispensable that she should have great strength and stiffness. That the Dolphin has not the requisite strength and stiffness to enable her to make the speed required under the conditions she must be prepared to meet, admits of no doubt, in the opinion of the board.

The board witnessed her performance on the smooth waters of Long Island Sound on three occasions. The conditions were most favorable, but the speed attained, making proper allowance for tidal influences, was not in excess of 15 knots per hour, a result very far from promising a like speed on the sea under the conditions she must always be ready to meet in actual service; for in order that a vessel should keep up a sea speed of 15 knots per hour she should be able to make from 17 to 17½ knots per hour in smooth inland waters like the sound.

On the occasions referred to the vibration of the Dolphin when subjected to only that duty and test was very perceptible, and of a character to demonstrate inadequate strength and stiffness. Under such circumstances the floors of the engine-room were observed to spring severely. And this, let be it noted, occurred when she was subjected to much less severe duty than she must be expected to encounter when actually engaged in the service for which she was intended.

These facts, so obvious to the board, needed no corroboration, but corroboration was furnished on the second of the unsuccessful trial trips witnessed by the board. On that occasion her after crank-pin became hot after a short run—even before the actual trial begun. This pin had given no trouble on the previous trial, and the board was informed by the contractor and his men that it had never before given any trouble. The only reason apparent for the trouble on this occasion, and the one to which it was doubtless due, is to be found in the following facts: On the previous unsuccessful trial about 40 tons of pig-iron had been put in the forward part of the ship to trim her. Five tons more were added on this occasion, and of course some portion of the coal had been consumed from her bunkers. Even these slight changes in the situation of weights were seemingly sufficient to alter her shape so as to cause this after crank-pin to heat almost at once.

* * * * * * *

The contract, among other things, provides that "provision be made for closing the fire-room hatches and other openings sufficiently tight to maintain an air pressure equivalent to a head of water of 1 inch in the fire-room," and that the ship's engines shall in a trial trip of six hours indicate 2,300 mean horse-power.

With regard to the first stipulation, no attention seems to have been given for its proper observance, the contractor alleging that such pressure had been obtained on the first trial, witnessed by the advisory board, by using tarpaulins to cover the hatches, but, owing to changes made by the board with regard to the blowers, he could not now get the pressure. It is only too evident that such an alleged contrivance was but a makeshift at best, and could be of no practical value.

With regard to the stipulation as to horse-power, two unsuccessful attempts to run the Dolphin in Long Island Sound for a period of six hours were witnessed by this board. On the third trial the Dolphin succeeded in running the required six hours, and she subsequently made a fourth trial at sea from Sandy Hook to Barnegat Light and loaded to her sea displacement. The trip at sea, however, gave no test of her sea-going qualities, as the water was as smooth as had been previously found in the sound.

On the first unsuccessful trip for the period she was running on the trial her engines indicated a mean collective horse-power of 2,088; on the second occasion her after crank-pin became heated, as previously stated, before the actual trial began; on the third occasion her engines indicated for the period of six hours a mean collective horse-power of 2,253; and on the fourth trial, the boilers making steam under natural draft alone, the horse-power developed by engines and pumps was 1,648.

On all these occasions great efforts were made by the contractor and his men to show the utmost power which could be developed. Her coal was of a superior quality, her engine and fire rooms in charge of regular engineers, and streams of water were kept playing on the journals to prevent heating; in short, her conditions in all respects were more favorable than those she can be expected to have when in service, especially when called upon to run day after day under the varying phases of wind, sea, and weather on the open ocean—the only test of real value in determining the qualities of a sea-going vessel.

With regard to the general workmanship found on board the Dolphin the board is of the opinion that it does not conform to the terms of the contract and specifications in many particulars, as will be seen by reference to the appendix marked 1, annexed to this report, giving in detail the proceedings and findings of the board.

Since the board began its detailed examination, the results of which are embodied in this report and its addenda, the contractor has been at work upon the vessel from time to time in remedying defects discovered by the board, and the Dolphin is now in much better condition and appearance than when the board first saw her, and in some important regards she is substantially improved.

For instance, she has been stiffened forward in the fore peak abreast the bawse pipes by a vertical plate brace, a point where special weakness was observed; in the after transom, where the reverse frames were cut off, the cut frames have been connected by a floor plate; the spar-deck and berth-deck have been calked fore and aft; the step of the mizzenmast, which was weak and insecure by reason of defective support, has been strengthened to a degree promising perfect security; the skin of the vessel has been repainted at various points where the skin was accessible; the hold store-rooms, fore and aft, have been freshly painted and fitted with proper shelving, and other things have been done in the direction of making the Dolphin a much better ship than the board found her on its first inspection.

In an appendix to this report there is a detailed statement specifying the defects apparent in the construction of the vessel.

In number these defects are fully one hundred, many of them being of a very substantial character.

There is, Mr. Chairman, a report from Captain Meade, of the Navy, made to the Secretary on the 20th of March, 1886. Captain Meade had been in charge of the vessel ever since the 3d of December, 1885, and was thoroughly acquainted with her qualities, good and bad.

From this report I desire to submit to the committee the following extracts:

The Dolphin, as at present fitted, can not safely be driven at full power even in moderately rough water, and my opinion is, she is merely useful for smooth-water dispatch.

Under these circumstances it seems rather a misnomer to call her a "dispatch vessel."

And comparing her with sea-going vessels she appears to great disadvantage, since she is too large, too expensive, and too ill-arranged and inconvenient for use as a pleasure craft. (See Inclosure C.)

About 2.30 p. m., with the acquiescence of the civilian experts, I altered the course to the westward to close with the land, and ran the vessel in the trough of the sea to test her rolling powers. I soon found I could not run her over forty revolutions per minute without endangering the boats, and forty revolutions under the circumstances only gave a speed of about 6 knots. The engine-room pendulum showed the greatest roll to be 26°, but the pendulum in the pilot-house marked 40° to leeward and 31° to windward. Yet the roll was easy, and she shipped no water so long as the revolutions were kept down to 40. The experiment of increasing them to 50 caused her to roll quickly and uneasily, and I slowed again.

* * * * * * *

To sum up, I consider the Dolphin reasonably strong, and her machinery reliable. As to the latter, there is too much of it; it occupies too much space, and seems to have been carefully designed to employ as many men as possible. The general plan of the ship and machinery is unsatisfactory. In my judgment a vessel like the Dolphin is wholly unsuited to the needs of our Navy. The internal arrangement has many absurd features to the eye of a practical seaman, but on the whole, except as to rough work, my criticism of this vessel concerns the designer rather than the builder. (See Inclosure F.) As the Dolphin in her present condition is merely a smooth-water nondescript, too large and too expensive for use as a yacht and of too limited capacity for a freight boat, being unable to berth comfortably even her own ship's company, I can not help regarding her as a species of marine "crazyquilt"—that is, she shows her design to be the outcome of many conflicting opinions and not that of one controlling and competent brain. Much of the work, especially the decks, joiner work, riveting, cementing, &c., is of a careless or cheap character, indicating either negligence or sharp practice at the yard where she was built, or gross carelessness in the inspection by the Government board and officers detailed for that duty. The inspection of the Dolphin's hull especially calls for severe censure. (See Inclosure D.)

This report was made after actual trial of the ship's speed and working qualities. The ability of this officer is unquestioned, and no charge has been brought against him because of any partiality or prejudice toward any of the persons connected with this unfortunate controversy.

Whatever speed the Dolphin may have developed upon the very limited trials given her by the advisory board and upon which their reports of November 24, 1884, and March 17, 1885, are founded—these trials having been made upon the smooth waters of Long Island Sound—it can not be successfully maintained that the speed reported by that board was equal to a sea speed of 15 knots.

It is my understanding, Mr. Chairman, that there is a difference between ordinary speed and sea speed, and that the rule is, if a vessel is to accomplish a sea speed of 15 knots, she must be able to make a speed in smooth waters of from 17½ to 18 knots.

Mr. GOFF. Will the gentleman permit me to inquire his authority for that statement?

Mr. SAYERS. I am more than willing to furnish the authorities if I can be allowed the time.

Mr. HERBERT. Will my colleague upon the committee [Mr. SAYERS] allow me to read two lines?

Mr. SAYERS. Yes, sir.

Mr. HERBERT. I read from the report of the examining board, page 302 of the last report of the Secretary of the Navy:

In order that a vessel should keep up a sea speed of 15 knots per hour, she should be able to make from 17 to 17½ knots per hour in smooth waters like the sound.

This is a distinction, which the gentleman from West Virginia in his speech entirely ignored.

Mr. GOFF. I concede that the report of the examining board makes the statement, but the advisory board took issue with that statement and denied its truth.

Mr. SAYERS. I decline to be further interrupted, unless more time is allowed me. Upon the question of the difference between ordinary speed and sea speed, Mr. Chairman, permit me to read to the committee an extract from the report of the first advisory board, made November 7, 1881. That board was composed of R. W. Shufeldt, rear-admiral, president of board; Henry Steers, naval architect; Miers Coryell, marine engineer; Alexander Henderson, chief engineer; J. A. Howell, commander; Edward W. Very, lieutenant; F. L. Fernald, naval constructor.

These gentlemen, all officers of the Navy and distinguished for their professional ability and experience, say:

The board decided that, in estimating the proper speed allowance for vessels, what is commonly known as maximum speed, or speed in smooth water on the measured mile, should not be considered, as such a basis is a deceptive one; but that the speed recommended should be the average speed at sea that the vessel would be capable of making under full power.

In order that a high rate of speed may be maintained at sea, a great weight of machinery is necessary, and also a great amount of space in the holds of the vessel. These demands alone place a limit upon the minimum displacement of the ship; while, on the other hand, the necessity of keeping within bounds in the draught of water of the ship, and of restricting the length and other measurements to limits that will permit a proper amount of handiness in maneuvering power, places a limit upon the maximum displacement, and consequently upon the speed.

It is the opinion of the board that the maximum sea speed that can be recommended as the measure of the size of the largest class of vessels is 15 knots per hour.

Upon the same subject Lieutenant Very, of the Navy, testified in this manner:

Take, for example, a ship and put her on the line between Liverpool and New York, and if, after running for a year (taking the weather as it comes, through storm and calm), she makes an average of 15 knots, that same ship will on the measured mile make an average of 17½ knots; but that is her maximum speed, and we have estimated that the highest average speed required was 15 knots.

He testifies further in the report that—

The maximum rate of speed in first-class ships, as contemplated in the report, would be 17 and 18 knots on a measured mile, but the average speed would be 15 knots.

And also Mr. Cramp, a distinguished ship-builder, that—

Fifteen knots an hour at sea, in ordinary weather, with full armament and everything on board, as recommended by the advisory board, was equivalent to 17½ or 18 knots on measured mile.

These opinions come from gentlemen of great ability and long experience, and are entitled to the highest consideration. They were expressed long before the Roach contracts were made, and therefore without reference to this trouble.

A few words, Mr. Chairman, in reference to the charges of a personal character that have been urged against the members of the board appointed by Mr. Secretary Whitney, and also against the Secretary himself, by the gentleman from West Virginia [Mr. GOFF].

These charges, it occurs to me, do not appear to be warranted by anything that has been developed during this controversy, from the beginning to the end. That board, I have been informed, was composed of gentlemen of unimpeachable integrity and of great skill in naval architecture, and I respectfully submit that these charges should have no weight either with this committee or elsewhere, unless supported by better evidence than that offered by the gentleman from West Virginia.

As to the desire of the Secretary to reduce Mr. Roach to penury and bankruptcy, I can only say that Mr. Roach himself does not so believe, if confidence is to be placed in the following letter:

NEW YORK, *November* 3, 1885.

SIR: Your letter of October 1, with draft of proposed agreement relating to the steamship Dolphin, was in due time received, and was entirely satisfactory to me, and I made every effort to have it executed by the sureties on the contract.

For reasons satisfactory to him, one of them declines to unite with me in this. I, therefore, while entertaining the opinion that the agreement does not affect the liability of the sureties, yet am desirous that the agreement should not fail by reason of their refusal to sign, and propose, as consideration to the Government, that from the first moneys coming due me from the Government, arising from other transactions, there be set aside the sum of $25,000 to await the determination of this litigation and to answer any judgment which may be recovered therein.

This in addition to the retention of the balance unpaid upon the Dolphin contract.

It is, however, to be understood that if, at any time pending any future proceedings, the sureties shall sign the proposed agreement, and duly deliver the same, the proviso in said agreement for the retention of $25,000 is annulled, the same being held in lieu of the consent of said sureties.

Respectfully, yours,

JOHN ROACH.

Hon. WILLIAM C. WHITNEY,
Secretary of the Navy.

Surely the friends of Mr. Roach should be satisfied. He has expressed himself entirely so.

Finally, Mr. Chairman, with the evidence that is before us, can the committee come to any conclusion other than that the present Secretary has acted wisely and justly throughout this whole matter? As a confidential adviser to the President and as the chief of a great Department of the Government he has, in a practical manner, demonstrated his entire fitness for the honorable, responsible, and onerous position he occupies.

The President made no mistake when selecting him for a membership in his Cabinet, and the House and the country will sustain him in the effort he made, upon his entry into office, to prevent the accomplishment of a great wrong upon the Government.

To him belongs the high honor of first initiating a reform under the present administration, and I trust that he may follow up the good work, whatever the consequences to himself or to others, until his Department becomes restored to that economy, purity, and efficiency, which in former days made our Navy a pride to the American people and an object of emulation and envy to the nations of Europe. [Applause.]

Mr. BOUTELLE. Mr. Chairman, I have but a few words to say in reply. The gentleman from Texas, in his attempt to vindicate the Secretary of the Navy from the very damaging charges which have been made against him here to-day, substantiated as they are by official records and incontrovertible documents, has devoted his remarks almost entirely to an arraignment of the advisory board under whose supervision the Dolphin and other vessels of that class were designed and constructed.

I desire to say simply that an arraignment of that advisory board is not an arraignment of the Republican party. It is not an arraignment of the Republican administration except in so far as a Republican administration is responsible for the selection of the officers who constituted that board; and yet I desire to assume for myself as a Republican, and the Republican party of this country ought to be proud to assume, whatever of responsibility there may be in the selection of the *personnel* of that advisory board, whose superior, I believe, it would have been impossible to have selected either in the United States Navy or in the navies of the world.

I am surprised, Mr. Chairman, to have my attention called in connection with this point to the fact that the Secretary of the Navy in making his report to Congress, in citing the statement of this advisory board, has carefully and scrupulously concealed and suppressed the names of the board, possibly lest the people of the country might find in the names of these distinguished officers an answer in itself to any aspersions which he or others might see fit to cast upon them.

I find this document of the advisory board which they had to submit voluntarily to a Secretary of the Navy who had published broadcast the sweeping criticism which had been made upon them by a board not provided for by any law or regulation—this document, being their review of these adverse findings, was transmitted to the Secretary with a letter to which the signatures of the advisory board were appended; and the Secretary has carefully omitted the letter and the signatures from his report. I will read the names of that advisory board and call the attention of the House and the country to the character, the standing, the record of the men who have been arraigned to-day as naval experts by my distinguished and expert naval friend from the State of Texas [Mr. SAYERS].

Edward Simpson, rear-admiral of the United States Navy, president of the board, a man who for a lifetime has honored the records of the Navy not only as a gallant officer but who has enriched the scientific literature of the world, and who to-day stands in this country and in Europe an acknowledged authority upon everything connected with naval architecture or naval ordnance.

The next member of the advisory board was Henry Steers, naval architect. I wonder if the name of that family was ever heard of in Texas? Did the hills and valleys of Alabama ever reverberate with the names of James R. and George Steers, the famous builders of the yacht America, and who put afloat that magnificent specimen of naval architecture the frigate Niagara, in whose presence the ships of the world dipped their colors in compliment to American pre-eminence in grace and beauty of modeling? The son Henry, a grandson of the famous Henry Steers, who built the Shark and Grampus in the olden days, has shown himself worthy of his lineage by designing the finest merchant steamships that ever bore the American flag.

Alexander Henderson, chief engineer of the United States Navy; J. A. Howell, captain, United States Navy; F. M. Barber, lieutenant-commander; F. L. Fernald, naval constructor—these are the men who under the law of Congress were selected by Secretary Chandler to design these new ships for the United States Navy.

And now, Mr. Chairman, I desire just one moment more, for I have been generous with my time and have not very much trenched upon the patience of the House. In conclusion let me say that with a modesty born of some experience in naval and maritime matters, with a caution arising from a knowledge that we are in a transition period in naval architecture and that the building of these steel vessels is our first experiment in that line, with a desire to save the possibilities of legitimate criticism which may arise in the future, I wish to give my judgment, humble though it may be, that the ships designed by that board, the Chicago, the New York, the Atlanta, the Boston, and the Dolphin, will prove as fine vessels of their class as float upon the waters of the globe to-day.

I give my prediction that when the Chicago sails from our shore with the flag of the Union at her peak no member of this House who shall see her, no person who shall meet her in the waters of the world, will be ashamed of that piece of handiwork constructed by American artisans, built in a great American ship-yard, by one of the greatest of American ship-builders, from designs by some of the most eminent men, whose achievements and whose skill have embellished and will continue to reflect honor upon the annals of the American Navy. [Loud applause.]

MESSAGE FROM THE SENATE.

The committee informally rose, and Mr. TAULBEE took the chair as Speaker *pro tempore*.

A message from the Senate, by Mr. SYMPSON, one of its clerks, informed the House that the Senate had passed bills of the following titles; in which the concurrence of the House was requested:

A bill (S. 19) for the relief of H. B. Wilson, administrator of the estate of William Tinder, deceased;
A bill (S. 250) for the relief of the sufferers by the wreck of the United States steamer Ashuelot;
A bill (S. 277) for the relief of Samuel P. Evans;
A bill (S. 282) for the relief of A. B. Norton;
A bill (S. 618) for the relief of Orville Horwitz, assignee in trust of C. D. De Ford & Co.;
A bill (S. 710) for the relief of the State National Bank of Louisiana;
A bill (S. 988) for the relief of William R. Wheaton and Charles H. Chamberlain, of California;
A bill (S. 1073) to establish a public park at Pagosa Springs, in the State of Colorado;
A bill (S. 1148) providing for the construction of a new wharf at Fortress Monroe, Va.;
A bill (S. 1187) to amend an act incorporating the proprietors of Prospect Hill Cemetery, approved June 13, 1860;
A bill (S. 1188) to exempt the property of the Young Men's Christian Association of Washington, D. C., from taxation;
A bill (S. 1213) to regulate insurance in the District of Columbia;
A bill (S. 1232) granting an increase of pension to John S. Hall;
A bill (S. 1375) for the relief of E. C. Chirouse, late United States Indian agent;
A bill (S. 1376) for the relief of John F. Malo;
A bill (S. 1458) to provide for holding terms of the circuit and district courts of the United States for the eastern district of Michigan at Bay City, in said district;
A bill (S. 1513) for the relief of George T. Newman.
A bill (S. 1576) for the relief of Col. James C. Duane;
A bill (S. 1644) providing for an inspection of meats for exportation, prohibiting the importation of adulterated articles of food or drink, and authorizing the President to make proclamation in certain cases, and for other purposes;
A bill (S. 1773) for the relief of Lieut. J. McA. Webster, of the Twenty-second Infantry, United States Army;
A bill (S. 1838) to increase the pension of George R. Hooper;
A bill (S. 1882) to repeal parts of an act relating to tax on the business of real-estate agents in the District of Columbia, approved June 20, 1872;
A bill (S. 1935) authorizing and directing the Secretary of War to enlarge, repair, and complete certain military quarters and barracks in Wyoming Territory and in the State of Nebraska;
A bill (S. 1942) for the relief of J. M. Hiatt, only surviving partner of Hiatt & Co.;
A bill (S. 1990) to provide for the adjustment of matters connected with certain judicial proceedings in Pennsylvania in which the United States was a party;
A bill (S. 2000) for the relief of P. B. Sinnott, late Indian agent at Grand Ronde agency, State of Oregon;
A bill (S. 2002) granting a pension to Betsey A. Smith;
A bill (S. 2010) granting a pension to William Jumper;
A bill (S. 2060) to authorize the purchase of a tract of land near Salem, Oreg., for the use of the Indian training-school;
A bill (S. 2088) for the relief of the owners, officers, and crew of the British bark Chance;
A bill (S. 2115) granting to the Oregonian Railway Bridge Company, of Oregon, the right to construct a bridge over the Willamette River, in the vicinity of Ray's Landing, Oregon;
A bill (S. 2117) for the relief of the estate of Francis M. Murray, deceased;
A bill (S. 2122) for the relief of John P. Walworth;
A bill (S. 2167) granting a pension to Joanna W. Turner;
A bill (S. 2219) to reduce the license tax of produce-dealers at large, and in the several markets;
A bill (S. 2240) to increase the appropriations for the erection of the public building at Concord, State of New Hampshire;
A bill (S. 2281) granting to railroads the right of way through the Indian reservation in Northern Montana;
A bill (S. 2292) to provide for the settlement of a certain Cherokee claim under the treaty of February 14, 1833;
A bill (S. 2298) for the relief of R. G. Combs and others;
A bill (S. 2321) granting an increase of pension to Clara B. Davidson;
A bill (S. 2332) to authorize the Secretary of War to credit the State of Kansas with certain sums of money on its ordnance account with the General Government;
A bill (S. 2339) for one additional assistant adjutant-general with the rank of major of cavalry;
A bill (S. 2362) to promote the political progress and commercial prosperity of the American nations;
A bill (S. 2397) for the relief of Turner C. Goodrum;
A bill (S. 2401) to classify and fix the salaries of registers and receivers of United States land offices;
A bill (S. 2414) for the relief of Miss Eula E. Henry;
A bill (S. 2415) for the relief of the trustees of the Christian Brothers College, of Saint Louis, Mo.;
A bill (S. 2418) granting a pension to Sarah E. Boulter;
A bill (S. 2428) to grant certain seal rocks to the city and county of San Francisco, State of California, in trust for the people of the United States;
A bill (S. 2435) granting a pension to Henrietta M. Drum Hunt;
A bill (S. 2438) to authorize the Postmaster-General to allow compensation to railroad companies in certain cases for apartment service heretofore furnished pursuant to agreement;
A bill (S. 2456) providing for the purchase of the painting entitled "Farming in Dakota";
A bill (S. 2482) to restore pensions in certain cases;
A bill (S. 2497) to increase the pension of James Johnston;
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;
A bill (S. 2517) declaratory of the meaning of the act entitled "An act for the relief of Maria Syphax;"
A bill (S. 2530) for the relief of the legal representatives of John Wightman, deceased;
A bill (S. 2533) for the relief of E. Remington and sons;
A bill (S. 2569) granting a pension to Helen H. Harrell;
A bill (S. 2618) creating an additional Assistant Secretary of the Treasury;
A bill (S. 2622) granting an increase of pension to James B. Royce;
A bill (S. 2646) authorizing the Postmaster-General to pay rent on certain buildings leased for post offices;
A bill (S. 2652) for the construction of a military telegraph line from Sanford, Fla., to Point Jupiter, Florida, and the establishment of a signal station; and
Joint resolution (S. R. 40) providing for the payment of per diem laborers in Government employ on the 30th of May of each year as on other days.

The message further announced that the Senate had passed with amendments, in which the concurrence of the House was requested, bills of the following titles:
A bill (H. R. 544) granting leave of absence to employés in the Government Printing Office;
A bill (H. R. 1341) to construct a road to the national cemetery at Natchez, Miss.;
A bill (H. R. 1418) for the relief of Henry Martin;
A bill (H. R. 1005) for the relief of Theodore W. Tallmadge;
A bill (H. R. 3440) making an appropriation to construct a macadamized road from the United States barracks in Saint Bernard Parish, Louisiana, to the national military cemetery at Chalmette, in said parish;
A bill (H. R. 3475) for the relief of William Talbert;
A bill (H. R. 5891) to authorize a patent for the south half of the southeast quarter of section 34, in township 22, of range 15 east of the sixth principal meridian to Elizur B. Hall, as administrator of the estate of William Frederick Schlagel;
A bill (H. R. 6590) granting a pension to Catharine Whitesell;
A bill (H. R. 6637) relating to contested elections;
A bill (H. R. 7087) authorizing and directing the Secretary of the Interior to extend the time for the payment of the purchase-money on the sale of the reservation of the Otoe and Missouria tribes of Indians in the States of Nebraska and Kansas; and

The message further announced that the Senate had passed without amendment bills of the House of the following titles:
A bill (H. R. 107) for the relief of Elias B. Moore;
A bill (H. R. 138) to provide for the sale of the Cherokee reservation in the State of Arkansas;
A bill (H. R. 248) for the relief of Henry Gee;
A bill (H. R. 279) for the relief of T. H. Triplett;
A bill (H. R. 368) to amend an act entitled "An act to provide for the erection of a public building in the city of Peoria, in the State of Illinois," approved May 9, 1882;
A bill (H. R. 868) appropriating money for the completion of the public building at Frankfort, Ky.;
A bill (H. R. 921) granting a pension to Clara L. Preuss;
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 1172) to remove the charge of desertion from the record of Franklin Thompson alias S. E. Seeyle;
A bill (H. R. 1902) granting an increase of pension to Simon J. Fought;
A bill (H. R. 2043) to place Mary Karstetter on the pension-roll;
A bill (H. R. 2066) for the relief of Alfred McMurtrie;
A bill (H. R. 2242) restoring to the pension-roll the name of K. G. Billings;
A bill (H. R. 2953) for the relief of John P. Bush and James Grigsby;
A bill (H. R. 3384) for the relief of James M. Bacon;
A bill (H. R. 3998) for the relief of Susan A. Wamack, administratrix of the estate of Stephen M. Farish, deceased;
A bill (H. R. 4009) for the relief of Ann B. Hubbard, administratrix;
A bill (H. R. 4063) to authorize the improvement of the water-power on the Mississippi River at Little Falls, Minn.;

A bill (H. R. 4115) for the relief of John Taggart;
A bill (H. R. 4412) for the relief of John A. Coan;
A bill (H. R. 4527) granting a pension to Elizabeth Slenbaker;
A bill (H. R. 4615) for the relief of Ann Leddy;
A bill (H. R. 4816) granting a pension to Mrs. Letitia J. Garrard;
A bill (H. R. 4836) for the relief of Thomas McBride;
A bill (H. R. 5175) extending the provisions and benefits of the preemption law to John E. White;
A bill (H. R. 5221) to change the time of holding United States circuit and district courts in the southern district of the State of Florida;
A bill (H. R. 5401) making appropriations for additional barracks at the Southern, Northwestern, and Western Branches of the National Home for Disabled Volunteer Soldiers;
A bill (H. R. 5509) for the relief of Saint Patrick's church, in the city of Washington, D. C.;
A bill (H. R. 5546) for the erection of a public building at Asheville, N. C.;
A bill (H. R. 5547) for the erection of a public building at Savannah, Ga.;
A bill (H. R. 5550) to provide for the erection of a public building at Duluth, Minn.;
A bill (H. R. 6665) for the erection of a public building at El Paso, Tex.;
A bill (H. R. 7018) granting a pension to Aretus F. Loomis;
A bill (H. R. 7470) for the relief of William Fisher;
A bill (H. R. 7735) making an appropriation to complete the public building at Hannibal, Mo., in accordance with the original plan of the Supervising Architect of the Treasury, and to make the same fire-proof;
A bill (H. R. 7773) for the relief of Capt. Hollister E. Goodwin and his sureties;
A bill (H. R. 7809) for the relief of Edwin Stevens;
A bill (H. R. 8142) granting a pension to Mrs. Annie S. Webb;
A bill (H. R. 8332) increasing the pension of James L. Miller;
A bill (H. R. 8651) increasing the pension of Alfred J. Hill;
A bill (H. R. 8676) for the relief of Lafayette Fowler; and
Joint resolution (H. Res. 76) fixing the time when the pay of certain clerks to committees of House of Representatives shall begin.

The message further announced that the Senate had passed with amendments the bill (H. R. 985) authorizing the Secretary of War to transfer the United States barracks at Baton Rouge, La., to the Louisiana State University and Agricultural and Mechanical College at said place for educational purposes, requesting a committee of conference, and had appointed Mr. WALTHALL, Mr. CONGER, and TELLER conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments the bill (H. R. 7183) to authorize the purchase of a certain tract of land near San Antonio, Tex., requested a committee of conference, and had appointed Mr. COCKRELL, Mr. CONGER, and Mr. HARRISON conferees on the part of the Senate.

NAVAL APPROPRIATION BILL.

The Committee of the Whole resumed its session.

Mr. MCADOO. I pause until the other side have ceased to weep over the woes of Mr. John Roach, so eloquently and pathetically depicted by the gentleman from West Virginia [Mr. GOFF]. I had come, in the language of the street, to look upon the case of Mr. Roach as a "chestnut." I thought it was a part of ancient history. I remember very well the Republican party made Mr. Roach and his woes a part of their party platform in the State of New York, and I was well aware that in every Republican newspaper in that State and on every stump where a Republican orator went the great living issue of the day was the persecution of honest John Roach. I have also somewhat of a recollection that when the intelligent people of that great State voted in November they rendered a decisive verdict, adverse to the efforts of the Republican party on behalf of Mr. Roach, among other issues, and, therefore, I was somewhat astonished, knowing the shrewd and astute character of the gentleman from West Virginia [Mr. GOFF], and likewise of the gentleman from Maine [Mr. BOUTELLE], that they should have attempted again on this floor to make a public issue of the question whether the present Secretary has or has not persecuted Mr. Roach. I say this with nothing but respect for Mr. Roach—a self-made man, of determination, pluck, ability, and great enterprise; an excellent type of what a determined, shrewd, industrious man can become under our system of Government.

Now, Mr. Roach is the most singularly successful persecuted man I ever knew. It has been said by our Republican friends that by the conspired and systematic attacks of the wicked Democrats poor Mr. Roach had been driven into bankruptcy. Well, Mr. Roach's bankruptcy was the most successful and prosperous bankruptcy that I have ever read about, for he retired, I understand, with the statement that he was able to pay, I think, $4 for every $1 that he owed, and I am not aware at the present moment that Mr. Roach is suffering for the necessaries of life, though of course, if we are to accept the excited and somewhat exaggerated language of the gentleman from West Virginia [Mr. GOFF], poor Mr. Roach, the Atlas who has been carrying the marine interests of the United States upon his devoted shoulders, is today in pecuniary want, stricken with poverty in his declining years, while his wicked persecutor at the other end of the Avenue is reveling in luxury in his so-called gilded palace. This is indeed dramatic!

Now, Mr. Chairman, what are the simple facts of the case? There are some difficulties that must suggest themselves to the advocates of Mr. Roach. Mr. Roach, it is said, made a bad bargain; was fooled by the advisory board. Well, if Mr. Roach was the shrewd, careful, able contractor, the great marine-builder of the United States, as his friends claim he was, he would have made a good contract. Great and successful contractors are always careful about such things. But why did Mr. Roach enter into a loosely constructed contract, so slipshod in its provisions? I will tell the gentlemen why. Because Mr. Roach thought the party of the first part, the United States Government, was permanently in the hands of his friends, and that he was dealing with a friendly agent, so that all his blunders and mistakes, if nothing worse, would be forgiven and condoned. If Mr. Roach had been contracting with the present able, honest, upright, vigilant Secretary of the Navy he would have either not entered into the contract, or, if he entered into it, he would have fulfilled it to the letter. That is the whole case.

The gentleman from Maine [Mr. BOUTELLE], after the able and unanswerable argument of my friend from Texas [Mr. SAYERS], sees that he must defend something because somebody has been successfully attacked, and so, with a wise discretion which does him credit, he selects his clients with great care. He does not defend the last administration; he does not defend the administrations that have been expending the people's money on these vessels. Oh, no. He assumes that the gentleman from Texas [Mr. SAYERS] has made an attack upon the advisory board. The gentleman from Texas made no attack upon the advisory board, or else I misunderstood him. The gentleman from Texas has successfully shown on this floor that the Dolphin was not constructed in accordance with the contract, leaving the responsibility to fall where it belongs. The gentleman from Maine [Mr. BOUTELLE] has plead guilty for the party in power at that time by failing to defend it and selecting as his objective point the defense of the advisory board.

If the Dolphin was not properly constructed, the fault lies with the administration in power at that time. No one here has attacked the integrity or the military records of the gentlemen who composed the advisory board, and therefore there is no need of this elaborate and spirited defense, no need to recapitulate their services to the Government, and to hold them up as having been subjected to a wanton attack by the gentleman from Texas [Mr. SAYERS]. If the gentleman from Maine wants to expend his powers in defense, let him defend the administration of the Government at that period. The advisory board may well say "Save us from our friends." Now, Mr. Chairman, as I said before, I think it is idle at this time to make a defense of the present Secretary of the Navy. He has had in this whole matter an overwhelming and decisive popular verdict in his favor. The case is closed, and no passionate and eloquent appeals addressed to the sensibilities of the people of the United States on behalf of Mr. Roach or the advisory board can make them forget that the facts have been demonstrated to be against the Dolphin and in favor of the Secretary of the Navy. Another charge is brought up here. They say that although the Democratic party pretends to be in favor of upbuilding the Navy quickly, the present Secretary has not taken advantage of the last law passed on that subject to build the three ships authorized to be built, and that, although several months have elapsed, they have not yet been started.

Mr. REED, of Maine. Fourteen months.

Mr. MCADO. Well, say fourteen months. Now, Mr. Chairman, that argument goes too far. That is the strongest argument against the methods pursued by former administrations. Why has not the Secretary of the Navy started the construction of those vessels? Because he is an honest, cautious man, having the expenditure of other people's money, and he has profited by what he found in the Department when he took charge of it. He intends that there shall be no more loosely constructed contracts, and that there shall be delegated to no body of men, however distinguished, the responsibility that belongs to the Department itself.

Mr. GOFF. Will the gentleman yield to me for a moment?

Mr. MCADOO. I can not yield, because my time is very limited and I have promised a part of it. Mr. Chairman, the Secretary of the Navy intends to see that hereafter the contracts shall be so carefully drawn that no contractor can have any excuse, legal or otherwise, for a failure to build such vessels as Congress authorizes and requires to be constructed.

Mr. GOFF. I want to call the attention of the gentleman to the fact that the Secretary of the Navy in his report to Congress last December stated that in thirty days from that time he would be ready to commence the construction of those vessels.

Mr. MCADOO. That is all right.

Mr. GOFF. Why has he not done it?

Mr. MCADOO. It has taken him all this time, every moment of it, to get the contracts carefully drawn up, to receive all the bids, propositions, and suggestions, and to investigate all the details, and to see to it that the plans are properly perfected. It was the absence of such

care that was the difficulty with the gentleman's party friends in administering the Navy Department. That is the rock upon which they came to grief. Their policy was to come to Congress and get some provision in an appropriation bill for the building of a vessel, and then, without the caution and discretion and vigilance which should have characterized them in entering upon such an important matter, to rush off to their friends, the contractors, and give the work into their hands. This change is reform, and if the gentleman does not take kindly to reform it is because he has not been used to it.

Why, I am astonished, Mr. Chairman, at the vim and the passion and the earnestness of gentlemen on the other side in defending the last administrations of the Navy. We all know that the man who was fed upon a diet of crow said he "could stand it, but did not hanker after it." But our friends on the other side actually seem to like it. I thought they were through with trying to make a defense of those methods; and I for one would never resurrect them here on this floor if gentlemen over there had not gone into this defense *in extenso* of those who have controlled the Navy Department, its methods, and its policy.

Mr. Chairman, I do not rise for the purpose of making any defense of the gentleman now in charge of that Department. He needs no defense. The gentleman from Maine [Mr. BOUTELLE] very fairly admitted—and the concession did him credit—that the gentleman now in charge of the Navy Department is an honest, earnest man, trying to do his duty. Sir, he needs no defense here or elsewhere. He has the commendation, and better than that, he has the confidence of the honest people of the United States.

I did not rise for the purpose of entering into any partisan or personal argument. I rose with the view of trying to impress upon this House, outside of all partisan considerations and political advantages, that the bill which follows this should have our support. I am sorry that I do not see here at present my venerable and distinguished friend from Indiana [Mr. HOLMAN], and also my highly respected, able, and good friend the gentleman from Tennessee [Mr. MCMILLIN], because I intended to address my remarks principally to those gentlemen and to those on this floor who share their sentiments. There is before this House, Mr. Chairman, the most important measure that has been here for many Congresses—I mean the bill to increase the naval establishment. Forgetting the history of the past, leaving out of question such matters of ancient history as how the Navy has been ruined or despoiled or built up, we are confronted with the question, Shall we build up a respectable Navy? Shall we protect our coasts at home and our interests abroad? I say to gentlemen, with no disposition to lecture them, that every member of this House will be held to a personal responsibility by his constituents for his action on this important matter of building new ships. No gentleman on the other side can go home to his constituents and say it was the fault of the Democratic party that these ships were not built; nor can any one on this side go back to his constituents and say it was the obstructive tactics of gentlemen on the other side that prevented the measure. Every member of this House will be brought to a direct responsibility by his constituents if we fail in our great duty in this respect.

What I was about to say, especially to the gentlemen who are unfortunately absent, is this: The naval establishment has always been popular in the United States. The Constitution itself especially fosters two of the armed powers of the Government, the militia and the Navy. Throughout all the debates in the earlier Congresses, throughout the debates of the convention that framed the Constitution, there was shown a spirit of jealousy toward a standing army; but the leading spirits of our Government have always maintained in this House and elsewhere the naval and militia establishments of the country. The Constitution itself in direct terms looks to fostering the Navy, making it incumbent upon Congress that the naval establishment as well as the militia shall be maintained.

Now, I wish to read in this connection a brief extract showing that the Navy is a democratic-republican institution, always popular with the people of the United States. I have before me remarks of Mr. Clay in the debate on the naval establishment in January, 1812. The debate had been running for many days, and a variety of opinions (as is frequently the case in our own times) had been expressed. Mr. Clay took the floor and made these pertinent remarks:

> On this interesting topic a diversity of opinion has existed almost ever since the adoption of the present Government. On the one hand there appeared to him to have been attempts made to precipitate the nation into all the evils of naval extravagance, which had been productive of so much mischief in other countries, and, on the other, strongly feeling this mischief, there has existed an unreasonable prejudice against providing such a competent naval protection for our commercial and maritime rights as is demanded by their importance, and as the increased resources of the country amply justify.
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> It appeared to Mr. C. a little extraordinary that so much, as it seemed to him, unreasonable jealousy should exist against the naval establishment. "If," said he, "we look back to the period of the formation of the Constitution it will be found that no such jealousy was then excited. In placing the physical force of the nation at the disposal of Congress the convention manifested much greater apprehension of abuse in the power given to raise armies than in that to provide a navy. In reference to the Navy, Congress is put under no restrictions; but with respect to the Army—that description of force which has been so often employed to subvert the liberties of mankind—they are subjected to limitations designed to prevent the abuse of this dangerous power."
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> But the source of alarm is in ourselves. Gentlemen fear that if we provide a marine it will produce collision with foreign nations, plunge us into war, and ultimately overturn the Constitution of the country. Sir, if you wish to avoid foreign collision you had better abandon the ocean, surrender all your commerce, give up all your prosperity. It is the thing protected, not the instrument of protection, that involves you in war. Commerce engenders collision, collision war, and war, the argument supposes, leads to despotism. Would the counsels be deemed wise of that statesman who would recommend that the nation should be unarmed; that the art of war, the martial spirit and martial exercises should be prohibited, and that the great body of the people should be taught that national happiness was to be found in perpetual peace alone? No, sir. And yet every argument in favor of a power of protection on land applies, in some degree, to a power of protection on the sea. Undoubtedly a commerce void of naval protection is more exposed to rapacity than a guarded commerce; and if we wish to invite the continuance of the old or enaction of new, unjust edicts, let us refrain from all exertion upon that element where they operate, and where, in the end, they must be resisted.
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> What maritime strength is it expedient to provide for the United States? In considering this subject three different degrees of naval power present themselves. In the first place, such a force as would be capable of contending with that which any other nation is able to bring on the ocean—a force that, boldly scouring every sea, would challenge to combat the fleets of other powers, however great. He admitted it was impossible at this time, perhaps it never would be desirable, for this country to establish so extensive a navy.

What Mr. Clay contended for is now the policy of the Democratic party—not a navy for conquest and invasion, but one for protection and security, advanced, original, modern, moderate, but sufficient.

> The groundless imputation that those who were friendly to a navy were espousing a principle inimical to a freedom should not terrify him. He was not ashamed when in such company as the illustrious author of the Notes on Virginia, whose opinions on the subject of a navy, contained in that work, contributed to the formation of his own. But the principle of a navy, Mr. C. contended, was no longer open to controversy. It was decided when Mr. Jefferson came into power. With all the prejudices against a navy which are alleged by some to have then been brought into the administration—with many honest prejudices, he admitted—the rash attempt was not made to destroy the establishment. It was reduced only to what was supposed to be within the financial capacity of the country. If ten years ago when all those prejudices were to be combatted, even in time of peace, it was deemed proper by the then administration to retain in service ten frigates, he put it to the candor of gentlemen to say if now when we are on the eve of war and taking into view the actual growth of the country and the acquisition of our coast on the Gulf of Mexico we ought not to add to the establishment.

In the views here expressed (and I could now and may at a future time add many more as to the absolute necessity of a respectable, modern, and sufficient navy for the protection of our coast and the maintenance of our dignity and rights in our commercial relations with other countries) Mr. Clay was sustained by George Washington, Mr. Stoddard, Secretary of the Navy in 1798, by the illustrious author of the Declaration of Independence, Thomas Jefferson, by Mr. Madison, by Paul Hamilton, and by all those wise, prophetic, and patriotic men who founded our Government, and their immediate successors.

In conclusion, I will say that if in the light of these authorities and in spite of the overwhelming demand of the American people who will not allow us to interpose mere partisan and political questions against a measure of this kind this Congress should fail to appropriate for building up the American Navy, it will have been derelict in its duty and unfaithful to a great and honorable trust.

I yield whatever time I may have remaining to the distinguished gentleman from Alabama [Mr. HERBERT] the chairman of the committee.

Mr. HERBERT. Mr. Chairman, in those two minutes I desire simply to say this dispute about the Dolphin arose largely out of the indefiniteness of the term sea-speed used in the contract. And while that was the point upon which the whole controversy hinged, yet the gentleman from West Virginia [Mr. GOFF] omitted it from his speech. And while it was plain sailing to leave that out, he would have had some difficulty to get over it if he had put it in.

The Secretary of the Navy appointed a board to advise him what he should do. There was a duty imposed on the advisory board. It was said this contract must be executed to the satisfaction of the Secretary. These three gentlemen were appointed as advisers. After the failure of Mr. Roach the Secretary took possession, as any prudent man would do, of this vessel built with Government funds. He believed he was right. The assignees, on the other hand, believed Roach was right in his claim—that is, we will give them that credit. The Secretary invited them to sue him and let the Court of Claims decide between them and the Government. They refused, thus indicating clearly they feared to trust this question about which we have heard so much to the Court of Claims.

I hope this question will be settled very soon. An offer has been made which it is probable the Secretary of the Navy will accept.

Now, Mr. Chairman, as we have finished the political part of the discussion on this bill, I hope we will now be permitted to take it up section by section for amendment. And I hope we will take it up in a business manner and in the same spirit in which both sides in the committee-room, Democrats and Republicans, united in preparing it and making it a fair and honest bill. It comes to the House with but few points of difference.

The CHAIRMAN. The time set for general debate has expired, and the bill will now be read by sections for amendment.

The Clerk read as follows:

Be it enacted, &c., That the following sums be, and they are hereby, appropriated, to be paid out of any money in the Treasury not otherwise appropriated, for the naval service of the Government for the year ending June 30, 1887, and for other purposes:

Pay of the Navy: For the pay of officers on sea-duty; officers on shore and

other duty; officers on waiting orders; officers on the retired-list; admiral's and vice-admiral's secretaries; clerks to commandants of yards and stations; clerks to paymasters at yards and stations; inspections; receiving-ships and other vessels; extra pay to men re-enlisting under honorable discharge; pay of petty officers, seamen, landsmen, and boys, including men in the engineers' force, and for the Coast Survey service and Fish Commission, seven thousand five hundred men and seven hundred and fifty boys, at the pay prescribed by law; in all $6,312,707.26.

Mr. HERBERT. I move after line 20 to insert the following:

The Clerk read as follows:

Besides which the sum of $576,380 of surplus which went to the credit of the pay of the Navy is hereby reappropriated and made available.

Mr. HERBERT. Now, Mr. Chairman, I endeavored yesterday in the remarks I submitted on this bill to explain to the House how this became necessary. At the time we prepared the bill we went upon the construction given to the law of 1874, but a few days ago a decision was made by the Second Comptroller of the Treasury, whose opinion had been asked, differing from that rendered by First Comptroller Lawrence.

Mr. HOLMAN. What is the character of that latter decision?

Mr. RANDALL. It is contained in the letter of the Second Comptroller, and I suggest it be printed in the RECORD.

Mr. HERBERT. I am willing it should be printed in the RECORD. In 1874 a law was passed which provided at the end of two years all appropriations not used should lapse into the Treasury, but a proviso made certain exceptions in favor of the continuance of permanent appropriations, and named specifically appropriations for pay of the Navy and pay of the Marine Corps. Under Secretary Sherman and Secretary Folger and Secretary McCulloch, in reference to the law of 1874 First Comptroller Lawrence held the surplus on hand remaining from the pay of the Navy after one year might be applied to the payment of any indebtedness of any year whatever. Under the recent decision reappropriation is necessary. That is the whole of it.

Mr. RANDALL. I ask for the printing of the decision in the RECORD.

The CHAIRMAN. The Chair hears no objection.

Mr. RANDALL. It is follows:

PAY OF THE NAVY AND THE MARINE CORPS.

TREASURY DEPARTMENT, *May* 29, 1886.

SIR: I have the honor to acknowledge the receipt of your communication of the 27th instant inviting attention to the appropriations for pay of the Navy and Marine Corps contained in H. R. 8975, making appropriations for the naval service for the fiscal year 1887, and requesting to be informed whether, should the sums named under the heads mentioned prove insufficient to meet the pay of the Navy and Marine Corps accruing during the fiscal year 1887, any unexpended balance remaining of the appropriations for 1886 and for prior years for the same purposes would, under the provisions of section 3690 Revised Statutes, as modified by the act of June 20, 1874 (18 Stat., 110), be available to meet the resulting deficiency or whether such balance could be applied only to "pay" accruing in the fiscal years for which the appropriations were specifically made.

In reply thereto I inclose herewith copy of a communication from the Second Comptroller of the Treasury, to whom the matter had been referred for decision, in which he holds that the annual appropriation for pay of the Navy and Marine Corps is available only for the fiscal year for which it is made.

Respectfully, yours,

C. S. FAIRCHILD, *Acting Secretary.*

Hon. SAMUEL J. RANDALL,
Chairman of the Committee on Appropriations,
House of Representatives.

TREASURY DEPARTMENT, SECOND COMPTROLLER'S OFFICE,
Washington, D. C., May 29, 1886.

SIR: I am in receipt of a letter addressed to the acting Secretary by Hon. SAMUEL J. RANDALL, chairman Committee on Appropriations, dated May 27, 1886, inclosing a copy of H. R. bill 8975, making appropriations for the naval service for 1887, and inviting attention to the contemplated appropriations therein on pages 1 and 2 for the pay of the Navy, and on page 20 for pay of the Marine Corps, and requesting to be informed whether, "should the sums named under the heads mentioned, prove insufficient to meet the pay of the Navy and of the Marine Corps accruing during the fiscal year 1887, any unexpended balance remaining of the appropriations for 1886 and prior years for the same purposes would, under the provisions of section 3690, R. S., as modified by the act of June 20, 1874, S. at L., vol. 18, page 110, be available to meet the resulting deficiency, or whether such balance could be applied only to 'pay' accruing in the fiscal years for which the appropriations were specifically made."

This question having been referred to the Second Comptroller for decision, by indorsement of the honorable Assistant Secretary, upon the letter above named of May 27, I have the honor to say that, in my opinion, under the provisions of the several statutes relating to the subject, if the H. R. bill referred to should become a law and the appropriations therein made for the pay of the Navy for the fiscal year ending June 30, 1887, should prove insufficient for that purpose, any unexpended balances remaining of appropriations for 1886 and prior years would not be properly available to meet the deficiency.

Section 3678 of the Revised Statutes provides that all sums appropriated for the various branches of expenditure in the public service shall be applied solely to the objects for which they are respectively made, and for no others.

Section 3979 prohibits any Department of the Government from expending, in any one fiscal year, any sum in excess of appropriations made by Congress for that fiscal year.

Section 3690 requires all balances of appropriations contained in the annual appropriation bills and made specifically for the service of any fiscal year, and remaining unexpended at the expiration of such fiscal year, to be applied solely to the payment of expenses properly incurred during that year or to the fulfillment of contracts properly made within that year; and balances not needed for such purposes shall be carried to the surplus fund.

It is, however, provided that this section shall not apply to appropriations known as permanent or indefinite appropriations.

These permanent or indefinite appropriations are specified in sections 3687, 3688, and 3689 of the Revised Statutes, and do not include the annual appropriations for the pay of the Navy.

In 1874, by section 5 of chapter 328, Congress enacted that after July 1, 1874, the Secretary of the Treasury should annually cause all unexpended balances of appropriations which shall have remained upon the books of the Treasury for two fiscal years to be carried to the surplus fund and covered into the Treasury; but it was provided that this provision should not apply to permanent specific appropriations or to other designated appropriations, among which was included the pay of the Navy and Marine Corps; but it was declared that these appropriations should "continue available until otherwise ordered by Congress."

The plain import of this declaration is that the annual appropriation for the pay of the Navy and Marine Corps was to continue available for the purpose for which it was appropriated, and for no other purpose; that is, for the pay of the Navy and Marine Corps for the fiscal year for which the appropriation was made. The appropriation was not thereby made permanent or indefinite, and was not thereby brought within the provisions of statute applicable to such appropriations.

It was simply made continuously available without limit as to time, until otherwise ordered by Congress, for the purpose or object for which it was made, to wit, for the pay of the naval establishment for the current year.

I am aware that a different construction has been given to this statute and that a practice has grown up in the Department of carrying the unexpended balances of appropriations for the pay of the Navy at the end of each fiscal year to the credit of the appropriation for the succeeding year and merging it therein, but it is contrary to the general scheme of the statute upon the subject and to the obvious intent of Congress in the passage of the act of 1874, and it is not difficult to perceive how its continuance may lead to embarrassment and confusion, and even injustice in some cases.

Claims are frequently presented to the accounting officers by persons who are, or have been, in the naval service, or their heirs, for pay justly due them for services rendered many years prior to the filing of the claim, and for the payment of which Congress had made an adequate appropriation and had declared in the act of 1874 that the appropriation should continue available indefinitely for the payment of such claims.

Upon the allowance of the claim it can be immediately paid if this provision of law is observed; but if the unexpended balance of the appropriation for that year has been applied to meet deficiencies in the annual appropriations for the pay of the Navy for subsequent years, it is evident that it is no longer available for the purpose for which it was originally intended, and the claimant is deprived of the money to which he is clearly entitled, and must await the pleasure of Congress before he can be paid.

Very respectfully,

I. H. MAYNARD, *Comptroller.*

Hon. C. S. FAIRCHILD,
Acting Secretary of the Treasury.

Mr. RANDALL. This practice grew up under a decision to which the gentleman has alluded, but the appropriation always embraced, by detail and in the aggregate, a sufficient amount to meet that expenditure. The amendment of the gentleman, of course, is necessary under this decision so as to make available that balance. It has got to be disposed of in some manner, either to go back into the Treasury or be reappropriated. I would like this opinion to go into the RECORD.

The CHAIRMAN. It has been ordered to be printed in the RECORD.

Mr. GOFF. Mr. Chairman, it seems to me it would be better to carry out the theory of the statute to which the chairman of the committee has alluded. Let this surplus lapse or return it to the Treasury and then appropriate here the sum actually required to be used in the coming fiscal year for this purpose. What is the objection to that plan?

It was certainly the intention of Congress when it provided that the surplus should be turned into the Treasury; and in the absence of any legislation that will be the result. I am of the opinion, therefore, that we should provide now for the actual needs of the service for the coming year independently of past appropriations, and then by virtue of law this surplus will return to the Treasury.

Mr. RANDALL. I would like to hear from the chairman of the committee as to whether or not the amount appropriated in the bill and this reappropriation added together will equal the estimates?

Mr. HERBERT. No, sir; but it is admitted to be sufficient for the service for the next fiscal year. I explained all that on yesterday.

Mr. RANDALL. The gentleman's speech is not in this morning's RECORD, and consequently I have had no opportunity, not being here when he delivered it, of hearing his explanation of this branch of the subject.

Mr. HERBERT. It was explained very fully on yesterday. In reply to my colleague, however, from West Virginia, I know of no reason why in this case we should depart from the usual and ordinary method of reappropriating a fund which, like this, has been left over from the preceding appropriations.

On yesterday the gentleman from New York [Mr. HISCOCK], whom I do not now see in his seat, went off on that subject, I think, without reflection, when he used the rather harsh word in criticising this method as stealing, the stealing of one appropriation for another. Now, knowing that this has been very commonly acted upon, I took occasion to look at the bills reported from the Committee on Appropriations when he was the chairman of that committee in the Forty-seventh Congress, and I find it was not unusual to adopt this plan. For instance, in the legislative, executive, and judicial appropriation bill, on page 33, provision is made there for the supervising surgeons, and this language is used:

The same to be paid from the permanent appropriations for the Marine-Hospital Service.

Again, in another bill from that committee—and I only take one example from each bill, although they are numerous—making appropriation for the sundry civil expenses of the Government, on page 9 it provided—

That any balance of appropriations for repairs and preservation of public buildings in Alaska, under the act of March 3, 1881, for the service of the Government for the fiscal year 1882, which remains unexpended on the 30th June, 1882, is hereby reappropriated and made available for the original purpose.

Again, in the Navy bill it will be found:

And any unexpended balances of appropriations for this purpose for the fiscal year 1882 is hereby reappropriated and made available on account of this service for this fiscal year.

Again, in the bill to provide for deficiencies, on page 3:

To enable the Secretary of the Treasury to transfer of the appropriations for contingent expenses of the Treasury Department, miscellaneous items for 1882, so much as may be required to supply deficiencies in the appropriations for contingent expenses of the Treasury Department, fuel, &c., not exceeding the sum of $3,200.

This, Mr. Chairman, is the general practice, and there is no reason for departing from it now. This fund is here; it is subject to appropriation by Congress; it was appropriated for this purpose, and the amount has accumulated year after year, and it is the judgment of the committee that we should thus utilize it.

Mr. BROWN, of Pennsylvania. Will the gentleman permit me to state that the complaint of the gentleman from New York, as I understood him, was mainly for taking and using a fund without reappropriating it. He did not complain of reappropriating it, but simply of the manner in which it appeared in this bill.

Mr. HERBERT. I think the gentleman is mistaken in that.

Mr. BROWN, of Pennsylvania. I so understood his objection.

Mr. GOFF. Mr. Chairman, I move to strike out the last word.

I think, in justice to the gentleman from New York, who is now absent, that it is proper to say that his position, as I understood it, was that stated by the gentleman from Pennsylvania, that he found no provision in this bill reappropriating the surplus to which the chairman of the committee has called attention, and, in the absence of a provision of that kind, that the same would not be available during the coming year.

Now, I have no serious objection to the amendment, but I think it would be better to go about it in the regular way. I know that there have been instances in the past where that course has been pursued, but it would be better, in my opinion, to let the law of 1874 be carried out, and let the sum revert to the Treasury, so that each bill will state the exact amount of the appropriation. Of course, however, if the chairman of the committee prefers otherwise I shall not contend for this position.

Mr. HERBERT. Perhaps that was the position of the gentleman from New York; but I did not so understand him at the time, and especially as I tried to explain in his hearing that I would offer the amendment to meet this point. However, if he was present he would probably let this go.

Mr. GOFF. The gentleman's statement made on yesterday was very full, but there was very much of it which we were unable to hear on account of the confusion prevailing. I am frank to say that I did not hear his explanation of this matter.

The amendment of Mr. HERBERT was agreed to.

The Clerk read the following paragraph:

Pay, miscellaneous:

For commission and interest; transportation of funds; exchange; mileage to officers while traveling under orders in the United States, and for actual personal expenses of officers while traveling abroad under orders, and for traveling expenses of apothecaries, yeomen, and civilian employés, and for actual and necessary traveling expenses of naval cadets while proceeding from their homes to the Naval Academy for examination and appointment as cadets, and for the payment of any such officers as may be in service, either upon the active or retired list, during the year ending June 30, 1887, in excess of the numbers of each class provided for in this act, and for any increase of pay arising from different duty, as the needs of the service may require; for rent and furniture of buildings and offices not in navy-yards; expenses of courts-martial and courts of inquiry, boards of investigation, examining boards, with clerks' and witnesses' fees, and traveling expenses and costs; stationery and recording; expenses of purchasing-paymasters' offices of the various cities, including clerks, furniture, fuel, stationery, and incidental expenses; newspapers and advertising; foreign postage; telegraphing, foreign and domestic; telephones; copying; care of library; mail and express wagons, ferriage, tolls, and livery and express fees; costs of suits; commissions, warrants, diplomas, and discharges; relief of vessels in distress; canal tolls and pilotage; recovery of valuables from shipwrecks; quarantine expenses; care and transportation of the dead; reports, professional investigation, cost of special instruction at home or abroad, including maintenance of students, and information from abroad, and the collection and classification thereof, $225,000.

Mr. BOUTELLE. I desire to ask the chairman of the committee if he can give the House any information as to how much of the fund appropriated in this paragraph is likely to be used for the purchase of plans or information from abroad. I understand that during the last year there has been quite an expenditure from this fund of "pay miscellaneous" for the purchase of plans or designs of engines in England. It has been said that $25,000 were expended for that purpose, and I have heard it estimated as high as $65,000.

Now, inasmuch as it has not been the policy of the administration to furnish any compensation or bounty or premium or payment for plans furnished by American designers, I am somewhat interested to know how much of this sum was expended for this purpose last year, so that we may form an idea how much may be appropriated from this fund for similar purposes this year.

And in this connection I would like to ask the chairman further whether his information agrees with mine, to the effect that this purchase of designs abroad has been without any special utility thus far; that these designs and draughts of engines have not been used; that the designing and preparation of plans for the new cruisers are going forward upon a basis decided upon prior to the purchase of these foreign plans and are proceeding without any modification arising from a study of those plans, further than that the action of the Bureau of Steam Engineering might be modified by the general information which they at all times seek to obtain from abroad; whether it is the fact that those plans have proved defective in many important particulars and inferior to the designs which are being carried forward in our own department. I would like at this point to have any information the chairman of the committee may be able to give on this subject.

Mr. HERBERT. I will state to my colleague I am unable to inform him how much money has been devoted to the purchase of information of this kind from abroad. But I will state if there has been any considerable sum there is less appropriated under this head in this bill than was appropriated last year, and so the expense from that source will not be so great. I do know that plans have been purchased abroad of a vessel, the Na-ni-wa-kan, built by Armstrong & Co., said to be a modern vessel of the very finest and best type. What use the Secretary has put that to I do not know. But he is very wisely endeavoring to avail himself of the experience which has been purchased abroad at very great cost, and is seeking to give to those under him who are devising these new ships and new engines every possible facility which can be laid before them so that they may make no mistake.

Mr. PETERS. Is this money expended with the view of securing designs from abroad, or to pay for designs actually purchased?

Mr. HERBERT. They are purchased for information to be used by our designers of ships and engines, so as to enable the Navy Department to build the best possible type of ship.

Mr. BOUTELLE. I am speaking of the designs for engines.

Mr. HERBERT. My remarks apply not only to engines, but to ships.

Mr. BOUTELLE. How much does the gentleman understand has been expended for that purpose?

Mr. HERBERT. I have stated that I could not tell the amount. The figures have never been given. I know, as the gentleman from Maine knows, that we have made a very considerable reduction in this item, so that there will not be as large a fund to draw upon for this purpose for the next year if this bill passes in its present form as there is now.

Mr. BOUTELLE. I understand that, but I do not understand that hitherto there have been these expenditures for plans and designs of machinery purchased abroad. I do not think that has been so hitherto.

Mr. HERBERT. Possibly not; but it ought to have been.

Mr. BOUTELLE. I am rather ignorant about this matter, because the Secretary has given us no information in detail, but the complaint has been made to me personally by American designers and draughtsmen that they have been called upon by the Department for plans and designs, and that when they furnish them they have to bear the entire expense, receiving no compensation whatever. They complain of a policy which, while it furnishes no encouragement to American talent, goes abroad and expends large sums of money for plans and designs made by foreign architects—designs which have not been utilized, as I understand, and which I have what I regard as good authority for saying have proved in many important particulars defective. It seems to me that if this appropriation of "pay miscellaneous" is to be utilized for the purpose of obtaining designs and plans for improving the construction of our engines and vessels, there should be some arrangement made whereby a portion of the money provided by the people for the purpose of obtaining improved designs should be offered for competition among American designers.

Mr. HERBERT. I did not suppose, Mr. Chairman, that my colleague would object for a moment to the Secretary taking every possible precaution to get the very best plans and to build the very best ships, and I see he does not. But the ground of his complaint is the difference between the treatment of the American contractor and the foreigner. Now, if the gentleman will think a moment, he will see that that objection is unfounded for this reason: The law under which these ships are being built (and we do not contemplate changing it in any bill that we have before us) is that they shall be built in America, so that when an American sends in a design for a ship, if it is accepted, he has a chance to bid for the construction of the vessel and make his money on that; but no foreigner can hope for any such thing. Therefore, all we can do, and all that the Secretary has done, is to buy the plans of the very best ships that are afloat and the very best engines that move them. I think, and I have no doubt this House will think, that is a very wise course of conduct on the part of the Secretary.

Mr. BOUTELLE. My friend the chairman of the committee will do me the justice to admit that if we are not now in danger of buying ships or engines abroad it is not the fault of certain gentlemen who might be named if the rules of the House would permit, and it is not at all certain that the action of the House in the consideration of this bill may not be diverted back to a line of policy which has been advocated in quarters I am not permitted to name, a policy which might enable foreign contractors to build some of our engines, if not some of our ships.

Mr. WARNER, of Ohio. I move to strike out the last word for the purpose of calling attention to this section and the one that follows. Two hundred and twenty-five thousand dollars is here appropriated for "miscellaneous" purposes. These purposes are grouped, but they

are not specified, and, taken together, they make a large group with a large sum applicable to the whole group. Now, I want to ask the chairman of the committee in whose discretion is the distribution of this appropriation.

Mr. SAYERS. This character of appropriation has always been in this form.

Mr. WARNER, of Ohio. Who has control of the disbursement or distribution of this miscellaneous appropriation?

Mr. SAYERS. This kind of appropriation is always in this form. There never has been an itemized appropriation under this head.

Mr. WARNER, of Ohio. I like the plan of itemized appropriations as recommended by Jefferson in 1801.

Mr. SAYERS. It would be scarcely possible to follow it in this case.

Mr. WARNER, of Ohio. I see the difficulty; but my question is still unanswered as to who has control of distributing this appropriation.

The CHAIRMAN. The Secretary of the Navy.

Mr. WARNER, of Ohio. I withdraw the formal amendment.

The Clerk read as follows:

For the compensation of the two civilian members of the naval advisory board for the time they may serve after June 30, 1886, at the rate of $2,500 each for six months, and of $250 each for traveling and other expenses for six months, $5,500: *Provided*, That the sum accepted by them under this act shall be in full of all services rendered after June 30, 1886.

Mr. BOUTELLE. Mr. Chairman, I rise to a parliamentary inquiry. I wish to know whether the last clause in the paragraph just read is not open to the point of order which was sustained on the legislative bill, that it is new legislation?

The CHAIRMAN. Does the gentleman make the point of order?

Mr. BOUTELLE. I make the point of order that the words in lines 59, 60, and 61, "that the sum accepted by them under this act shall be in full of all services rendered after June 30, 1886," is new legislation, fixing the salaries of these officers.

The CHAIRMAN. The Chair will ask the gentleman from Maine if there is any law fixing these salaries?

Mr. BOUTELLE. I presume so. I have made the point of order for the purpose of bringing out the facts.

Mr. HERBERT. There is no law.

Mr. BOUTELLE. If there is no law, how can the law be made in this appropriation bill?

The CHAIRMAN. The Chair would like to be informed whether there is any law fixing the salaries?

Mr. BOUTELLE. I am unable to answer the question, but I understand the chairman of the committee to say there is not.

Mr. HERBERT. The law on which this item is based provided for two civilian members of the naval advisory board, but did not provide any compensation for them after the 30th of June of the present year. It was supposed that they would get through with their duties before that time, but it happens that they will be needed for some time longer, and therefore this provision was put in the bill that they be paid at this rate with the proviso that the sum they accepted under this bill should be in full payment for their services after the 30th of June.

The CHAIRMAN. The Chair understands that there is no law fixing these salaries, and therefore overrules the point of order.

The Clerk read as follows:

For preparing and engraving on copper plates the surveys of the Mexican coast, and for publishing charts of the coast from San Francisco to Panama, $10,000.

Mr. BUCK. I move to amend by inserting after the paragraph just read the provision which I send to the desk.

The Clerk read as follows:

For repairs and improvements on naval war college buildings; heating, lighting, and furniture for same; books and stationery, freight, and other contingent expenses; facing college building with Portland cement; purchase of food and maintenance of horses and mail wagons and attendance on same; clerk to commandant or senior officer, and attendant on buildings; in all, $8,000.

Mr. BUCK. Mr. Chairman, I offer this amendment at this point, because it is the most natural place for the amendment to come in, and it is the place where it was originally put in the bill when first draughted, as well as in the estimates.

As I stated yesterday, this college was started in 1884. Since the debate of yesterday I have ascertained that the order of Secretary Chandler establishing this college, and which was dated October, 1884, was based upon the authority of an act of Congress passed in 1882, for the acceptance of Coaster's Harbor Island, near Newport, in the following language:

And the cession by the State of Rhode Island to the United States of said island for use as a naval training station is hereby accepted.

That is the authority of law for the establishment of this college. In the discussion yesterday it was stated that this college should be united with the school at Annapolis; but, Mr. Chairman, as was then suggested, to locate this school there would unnaturally mix up what is in a certain sense a primary school for naval cadets with this school which is designed for post-graduates, that is, for officers of the Navy who have been in service for some years and who may wish to pursue an advanced course of study in an institution not connected with the Annapolis Academy.

I hope my colleagues on the committee and my friends on the other side will not insist that we shall in this summary way blot out an institution which seems to promise to do so much good. If we destroy this institution why not destroy the torpedo station which was established for a similar purpose in connection with the Ordnance Department? Why not take the torpedo station and all other auxiliary institutions of the Navy Department, as well as the naval war college, and put them in one place, at Annapolis?

It seems to me, Mr. Chairman, that the mere statement of the case is enough to convince any gentleman who will give any attention to the subject that it would be most unwise and injudicious for us now, without proper consideration or thought, to omit to appropriate for this institution, which is calculated to be so useful. I hope gentlemen here will not insist upon destroying this institution so early in its life. Nothing can be said against it. It has been successful up to this time. Nothing can be said against the locality where the school is established. It seems to me that if gentlemen will look into this matter with any sort of care they will agree with me that it is altogether too early to condemn this school before it has had a fair chance to demonstrate its utility.

I will say in passing that almost all the officers and others connected with the Navy who take advantage of this school are men who have been for many years in the service. They are not boys or young men, but for the most part middle-aged men, who have grown up in the service and desire from natural taste or inclination to pursue some particular course of study. It is true that without any college a great many men having a natural taste for a particular branch of study will pursue it alone and unaided, and in this way may often develop great capacity and efficiency. But who does not know that a school where such persons may go and have the aid of lectures and experiments is of the greatest benefit? I hope, therefore, that this amendment will be favorably considered by the committee.

One word in conclusion. I have in this amendment named $8,000 as the aggregate appropriation for this purpose. The estimate was for $14,000; but thinking that possibly some gentleman might consider $14,000 an extravagant appropriation, I have named in the amendment $8,000, the amount appropriated for this college last year. The small amount proposed must obviate, I think, any possible charge of extravagance.

Mr. SPOONER. Mr. Chairman, the interest of my State in the United States Navy is something more than a sentiment. We of Rhode Island claim, founding our faith upon authentic history, that within our waters the American Navy was born. We furnished the first "commander-in-chief," so called, of the American Navy in the war of the Revolution. We furnished that great naval commander Commodore Oliver Hazard Perry, and scores of other gallant officers, who have largely contributed to the success and deserved fame of our national Navy.

The people of my State have, and have always had, a lively interest in our Navy, and an earnest, patriotic desire for its proper support.

The State of Rhode Island, with what I might almost term munificent liberality, donated to the United States Coasters' Harbor Island, at Newport, a most valuable and eligibly located piece of property, for naval purposes. That donation was accepted by the Government, as the gentleman from Connecticut [Mr. BUCK] has already said, by act approved August 7, 1882. The building on this island is the one for the necessary repair and improvement of which the appropriation now proposed is required.

I have not time in the brief period allotted to me to go largely into the consideration of this matter; but I do desire to say that the gentleman from Delaware [Mr. LORE] stands perhaps alone when he undertakes to argue that Newport is not the proper place for the war college, and that it should be established in connection with the Naval Academy at Annapolis. The naval board which was appointed to examine concerning the location of this war college reported unanimously in favor of its present location. I will annex to my remarks a quotation from their report which I have not time now to read.

That location has been commended and approved by the preceding Secretary of the Navy as well as by the present Secretary. The institution and its work are also strongly indorsed by the Admiral of the Navy, as appears by his report now before me. Rear-Admiral Luce, who has charge of the war college, is earnestly in favor of maintaining it at the present location.

[Here the hammer fell.]

Mr. GOFF. I will take the floor and yield my time to the gentleman from Rhode Island.

Mr. SPOONER. Perhaps I can not better answer those who object to the naval war college than by quoting from the report of the Admiral of the Navy for the present year.

He says:

The naval war college of to-day is but the beginning of an institution that will in the future, I believe, confer great benefit on the service.

There are some officers who retard its progress by their opposition, yet no one can give a single good reason why such an institution should not be maintained.

I have had as much to do with graduates from the Naval Academy as any one, and I do not hesitate to say that the academic course does not and can not thoroughly prepare an officer for all the high duties he will be called upon to perform.

If I were selecting officers in time of war I should certainly give the preference to those who had gone through a course at the torpedo school and war col-

lege, for the reason that in the studies which young officers will pursue at these post-graduate institutions they will have brought before them in practical form many things that they had previously only learned theoretically, and perhaps indistinctly remembered.

A naval officer of the present day to be eminent in his profession must be a constant student, and where could he have such an opportunity of becoming acquainted with all the improvements, modifications, and experiences in the art of war as by a course of study at the war college? Officers of the Navy should seek all sources of information to fit themselves for the high duties of the future. Those who oppose this school because they can no longer benefit by it, or for other undefined reasons unworthy of consideration, should be content to let the Navy Department exercise its own judgment in the matter and not endeavor to throw obstacles in the way of a valuable institution.

No good reason can be advanced why our naval officers should not have an opportunity of perfecting themselves in professional matters, which will at least keep them on an equality with officers in foreign navies.

I consider that the education received by cadets at the Naval Academy is merely the groundwork to fit them for what they will have to learn practically in the future.

As the war college is made more attractive to students by the consideration of interesting professional subjects—on which few young officers are sufficiently well informed—it will afford full instruction in professional science, and impart that general information without which a naval officer can not be considered fully qualified to supervise the important matters which constantly claim his attention.

The naval war college was instituted, and is intended, for the instruction of officers who have already served at sea. It is not intended for naval cadets in continuance of the academic course, but for officers pursuing an advanced course of study and for the practical application of science and theory, analogous in its methods of instruction to those pursued at the torpedo station. Those best qualified to judge concur in the opinion that the separation of the war college and the academy is for the interest and advantage of both.

I believe I can not better conclude my remarks than by referring to a statement made by Rear-Admiral Luce, in a letter to myself, which I will print with my remarks. It strongly corroborates what I have said in the few minutes at my command, and presents the claims of the naval war college for maintenance in its present location clearly and strongly.

The appropriation proposed should certainly be granted, and the course of instruction maintained which promises so much to increase the efficiency of the Navy.

The Secretary of the Navy, in his last annual report, says:

The naval war college began its first session September 3, under the direction of Rear-Admiral Stephen B. Luce, president of the college. The instruction consisted of lectures on military science, the art of naval warfare, and marine international law. The college, now fairly in operation, by giving officers an advanced course of instruction on subjects directly connected with the most important duties of the profession, fills what has hitherto been a serious want in our system of naval education.

The previous Secretary of the Navy, responding to a Senate resolution of inquiry, February 11, 1885, said:

As it was deemed advisable that the course of study should be made to supplement the present instruction of naval officers in torpedoes at Newport, R. I., and that the place should be selected where the Department is already in possession of the necessary grounds and buildings, the board recommended the establishment of the college of instruction at Newport.

* * * * * * *

The reasons which have controlled the action of the Department are to be found in the recognized necessity for an advanced course of military and naval education in the United States. There are now existing three schools for the purpose in the Army and one in the Navy. The latter is at the torpedo station at Newport, where a class of officers is assembled for a few months in each year for instruction in the art of manufacturing and using torpedoes and torpedo explosives. The constant changes in the methods of conducting naval warfare imposed by the introduction of armored ships, swift cruisers, rams, sea-going torpedo-boats, and high-power guns, together with the more rigid methods of treating the various subjects belonging to naval science, render imperative the establishment of a school where our officers may be enabled to keep abreast of the improvements going on in every navy in the world. The torpedo school only partially fulfills the imperative requirements. The college is intended to complete the curriculum by adding to an extent never heretofore undertaken the study of naval warfare and international law and their cognate branches.

The great surplus of officers in the Navy makes it especially appropriate to require that at all times some of them not needed for actual duty shall be engaged in courses of professional study calculated to improve and qualify them for better service in the future.

In instituting this school of instruction at Coasters' Harbor Island, the Department, acting within the scope of its powers, has simply utilized public grounds and buildings under its own immediate control for a wise and beneficial purpose, and has detailed public officers who can readily be spared to constitute the president and faculty of the college.

Very little expense will be incurred in carrying out the Department's plan, while the benefits to be realized by the Navy and the country will be of great importance. The subject is commended to the notice and favor of Congress.

The question of location was thoroughly considered by the board of naval officers to whom the same was submitted, who reported strongly in favor of Newport as affording the most advantageous site, and, referring to Coasters' Harbor Island, said:

Newport possesses a site at which the school could be permanently established, and where there is little probability that its welfare would clash with any other interest of the service. The torpedo station is already at this place, and it would be possible to so extend its facilities that the instruction in physical science might be given—although this would entail a considerable outlay for buildings, apparatus, &c., as well as a yearly expenditure for instructors. As practical exercises afloat ought to constitute a part of the course at the war school, Newport offers exceptional advantages.

The following is the letter of Rear-Admiral Luce referred to:

UNITED STATES NAVAL WAR COLLEGE,
Newport, R. I., May 26, 1886.

SIR: I take the liberty of calling your attention to the fact that the Naval Committee has failed to include this college in the naval appropriation bill.

The cause of this omission, I am led to infer, is on account of some supposed advantages in favor of some other place for the location of the college.

But I would point out to you that the college, as now established, had the full sanction of the Navy Department, has the indorsement of the Secretary of the Navy in his recent annual report, the advocacy of the Chief of the Bureau of Navigation, and the warm support of the distinguished Admiral of the Navy.

This place was deliberately chosen by a board of officers convened for the special purpose of reporting on the subject of a post-graduate course; and in settling upon Coasters' Harbor Island they were governed by what was believed to be for the best interests of the service.

The recommendations of the board were approved by the Secretary of the Navy, and have already been carried into effect.

To withhold an appropriation now with a view to reversing the deliberate conclusions of those who have brought the college up to its present state of usefulness and by that means endeavor to strangle in its infancy an institution so full of promise exhibits a feeling of unfriendliness to the Navy which I can not believe the Naval Committee on further consideration will sustain.

I have heard indirectly that certain irresponsible parties have suggested a crude, ill-digested plan of combining this college with the Naval Academy, to the great detriment of the latter. But what advantage can possibly be claimed for such a step that would overbalance the injury that would result to both establishments? Not one. It has been urged that the college would have the advantage of the Naval Academy library. But the college has its own library, which has been carefully selected with special regard to its needs, and it wants no other.

Furthermore, the curriculum of studies, the routine, the manner of carrying on the instruction, and the discipline are all so dissimilar at the two establishments that it would be difficult to imagine a more incongruous arrangement.

Two of the graduates of the Naval Academy, whose predilections would naturally lead them to favor their *Alma Mater*, have attached their official signatures to the report recommending the present location for the post-graduate course; and Lieut. C. G. Calkins, another graduate, in an essay on the higher education of naval officers, an essay which received the highest prize of the Naval Institute, uses the following emphatic language in regard to a post-graduate course:

"The extension of the usefulness of naval officers has recently become a matter of vital importance to the naval service of the future.

* * * * * * *

"It may be urged that the establishment of post-graduate courses at the Naval Academy would satisfy all the conditions requisite for success. But the object of the plan being to secure varied attainments, the limited range of branches for which the Naval Academy offers advantages will not be sufficient for all. Many of the officers who take these advanced courses will hereafter be instructors at the Naval Academy. To secure the best results they should be brought into contract with broader methods and ideas than can be fully applied in that institution. In-and-in breeding never succeeds in the long run, but fresh blood is needed in every system to secure soundness and vigor.

"The practical difficulties due to differences in age and rank would also be felt. Uniformity in treatment and the restraints of discipline necessary in such a school can not readily be applied to officers of various grades and acquirements. They might be found obstructive to earnest students and irritating to men of mature years. The class system does not apply to the objects proposed. The association of a number of young officers might result in the establishment of an easy routine of study, or, if competition were introduced to prevent this, might repeat or intensify some of the animosities and injustices with which former unfair competitions have afflicted some grades in the service." (United States Naval Institute, vol. 9, No. 2, 1883.)

If the reasoning which would confine an advanced course of studies for naval officers to the Naval Academy be sound, then not only should the torpedo school be sent from Newport to Annapolis but the artillery school at Fort Monroe and the cavalry and infantry school at Fort Leavenworth should be sent to West Point. But such a preposterous idea has never been even suggested.

General Tidball, the present very efficient commandant of the artillery school, said that West Point would be the very last place for such a school. In reference to the then proposed establishment of the war college he said: "As regards locality I think Annapolis, notwithstanding the advantages of the academy library, would be the least desirable of any from the fact that it brings the instruction of the maturer officers into juxtaposition with that of the more juvenile cadets, two entirely distinct classes, requiring different methods and different treatment."

This evidence is exceedingly valuable, as coming from an officer of large experience in the management of a post-graduate school.

General Tidball's views were those subsequently adopted by the board on the post-graduate course. (See Senate Ex. Doc. No. 68, Forty-eighth Cong., second session, page 6.)

It is to be regretted that the views of the board, so carefully and conscientiously worked out, should have been set aside. Every new undertaking will provoke opposition. There are those who, unwilling to build up, will gladly assist in pulling down; others will joyfully embarrass the workers out of merewantonness. This is only to be expected. It is only the few who are just enough to let those most interested in, and responsible for, an enterprise be intrusted with its success.

I sincerely trust that the opinions of these few may have weight with the Naval Committee and with the House in regard to an appropriation for the maintenance of this college.

I may say, in conclusion, that I have written a letter of similar import to Hon. CHARLES A. BOUTELLE, member of Congress.

Very truly, yours,

S. B. LUCE,
Rear Admiral, United States Navy, President of College.

Hon. HENRY J. SPOONER,
United States House of Representatives.

Mr. SAYERS. Mr. Chairman, I understand the location of this college is a very nice place as a pleasure resort, in fact it is a very beautiful summer resort. The Committee on Naval Affairs had various persons before them to testify in reference to this college, among others Admiral Luce himself; and we came to the conclusion that the only difference so far as the advantages are concerned between Annapolis and the place where the naval war college is established is that the sea breeze is probably more delightful than at Annapolis; and that is about all. We had the superintendent of the Naval Academy before us, one of the most distinguished officers in the Navy, and one of the finest scholars in the country, who testified upon this point, and he tells us that it is within the power of the Naval Academy at Annapolis to furnish what may be termed a post-graduate course, as a course for officers who have been already in the service without much expense. He said that there was a building there which had been completed for the Government some time since, a large building sufficient for the purpose,

and that a very slight appropriation, in order to put it in repair, was all that was necessary. The Naval Academy also has already the apparatus that is necessary; it has a steam-engine there, and a very fine library, and all the facilities necessary for these officers to perfect themselves in a course of professional training in all of the branches that could be taught at the war college.

Mr. GROUT. Will the gentleman permit me to make a suggestion?

Mr. SAYERS. Certainly.

Mr. GROUT. According to the authority of Commodore Luce, in charge of the war college, there are none of the appliances and literary books at the Annapolis academy such as are required at this naval war college. They have there their own machinery and appliances and experimental instruments of the very best quality. Now, of course, you can take them and bring them to Annapolis, but they are not at Annapolis now.

Mr. SAYERS. That is just what we propose to do. Everything at the college belongs to the Government, and in the opinion of the committee it will be less expense to move the property suitable for educational purposes to the Naval Academy than to keep up the naval war college. True it has not cost much up to this time, but it is only the grain of mustard-seed; it will grow and grow and grow until the birds of the air can rest upon its branches; and it will develop larger and larger until it becomes a great wide-spreading bay-tree under which all of the officers can lie down and refresh themselves in its shade. [Laughter.]

Mr. GROUT. How can it grow and grow beyond the requirements, which are not excessive? It has not proved itself to be an expensive institution up to this time.

Mr. SPOONER. With the permission of the House I desire to say that the expenses are certainly not greater for the maintenance of this institution where it is now than if it was at the Naval Academy at Annapolis, or any other place, because the buildings are already there at Coasters' Harbor Island, and certainly the moderate expenditure that has been asked thus far for the support of the institution is not excessive. But a very moderate amount is required to continue it if appropriated, and no more than would be appropriated for the college if it was located at any other point.

Mr. LORE. My friend means the nucleus of buildings is there; but the buildings will have to be extended.

Mr. SPOONER. There is a large building, which simply needs repairs, already there.

Mr. WARNER, of Ohio. Is it proposed to maintain there at public expense a thoroughly equipped college?

Mr. GROUT. Only for that purpose.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WOLFORD having taken the chair as Speaker *pro tempore*, a message from the Senate, by Mr. JOHNSON, one of its clerks, announced that the Senate requested the return of the bill (H. R. 544) granting leaves of absence to employés in the Government Printing Office.

NAVAL APPROPRIATION BILL.

The Committee of the Whole resumed its session.

The CHAIRMAN. The question is on agreeing to the amendment of the gentleman from Connecticut.

The committee divided; and there were—ayes 31, noes 36.

So the amendment was not agreed to.

The Clerk read as follows:

For completing the reduction of the observations of the transit of Venus, to be expended under the direction of the Transit of Venus Commission, $3,000.

Mr. HERBERT. Mr. Chairman, I am instructed by the committee to move an amendment striking out certain lines which have been just read and inserting what I send to the desk, which is merely a change of phraseology.

The Clerk read as follows:

Strike out lines 110, 111, 112, and insert:

"For the completion and other expenses connected with the report of the observations of the transit of Venus, in 1874 and 1882, to be expended under the direction of the Transit of Venus Commission: *Provided*, That said commission shall deliver all the instruments and other public property in their possession into the custody of the Secretary of the Navy, $3,000."

Mr. HOLMAN. Mr. Chairman, I believe there is an item for this purpose in the legislative appropriation bill, and I ask the gentleman if he has examined it?

Mr. HERBERT. I have not.

Mr. HOLMAN. I hope this may be passed over until an opportunity for examination can be had. I think the appropriation is made in that bill.

Mr. HERBERT. Very well; I am willing to pass it over informally. I did not know that there was anything of the kind in the legislative bill.

The CHAIRMAN. Is there objection?

Mr. WADSWORTH. I object.

Mr. HOLMAN. I believe that is covered by the legislative bill, and trust my friend from Kentucky will permit this to be passed until we can determine.

Mr. HERBERT. I want it to be passed over with the understanding that it goes into the bill unless it is contained in the other. The gentleman from Indiana will agree that it is to remain in this bill?

Mr. HOLMAN. Oh, certainly. It can be stricken out, however, afterward if it is found to be a duplicate, as there is objection to passing it over.

The amendment was agreed to.

The Clerk read the following paragraphs of the bill without any amendments being offered until line 174, under the heading "Bureau of Equipment and Recruiting" was reached.

Mr. WISE. I omitted to offer an amendment at the proper time. I ask unanimous consent to be permitted to go back to offer an amendment at the end of line 125, under the heading "Bureau of Ordnance."

Mr. HERBERT. I object.

The Clerk read the paragraph appropriating for the naval asylum, Philadelphia, lines 208 to 236.

Mr. WHEELER addressed the committee. [See Appendix.]

Mr. HERBERT. I move that the committee rise.

The motion was agreed to.

The committ accordingly rose; and the Speaker having resumed the chair, Mr. CRISP reported that the Committee of the Whole House on the state of the Union, having had under consideration the bill (H. R. 8975) making appropriations for the naval service for the fiscal year ending June 30, 1887, and for other purposes, had come to no resolution thereon.

ARMY APPROPRIATION BILL.

The SPEAKER. The Chair appoints as the managers of the conference on the part of the House on the Army appropriation bill Mr. BRAGG of Wisconsin, Mr. VIELE of New York, and Mr. STEELE of Indiana.

ADMISSIONS TO THE FLOOR.

The SPEAKER also announced the following as the select committee to investigate the alleged violations of Rule XXXIV: Mr. RICHARDSON of Tennessee, Mr. MCRAE of Arkansas, Mr. CAMPBELL of Ohio, Mr. GUENTHER of Wisconsin, and Mr. LYMAN of Iowa.

ENROLLED BILLS SIGNED.

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

A bill (H. R. 5886) making appropriations for the support of the Military Academy for the fiscal year ending June 30, 1887; and

A bill (H. R. 6391) to authorize the Kansas City, Fort Scott and Gulf Railway Company to construct and operate a railway through the Indian Territory, and for other purposes.

The SPEAKER. The hour of 5 o'clock having arrived, the House is in recess until 8 o'clock this evening, when it reassembles for the consideration of pension and other bills under the special order.

EVENING SESSION.

The recess having expired, the House reassembled at 8 o'clock p. m.

The Clerk read the following letter:

SIR: Hon. C. C. MATSON is designated to preside at the session of the House this evening.

J. G. CARLISLE, *Speaker.*

Hon. JOHN B. CLARK, Jr.,
Clerk of the House of Representatives.

Mr. MATSON accordingly took the chair as Speaker *pro tempore.*

Mr. WINANS. Mr. Speaker, I move that the House now resolve itself into the Committee of the Whole for consideration of bills on the Private Calendar.

The motion was agreed to.

The House accordingly resolved itself into Committee of the Whole, Mr. MCMILLIN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole for the consideration of bills on the Private Calendar under the special order. The Clerk will report the first bill.

WILLIAM J. OWINGS.

The first business on the Private Calendar was the bill (H. R. 4097) for the relief of William J. Owings.

Mr. MATSON. Mr. Chairman I ask unanimous consent that that bill be passed over informally.

There was no objection, and it was so ordered.

ORDER OF BUSINESS.

Mr. MATSON. I now ask that members present may be allowed to call up such bills as they desire to have considered.

Mr. BRADY. I call for the regular order.

Mr. ADAMS, of Illinois. Perhaps the gentleman will allow me to make another request for unanimous consent, namely, that the bills be read by title in their order, but that when a bill is reached and no member rises to address the Chair, that bill be passed over informally, retaining its place on the Calendar.

There was no objection, and it was so ordered.

SECTIONS 4756 AND 4757 REVISED STATUTES.

The next business on the Private Calendar was the bill (H. R. 4702)

amending sections 4756 and 4757 Revised Statutes, relating to pensions to certain disabled persons who have served in the Navy or Marine Corps.

Mr. MATSON. Mr. Chairman, that bill seems to be of a general character and I ask that it be passed over.

There was no objection, and it was so ordered.

MARGARET HUNTER HARDIE.

The next business on the Private Calendar was the bill (S. 1133) granting an increase of pension to Margaret Hunter Hardie.

Mr. RANDALL. I ask the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the pension of Margaret Hunter Hardie, widow of Bvt. Maj. Gen. James A. Hardie, formerly Inspector-General of the Army, be, and the same is hereby, increased to $50 per month.

Mr. PRICE. Mr. Chairman, I would ask what is the present rate of pension which this lady receives?

Mr. RANDALL. I ask that the report be read, and I hope that the gentleman from Wisconsin [Mr. PRICE] will be kind enough to give his attention.

Mr. PRICE. I certainly will listen when I have asked for information.

Mr. RANDALL. Mr. Chairman, as regards the officer for the benefit of whose widow this bill is reported I wish to say that I saw him here during the war, in 1862, just before I was elected to Congress, and witnessed his efforts in the service of the Government. He was the great assistant of Edwin M. Stanton, the organizing mind, as I think the Carnot of the war, and if there was a man who rendered great service to our side in that struggle it was the husband of the lady who is seeking relief here, and who is in great need.

The report (by Mr. SCOTT) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 1133) granting an increase of pension to Margaret Hunter Hardie, have had the same under consideration, and report:

Your committee recommend the passage of the bill, and have agreed to the adoption of the report prepared and submitted by the Committee on Pensions of the Senate. (See Senate Report No. 252, Forty-ninth Congress, first session.

The following is the Senate report:

The Committee on Pensions, to whom was referred the bill (S. 1133) granting an increase of pension to Margaret Hunter Hardie, respectfully report:

The committee have only considered this bill, and desire to preface their report upon the same with the petition of the claimant, making it a part thereof, as follows:

To the honorable the Senate and House of Representatives of the United States in Congress assembled:

The petition of Margaret Hunter Hardie, a citizen of the United States and resident of the District of Columbia, respectfully shows that she is the daughter of the late Henry D. Hunter, for many years an officer of merit in the Navy; the niece of the late Col. Richard B. Mason, of the Dragoons, who commanded in California during the Mexican war, and the widow of the late James Allen Hardie, an inspector-general in the Army.

That since the death of her husband, December 13, 1876, she has been in receipt of the monthly pension of $30 granted by the general law, and now prays an increase to $50 per month, because of her increasing age and infirmity and the gradual exhaustion of the slender means left to her at the time of her husband's death.

In support of her petition she refers to the long and important services of her husband as an Army officer, extending from the year 1843 to 1876, and including such duties and services as the following:

Assistant professor at the Military Academy 1844 to 1846. Commandant and civil administrator of the district of San Francisco during the Mexican war. Adjutant-general, Department of Oregon, 1860. Assistant adjutant-general, and afterward judge-advocate-general, headquarters Army of the Potomac, 1861 to 1863. Inspector-general in charge of the Inspector-General's Bureau at Washington, 1864 to 1865; also at the same time chief of the military staff of the Secretary of War. Senior officer of board of inspection of forts and arsenals 1866 to 1867. Special agent for investigation of war claims of Massachusetts and Kansas, and Indian war claims in Montana and Dakota, and the "Modoc" war claims 1867 to 1874. President of the special claims commission in the War Department 1867 to 1869. Special agent War Department attached to Indian commission of 1867. Inspector-general Military Division of the Missouri 1869 to 1872. Special agent for distribution of Government relief after the great fire at Chicago 1871. Inspector-general in the War Department and at headquarters of the Army 1872 to 1876.

The petitioner says that her late husband held the rank of brigadier-general of volunteers, and of colonel, brevet brigadier-general, and brevet major-general in the regular Army, and that he was engaged in the Mexican war, the Indian war in Washington Territory in 1858, and the civil war, until called to the War Department in 1863, and that for twenty months he was the actual chief of the Inspector-General's Bureau, and acted as Secretary of War, by appointment of the late President Lincoln, during an absence of Mr. Secretary Stanton in the fall of 1863.

The petitioner appends as an exhibit to this petition a copy of a memoir of her late husband, imprinted at Washington, 1877, and refers especially to pages 32, 33, 55, and 56, thereof, whereon are printed testimonials to his character and services from Generals Grant, Sherman, Sheridan, Hancock, McClellan, Burnside, Hooker, Reynolds, Humphreys, Franklin, Wool, and others.

The petitioner says that she has two young daughters dependent upon her for support.

MARGARET HUNTER HARDIE.

Witnesses:
JOSH HARDIE.
CHAS. F. BENJAMIN.

General Hardie was a distinguished officer of the Army, having gone through all grades of the service up to that of brigadier-general and brevet major-general. Similar pensions have been granted to widows of officers of his rank, and the committee recommend the passage of this bill.

Mr. RANDALL. I move that the bill be laid aside to be reported to the House with the recommendation that it do pass.

Mr. PRICE. Mr. Chairman, I want to make one more appeal to the House on this bill, to stop this vicious, because unjust, system of legislation. I have no argument to make that you are not all familiar with, but there is not a man in this House who does not know that, whatever may have been the distinguished services of the distinguished gentleman who was the husband of this widow, there were thousands of others, equally meritorious, whose widows to-day are getting nothing. Now, will you continue this unjust system always? If you do I can not help it, except by the adoption of means to which I am unwilling to resort—calling a quorum, using the one-man power. I have nothing further to say.

Mr. RANDALL. I have great respect for the gentleman's opinions, but when he says that this is unjust, I only claim the right to hold a different opinion. I move that the bill be laid aside with the recommendation that it do pass.

The motion was agreed to.

CHARLES J. ESTY.

The next business on the Private Calendar was the bill (S. 810) granting a pension to Charles J. Esty.

Mr. MORRILL. I ask for the consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Charles J. Esty, late a private in Company H, Tenth New Hampshire Volunteers.

Mr. GALLINGER. I move that this bill be laid aside to be reported favorably to the House.

The motion was agreed to.

ABBY L. BURBANK.

The next business on the Private Calendar was the bill (S. 2192) granting a pension to Abby L. Burbank.

Mr. GALLINGER. I ask for the consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Abby L. Burbank, widow of Charles H. Burbank, late a surgeon in the United States Navy, and pay her a pension at the rate of forty dollars per month, in lieu of the amount she is now receiving.

Mr. MATSON. I ask for the reading of the report in this case.

The report (by Mr. BRADY) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 2192) granting an increase of pension to Abby L. Burbank, respectfully submit the following report:

Your committee, to whom was referred the bill (S. 2192) granting an increase of pension to Abby L. Burbank, have examined the same, adopt the Senate report, and recommend that the bill do pass.

The following is the report, by Mr. BLAIR, from the Committee on Pensions of the Senate, made April 20, 1886, Senate Report No. 665, namely:

The petitioner, Abby L. Burbank, is the widow of Charles H. Burbank, late a surgeon (ranking with lieutenant) in the United States Navy. He enlisted May 9, 1861, and died in the service January 30, 1885, at Portsmouth, N. H. The widow was granted a pension upon her application by the Department under the general law, at the rate of $25, commencing February 18, 1885. She now asks that this amount be increased for the reasons set forth in her petition, which is as follows:

To the Senate and House of Representatives:

On the 16th of April, 1885, the Pension Bureau issued in my (Abby L. Burbank's) favor a pension certificate No. 3261, entitling me to a pension of $25 per month as the widow of Charles H. Burbank, medical inspector, United States Navy, who died on January 30, 1885, of heart disease, induced by malaria, contracted at different periods in the service.

I do not consider the pension granted me is sufficient, and I would ask for an increase on the following grounds, namely:

Firstly, that the pension should have been commensurate with the rank which Dr. Burbank held when he first seriously contracted malaria, which was in 1871, while attached to the U. S. S. Michigan, on the lakes, when he held the rank of surgeon, which rank entitles to $30 per month. Also at a later date he was exposed to malaria and was very sick while on the North Atlantic squadron; and later still during his last cruise, while attached to the Brooklyn, on the South American coast, and on the west coast of Africa, when he was of the rank of medical inspector.

Dr. Burbank has suffered very much from this cause, especially through the latter part of his service, but through much distress and suffering held steadfastly to his duties; never more steadfastly or with greater effort than during his last cruise, which lasted more than three years, and from which he returned a broken-down man, and lived but three months after his return.

Secondly, I would ask for an increase of pension on the ground of his war record.

Dr. Burbank was on the Hartford under Admiral Farragut at the taking of New Orleans, and performed efficient service there; also at Pilot Town Hospital, Southwest Pass, Mississippi River, in 1862, where, owing to all the other surgeons dying, he was left in sole charge, when his duties became so arduous, and his responsibility became so great, that his health for a time was greatly impaired. He was also on the blockade, and was in active service all through the war.

Finally, I would ask for a larger pension on the ground of insufficient support. I am left in delicate health, with five children, all of whom are minors but one, and with means so limited that it is impossible to live upon it. In consideration of all these conditions, I would most earnestly appeal for a pension of $50 per month to enable me to provide for my family, which now I am unable to do.

ABBY L. BURBANK.

PORTSMOUTH, N. H., *December* 3, 1885.

Your committee, having verified the accuracy of the above petition, adopt the statements of fact set forth therein, and report back the petition with an original bill increasing the pension of the widow of this brave officer to $40 per month, and recommend that it do pass.

Mr. MATSON. Mr. Chairman, I feel obliged to object to the passage of this bill. This officer was a surgeon; and as such he performed only a quasi military service. It is not alleged that he ever underwent

any of the dangers of battle. Perhaps he may have been subjected to the dangers of service upon the sea, but so far as appears he encountered none of the perils of battle.

Mr. BRADY. A naval officer on board a war vessel is subjected of course to the dangers of battle.

Mr. MATSON. Very often there are hospital ships on which surgeons do duty.

Mr. BRADY. It does not appear from the record in this case that that was the fact here.

Mr. MATSON. I supposed it did. But, sir, I do not wish to cast any reflection on this officer. I am willing to allow him credit for everything stated in the report. Still the fact remains that he was a surgeon; and the proposition now is to select his widow from among hundreds of thousands of widows and increase her pension from $25 to $40 a month. It is a bad precedent. It may have been done before; but these things ought not to be done.

It certainly is manifestly wrong to single out one case in this way without any strong reason, and there is not a strong reason in this case. The fact that this surgeon contracted malaria, the fact that he lingered with the disease and subsequently died, does not distinguish the case of his widow from the cases of hundreds of thousands of other widows whose husbands died in the service. That is all there is in that part of the case.

The fact that this lady has five children who are minors only puts her upon a level with the numerous other widows of the country who have minor children. For each child under sixteen years of age she is entitled to a pension of $2 a month until the child reaches the age of sixteen, so that if all five of her children are under that age, she now draws a pension of $35 a month—$25 for herself and $2 for each of her children.

A MEMBER. The report states that four of her children are minors.

Mr. MATSON. Then she is drawing $33 a month. She says she wants the Government to support her. There is the bare proposition. Has this Government undertaken to give a full support to the widow of every man who died in the service? It has not done it and it can not do it. If it did we should have to grade pensions very differently, for some women with four children can live upon $35 a month and others can not.

Mr. PRICE. I indorse the gentleman's reasoning as applicable to this case; but I would like to have him tell me by what process he arrives at the conclusion that this bill is objectionable, when the one under consideration a few minutes ago to raise a pension from $25 to $50 a month was not to the gentleman objectionable.

Mr. MATSON. I object to that, too.

Mr. PRICE. Well, you did not object to it.

Mr. MATSON. I thought that you would talk in the one case and I would talk in the other. [Laughter.]

Mr. PRICE. But you did not vote with me.

Mr. MATSON. I did not think it necessary when you were the only man voting.

Mr. PRICE. If you had voted with me there would have been two of us.

Mr. MATSON. I have voted with you time and again. I have never favored these increases of pension for any rank; but I do not know that it is necessary for me to repeat what has been said so often. The fact is that Congress began a great many years ago to increase the pensions of the widows of general officers until it has become almost an established thing, so that it is almost useless to resist in such cases, because the House passes them over our heads. We made a test case here several weeks ago. The case was about as weak as any that could be found; but we were beaten in a full House. What is the use of kicking against a thing that is well established? But this thing of granting increased pensions to widows of officers below the rank of general officers is not a fixed precedent by any means. There are some such cases, but they are very "few and far between." It is not right, I insist, Mr. Chairman, that bills of this character should pass.

Mr. GALLINGER. Mr. Chairman, it occurs to me that this case is considerably stronger in merit than the opposition which the gentleman from Indiana has presented to it. It has peculiar merits, if gentlemen will consider for a moment, and I will briefly call their attention to them.

Dr. Burbank was in the service of the country for a period of twenty-four years, and the record shows that he was a very efficient, faithful officer. It shows that he at one time, when every other surgeon had died while in a very unhealthy part of the country, unquestionably remained at this post day and night and attended the sick men at a time when he himself was far from well and his health very much injured, but he continued faithful to his duty on that occasion where it needed quite as much heroism for a man to stand as it ever does in line of battle.

The record further shows that although Dr. Burbank was a sick man for many years he did not flinch from performing his duty to its fullest extent. The record shows that he went to the southern coast of this country and the coast of Africa, into the malarial districts of this and foreign countries, performing his duty resolutely and honorably without reference to his own comfort and health. After twenty-four years of service, which I am satisfied was service of extraordinary fidelity, Dr. Burbank died; and for some reason, I confess I do not know why, his wife was given but $25 a month pension, while if he had been ranked as a major, as a surgeon with that rank, she would have received $50 a month.

Mr. MORRILL. I beg the gentleman's pardon; the pension of the rank of major is only $25 a month.

Mr. GALLINGER. Well, I stand corrected; I was told differently. This man was very efficient and faithful in the discharge of his duties, and his widow is certainly deserving of some consideration. She was pensioned, and she comes here now and asks an increase, not because she has to rear five children, because that is a reason which is given in many such cases and is a strong reason to some extent, being in the nature of an appeal for sympathy in her behalf; but it is true, as I have it from the best men of both political parties that she is in very delicate health and it is a terrible struggle for her to support her children and maintain herself.

But the principal strength of her claim is because her husband had performed extraordinary services to the Government for nearly a quarter of a century, faithfully caring for those around him. For twelve or fifteen years, broken in health, carrying this disease with him, he performed these duties and died leaving this dependent family. I think it is a meritorious case, and there are precedents for the case. I believe it is as strong a case as that which has just now been passed, and I understand the gentleman from Wisconsin admits that. I feel that we ought not to discriminate against the widow in this case who asks this small amount at the hands of the Government when other widows in similar cases have received their pensions.

Mr. BRADY. Mr. Chairman, I have no desire to take up the time of the committee in discussing this question, or any other case that comes before the committee at these night sessions. I desire specially though very briefly to call the attention of the committee to a fact which has much influence with me, and that is that the Committee on Pensions of the Senate and the Senate itself have passed this bill; the Committee on Pensions of the House have considered it and reported it favorably to the House. I think it is a case meritorious in every respect. There are a number of precedents that might be cited, not as strong even as this, and I trust the report of the committee will be sustained and the bill passed.

Mr. PRICE. If the gentleman from Virginia can show me a case that he has ever found that is not meritorious, I will agree that his indorsement is worth something.

Mr. BRADY. Unfortunately, the gentleman from Wisconsin never knows a meritorious case from any other in this House, not only as to pensions but as to all other cases.

Mr. MORRILL. I ask unanimous consent that this bill go over to a full House.

Mr. GALLINGER. I will not agree to that without giving notice of entering a motion to reconsider the case we have just passed. If one goes over, let both go.

Mr. MORRILL. That is a very different case. This is establishing a new precedent.

Mr. BRADY. I object to its going over. This is pension evening; we have assembled here for the purpose of transacting this business; cases of this kind have gone to the House from this committee and been sustained, and I think the committee is fully competent to deal with this question.

Mr. MORRILL. My request is that the bill be reported back to the House with the understanding that a vote be taken in a full House. I do it out of consideration for the gentleman who is pressing the case.

I wish it to be understood, though, that this is in my opinion a dangerous precedent to pass here. I feel that there is hardly a widow in the land whose husband fell upon the battlefield who could not come and urge stronger reasons than are urged in this case. I believe we shall be flooded with bills if we begin this species of legislation. There are a hundred thousand such cases in this land which will come to Congress.

Mr. GALLINGER. If they served as long and faithfully they ought to have relief.

Mr. BRADY. How many served twenty-four years?

Mr. MORRILL. Of those twenty-four years twenty were in time of peace with a good salary, and he could have resigned at any time he pleased. It was a fair salary, and in fact that is rather against the case than for it. I simply ask that it go over to a full House.

Mr. GALLINGER. If you consider the fact that he was in the service twenty-four years, and there were fifteen when he was almost unfitted for duty though he stuck faithfully to his post it is not against the claim. For all that period of fifteen years he was in very bad health, but he still stood at his post.

Mr. MORRILL. I do not understand the report to say anything of that kind.

Another thing, this is almost in the nature of a positive direction to the Committee on Invalid Pensions to allow cases of this kind. In the Committee on Invalid Pensions we have stood there, the chairman and several other members, opposing bills of this kind on principle; but

now if a precedent is to be established it ought to be done by a full House and when a quorum is present.

Mr. PRICE. Mr. Chairman, on this question I desire to say one thing to my distinguished, highly esteemed, genial, but somewhat erratic friend from Virginia on my left here, who made a statement that I am unwilling shall go into the RECORD uncontradicted.

The gentleman says I have never discovered anything meritorious in any of these bills.

Mr. BRADY. I beg the gentleman's pardon; I do not think I said that.

Mr. PRICE. That was the gentleman's language. I want to place myself right in regard to that. My theory is, I would pay to the widow of every soldier who sacrificed life and fortune in the defense of this Government to the extent of its revenues if necessary. But I have opposed all these propositions to take those who have a pension already and give them more while others are getting nothing. And I particularly object to giving a man or a woman or a dependent more because the husband was an officer.

I think the gentleman from Virginia does not misunderstand me and I hope he will not repeat it again—although I am not sure he will not. [Laughter.] Every one here with any intellect knows, and it does not require much talent to understand it, that my opposition is purely and solely to these distinctions made upon rank and position. In my opinion they are unrepublican; and I have opposed them to the extent of one vote in all cases.

If the chairman of the Committee on Invalid Pensions had been consistent with his own dictates of what is right, he would at least have given me one more vote against the proposition to select for a higher pension this lady whose case was brought up under the auspices of my able, distinguished, and genial friend from Pennsylvania, who on every occasion that I have known him to come here has always had some one of this class of cases to take up; the case of some officer's widow who is now receiving a pension and to give her more. I know the gentleman is conscientious. I can not agree with him. My judgment does not run in the same line. Therefore my misfortune has been that I have found it necessary to call the attention of the House to this system of legislation, which I believe to be vicious and unjust, in order that it may be put a stop to.

Mr. BRADY. I concede to the gentleman from Wisconsin that he is the champion of the private soldier as against the officer.

Mr. PRICE. Equal rights for all is what I want.

Mr. BRADY. The gentleman has always appeared here as the advocate of the poor private. I happened to be in the war, a private as well as an officer. I have friendship and sympathy for both and believe in doing justice to each.

Mr. PRICE. Justice to each alike.

Mr. MATSON. The gentleman from Wisconsin has arraigned me. What he stated he stated without thinking. He said I advocated the increase of pensions of officers.

Mr. PRICE. I was not referring to the gentleman from Indiana. I mean my distinguished friend from Pennsylvania [Mr. RANDALL]. Do not make a mistake there.

Mr. RANDALL. I do not, like some other gentlemen, want to fight the battle over again. The case which has been referred to is decided, and that is the end of it. We are all happy and brethren again.

Mr. CUTCHEON. I desire to say just one word in reference to this case. If we are to act upon this report at the present time I hope this bill will not pass. I do so because I feel, and I feel it somewhat strongly, too, that if there is any danger to-day that impends over our pension system it is the piling up of these big pensions that are out of proportion to the whole pension system.

Mr. GALLINGER. Will the gentleman allow me a question?

Mr. CUTCHEON. Yes, sir.

Mr. GALLINGER. Why did you not object to the case last passed?

Mr. CUTCHEON. I was not in; I got in just as it was being voted on.

Now, if any good reason can be shown why this widow should be taken out of the great number of widows to whom our law grants pensions and a higher pension given to her, then I certainly will vote for it. But I have listened attentively to all that has been said, and I see absolutely nothing that applies to this particular widow that will not apply to every one that is pensionable under the law.

Mr. BRADY. Did the gentleman hear the report read?

Mr. CUTCHEON. I heard the report read in full, except, perhaps, the first few words. In the first place it appears this man was a surgeon, a non-combatant——

Mr. BRADY. He was in the Navy.

Mr. CUTCHEON. A non-combatant, not required to bear arms. It appears in the next place that he served for twenty-four years. As the gentleman from Kansas [Mr. MORRILL] said, during those twenty-four years he drew a good salary. It was his privilege at any time to retire from the service if he chose and take a pension; but he preferred the full pay and duty. In the next place it is said he was sick for fifteen years. If he was sick, he got his full pay all the time, sick or well.

Then it is said that finally he died. I take it every widow's husband dies, and I take it one of them is about as dead as another. I see no reason in that. It is said this widow has a family. Why, you can go to your widows' pension-list and pick out thousands who have larger families than this lady and less pension. Many have no pension at all.

I can see no reason in anything that is alleged here why this pension ought to be increased. Feeling that way, I shall give my individual vote against it. I shall not make any factious opposition. I shall not raise the point of a quorum. I end as I began. If there is any one thing that is to-day threatening our pension system it is this piling up of large pensions, burdening the Treasury, and producing a certain degree of demoralization among our entire pensionable class.

Mr. SAWYER. Mr. Chairman, I never have said anything in this committee or in this House, but I do not like the tenor of some of the remarks that have been made here to night. When we are considering the case of a brave officer, a surgeon in the Navy, exposed to all the dangers and perils of battle as much as the man who walks the quarter-deck, and when it is said that he might have resigned, I think that is a remark which ought not to be made.

Mr. CUTCHEON. If the gentleman alludes to me, I will say, if he will permit me, that my remark applied to this officer's sickness. It was stated that he stood at his post although he was sick, and I remarked that if he was sick it was his privilege to resign, but that he preferred to remain on duty and draw his full pay.

Mr. SAWYER. Of course it is the privilege of any officer to resign.

A MEMBER. Or of a member of Congress, either.

Mr. SAWYER. Certainly. Again, Mr. Chairman, I do not believe that the pittance that is voted by the action of Congress to any soldier or his widow has been, or is likely to be, so large as to create dissatisfaction on the part of the people generally with the pension system. A bill is now pending the effect of which will be to distribute among comparatively a few men over $200,000,000 for arrears, and our side of the House is supposed to be in favor of it.

Now, you may take all the pensions that have been granted by act of Congress since the system of granting pensions began, and supposing the system to continue for a quarter of a century longer, increasing as rapidly as it has increased for two years, yet it will not make so great a drain upon the Treasury as that arrears act which we Republicans claim to be in favor of. I do not believe that there are two thousand people to-day upon the pension-rolls of the United States that have been placed there by act of Congress, and whenever the question comes before us of acknowledging the value of the services of the men who, with their lives in their hands, exposed themselves to the dangers of hospital, and camp, and battlefield, it does not look well in my judgment for us, especially for us Republicans, to be always talking about the fear that if we act liberally we shall endanger the pension system in the affections of the people.

I tell you, gentlemen, that there is nothing that Congress does or can do which so commends itself to the mass of the people, North and South alike, as making liberal provision for those men who endured the hardships and dangers of the war in the service of their country.

Mr. PRICE. It should be done equally, though.

Mr. SAWYER. Equally! I do not propose to discuss that question. In my judgment there should be a difference, but I do not propose to argue the question now. I merely wish to enter my dissent from the idea that there is danger that Congress by its liberality to those who are entitled to pensions will disturb the confidence of the people in the pension system.

So far as this particular case is concerned, I feel this way: This man as a surgeon in the service of his country endured as much exposure and subjected himself to as great peril when he was upon the coast of Africa, or in New Orleans, or at any of the posts along our southern coast where yellow-fever was raging as any man incurs upon the battlefield, and when we have the case of a man who stands at his post unflinchingly and serves his country for twenty-four years it is no more than just that his service should be acknowledged, and when application is made on behalf of the widow who stood by him in the hour of danger, caring for their children, I say it is no more than right that she should be protected and her children cared for.

Mr. CUTCHEON. And, Mr. Chairman, I would add to that that this widow is now getting precisely the same pension that she would get if her husband had been a major in the Army and had fallen in battle at Petersburg or the Wilderness torn by shot or shell.

Mr. GALLINGER. Mr. Chairman, I do not desire to detain the committee, but I wish to say a word. The gentleman from Wisconsin [Mr. PRICE] is always consistent about these pension cases. He believes in pensioning the widow of the major-general at the same rate that he would pension the widow of a private soldier.

Mr. PRICE. That is it. You quote me correctly.

Mr. GALLINGER. Well, Mr. Chairman, that is an extraordinary position; and the gentleman from Wisconsin has a patent on it and nobody is trying to take it away from him. Nature made a difference, and the law makes a difference, and this Congress is not going to undertake to undo what nature and the law have done in that regard.

The gentleman from Michigan [Mr. CUTCHEON] takes strong ground against this case from a little different standpoint. I will not stop to

answer all his objections. I will simply say that if this man had been in the Army and had shown the same bravery and fidelity that he showed as a surgeon, the probability is that he would not have stopped at the rank of major. As it was, he reached the highest rank that he could reach under the circumstances in which he was placed, and if he had been in the Army it is quite likely that we might have been asked here to-night to pension the widow of a brigadier-general instead of the widow of a major.

History proves that there is no post so dangerous as that of a surgeon on the coast of Africa, or on our own southern coast during the prevalence of the terrible epidemics that sometimes prevail, and the record in this case shows that this man stood to his post when every other surgeon was dead, and faithfully discharged his duty to the men who were under his care.

If this House wishes to vote a pension of $50 a month in the case they have just passed upon and refuse to pension this widow at the rate of $40 a month, I have only to say that they are more inconsistent than I believe they are going to be. I ask for a vote.

The question was taken on the motion to lay the bill aside to be reported to the House with the recommendation that it do pass, and there were—ayes 23, noes 13.

So the motion was agreed to.

HENRY BELLION.

The next business on the Private Calendar was the bill (S. 1217) for the relief of Henry Bellion.

The CHAIRMAN. In the absence of demand for the consideration of this bill it will be passed over.

WILLIAM LYNCH.

The next business on the Private Calendar was the bill (H. R. 6132) granting a pension to William Lynch.

Mr. CONGER. I call for the consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and is hereby, authorized and directed to place on the pension-roll the name of William Lynch, late a private in Company E, Fifth Regiment United States Infantry, subject to the provisions and limitations of the pension laws.

Mr. WINANS. I would like to hear the report read in this case.

The report (by Mr. STRUBLE) was read, as follows:

William Lynch enlisted as sergeant in Company E, Fifth Regiment United States Infantry, March 8, 1849, for five years; re-enlisted September 8, 1854, and was honorably discharged September 8, 1859. He alleges that while serving in line of duty in Utah Territory, in the winter of 1857-'58, and owing to exposure from continued sleeping upon the ground, he incurred a disability of right leg and right hip, which soon resulted in a shortening of that leg, accompanied by severe pains, which disabilities have continued to this time. Claimant at that time, and at time of filing his original declaration for pension, supposed that the disability incurred as above stated was rheumatism, and so averred. He did not place himself under the treatment of an Army surgeon, nor is there an official record of his disability.

Pierce Tobin testifies that he enlisted in said Company E, in Utah, in the summer of 1858; that he was drilled by Sergt. William Lynch, who was lame and complained of lameness and rheumatic pains contracted during the previous winter while lying on the frozen ground. The credibility of Tobin is certified to by the officer before whom he made his affidavit.

Patrick Larkin and Thomas Burke testify to having been neighbors and fellow-laborers with claimant from 1859 to 1870; and that he was suffering with some disability which he called rheumatism or inflammation of hip-joint; and that claimant was able to do only one-fourth the work of an able-bodied man. Claimant was examined April 30, 1884, by board of surgeons at Kansas City, who failed to find any disability. June 17, 1884, he was examined by Dr. D. P. Porter, of Kansas City, who found chronic inflammation and enlargement of said hip-joint and a shortening of 1 inch in said right leg. He estimated claimant's disability as total.

December 16, 1885, claimant was examined by board of surgeons at Leavenworth, who found, substantially, the same evidences of disability as discovered by Dr. Porter, and rated claimant at fifteen-eighteenths of total disability.

Your committee therefore report the bill favorably, and recommend that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ROBERT K. BENNETT.

The next business on the Private Calendar was the bill (H. R. 7698) granting a pension to Robert K. Bennett.

Mr. MORRILL. I ask for the consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Robert K. Bennett, late of Company H, One hundred and fifty-sixth New York Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ANTHONY M'ROBERTSON.

The next business on the Private Calendar was the bill (H. R. 7327) granting a pension to Anthony McRobertson.

Mr. WHEELER and Mr. MORRILL asked for the consideration of the bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Anthony McRobertson, late a private in the Seventy-second Regiment of Missouri Enrolled Militia.

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

The report (by Mr. MORRILL) was read, as follows:

Claimant was a private in Company B, Seventy-second Regiment Missouri Enrolled Militia, and claimed a pension for gunshot wound of the right jaw-bone; also gunshot wound through the back, received in action in Stone County, Missouri. His claim was rejected because not within provisions of pension laws.

Capt. Henry Sullivan, of Company K, Forty-sixth Missouri Volunteers, who was in command of a squad of men from his own company and claimant's company, and Lieut. D. S. Pearce, of claimant's company, both testify to the terrible manner in which claimant was shot. Captain Sullivan says he was within 20 steps of him when he was shot, and says that claimant "was shot through the body; the ball entered the breast, passed through the body, and lodged in the skin in the back. The second shot struck him in the left jaw, knocked out his teeth on both sides, cutting his tongue nearly in two, and passed out at the right cheek. The rebel who shot him was within 6 feet of McRobertson when he was shot, the powder burning his face."

Dr. L. L. Frazier testifies that he was called to attend claimant the same day of his injury, and found—

"That he was wounded by a ball passing through his left jaw, knocking out several teeth, and striking the inside of the right jaw, and passing downward out of reach, causing quite an impediment in his speech; that afterward several pieces of bone came from his jaw-bone, causing a stiffness in his jaws, operating against him in opening his mouth, and necessarily causing a permanent impediment in his speech. Another ball entered his back, under the left shoulder-blade, passing through his chest, and lodging against the skin, from whence I cut said ball. His condition was certainly a very critical one, and one at the time that I thought was beyond recovery."

The evidence shows that the men were under the command of General Sanborn, district commander.

Your committee are unable to see why the case was rejected, as the evidence in the case was filed prior to July 4, 1874, and therefore report favorably, and recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

HENRY H. STUTSMAN.

The next business on the Private Calendar was the bill (S. 1224) granting a pension to Henry Stutsman.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Henry H. Stutsman, late a private in Company F, Thirteenth Regiment Iowa Volunteer Infantry.

Mr. PERKINS. There is an adverse report in this case.

Mr. MORRILL. I move that the bill be laid aside to be reported to the House with a recommendation that it lie on the table.

The motion was agreed to.

HENRY ROSCOE.

The next business on the Private Calendar was the bill (H. R. 6523) granting a pension to Henry Roscoe.

Mr. WINANS. I ask for the consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of Henry Roscoe, late first lieutenant of Company C, Fourth Regiment New York Volunteer Infantry, on the pension-roll, and pay him a pension at the rate of $24 per month from and after the passage of this act.

The amendments reported by the Committee on Invalid Pensions were read, as follows:

Strike out, in line 4, the words "place the name" and insert "increase the pension."

In line 6, strike out the words "on the pension-roll."

Mr. CUTCHEON. I ask for the reading of the report in this case.

The report (by Mr. PINDAR) was read, as follows:

Claimant is now receiving a pension of $17 per month for double inguinal hernia, received in service in the late war as first lieutenant of Company C, Fourth Regiment New York Volunteers. He filed application for increase, which was rejected upon the ground that he is now receiving the full amount of pension to which he is entitled for double hernia.

The examination on his application for increase to $24 per month discloses the following facts:

"We find on right side an oblique inguinal hernia, descending into the scrotum, about the size of a man's fist. It is easily reduced while he is standing, and the ring is so large and patulous that it is evidently extremely difficult if not impossible to keep the hernia up with a truss. On left side we find a very small inguinal hernia, filling the abdominal ring and giving an impulse on coughing. This hernia protrudes very slightly through the ring and evidently could be easily retained by a well-fitting truss.

"*Piles.*—We find seven small external around anus, and, on straining, three internal piles are brought into view, each about the size of a small strawberry, all somewhat inflamed. Tongue not coated, rather pale skin, anemic in look, no enlargement of liver or spleen.

"*Diarrhea.*—No evidence of diarrhea, except his statement. If the claimant was a private we should rate him twelve-eighteenths, third grade, for double hernia. We should also rate his piles at three-fourths total, if that disability appeared on his order for examination."

Dr. George H. Marmion testifies as follows:

"Am a citizen of Elizabeth County, Virginia; aged forty-three years [and well known to be a reputable physician of good standing and entitled to credit]; am a physician of nineteen years' standing; my post-office is Hampton, Va. I have carefully examined Henry Roscoe in relation to his disability and find him suffering under the following disabilities: Double inguinal hernia, reducible, but can not be retained by a truss; hernial tumor as large as a cocoanut at present; he suffers also with chronic diarrhea, and states he has suffered thus since 1863. There is a large mass of hemorrhoids protruding from the anus on all sides of the sphincter, each of which is as large as an almond and the orifice surrounded with——"

Said Roscoe states that he had a paralytic stroke December, 1880, and lost use of right arm and left leg and right side of the face, which he has only partially recovered.

The constant attacks of diarrhea are clearly traceable to the hernia and keep him in a condition incapacitating him entirely from the performance of manual labor. The piles and chronic diarrhea can be clearly traced as results of the causes producing the original rupture.

The condition of this soldier is such, in the opinion of your committee, as to entitle him to the relief sought, and we therefore recommend that the bill be amended by striking out the words "to place the name," in line 4, and insert "to increase the pension," and strike out the words "on the pension-roll," in line 6, and that the bill as amended do pass.

The amendments reported by the Committee on Invalid Pensions were adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

MRS. MARY M. GILLHAM.

The next business on the Private Calendar was the bill (H. R. 8374) granting a pension to Mrs. Mary M. Gillham.

Mr. CONGER. I ask for the consideration of this bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he hereby is, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Mary M. Gillham, widow of James G. Gillham, late a private in Company I, Seventeenth Regiment of Iowa Infantry Volunteers.

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

The report (by Mr. CONGER) was read, as follows:

Mrs. Gillham is the widow of James G. Gillham, late a private in Company I, Seventeenth Iowa Volunteers, who died April 20, 1885.

At the time of soldier's death he was drawing a pension of $8 for right inguinal hernia, from which he had been a constant sufferer since his discharge.

Mrs. Gillham filed application for pension June 16, 1885, which was rejected for the reason "that cause of soldier's death not shown to have resulted from his service." This rejection is based on the certificate of Dr. R. A. Patchin, who was his attending physician in his last illness, and who certifies that the immediate cause of death was "cirhosis of the liver."

Mrs. Louisa Wallace, a professional nurse, testifies:

"She was present with James G. Gillham in his last sickness, and waited on him for several days; that he was suffering with hernia of a very extraordinary character, which was attended with cramps, and his whole system was more or less affected, thereby being reduced to a mere skeleton, and during the last week of his sickness was complicated with liver trouble, the combined effects of which produced his death. The physician treated him for liver trouble; the whole right side was so tender he could not bear the weight of his clothing."

Dr. J. F. Kennedy, secretary of the State board of health of Iowa, says:

"When I was a member of the pension examining board of this city, Mr. Gillham, husband of Mary M. Gillham, came before me two or three times relative to his physical condition, and I tried to procure him a Government trusts, which was refused, as he was not a pensioner, but only an applicant. I believe his death was indirectly attributable to his hernia."

It is in evidence that said Gillham was confined to his room and bed much of the time during the last year of his life, suffering great pain from his rupture, and it would seem to be a reasonable presumption that this disability was the indirect cause of his death. At any rate, he received an injury while serving his country that disabled him and made him a sufferer during all the remainder of his life, prevented him from obtaining a competence for his family, and his wife is now left alone and destitute. The Government should in part compensate her for this loss.

Your committee believe her justly entitled to a pension, and therefore recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

WARREN L. RICE.

The next business on the Private Calendar was the bill (H. R. 7517) for the relief of Warren L. Rice.

Mr. O'HARA. I call for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, directed to place on the pension-roll the name of Warren L. Rice, late a private in Company F, Sixth Michigan Heavy Artillery, subject to the provisions and limitations of the pension laws.

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

The report (by Mr. O'HARA) was read, as follows:

Warren L. Rice enlisted as a private in Company F, Sixth Michigan Heavy Artillery, February 5, 1864, and was discharged August 20, 1865; bases his claim for a pension on account of rheumatism contracted while in the service of the United States and in the line of duty. Claim rejected because there is no record evidence showing condition in the service, and testimony filed is not considered sufficient to show that the alleged rheumatism was contracted in service. The record shows that soldier was absent sick in hospital at New Orleans while in the service; regimental hospital records not on file. Records of Surgeon-General's Office show soldier sick with diphtheria at post hospital.

Dr. Calvin F. Ashley, of Ypsilanti, Mich., testifies that he has known soldier since 1854; he was a hearty, healthy man prior to and at the time of his enlistment, free from rheumatism, sciatica, or any kindred disease.

Louis Merrill, private and acting sergeant of claimant's company, testifies that soldier while on guard duty was taken sick and fell insensible; was ordered to the hospital at New Orleans in consequence thereof. Affiant is corroborated in this testimony by Lorenzo Hoight, first sergeant of company.

Capt. Alonzo Shumway, of the same company, states:

"That *en route* from Fort Gaines, Ala., to New Orleans, La., claimant was prostrated with severe rheumatism. He continued to suffer for some time while in camp at Carrollton. He was not put on sick list. He had severe pain in back and hips, which I believe was caused by rheumatism; his face was much swollen, caused by neuralgia."

Dr. Ashley further testifies that soldier came home a physical wreck, and that he treated him from September, 1865, for rheumatism, and that his liver was exceedingly torpid, and he continued to treat him during the year 1866, during which time he was totally unable to perform manual labor.

Dr. Rosman, who treated claimant, is dead, but his widow testifies that claimant was treated by her husband for about two years, from 1867, for rheumatism and liver trouble. The medical examiner, in July, 1883, states that while there are no visible symptoms of rheumatism, he complains of weak back and symptoms which point to sciatica. His appearance is that of chronic dyspepsia and debility. Had he claimed for debility resulting from chronic dyspepsia, I should rate him a total, $8.

Two members of the board of surgeons, March, 1884, state there is a general athrophy of the muscular system, there is increased cardiac impulse, but no valvular disease. For muscular atrophy and consequent debility of the whole system we rate him one-fourth, third grade.

All the evidence tends to show that claimant entered the service of the United States a sound, healthy man; he came out a physical wreck, and has continued to suffer from its effect. Your committee therefore recommend that the bill do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

SAMUEL BULMAN.

The next business on the Private Calendar was the bill (H. R. 8977) to restore to the pension-roll the name of Samuel Bulman.

Mr. WEBER. I call for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, directed to restore to the pension-roll the name of Samuel Bulman, late a private in Company M, First Regiment New York Volunteer Artillery, as dependent father of Dewitt C. Bulman, late a private in Company B, Twenty-eighth New York Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

VIRGINIA TAYLOR RANDALL.

The next business on the Private Calendar was the bill (H. R. 7712) granting a pension to Virginia Taylor Randall.

Mr. WHEELER. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior is hereby authorized and directed to place on the pension-roll the name of Virginia Taylor Randall, widow of Lieut. Col. Burton Randall, late a surgeon in the United States Army, and that she be paid a pension of $25 per month.

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

Mr. WHEELER. The committee that reported this bill ask to substitute the report which I hold in my hand, which is simply the original report with certain documents stricken out to make it briefer.

The report (by Mr. WOLFORD) was read, as follows:

The committee find that Colonel Randall was appointed in the regular Army of the United States fifty-four years ago; that he served with credit and distinction for a period of thirty-six years; they also find that during the late war he was brevetted for faithful and meritorious service. The committee find that he served in the campaign against the Seminole Indians in Florida, and in the army of occupation and invasion in the war with Mexico. They find that in the Florida war he contracted disease from which he never recovered. The committee here insert, as part of their report, the record of Colonel Randall furnished by the War Department:

WAR DEPARTMENT, ADJUTANT-GENERAL'S OFFICE,
Washington, April 16, 1886.

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

He was appointed assistant surgeon United States Army October 24, 1832; promoted surgeon July 7, 1838; retired October 17, 1868. He received the brevet of lieutenant-colonel March 13, 1865, "for faithful and meritorious services during the war." He was on duty at Fort Jackson, La., from October, 1832, to July, 1833; in the Indian Territory to December, 1833; in Louisiana to April 1836; in connection with emigrating Indians to August, 1836; at Washington, D. C., to October, 1838; at Philadelphia, Pa., to April, 1839; in the Florida war against the Seminole Indians to March, 1842; at Fort Pickens, Fla., to June, 1842; in Louisiana to April, 1843; in the Indian Territory to January, 1847; with the army of occupation and invasion in the war with Mexico, to July, 1848; at Fort Barrancas, Fla., to September, 1849; at Jackson barracks, La., to June, 1853; in the Indian Territory to August, 1857, and at Carlisle barracks, Pa., to September 26, 1861; on leave to October 26, 1861; in charge of the general hospital at Annapolis, Md., to July, 1862; on duty at Fort Hamilton, New York Harbor, to March, 1866, and at Fort Trumbull, Conn. (on leave May 1 to June 30, 1867), to August 16, 1867; on sick leave to September 15, 1868; awaiting orders to October 17, 1868, upon which date he was retired from active service, being over sixty-two years of age, under act of July 17, 1862. On November 9, 1878, he was admitted to the Government Hospital for the Insane, in the District of Columbia, where he remained, under medical treatment, until he died, February 8, 1886.

J. C. KELTON,
Assistant Adjutant-General.

It appears from evidence before the committee that the widow of Colonel Randall, Mrs. Virginia Taylor Randall, a niece of Zachary Taylor, late President of the United States, is now sixty-seven years of age, and that she was married to Surgeon Randall in the year 1848.

The committee also append to and make a part of their report the statement of Hon. JOSEPH WHEELER:

HOUSE OF REPRESENTATIVES,
Washington, D. C., May 2, 1886.

MY DEAR SIR: I served with and was intimately acquainted with Col. Burton Randall during the winter of 1859 and 1860. I recall conversations in his family regarding his ill health, and that it was attributed to exposure in the service and the hardships incident thereto. At this time there was no "retired-list" and pension claims were not considered.

I regard the bill introduced by Mr. WILLIS, to grant a pension to Colonel Randall's widow, as very meritorious, and hope it will receive your favorable consideration. Mrs. Randall was, as you know, a Miss Virginia Taylor, of Kentucky, a niece of President Taylor.

With high regard, truly your friend,

JOSEPH WHEELER.

General FRANK L. WOLFORD,
House of Representatives.

The committee recommend that, in view of all the circumstances and the age of Mrs. Randall, the bill do pass.

Mr. PRICE. I move to amend this bill by striking out at the end the words "and that she be paid a pension of $25 a month" and inserting after the word "pension-roll" the words "subject to the provisions and limitations of the pension laws."

Mr. WHEELER. I have no objection to that amendment. In that form the bill will amount to exactly the same thing that it does now.

Mr. WINANS. The bill will be in better form if amended as proposed.

Mr. PRICE. It will look better on the record, and if it amounts to the same thing there can be no objection.

The amendment of Mr. PRICE was agreed to.

The bill as amended was laid aside to be reported to the House with a recommendation that it do pass.

MRS. THOMAS.

Mr. WOLFORD. Mr. Chairman, I ask by unanimous consent to take up House bill 4688, to increase the pension of Mrs. Thomas, the widow of a gallant major who was killed by the Modoc Indians. It was reported originally by the committee of the House at $40 a month. In the House it was reduced to $30. The Senate have returned it with the pension restored to $40 a month. I desire to call it up to concur in the Senate amendment.

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

MARY B. HOOK.

The next business on the Private Calendar was the bill (S. 2095) granting an increase of pension to Mary B. Hook.

The CHAIRMAN. No member moving to consider the bill, it will be informally passed over.

MRS. THOMAS.

Mr. MORRILL. I understand the gentleman from Kentucky is unable longer to remain in the House and I will withdraw my objection to taking up the bill (H. R. 4688) to increase the pension of Mrs. Thomas, but I give notice I shall insist on the regular order till 10 o'clock, when I will not object to members calling up bills by unanimous consent.

Mr. WOLFORD. The Senate amendment strikes out $30 a month and inserts $40, and I move it be concurred in.

Mr. MATSON. Let the bill be reported.

The CHAIRMAN. The Clerk states that the bill is not on the Calendar of the Committee of the Whole House on the Private Calendar.

Mr. MATSON. If the bill is not on the Calendar, it can not be considered.

Mr. WOLFORD. The committee have reported unanimously in favor of concurring in the Senate amendment.

Mr. PERKINS. I understand the gentleman to state the bill has passed the Senate and that the question is on concurring in the Senate amendment.

Mr. MATSON. The Senate amendment puts back the pension to $40, which was cut down in the House to $30.

Mr. WOLFORD. I hope the gentleman from Indiana will not object to taking up this bill.

Mr. MATSON. I do not make any point of order. I wish to accommodate my friend from Kentucky, but I would like to know whether the Chair is not bound to protect the committee in a matter of this kind.

The CHAIRMAN. The Chair will ask for the reading of the order under which the House is acting to-night.

The Clerk read as follows:

Resolved, That on each Friday the House shall take a recess from 5 o'clock p. m. until 8 p. m., at which evening session private bills granting pensions reported from the Committee on Invalid Pensions and the Committee on Pensions, and bills reported from the Judiciary Committee to remove political disabilities only, be considered. *As amended.*

The CHAIRMAN. While this bill has been reported heretofore——

Mr. WOLFORD. It is the unanimous report of the committee.

The CHAIRMAN. It passed the House and was sent to the Senate, from which it was returned with an amendment, and then it was recommitted to the Committee on Pensions.

Mr. WOLFORD. From which concurrence in the Senate amendment is unanimously reported.

The CHAIRMAN. The Chair is inclined to think it could not be considered under the special order which has been read.

Mr. NEECE. If I understand the reading of that order it does not require bills to be on the Calendar.

The CHAIRMAN. They can not be on the Calendar unless they have been referred to the Committee of the Whole by the House.

Mr. WOLFORD. This bill was reported at $40 by the committee, but the Committee of the Whole House struck it down to $30. The Senate amendment restores the pension to $40. It was referred to the Committee on Pensions, and that committee directed me to report concurrence in the Senate amendments.

The CHAIRMAN. The Clerk has informed the Chair it is not upon the Calendar.

Mr. WOLFORD. It has been unanimously reported favorably.

The CHAIRMAN. When?

Mr. WOLFORD. At the last meeting of the committee.

The CHAIRMAN. When was it reported to the House?

Mr. WOLFORD. I am directed to report it now.

The CHAIRMAN. It is not now in order. The gentleman can report it at the next meeting of the House, and that will cause only a delay of one week. This committee can not receive reports of committees. That is the province of the House. The bill is not before the committee.

RACHEL BARNES.

The next business on the Private Calendar was the bill (H. R. 9106) granting a pension to Rachel Barnes.

Mr. FULLER. I ask for the consideration of that bill.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll the name of Rachel Barnes, widow of William Barnes, who served in Company I, Second United States Infantry, from February 24, 1838, to and until February 24, 1841, and pay her such pension as her said husband, William Barnes, would have received had he been allowed a pension upon the claim filed by him July 3, 1880, and had the same continued until the date of his death, to wit, March 24, 1882: *Provided*, That said Rachel Barnes shall not be paid any pension after said last-named date, but upon payment of the pension herein provided for her name shall be dropped from said roll.

Mr. FULLER. I move to strike out all after the word "her," in line 9, and in lieu thereof to insert "a pension as such widow from and after the passage of this act, subject to the provisions and limitations of the pension laws."

Mr. WALLACE. I ask for the reading of the report.

Mr. FULLER. It is quite lengthy, and, if necessary, it can be printed in the RECORD.

Mr. WALLACE. I do not see how we are to vote intelligently unless these reports are read. If they are not read it turns over to a committee the whole legislation of the House.

Mr. FULLER. After I have made a brief statement, if it is not satisfactory the gentleman can then have the report read.

Mr. WALLACE. The report is read, as I understand it, in my time.

Mr. LONG. But the report is quite lengthy, and all the gentleman from Iowa asks is to make a statement of the case, after which, if the reading of the report is insisted upon, why of course that is the right of any gentleman.

Mr. WALLACE. I do not desire to appear captious, and have no objection to the gentleman making a statement.

Mr. FULLER. Mr. Chairman, as I have a personal knowledge of many of the circumstances surrounding this case I feel it my duty to take a few minutes of the time of the Committee in stating what I know of this case, which to me is a very sad one.

William Barnes, the husband of Rachael Barnes, who is seeking a pension, was a soldier from February 24, 1838, to February 24, 1841, in Company I, Second United States Infantry. This was during the Florida war. During the winter of 1840–'41, while engaged in a lengthy scouting expedition in South Florida among the swamps and everglades of that region, sleeping on the ground, with no tents, he contracted partial blindness.

This partial blindness continued and gradually grew worse until he was entirely incapacitated from earning a livelihood. They had no surgeon with them and he was treated in camp by a steward. This soldier filed an application for pension July 3, 1880. As the incurrence of the disease of the eyes was more than forty-five years ago, it was difficult to find testimony. His comrades were dead. He proved the soundness of his eyes at date of enlistment and their unsoundness upon his return home after his discharge. He also showed by two affidavits of civilians, who saw him during service, that his eyes were affected while in the service. The Department rejected the claim January 14, 1881, for the reason that he had not shown origin to the satisfaction of the office.

There was only one chance remaining, and that was to find living comrades who could indentify him. I entered into a correspondence with the Department to ascertain if there was a living soldier who belonged to his company. After a long search it was ascertained that his lieutenant was still living—General M. R. Patrick, governor of the Soldiers' Home at Dayton, Ohio. Mr. Barnes had become very much discouraged. He had no money. He was strong, but he could not see to work. It seemed to him that the fates were against him, and for himself and wife, with whom he had lived for nearly fifty years, it was "over the hill to the poorhouse." When he learned that his old lieutenant, Patrick, was still living he brightened up. He began to hope and believe that he would receive his dues from the Government. His friends gave him money and he went to Dayton, Ohio, to see General Patrick.

I well remember his coming to see me on his return and his jubilant manner. He said his lieutenant remembered him and would send the necessary testimony. He said at first General Patrick did not recall him. They talked over the incidents of those years. The general got out his old trunk in which were the old army papers. The years were brought back. The battles of forty-five years ago were again talked over. He remembered William Barnes, the trouble with his eyes he recalled. The necessary link in the case was found. Days and weeks passed and nothing was heard from the Department or General Patrick. I noticed that Uncle Barnes was not so cheerful. He would ask me if I thought his old lieutenant would "go back on him," as he expressed it.

I met the old gentleman on the evening of March 23, 1882, on my way home from my office. He stopped me. I saw he was very much agitated and depressed. His manner was very peculiar and not at all natural. He abruptly said to me: "Mr. Fuller, you need not do anything more for me in that pension matter." I said to him I should, and

that we could get the pension. He turned from me and leaned over the fence and commenced to weep, and said: "Let it go, my old lieutenant has 'gone back on me.' He thinks I am a fraud, and they (the Government) will do nothing for me." I endeavored to console him; told him that the Government was slow to act and that there was much red tape about Government offices, and said to him that in the morning I would write to the Pension Office and our Congressman; that I believed General Patrick had sent in the testimony, but the office was slow in acting upon the case. I could not console him. I never saw him again alive.

The next day, about 11 o'clock in the morning, my little boy found him hanging to a tree in my timber-lot, a short distance from my house. Uncle Barnes had given up; hope had died out; the poor-house was before him; the Government that he had served so well he thought had forsaken him; his last remaining comrade, his lieutenant, he believed had changed his opinion and thought him a fraud. It was too much. His mind gave way, and with the only thought that he must get away from this, to him, cruel world he took his life. If he had only waited a few days this feeling of gloom and utter despondency would have given way to joy. Let me here read Lieutenant Patrick's letter to the Commissioner of Pensions, February 16, 1882:

On or about the 7th of January, 1882, in reply to inquiries made in relation to one William Barnes, formerly of I Company, Second Regiment of Infantry, I wrote you giving some facts which I found in my journal. I had written him at about the same time very nearly a duplicate of what I wrote you. At his own expense he has come here to see me, bringing with him letters of the very best character. His presence here and a re-examination of my journal enable me to speak of him more in detail than before; and, at the risk of being somewhat prolix, I will state that in the summer of 1839 he, with his company, under command of Captain Russell, went into Florida and down the coast in the neighborhood of Key Biscayne and the mouth of the Miami River, where the captain was soon after killed and the company left in command of a young lieutenant recently appointed from civil life.

When I reached there, in December following, I found that the company was for quite a time without shelter, sleeping in the open air, suffering much from mosquitoes and the climate generally. A number of cases of moon-blindness existed when I took the company, some of the men being unable to perform night duty on that account.

I do not recollect anything in particular of this man Barnes, save that on several occasions I took him with me as a very trusty man. He had been a corporal almost from his enlistment, but, being without any education, felt himself incapable of discharging the duties, and so resigned.

On the 1st day of March following I find him one of the picked men who were sent out and were attaked by Indians, in which he behaved remarkably well, as he was reported to have done once before I took the company. Between that time and the 1st of July following I occasionally took him with me on hunting expeditions, I carrying a rifle and he a fowling-piece, because, as he stated, he could not see to shoot at any distance, as he could when he first came into Florida.

On examining my journal in his presence he has recalled to my recollection certain incidents, such as my signaling him to join me when he has been at some distance from me, and his being unable to see me until being told by those with him that I was signaling.

On one occasion in particular he was for a time very much troubled at a reprimand I gave him for not shooting at an object which I pointed out, until he again reminded me that he could see but a short distance. I find from a reference to my journal that on the 24th of July I placed him in charge of certain rough carpenter work in building a post, and in connection with the fall of a bent in a large building the question of his defective eyesight again came up.

From my knowledge of the man up to the time of his discharge in February, 1841, I feel very confident, amounting to almost certainty, that his disability commenced in the summer of 1839, while serving in the neighborhood of Key Biscayne, involving a large amount of boat-service among the keys, bays, Miami River, open-water everglades, and water service generally (the sun shining upon the water with great brilliancy), sleeping in open air at night during that summer, and that it became intensified by continuous service through the summer of 1840 in the sands of the Touhlacooche and Ochlawaha districts, when troops in that country were usually at rest. On this subject I speak from an experience of five years' continuous service in Florida.

In 1837, and again in 1842, I found myself laid up with brain-fever from these same causes.

I have asked Colonel Thomas (treasurer of the home), recognized as among the ablest of our medical men, to be present during my examination of the man and himself to examine him professionally with a view to giving his opinion in the case. Through other sources than the letter I have received I hear the very best character possible given him as to perfect truthfulness and honesty, and these accord with the record in my journal of the trusts with which he was honored when with me. I do not know whether this statement can be of any use in forwarding his claim, but so far as it goes I can swear to it.

Very respectfully,

M. R. PATRICK, *Governor.*

This letter containing such convincing evidence of the righteousness of William Barnes's claim came too late. I trust this House will vindicate his memory by granting a pension to his widow.

Rachel Barnes, widow of William Barnes, applied for a pension March 20, 1883. Her application was rejected under the technical rules of the Pension Office. Mrs. Barnes is not a young woman. She is between seventy and eighty years of age. She took the death of her husband very hard. She has no means of support. She should receive the pension which undoubtedly her husband would have received had he lived. No words of mine can add to the strength of the simple facts in this case. I believe it is only justice that Congress assist this widow, and I trust the pension asked will be granted.

Mr. CUTCHEON. By the bill no arrears are allowed?

Mr. FULLER. No, sir; it does not provide for arrears.

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

The Clerk read as follows:

Strike out all after "1841," in line 8, and insert "and pay her a pension subject to the provisions and limitations of the pension laws."

Mr. O'HARA. The amendment already offered accomplishes what the gentleman from Illinois desires.

Mr. NEECE. Then I withdraw the amendment.

Mr. WALLACE. I ask the gentleman from Iowa [Mr. FULLER] which is the longest, the report or his statement? If the report is longer, I withdraw my request for the reading of it.

The amendment offered by Mr. FULLER was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. ANDERSON, of Ohio. I ask unanimous consent to take up out of its order the bill H. R. 5796.

Mr. MORRILL. I must insist on the regular order.

Mr. PERKINS. I wish to make a suggestion. I understand that General ANDERSON can not be here next Friday evening, and it would be an accommodation to him to have the bill he has indicated taken up now.

Mr. NEECE. I shall insist on the regular order till about 10 o'clock, and I shall then be willing that members shall call up bills out of their regular order.

The CHAIRMAN. The regular order being insisted upon, the Clerk will report the next bill.

MARGARET S. FAIN.

The next business called up for consideration (by Mr. SWOPE) was the bill (H. R. 260) for the relief of Margaret S. Fain.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Margaret S. Fain, widow of William C. Fain, who was killed while recruiting a regiment about April 6, 1864, at Pitman's Ferry, Hope County, Tennessee.

The Committee on Invalid Pensions recommended the following amendment:

Add at the end of the bill the words "and pay her the pension allowed to the widow of a captain."

Mr. WALLACE. Let the report be read.

The report (by Mr. PIDCOCK) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 260) for the relief of Margaret S. Fain, report:

The evidence filed in this case shows that William C. Fain, the husband of the petitioner, Margaret Fain, was an attorney-at-law residing at Morgantown, Fannin County, Georgia; that in March, 1864, he left home to join the Union Army; that he went to Cleveland and Knoxville, Tenn., and received from Maj. Gen. D. C. Stanley, commanding First Division Tenth Army Corps, authority to raise a regiment for the United States service; that he engaged in recruiting under this authority and raised some four companies; that while engaged in this recruiting service he and a party of his men were attacked and captured by a confedertate force under Captain Rogers; that he was placed on horseback by his captors, taken some 3 miles to Edwards Ferry, Tocoa River, and there shot through the head and killed; and because of the loss of her husband while thus engaged in the military service of the United States, and in the discharge of his duty in recruiting for the Army, the widow now asks a pension.

The testimony filed to show these facts is:

That of the widow, who was with her husband at the time of his capture, at the house of one Alexander Officer, near Ducktown, Polk County, Tennessee, who followed her husband when he was taken away, and came up in time to see him shot from his horse, and found him dead when she reached him. This capture and killing was on the morning of April 6, 1864.

James Parks testifies to the loyalty of Colonel Fain, and, though not personally present, to the service and death as above stated, from information obtained at the time, as he was assisting to raise the regiment, and was at headquarters on the day of the occurrence. He says that Fain made an attempt to escape and was shot.

William Postell was a member of the regiment; on the day of the occurrence was at the house of Aaron Mathis, within 1 mile of the place of killing; saw the confederate detachment of some sixty men, under Captain Rogers, pass within 100 yards, having Colonel Fain in their possession; about fifteen minutes after heard the report of guns; went and found Colonel Fain lying dead, being shot through the head; made a personal examination.

Many other witnesses testify to his loyalty, his recruiting service, and his death.

General Stanley, under date of December 13, 1870, certifies to having given Colonel Fain permission to recruit a regiment of the mountaineers of Tennessee, Georgia, and the Carolinas; and that proper authority for this purpose was issued from the headquarters of General Thomas.

From the testimony there can be no doubt as to the facts: Mr. Fain was a Union man; was authorized to raise a regiment for the Army; was engaged in this work when he was captured and shot, in an effort to escape, by the confederate forces under Captain Rogers. Had Mr. Fain lived to complete his regiment he would have undoubtedly been commissioned as a colonel, and having lost his life while engaged in the public service, we believe the widow should be pensioned.

We therefore recommend the passage of the bill with an amendment adding "and pay her the pension allowed to the widow of a captain."

The amendment recommended by the committee was adopted.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

JAMES SAVERCOOL.

Mr. RANDALL. After sitting for an hour watching for a case reported by the gentleman from New Jersey [Mr. PIDCOCK] I was called out for a few moments, and, in my absence, I understand that bill was passed over. It is the bill (H. R. 6824) granting a pension to James Savercool.

The CHAIRMAN. It was passed over because no demand was made for its consideration.

Mr. LONG. Let the gentleman from Pennsylvania call it up now.

Mr. RANDALL. If there be no objection, I now call up that bill for consideration.

There was no objection.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James Savercool, late of the United States Navy.

Mr. WINANS. Let the report be read.

The report (by Mr. PIDCOCK) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 6824) granting a pension to James Savercool, having considered the same, submit the following report:

The claimant enlisted in the United States Navy August 27, 1864, and was discharged June 2, 1865.

He served as fireman on the United States steamer Nipsic, and near Boston, Mass., in March, 1865, from exposure and hardships, contracted scurvy, a disease which caused sores on his limbs, spongy gums, and weakness of back.

His claim for pension was submitted for admission in the Pension Office June 18, 1885, and resubmitted for admission August 5, 1885, after a careful examination of all claimant's witnesses by special examiners of the Pension Office, who recommended the claim for admission, but rejected August 14, 1885, on the ground that there is no record of alleged disability and claimant's inability to furnish evidence to satisfactorily establish the origin of the same in the service. Claimant's soundness at enlistment was testified to by several credible witnesses before the special examiner, and four of his comrades in service testify to his illness in service, in March, 1865, at the time of contraction of alleged disease of scurvy, but are unable to state the nature of claimant's disease; that he was in hospital, and some of them testify that they went to see him in hospital and saw a rough, scabby rash on his legs.

The inability of the witnesses to positively assert that the disease with which claimant was troubled in service was scurvy undoubtedly caused the rejection of the claim by the reviewer in the Pension Office. The records show that the claimant entered the Chelsea Hospital and was treated from April 20, 1865, until discharge, May 30, 1865, for erysipelas, extending to the foot. M. Rosaline Fitch testified before the special examiner that she has charge of her late father, Dr. James C. Fitch's books; that they show seven or eight visits charged to claimant's account from 1862 to April, 1865, and twelve visits in 1876, 1877, and 1879; that cash visits would not be charged, and that she has seen claimant at her father's house a number of times.

Dr. A. L. Gibbs testified that he has treated two of claimant's children within the last three years for eczema, which could not be cured, being seated in their blood. It broke out in sores over the legs, arms, face, and body.

Dr. George D. Fitch testified that he distinctly recollects that he heard his father, the late Dr. Fitch, say that claimant had scurvy, heard him say so about ten days after his return from the army.

Dr. L. C. Osmun testified that he treated claimant in 1879 and 1880 for scurvy; lower limbs swollen, inflamed; bowels alternately relaxed and costive; sponginess of gums, with bleeding on slight irritation; limbs congested and broken out in little pustules; feet also swollen; face sometimes puffed, but not sore; trouble most in warm weather; suffered from general debility; no evidence of syphilis; habits correct.

Many of claimant's neighbors testified that since discharge from the Navy he has been a constant sufferer from this dreadful disease, having nasty red sores on his limbs, with general weakness of limbs and back, which has largely incapacitated him for work.

The special examiner in his report says: Dr. Fitch, whose original testimony appears in the case, should be believed, as he was a good physician and careful about giving testimony in pension claims; he stated that he treated the man for scurvy when he returned from the service, and his testimony is corroborated by the statement of his son, Dr. G. D. Fitch. Another fact favorable to the case is the reticence usually observed by persons afflicted with skin disease. The evidence shows conclusively that he had scurvy or some disease of the cuticle, at least, at discharge, and that he has it now, and I should therefore recommend the allowance of the claim. The examining surgeon rated the claimant's disability one-half to three-quarters.

Your committee, realizing that this case is a meritorious one, recommend that the bill do pass.

The bill was laid aside to be reported to the House with a favorable recommendation.

JACOB CASE.

The next business on the Private Calendar called up for consideration (by Mr. WINANS) was the bill (H. R. 8835) granting a pension to Jacob Case.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Jacob Case, late of Company D, Thirtieth Regiment New Jersey Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ABRAHAM P. GRIGGS.

The next business on the Private Calendar called up for consideration by (Mr. WINANS) was the the bill (H. R. 8834) granting a pension to Abraham P. Griggs.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Abraham P. Griggs, late of Company B, First Regiment New Jersey Cavalry.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JOHN MILLER.

The next business on the Private Calendar called up for consideration (by Mr. ERMENTROUT) was the bill (H. R. 8836) granting a pension to John Miller.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of John Miller, late of Company A, Thirty-eighth Regiment New York Volunteers.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

AARON GARIS.

The next business on the Private Calendar called up for consideration (by Mr. SWOPE) was the bill (H. R. 8830) granting a pension to Aaron Garris.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Aaron Garris, late of Company C, Twentieth Regiment Pennsylvania Cavalry.

The Committee on Invalid Pensions recommended the following amendment:

In line 6, strike out "Garris" and insert "Garis."

The amendment was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

B. FRANK PATTERSON.

The next business on the Private Calendar called up for consideration (by Mr. NEECE) was the bill (S. 1390) for the relief of B. Frank Patterson.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place the name of B. Frank Patterson, late of Company F, Fourteenth New Jersey Volunteers, on the pension-roll, subject to the provisions of the pension laws.

Mr. MATSON. I ask for the reading of the report.

The report (by Mr. PIDCOCK) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1390) for the relief of B. Frank Patterson, having examined the same, submit the following report:

The claimant was mustered into service August 26, 1862, as first sergeant of Company F, Fourteenth Regiment New Jersey Volunteers; was promoted to be second lieutenant of the same company and regiment on November 19, 1863, and discharged April 1, 1864, on account of disability.

The basis of this soldier's claim is disease of the bladder and kidneys, contracted in 1862 while in the line of his duty, and for which he was treated by Dr. A. Treganowan, the surgeon of his regiment; and the further cause of disability, that while on the march from Gettysburg to Williamsport, Md., in the attempt to jump a ditch he fell backward and received severe injuries in his spine, from which he never recovered and is now almost wholly disabled.

The claim was rejected by the Pension Bureau on the ground that his disabilities did not arise while in the line of his duty.

Dr. Treganowan and Dr. J. B. Goodenough and two neighbors testify that at enlistment the claimant was a sound, healthy man, and free from any disease or disability whatever.

Dr. A. Treganowan, surgeon of claimant's regiment, testifies that claimant was attended by him for catarrh of the bladder and inflammation of the kidneys in 1862, while at Monocacy, Md., and remained under his medical care almost continuously for the same difficulty until the date of his discharge from the service on surgeon's cirtificate of disability in December, 1863, and that said certificate of disability was granted by him while surgeon of the regiment, and that said disability was contracted in the service while in the discharge of duty.

John C. Patterson, captain and major of same regiment, testifies that near Williamsport, Md., in July, 1863, claimant in jumping a ditch fell backward and hurt his back and spine and never recovered from it. His first sickness was while lying in camp at Monocacy Junction in the winter of 1862 and 1863.

George W. White, corporal Company G, and Guaudin Hampton, private Company D, both of same regiment, testify that near Williamsport, Md., July 10, 1863, claimant in jumping a ditch fell backward in it and injured his back and spine so that he could not walk for several days, and was unfit for duty for some time. They state they were eye-witnesses to the injury.

Dr. J. B. Goodenough again testifies that in the summer of 1865, he thinks July, he was called on by claimant for medical treatment and found him suffering from disease of kidneys and great nervous prostration; that claimant is completely broken down by a complication of diseases brought on by exposure in the army.

Dr. H. W. Garrison testifies that he treated claimant during the years 1880 and 1881 for nasal catarrh, neuralgia of head, spine, kidneys, and stomach; that claimant is unable to perform manual labor, and at times confined to his bed. During the years 1880 and 1881 he believes his disability to have been one-half; that he knows nothing of claimant's condition prior to 1880, and that in his opinion said disability was caused by exposure to malarial influence and hardships while in the service.

Neighbors of claimant who have known him intimately for twenty-five years testify that he has been afflicted with neuralgia of bladder and kidneys and head and nervous prostration, so that he could not get out of bed a great part of the time, and not able at any time to perform manual labor, the least exertion causing great weakness, being weak across the back and groins. There are no records of this regiment on file in the office of the Surgeon-General.

The claimant testifies very strongly that he never had any venereal disease before his service, in the service, or since his discharge, and there is no testimony on file which would show to the contrary.

There is no doubt but that the disease of bladder and kidneys with which claimant suffers resulted from malarial troubles and his weakened condition after receiving the injury to his spine.

The physicians who testify are reported to be men of ability and of good standing, and their opinion as to the cause of said disability should be entitled to great credit.

This man was a good soldier, and his record as a soldier is good. He remained on duty even while suffering from complicated disease, until he was physically unable to perform his duties, and finally received an honorable discharge.

The committee therefore, believing this to be a worthy and deserving case, recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ZEBULON S. TOMPKINS.

The next business on the Private Calendar called up for consideration (by Mr. RANDALL) was the bill (S. 2067) for increase of pension to Zebulon S. Tompkins.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the limitations and provisions of the pension laws, the name of Zebulon S. Tompkins, late of Company E, Sixth New Jersey Volunteers, at the rate of $12 per month, in lieu of the amount now received by him under the law.

Mr. MATSON called for the reading of the report, but withdrew the call after the Clerk had read three or four lines.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. ANDERSON, of Ohio. It is now 10 o'clock, and I renew my request to be permitted to call up out of its order the bill I have indicated.

Objection was made.

JOSHUA ARMSTRONG.

The next pension bill called up for consideration (by Mr. BINGHAM) was the bill (H. R. 2027) granting a pension to Joshua Armstrong.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorzed and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of Joshua Armstrong, dependent father of John E. Armstrong, late of Company A, Seventh Regiment United States Cavalry.

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

Mr. BINGHAM. This is the case of a dependent father, and the pension is granted under the provisions and limitations of the pension law.

The CHAIRMAN. The reading of the report is called for.

The report (by Mr. SWOPE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 2027) granting a pension to Joshua Armstrong, respectfully report:

Joshua Armstrong applied for pension to the Pension Department, April 5, 1880, as the dependent father of John E. Armstrong, who enlisted April 2, 1875, in Company A, Seventh United States Cavalry, and was killed in the battle of the Little Big Horn River, Montana Territory, June 25, 1876.

The Pension Bureau rejected the claim on the ground that the soldier left surviving a minor child, who is still living.

The birth of soldier's child, Ida Matilda, September 8, 1858, and child, Mary Emma, born January 26, 1861, is shown by verified copy of church record. Child Mary Emma was sixteen years of age January 26, 1877.

The facts of this case are briefly as follows: At the expiration of a previous term of service John E. Armstrong returned to his home with the intention of quitting the trade of war, and of resuming the arts of peace in the bosom of his family. But when he reached his home he found that the history of Enoch Arden had been repeated in his own case. When he enlisted he left a wife and two children; when he returned he found his wife living with another man and in a condition for—hich he disclaimed all responsibility. As soon as he realized the situation, and it required only a glance at the figure of his wife, in profile, he again left, re-enlisted April 2, 1875, and was killed as stated at the battle of Little Big Horn, June 25, 1876.

The two daughters whom he had by his wife are of age and married; the other child which his wife had he disclaimed all responsibility for.

It is in evidence that the soldier lived with his father prior to enlistment, and that he contributed to his support, sending him at one time as much as $100 out of his pay for that purpose.

The father is old and suffering from senile affections, as described by the examining surgeon. His claim for a pension was rejected by the Pension Department because at the time of the filing of his application there was a minor child surviving. As she is now of age and married, your committee think that, as this objection no longer exists, the father should receive the asked-for relief, and they therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

JONAS SCHOONOVER.

The next business on the Private Calendar called up for consideration (by Mr. WINANS) was the bill (H. R. 8663) to increase the pension of Jonas Schoonover.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior is hereby authorized and directed to increase the pension of Jonas Schoonover, late colonel of the Twenty-ninth Regiment Ohio Infantry Volunteers (who is now on the pension-roll under certificate of invalid pensions numbered ——, at the rate of $30 per month), to $72 per month.

The Committee on Invalid Pensions recommended the following amendment:

In line 8 strike out "$72" and insert "$40."

Mr. WINANS. I withdraw the call for the consideration of this bill.

Mr. PRICE. I move that it be reported with the recommendation that it be laid on the table. This is one of the objectionable bills.

Mr. RANDALL. I suggest that as the gentleman who introduced this bill is absent it be passed over, retaining its place on the Calendar.

Mr. ELLSBERRY. I would rather have the bill acted upon to-night. I call for the reading of the report.

The report (by Mr. ELLSBERRY) was read, as follows:

The files in this case show that claimant enlisted as a private soldier October 3, 1861.. That he served faithfully in the Twenty-ninth Ohio Volunteers until July 13, 1865. During the four years of service he served as private, lieutenant, captain, major, lieutenant-colonel, and colonel, having won his promotions by gallant and meritorious service. He is now receiving a pension of $30 per month on account of rheumatism. Under the existing laws the Pension Office can allow no more, as the soldier does not require the constant aid and attention of another person, and there being no grade between the rate of $30 for total inability to perform any manual labor and the rate of $50 for total helplessness.

The facts in this case seem to be that for several months each year for the past five years this claimant has been bedfast and totally helpless from the disability incurred in the Army, namely, rheumatism; while during the remainder of the year he is able to dress himself and with difficulty get around the room and on the street.

Dr. A. E. Foltz, his family physician, after giving a very careful description of the case, adds:

"During the winter of 1881 and 1882 he was confined to his bed and utterly helpless; nearly all the joints of the upper and lower extremities were involved, being acutely inflamed, red, swollen, and very painful, lasting about three months. Each succeeding winter he has had similar attacks. He presents all the disastrous joint affections of chronic articular rheumatism with winter attacks of the acute disease."

Dr. W. C. Jacobs corrpborates the above, and adds that he does not believe he can ever be any better. A. B. Kuder and O. W. Hale corroborate this, and add that for past six months the claimant has been the most of the time unable to walk at all.

While this case is not one of utter helplessness, entitling him to $50, it certainly approximates very closely to it, and the claimant deserves more than the comrade who is simply disabled from performing any labor.

Your committee recommend the passage of the bill with an amendment striking out the words "seventy-two," in line 8, and inserting the word "forty."

Mr. PRICE. I renew my motion that this bill be laid aside with the recommendation that it be laid on the table.

Mr. MORRILL. I wish to say in regard to this bill, Mr. Chairman, that I have examined every paper in that case, and a more meritorious application has not been before this House during this session. This man for four or five months of the year is entirely helpless.

If he continued to be helpless during the remainder of the year he would be entitled to $50 a month. As it is he only gets $40 a month. We have repeatedly acted upon just such cases, and it has been customary with the committee where helplessness exists, as in this case, to allow the difference between $30 and $50, according to the character of the disability.

Mr. MATSON. Will the gentleman from Wisconsin state the ground of his objection?

Mr. PRICE. My chief objection is that we ought not to raise a man who is getting $30 while many are getting nothing. Now, when you come to figures, the half difference between $30 and $50 is $40. If this man was disabled half the year, he would get that.

Four months, or one-third of the year, this man is disabled, but one-third of the difference would not be $40, yet you propose to give him this amount as if he was disabled half the year. I know you are going to vote the bill through, and it does not make much difference what argument is made against it.

The question being taken on the amendment of the committee, it was agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

LIBBIE C. MONTIS.

The next business on the Private Calendar was the bill (S. 1836) for the relief of Libbie C. Montis.

The bill was read, as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, instructed to restore to the pension-roll, subject to the limitations and provisions of the pension-laws, the name of Mahlon D. Montis, late a private in Company G of the Second Regiment of Ohio Volunteers, commanded by Col. William Irvin, and to place the name of Libbie C. Montis on the pension-roll as the widow of said pensioner, deceased.

The report (by Mr. ELLSBERRY) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (S. 1836) for the relief of Libbie C. Montis, have had the same under consideration and beg leave to refer to the annexed report of the Senate Committee on Pensions, which they adopt as their own, and recommend the passage of the bill with the following amendments:

Strike out all after the word "of," in line 5, and including the word "of," in line 7; also strike out all after the word "Montis," in line 7, and insert therein instead the words "widow of Mahlon D. Montis, late a private in Company G of the Second Regiment of Ohio Volunteers, war with Mexico;" so as to read after the word "of," in line 7, as follows: "Libbie C. Montis, widow of Mahlon D. Montis, late a private in Company G of the Second Regiment of Ohio Volunteers, war with Mexico."

That it appears from the papers in this case that Libbie C. Montis is the widow of Mahlon D. Montis, a private in Capt. James E. Harle's Company G, Second Ohio Volunteers, in the war with Mexico in 1847. That while in the service he contracted a disease in the line of his duty, which became chronic and made him an invalid throughout his life, and for which he was pensioned.

From patriotic impulses he attempted to enlist during the last war, but was rejected for physical disability. At the urgent call of the Government for one-hundred-day troops he did enlist and served for that time, and was honorably discharged on the 2d day of September, 1861, at Columbus, Ohio. In consequence of thus volunteering his name was dropped from the pension-roll, and he finally died of a complication of diseases which had their origin in the disease contracted while he was a soldier in the Mexican war and for which he was originally pensioned.

Declaration for pension filed December 28, 1885; claim rejected January 27, 1886, on the ground that the "death cause not due to service."

The statement of claimant is substantiated by affidavit of Mahlon D. Montis, dated May 23, 1851, as to the disease, which was contracted at or near Jalapa, Mexico, in July, 1848. Also the affidavit of James E. Harle, captain Company G, Second Ohio Volunteers (war with Mexico), dated May 23, 1851. Also affidavits of T. R. Robie, M. D., and J. H. Officer, M. D., dated May 23, 1851, corroborating original statement as to the disease contracted while a soldier in the war with Mexico; also, by affidavit of W. T. McMahon, M. D., dated May 7, 1875, that he had treated this soldier as his family physician since 1864 for the

disease contracted in Mexico, which was at first and for many years chronic diarrhea, which emaciated him very much, and as a result this soldier had at first nervous difficulties, which finally resulted in epilepsy, which caused his death.

The statement is further corroborated by the certificate of the board of examining surgeons, dated March 27, 1875, as to the condition of this soldier at that time, and they say that he was then "so disabled by disease as to be entitled to a pension of $8 per month," and is signed by J. B. G. Baxter, M. D.; N. F. Graham, M. D.; William Grinsted, M. D., and Luther C. Cox, examining surgeons.

The statement is further corroborated by an affidavit signed by S. S. Stearns, M. D., dated November 5, 1883, setting forth the fact that his disease was contracted during the Mexican war; also affidavit of Adolph Behrend, M. D., dated December 6, 1883, to the same effect.

The soldier died July 16, 1885.

Taking into consideration all the evidence filed in this case, your committee believe it to be their duty to report in favor of this bill and recommend its passage.

The amendments recommended by the committee were agreed to.

The bill as amended was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. LONG. Is it in order to ask consent to call up a bill out of its regular order?

The CHAIRMAN. It is not in order. The bills are called up in their order upon the Calendar by order of the committee.

Mr. MATSON. I move that the committee do now rise.

The motion was not agreed to, there being on a division—ayes 12, noes 20.

HENRY BELLION.

Mr. HERMANN. Mr. Chairman, with the consent of the committee I desire to state that a bill was inadvertently omitted on my part and passed over by the House. It is on page 52 of the Calendar, for the relief of Henry Bellion. I ask consent of the House to go back and take up this bill and put it upon its passage.

There was no objection.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and required to place the name of Henry Bellion, of Portland, Oreg., on the pension-roll, on account of a disability contracted in the service of the United States Army, in Company E, First Regiment United States Dragoons.

The report (by Mr. LANDES) was read, as follows:

The Committee on Pensions, to whom was referred the bill (S. 1217) granting a pension to Henry Bellion, have examined the same, and report:

That the facts upon which this bill is founded are set forth in the report made by the Senate committee, which report is accepted as the report of this committee, and is as follows:

[Senate Report No. 611, Forth-ninth Congress, first session.]

The application of the petitioner was rejected by the Pension Office on account of his inability to furnish satisfactory testimony connecting the alleged disabilities with the service and line of duty.

The Adjutant-General's report says:

"Henry Bellion enlisted on the 12th day of February, 1855, and was assigned to Company E, First Regiment of the United States Dragoons, and that he was discharged February 12, 1860, by reason of expiration of service. Muster-rolls reporting him absent or present do not show nature of disability."

The Surgeon-General's report says that Private Henry Bellion, Company E, First Regiment Dragoons, was sent to hospital, Fort Walla Walla, Washington Territory, October 2, 1857, with gunshot wound.

Both the Adjutant and the Surgeon General admit that the records are defective.

The board of examining surgeons find: "A ball has struck his right leg about midway of its length, outside the tibia, and been removed." The right index finger has been injured and amputated. They also find inguinal hernia, requiring use of truss.

The soldier avers that he is unable to learn whether the surgeon of his regiment is living or dead; that many of his comrades, immediately after discharge, enlisted in the Union service, and he has never heard of them since, and that it is impossible to furnish the testimony required.

In view of all the circumstances the committee feel that it is only an act of justice to concede some relief to this man.

The bill is reported favorably, with the recommendation that it do pass.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. LONG. Mr. Chairman, I do not want to ask any favor for myself, but I would ask unanimous consent that each member of the committee here present have consent to call up one case out of the regular order.

Mr. MATSON. I must object to that. We can not get around at this late hour of the night.

Mr. LONG. But some of us can get around. [Laughter.] [Cries of "Regular order!"]

Mr. WALLACE. Mr. Chairman, coming as I do to the House so late in the session I had hoped it would not be necessary for me to rise for the expression of my views on any subject but that I could satisfy myself in voting my sentiments. But this legislation here to-night, I may be permitted to say, seems so extraordinary and so subversive of what I consider proper and right and consistent legislation, that I deem it my duty to enter a protest. Thirty-five men, it seems, can draw from the Treasury the money of the United States for a large amount of pensions, disbursing the funds of the Government indiscriminately in granting special acts of relief. The precedent is bad and the system infamous.

Mr. BINGHAM. Mr. Chairman, I do not wish to interrupt the gentleman, but I would like to ask to what bill he is speaking.

The CHAIRMAN. There is no bill before the committee, and the gentleman is not now in order.

Mr. BINGHAM. The gentleman can make his speech when a bill is under consideration.

Mr. WALLACE. I beg pardon; I thought a bill had been read.

JAMES F. SALYERS.

The next business on the Private Calender was the bill (H. R. 3948) granting a pension to James F. Salyers.

Mr. WINANS. I ask consideration of that bill.

The bill is as follows:

Be it enacted, &c., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension-roll, subject to the provisions and limitations of the pension laws, the name of James F. Salyers, late a private in Company B, Eighteenth Regiment Kentucky Volunteer Infantry.

Mr. WALLACE. Mr. Chairman, it is very disagreeable to me——

Mr. LONG. Will the gentleman excuse me? Has consideration been asked for this bill?

The CHAIRMAN. It has, and the bill has been read.

Mr. WALLACE. It is very disagreeable to me to make this movement or take this step. Coming, as I have said, so lately into the House I feel it somewhat presumptuous that so new a member should endeavor to interpose an objection to this method of legislation, which I understand has been in existence some eighteen months. But it seems to me, with the precedents which have gone before and in view of the recent veto messages of the President of the United States, I am not entirely alone in feeling this to be an outrageous form of legislation. I do not only allude to it in the case of pensions, but my protest is to this system of legislation, no matter what may be the object for which the money is being appropriated.

I should object to it no matter for what purpose the money was drawn from the Treasury to be paid out indiscriminately upon such slight consideration as we have had here to-night. If of three hundred and twenty-five members of this House we can not get more than thirty-five who take an interest in pensions, I think it would be a very good idea for us to abolish this practice of holding special pension sessions. While I do not desire to call a quorum on these bills to-night, I shall certainly at the next meeting of this kind that is held enter my protest and call a quorum if the attendance be so limited as it is this evening.

It is very far indeed from my mind to make any opposition to pensions. I am in favor of all legitimate and rightful pensions; and whenever there is a proposition to give a pension to a man who has served his country, and in rendering that service has received a wound or contracted an illness of a character to keep him from earning a living and taking his part in the struggle of life, I shall accord it my vote most cheerfully.

But I have seen this evening several bills passed simply on the report of a committee. That committee is not infallible. Several of its reports have been changed, reversed, and seventeen of these bills vetoed. It seems to me clear that thirty-odd members of the House have no right to take the public money which should be a sacred trust with them and with each member of the House and vote it away in this manner.

I have no doubt that certain of my friends on the other side, who do not think politically as I do, will say, "That is because he comes from the South."

I desire to say, sir, that I come from a section of the New South, that has forgotten the war—a South of peace and harmony among men. I am happy to say that I do not believe there is one man who comes from my section who would raise that question or desire to hear it raised on this floor. Therefore I disclaim all feeling of sectionalism, I disclaim all prejudice against pensions; but I should most earnestly protest against any form of legislation drawing money from the Treasury for any purpose whatsoever by so limited a body as we have here to-night, and especially in the manner in which this legislation has gone on, without even hearing many of the reports made from the committee read. I have heard a pension voted to a man who died long since the war from a disease of the liver, a disease which may come on at any time suddenly, and which carries its victim off without very long suffering, and could not have been the result of a war twenty years ago.

As I understand it there has been a sort of agreement between parties here that these pension bills shall be allowed to pass in this way, but I wish to say I can not consent to sit by at any future meeting without calling a quorum if the attendance is as small as it is here to-night. I do not say that I shall call a quorum if a large body or a respectable body of members shall be in attendance. [Laughter.]

Mr. HOLMES. I would like to ask the gentleman to inform us what he would regard as a respectable number, so that we may try to be prepared to do business at our next meeting.

Mr. WALLACE. I prefer to withhold that information for the present.

Mr. PERKINS. And I would like to ask the gentleman if this legislation would be more meritorious than it is if the House were full?

Mr. WALLACE. Yes. Whatever the full House would do by a majority they have a right to do, and they would be responsible for it.

Mr. LONG. Would the gentleman from Louisiana think it worth while to consider this particular case, to let the report be read and let us determine whether the case is a meritorious one?

Mr. WALLACE. I am not alluding to this particular case, but to the general practice in regard to these special pension bills.

Mr. LONG. But would it not be well to have the report in this case read and the case considered?

Mr. PRICE. I want to ask the gentleman from Louisiana how in the nature of things the State that he represents in part could have received at one time $1,000,000 and at another time $300,000 which was purely local in its benefits if we had been sticklers for a quorum at the time we voted those appropriations in the Forty-eighth Congress?

Mr. WALLACE. I do not profess to be responsible for what was done by any legislative body in which a quorum was not present. I was not here. I would object to thirty-five men voting away $1,000,000 for any purpose in my or any district.

Mr. PRICE. Then I understand the gentleman only became responsible for the action of the American Congress when he took his seat here a few days ago. I am glad to know that.

Mr. WALLACE. I became partially responsible, and I do not wish to bear one thirty-fifth part of this responsibility either. I simply make to-night the announcement I have that there may be no unpleasant feeling if at any future meeting I should make the point I have indicated and raise that issue.

Mr. ADAMS, of Illinois. Will the gentleman permit me a suggestion? It has frequently occurred that even when one of the regular appropriation bills involving a very large amount of money was under consideration this House sat in Committee of the Whole with only 90 voting.

Mr. WALLACE. But with the larger part of the members present.

Mr. ADAMS, of Illinois. Oh, no.

Mr. BRADY. Why we passed the legislative appropriation bill a few days ago, appropriating about $20,000,000, and I am sure there was not a quorum present at the time.

Mr. WHEELER. Will the gentleman yield to me for a moment?

Mr. WALLACE. I will yield to the gentleman from Alabama.

Mr. WHEELER. I fully agree with all the gentleman says regarding the importance of strictly and zealously guarding the Treasury. I fully concur with the gentleman that it is the duty of Congress to carefully consider every pension bill and to vote down every bill which is not meritorious; but I can not agree with him that bills of this character would be more carefully considered if every member was in this Hall.

My experience has taught me that the Committee on Pensions take all proper care to guard against imposition. I believe some four thousand pension bills have been referred to the Committee on Invalid Pensions and but five hundred have received favorable consideration.

The reports made by the committee are printed and placed before each member of the House, and my experience has taught me that with fifty to seventy members present we more fully understand each case than we would if all the members were here giving their usual attention to what is going on in the House. The gentleman from Louisiana must have observed that the noise and confusion of a full House makes it difficult for any member to fully understand the proceedings, and it often happens that but very few seem to understand the questions at issue.

To impose legislation of a private nature upon all the members of the House would go very far to retard business, and I can not think it would prevent the passage of a single bill which would not be rejected by the members who are present to-night. It is frequently the case that questions come up which members think should be brought before the full House, and such propositions very seldom meet with objection.

The gentleman will therefore observe, notwithstanding the fact that fewer members are present at evening sessions, those few are enabled to give subjects brought before them better attention than is usually given them by three hundred and twenty-five members.

Mr. WALLACE. As I understand, all these bills coming before the House on Friday nights are cases that have been rejected at the Department.

Several MEMBERS. Oh, no!

Mr. WALLACE. And the *prima facie* evidence is that there is something wrong about them. If the business of this House is to be left entirely to committees, then the House as it stands is entirely too large. There are three branches of the Government before which these bills must come—the House, the Senate, and the President. How is it possible for the Executive of this country to give proper consideration to bills which are sent to him at the rate at which these pension bills are sent, and at the same time give due consideration to important matters of general legislation submitted for his approval?

A MEMBER. That is not our fault; it is his lookout.

Mr. WALLACE. It is the "lookout" of those who desire good government. The President of the country does earnestly desire it, and in the conscientious discharge of his duties desires to examine these bills which are sent to him. He can not do more than a certain amount of work in a given time, and consequently has to allow many pension bills to become laws without his signature. I am informed that as many as two hundred have been placed in his hands at once. How is it possible for him in the course of ten days to give such a mass of bills mature consideration? To send him bills in this way is unfair to him, unjust to the people, and without proper regard for the interests of the Treasury. Under such circumstances as these it is impossible that pension cases can be considered in the thorough manner that they should be.

Mr. LONG. Will the gentleman allow me one suggestion?

Mr. WALLACE. I will yield for a question.

Mr. LONG. I desire to make a single suggestion, and I do it in good faith. The gentleman claims that it is desirable to give each one of these bills careful consideration. Now, how can the gentleman give to this particular bill before us at this moment more careful consideration than by having the report read, examining the circumstances for himself, speaking upon it if he so desires, interrogating the committee that reported it, and ascertaining how far they have looked into the matter? Is not such a course preferable to dealing, as we are now dealing, in generalities, which in no way contribute to the understanding of the legislation before us?

Mr. WALLACE. So far as I have observed there have not been more than two or three requests to-night for the reading of the reports, except requests made by myself.

Mr. LONG. Let me ask the gentleman whether he has carried his investigation so far as to examine the reports or interrogate the committee so as to satisfy himself in regard to the propriety of the reports. If he had done so, I am sure he would have found that, as the gentleman from Alabama [Mr. WHEELER] has stated, these cases have in general been carefully investigated by the committees. Certainly the gentleman would arrive at the merits of any particular case much more directly and satisfactorily by having the bill and report read.

Mr. WALLACE. I can not undertake to come here and be the only one to ask for the reading of reports. I can not stand here as the great demander of that proceeding. I do not want to occupy any such position.

Mr. LONG. That is substantially the very position which the gentleman proposes to take hereafter by insisting upon a quorum; he proposes to make himself the arbiter hereafter of all pension legislation.

Mr. WALLACE. I only propose to do that in regard to pension legislation which I consider improper. I make no objection to any other kind of pension legislation.

Mr. GALLINGER. Of course the gentleman knows that every member of the House is furnished with a copy of the bill and report in every case.

Mr. PERKINS. Do I understand the gentleman from Louisiana to say that he thinks all this pension legislation is wrong?

Mr. WALLACE. I do not. A part of it is wrong and a part of it is right. That is exactly my view. I think that a great deal of this pension legislation is meritorious. A great many persons for whose benefit pension bills are brought into the House deserve to receive pensions; and I am in favor of granting pensions in all cases where men are worthy of them—where it can be shown that they have while in the military service received wounds or incurred disease from which they suffer.

But I am not prepared to say that pensions should be granted, as they are here in many cases, where the disability can not be traced to any service in the war, where a great deal must be taken for granted as to the facts of the case, and where the bills are passed without any consideration and by a very small vote. I do not think that is proper legislation, and with a large body of members in attendance I do not believe it would be passed.

Mr. NEECE rose.

The CHAIRMAN. Does the gentleman yield to the gentleman from Illinois?

Mr. WALLACE. Yes; for a question.

Mr. NEECE. Does not the gentleman know that the Pension Bureau in many instances asks the House to pass private bills?

Mr. WALLACE. Some of them, yes. I say and I affirm I am not opposed to a few of these bills, but there are a great many I am opposed to. I say furthermore I am opposed to any legislation which takes out of the Treasury of the Government the large amount of money this pension service does, or any other service of the same size and character, by so small a body of members assembled in this House at these night sessions out of a large number of members composing the House itself.

Mr. BINGHAM. Is not the gentleman familiar with the fact, not only in this Congress but in preceding Congresses, the deliberation, consideration, and conclusion of pension legislation has always been accepted by the House as being done on Friday or any other evening fixed for that purpose, when but a limited number of the House, as has always been the case, is in attendance? It is known to the House and the country that gentlemen come here simply for the consideration of their own cases. It is a time of watchfulness on their part to see that those cases come up in their turn and are properly considered.

At these evening sessions of Congress but a limited number of members attend. They take the Calendar, which is printed, and they see the cases which are likely to be taken up and considered, and if it is not likely those in which they are interested will come up they do not

come to the House. If those cases are reported by the committee favorably and are placed upon the Calendar for consideration at these night sessions, the assumption is, of course, they are good cases for the House to pass.

Mr. WALLACE. That is not proof always the case is a good one.

Mr. BINGHAM. The gentleman should take exception to the specific case and not take exception generally as to the wisdom of this whole legislation.

Mr. WALLACE. Then in order to understand each one of these cases I would be compelled to call for the reading of the report of the committee accompanying it, and I do not wish to set myself up here as a reformer by being the only one to call for the reading of the reports of committees. There is a much surer way to reach that result, and that is to provide these reports shall be read in every case. Such has not been the practice. In order to force these cases through the reading of the reports is nearly always omitted.

Mr. PERKINS. Do I understand the gentleman from Louisiana to say while in his judgment much of this legislation is right, nevertheless it should be rejected?

Mr. WALLACE. No; I said nothing of the sort.

Mr. PERKINS. Or that it should not be considered in these evening sessions unless a respectable number of members of the House is present to consider them?

Mr. WALLACE. I believe a fair and proper representation of a legislative body like the House of Representatives, which consists of three hundred and twenty-five members, should be present at these night sessions to consider any question where disbursements from the Treasury of the Government are to take effect.

Mr. LONG. Is it not a matter of fact, let me ask the gentleman, we will get a better consideration of these bills to-night than if the House were full?

Mr. WALLACE. No; I do not think so. Only those come here who have bills they desire to pass. Those who have no bills do not come at all. They go to the various places of amusement. This is known as pension night, and those who have pension cases come here and attend to them; those who have no business of that character remain away, and each one present being anxious to secure adoption of his own bill is not likely to be critical of his neighbor's.

Mr. LONG. What does the gentleman suggest as to considering this bill now and having the report read?

Mr. WALLACE. I am not taking issue against any report or against any particular bill. [Cries of "Vote!"] I am making these remarks to-night so it may not be charged in the future that I take the House by surprise if I shall make this motion and call a quorum and thereby overthrow an established custom. I wish to do nothing that may tend to throw the course of business here into chaos [cries of "No!" on the Republican side] or of being in any way an impediment to proper legislation.

A MEMBER. No, not chaos. [Laughter.]

Mr. WALLACE. If the gentleman does not know what chaos means he can send for a dictionary. He probably thinks I mean a place much hotter than this. [Laughter.]

Mr. MATSON. I move that the committee rise.

Mr. BROWN, of Pennsylvania. Having been lectured by the gentleman from Louisiana, I hope the House will be allowed to proceed with the consideration of these pension cases.

The CHAIRMAN. The report in this case having been called for, it will be read.

The report (by Mr. TAULBEE) was read, as follows:

The Committee on Invalid Pensions, to whom was referred the bill (H. R. 3948) granting a pension to James F. Salyers, submit the following report:

James F. Salyers enlisted as a private in Company B, Eighteenth Regiment Kentucky Volunteers, on 18th October, 1861, and was discharged for disability July 1, 1862; filed claim for pension July 2, 1879, alleging injury to knee-cap of left leg. His claim was rejected May 1, 1881, on the ground that the disability was not incurred in the line of duty.

The facts, as shown by the records and proof on file in the Pension Office, are as follows:

After enlistment, and while the soldier was absent on furlough, he had an encounter with confederates in a hand-to-hand engagement, in which he received a cut near the left knee. He was not mustered until February 8, 1862. After he had received the cut aforesaid, regimental surgeon testified as follows:

"That when claimant enlisted, October 18, 1861, he was perfectly sound. When the regiment was mustered into the service, February 8, 1862, I examined him. He had, about two weeks after he enlisted, while on a furlough at his home in Grant County, been attacked by some rebels, and in the skirmish that followed received a cut with a knife across the tendon of the extensor muscles of the thigh, a couple of inches above the upper margin of the patella, which had healed up, apparently sound, so that he was regularly performing soldier's duty; consequently we received him and had him mustered in about the 1st of March, 1862.

"While on duty with his company at Nicholasville, Ky., there being sleet on the ground at the time, he received a fall, the force of which lacerated the ligaments where it had been formerly cut. About a week after came under affiant's treatment. The thigh, and, in fact, the whole limb, was terribly swelled; it suppurated and confined him for two months in bed. He partially recovered, with ligaments elongated, the patella falling below the knee, leaving the limb weakened, so that he was discharged."

This captain testifies as follows:

"That March 1, 1862, at Nicholasville, Ky., while returning from guard duty, slipped and fell, the ground being covered with ice, upon his knee with such violence as to cause a rupture of the conjoined tendon and other relative parts of the left knee-cap, dislocating the same and causing it to slip down some two or three inches below the proper position, in which situation it yet remains. Was present when claimant received said injury."

The Pension Office rejected the claim on the ground that the present disability was traceable to the cut, and that the cut was received while claimant was absent on furlough.

Your committee believe that while the said cut may have been the remote cause, the injury received from the fall superinduced the development of whatever injury resulted from the cut, and is the direct cause of the present disability, which was unquestionably received while in line of duty. We therefore recommend the passage of the bill.

The bill was laid aside to be reported to the House with the recommendation that it do pass.

ORDER OF BUSINESS.

Mr. MATSON. I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and Mr. MATSON having taken the chair as Speaker *pro tempore*, Mr. MCMILLIN reported that the Committee of the Whole, having had under consideration pension bills upon the Private Calendar, had directed him to report sundry bills with various recommendations.

BILLS PASSED.

The following bills reported from the Committee of the Whole were severally considered, ordered to be engrossed for a third reading, read the third time, and passed, namely:

A bill (H. R. 6132) granting a pension to William Lynch;

A bill (H. R. 7698) granting a pension to Robert K. Bennett;

A bill (H. R. 7327) granting a pension to Anthony McRobertson;

A bill (H. R. 8374) granting a pension to Mrs. Mary M. Gillham;

A bill (H. R. 7517) for the relief of Warren L. Rice;

A bill (H. R. 8977) to restore to the pension-roll the name of Samuel Bulman;

A bill (H. R. 6824) granting a pension to James Savercool;

A bill (H. R. 8835) granting a pension to Jacob Case;

A bill (H. R. 8834) granting a pension to Abraham P. Griggs,

A bill (H. R. 8836) granting a pension to John Miller;

A bill (H. R. 2027) granting a pension to Joshua Armstrong; and

A bill (H. R. 3948) granting a pension to James F. Salyers.

The following bills, reported from the Committee of the Whole with amendments, were severally considered, the amendments concurred in, and the bills as amended ordered to be engrossed and read a third time; and being engrossed, were accordingly read the third time, and passed, namely:

A bill (H. R. 6523) granting a pension to Henry Roscoe;

A bill (H. R. 7712) granting a pension to Virginia Taylor Randall;

A bill (H. R. 9106) granting a pension to Rachael Barnes;

A bill (H. R. 260) for the relief of Margaret S. Fain;

A bill (H. R. 8663) to increase the pension of Jonas Schoonover; and

A bill (H. R. 8830) granting a pension to Aaron Garis.

The title of the latter bill was amended so as to conform to the action of the committee.

Senate bills of the following titles were severally considered, ordered to a third reading, read the third time, and passed:

A bill (S. 810) granting a pension to Charles J. Estey;

A bill (S. 1390) for the relief of B. Frank Patterson;

A bill (S. 2067) for an increase of pension to Zebulon S. Tompkins; and

A bill (S. 1217) for the relief of Henry Bellion.

The bill (S. 1836) for the relief of Libbie C. Montis was considered, the amendment recommended by the committee agreed to, and the bill as amended ordered to be read the third time; and was accordingly read the third time, and passed.

Mr. MCMILLIN moved to reconsider the several votes by which bills were passed; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

Mr. PRICE. I ask a separate vote on Senate bill 1133.

Mr. WINANS. I ask a separate vote on Senate bill 2192.

The bill (S. 1224) granting a pension to Henry H. Stutsman, reported adversely from the Committee of the Whole, was considered, and the adverse recommendation concurred in.

MARGARET HUNTER HARDIE.

The next business reported from the Committee of the Whole with a favorable recommendation was the bill (S. 1133) granting an increase of pension to Margaret Hunter Hardie.

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

Mr. MCMILLIN. I suggest that this bill, having reached its third reading, and the other bill (S. 2192) about which there is considerable diversity of opinion, be reported to the full House, especially as one of these provides for an increase of pension merely because there is an increase of necessity on the part of the pensioner, as claimed by the applicant.

Mr. RANDALL. I hope this bill will not be laid aside for that purpose; let us pass it now.

Mr. MCMILLIN. In this connection I want to suggest that where the soldier is disabled that enters in as an element; but the law fixes the pension as to widows, and the increasing disability of the widow

herself has not been heretofore taken as an element in determining the amount of pension. I think therefore the gentleman should allow it to take that course.

Mr. RANDALL. This is one of the most meritorious bills; and it is quite unfortunate the gentleman should have selected such a bill to make the issue upon.

There is no objection to the bill that I know of except that of the gentleman from Wisconsin, who objects upon principle, and for whose convictions I have the highest possible respect. But I do not want this particular bill picked out.

The SPEAKER *pro tempore*. The Chair understands that the gentleman from Tennessee asks unanimous consent; and assumes, in view of the statement of the gentleman from Pennsylvania, that there is objection.

Mr. McMILLIN. I do not desire to make the point of no quorum——

Mr. RANDALL. I hope the gentleman will not do that. To go and pick out a particular bill——

Mr. McMILLIN. I beg to say any bill where the ground for the increase of pension is merely the increase of poverty or debility of the widow should not pass except by a vote in a full House.

Mr. RANDALL. That is not the case with this bill.

Mr. McMILLIN. There is one of these bills which has that feature. If it is not the case in this bill I do not oppose it.

Mr. GALLINGER. That is not the case with the other bill either. That circumstance merely happened to be mentioned.

Mr. McMILLIN. I do not propose to make the point on the bill that has not that ingredient in it.

Mr. RANDALL. I do not understand that this bill has that feature. I will not say it has not, as I am careful what I say. I rest the passage of this bill on what is stated in the report, and if the gentleman chooses to object I can not help it.

The question being taken, it was decided in the affirmative; and the bill was passed.

ABBY L. BURBANK.

The next business reported from the Committee of the Whole House was the bill (S. 2192) granting a pension to Abby L. Burbank; reported with a favorable recommendation.

Mr. McMILLIN. That is the case which was put on the ground of increased debility of the widow.

The SPEAKER *pro tempore*. The question is on the third reading of the bill.

Mr. McMILLIN. I do not object to the third reading.

The bill was ordered to a third reading; and it was accordingly read the third time.

The SPEAKER *pro tempore*. The question is on the passage of the bill.

The question being taken, the Speaker *pro tempore* stated that the "ayes" *seemed* to have it.

Mr. McMILLIN. I call for a division.

The House divided; and there were—ayes 20, noes 7.

Mr. McMILLIN. I suggest to the gentleman who has charge of this bill to let it go over by consent.

Mr. GALLINGER. I do not consent.

Mr. WINANS. I make the point of no quorum.

The SPEAKER *pro tempore*. The Chair will appoint as tellers the gentleman from Michigan, Mr. WINANS, and the gentleman from New Hampshire, Mr. GALLINGER.

Mr. McMILLIN. I move that the House do now adjourn.

The question being taken on the motion to adjourn, the Speaker *pro tempore* stated that the "noes" seemed to have it.

Mr. McMILLIN. I call for a division.

The House divided; and there were—ayes 10, noes 13.

So the House refused to adjourn.

Mr. RANDALL. I rise to make a privileged motion. I move to reconsider the vote by which the bill (S. 1133) granting an increase of pension to Margaret Hunter Hardie was passed; and I move that the motion to reconsider be laid upon the table.

The SPEAKER *pro tempore*. Another motion is pending on which the House is dividing. The gentleman from New Hampshire [Mr. GALLINGER] and the gentleman from Michigan [Mr. WINANS] will take their places as tellers. The question is on the passage of the bill.

The House again divided; and the tellers reported—ayes 17, noes 8.

The SPEAKER *pro tempore*. The "ayes" have it, and the bill is passed.

Mr. McMILLIN. The point as to no quorum was not withdrawn.

The SPEAKER *pro tempore*. If the gentleman insists, the Chair will withdraw the announcement of the result. Gentlemen who have not voted will pass between the tellers.

Mr. ERMENTOUT. There is evidently a quorum in the House. [Laughter.]

Mr. NEECE. I insist that all shall be compelled to vote.

Mr. ERMENTROUT. Let the Sergeant-at-Arms bring them in.

Mr. McMILLIN. It is evident nothing can be done to-night, and I move that the House adjourn.

Mr. RANDALL. I ask the gentleman to withdraw that for a moment until I make the motion to reconsider.

Mr. McMILLIN. Gentlemen have stated to me that the bill just passed is the one which embraces the ingredient I have spoken of. The RECORD will show how that is.

Mr. RANDALL. That bill has passed, and I do not want it to go over without reconsideration.

Mr. GALLINGER (one of the tellers). When the House is dividing is a motion to adjourn in order?

The SPEAKER *pro tempore*. The motion to adjourn is always in order when the House finds itself without a quorum.

Mr. McMILLIN. I will withhold the motion to adjourn that the gentleman from Pennsylvania may make the motion he has indicated.

The SPEAKER *pro tempore*. The motion of the gentleman from Pennsylvania would not be in order except by unanimous consent while the House is dividing on another motion.

Mr. RANDALL. It is as much so as the motion to adjourn.

The SPEAKER *pro tempore*. When the vote shows the absence of a quorum the motion to adjourn is in order.

Mr. RANDALL. Not until the tellers have made their report.

The SPEAKER. The gentleman from Pennsylvania can ask unanimous consent to submit his motion.

MARGARET HUNTER HARDIE.

Mr. RANDALL. I ask unanimous consent to reconsider the vote by which the bill (S. 1132) granting an increase of pension to Margaret Hunter Hardie was passed; and I move to lay the motion to reconsider on the table.

The SPEAKER *pro tempore*. If there be no objection that order will be made.

There being no objection, the motion to reconsider was laid on the table.

Mr. McMILLEN. I move that the House do now adjourn.

The motion was agreed to—ayes 14, noes 10.

And accordingly (at 11 o'clock and 2 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. BURNES: Petition of C. B. Caslar, George W. Cooper, and other members of the Grand Army of the Republic in Atchinson County, Missouri, in favor of Senate bill 1886, and other just and liberal legislation for the benefit of dependent and needy soldiers—to the Committee on Invalid Pensions.

By Mr. CRAIN: Papers relating to the claim of Vidal Hernandez, of Texas—to the Committee on War Claims.

By Mr. DINGLEY: Petition of the New York committee for the prevention of State regulation of vice, officially signed, asking an official inquiry and appropriate legislation concerning the alleged international traffic in young girls for immoral purposes—to the Committee on the Judiciary.

Also, petition of citizens of Oxford, Me., for increase of pension of Cyrus T. Wardwell—to the Committee on Invalid Pensions.

By Mr. EUSTACE GIBSON: Papers relating to the claim of George P. Tambro, of Jefferson County, West Virginia—to the Committee on War Claims.

By Mr. T. J. HENDERSON: Petition of Mrs. James H. Braffett, of Campton, Ill., for a pension—to the Committee on Invalid Pensions.

By Mr. MATSON: Petition of members of U. S. Grant Post, No. 14, of Montana; of Henry C. Beebe Post, No. 223, of Michigan, and of H. S. Eggleston Post, No. 199, of Wisconsin, for the passage of Senate bill 1886—to the same committee.

By Mr. RANNEY: Petition of Alfred Bloxham, for an invalid pension—to the same committee.

By Mr. RICHARDSON: Petition of C. R. Holmes, administrator of estate of Mrs. Dorothy Phillips, asking to refer claim of said deceased to the Court of Claims—to the Committee on War Claims.

By Mr. ROGERS: Petition of Mrs. Susan Richardson, of Franklin County, and of Mary A. England, of Van Buren County, Arkansas, asking that their war claims be referred to the Court of Claims—to the same committee.

By Mr. SPRINGER: Petition of members of Camp Butler Post, No. 389, Grand Army of the Republic, of Riverton, and of Morgan Post, No. 208, of Illiopolis, Ill., for the passage of Senate bill 347—to the Committee on Invalid Pensions.

By Mr. STEELE: Petition of J. G. Young and 150 others, of Warren, Ind., asking for the passage of Senate bill 1886—to the same committee.

By Mr. O. B. THOMAS: Petition of citizens of Crawford County, Wisconsin, praying that a pension be granted Lieut. Cyrus Peck, Thirty-sixth Regiment Wisconsin Volunteers—to the same committee.

By Mr. TUCKER: Petition of citizens of Missouri, for a Federal code of procedure—to the Committee on the Judiciary.

By Mr. WHEELER: Petition of Mary Arnold, formerly Mary Gance, asking that her claim be referred to the Court of Claims—to the Committee on War Claims.